



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, AUGUST 5, 2019
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

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

2. ROLL CALL AND STATEMENT OF QUORUM

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

3. APPROVAL OF THE MINUTES

- a. Minutes of the Public Hearing of Monday, July 15, 2019 pertaining to proposed zoning text amendment regarding District Regulations
- b. Minutes of the Public Hearing of Monday, July 15, 2019 pertaining to proposed zoning text amendment defining and clarifying zoning pertaining to sexually-oriented businesses
- c. Minutes of the Public Hearing of Monday, July 15, 2019 pertaining to proposed zoning text amendment supplementing existing regulations of Section 405.150
- d. Minutes of the Public Hearing of Monday, July 15, 2019 pertaining to proposed zoning text amendment adding Chapter 606 to the Business and Occupation Section of the Code
- e. Minutes of the Public Hearing of Monday, July 15, 2019 pertaining to the proposed zoning text amendment defining Group Home, Care Home and Care Home Complex

- f. Minutes of the Public Hearings of Monday, July 15, 2019 pertaining to a rezoning request for property at 351-377 Forest Summit Court and a Special Use Permit Request for a Care Home Complex at 351-377 Forest Summit Court and a Request for approval of a Preliminary Site Development Plan to construct a Care Home Complex
- g. Minutes of the Public Hearings of Monday, July 15, 2019 pertaining to a request for an amendment to a Site Plan for property at 1108 Sulphur Spring Road
- h. Minutes of the Regular Board of Aldermen meeting of Monday, July 15, 2019

Mayor Clement stated he is suggesting the approval of the minutes for the seven public hearings and the regular meeting of July 15, 2019, and unless anyone had any corrections to any one of the minutes, he would entertain a motion to approve all the public hearing minutes and the minutes of the regular meeting of July 15, 2019. He said if someone had a correction, those specific minutes could be discussed separately.

Alderman Hamill made the motion to approve the minutes of the seven public hearings and the regular meeting of July 15, 2019. The motion was seconded by Alderman Ottenad and carried 5 - 0, with no objections from any members of the Board of Aldermen.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Clement announced that a scout was in attendance, so he would be introducing him.

Alderman Hamill made the motion to approve the amended agenda. The motion was seconded by Alderman Toben and carried 5 - 0, with no objections from any members of the Board of Aldermen.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Legislative Update - Senator Andrew Koenig

Senator Andrew Koenig stated that the Legislature passed a \$29 billion budget this year.

He said that several things unique to this budget are:

1. A cost sharing program for local government if they want to match state funds on state roads for neighborhood transportation.
2. The bonding proposal. Originally, the Governor wanted a 15-year, \$400 million bond with interest, Senator Koenig said he was opposed because of the higher interest rate and there may be a need to spend money on roads in the future, so it has been shortened to 7 years, which will save the State \$80 million in interest. He said he would have preferred to take \$100 million out of the budget each year, but instead \$50 million will be used. Also, the

State of Missouri will be able to get a grant of \$81 million from the Federal Government to replace the bridge near Columbia on I-70.

3. Wayfarer's decision - Senator Koenig said there is an incentive for people to purchase on the Internet to avoid sales tax, and that is important to cities, because if people purchase on the Internet and avoid tax, that also hurts brick and mortar businesses. He said he is very anti-tax from the State's perspective, as he is proposing taking increased revenue from Wayfarer to reduce income tax. He said that Google and Amazon and a lot of people are giving input into it. He said he did get a lot of agreement from many of the businesses, but unfortunately, not all senators agreed. He said he final result was the Bill did not pass, but it did come close to passing out of the Senate.
4. Education - Senator Koenig stated the Legislature fully funded the foundation formula for the 2nd year in a row which called for an increase in revenue of \$10 million so there will be funding for the schools at the highest level ever, as far as dollar amount. He said it is important to make sure the schools are well funded.

Senator Koenig said those were the highlights he wanted to share.

Mayor Clement asked about the bridge project, whether that grant is for the Missouri River Bridge to the west of Columbia on I 70.

Senator Koenig stated that the Missouri River Bridge to the west of Columbia on I-70 was built in 1960, would have been almost \$200 million to replace. He said to repair it would have been \$80 million, but the repair would probably only last about ten years. He said to do a full replacement, there would be no delays, and the new bridge would be built right next to the old one. He said the State of Missouri would receive \$81 million from the Federal Government, and the new bridge will be built in 2021.

Mayor Clement stated that in February, he and City Administrator Perney were in the Senator's office with concerns of "Better Together". He asked if that comes back as a rebirth in some way, how the Senator would react.

Senator Koenig said he would absolutely oppose it. He said it takes away local control from the communities, and the plan submitted had many bad things with it, including that it would be putting people in office that wouldn't even have to run for office, and the voters' preferences would be denied.

Mayor Clement asked if anything came out of the legislature this year that made it a bit safer.

Senator Koenig responded that a Resolution passed, but it is not binding. He said the Legislature does think that the people in the area should be the ones to vote on it as opposed to the entire state.

Mayor Clement asked if anything is proposed for the next session.

Senator Koenig said they would be looking at a change in the Constitution.

Mayor Clement stated he believed a change in the Constitution would involve a vote of the residents.

Senator Koenig said that was true.

b. Comments from the Public

There were no comments from the public.

6. REPORTS FROM THE MAYOR

a. National Purple Heart Day Proclamation

Mayor Clement stated that there has been a lot of hard work that has taken place to recognize and find ways to improve activities and involvement of the veterans. He stated that early on, the City was told some of the easy things we could do was to seek recognition as a POW-MIA City and a Purple Heart City, and both of those have been accomplished. Mayor Clement read a Proclamation recognizing National Purple Heart Day, and called upon Alderman Huether, Alderman Ottenad, City Administrator Larry Perney, and City Clerk Ruth Baker to accept this, because they were part of a team that worked on getting these designations. He said this is very precious to us, and the Purple Heart Flag will be flown at the Veterans Memorial on National Purple Heart Day which is August 7.

b. Introduction of Boy Scout

Mayor Clement introduced Boy Scout Joe Scanlon of Troop 631, sponsored by St. Marks Presbyterian Church. Scout Scanlon is working on his "Citizenship in the Community" merit badge. Mayor Clement said he also wanted to recognize the parents, because scouting requires a lot of work, and young men sometimes need to have initiative and some encouragement.

c. Mayoral Report

Mayor Clement stated that tomorrow night is "National Night Out", and there are at least three events in the City of Manchester of which he is aware and will be attending. He stated that some aldermen, Chief Will and Public Works Director Ruck are going to go. He said it is a special night when communities get out in the evening and work together and meet the residents. He advised that Country Lane Woods II has a very large program, with barbecue; it is a whole family event.

Mayor Clement stated that August 11 is last Community Band concert for the season. He said the event starts at 6:00 p.m. He commented that the emcee at that concert has been known to cause riots wherever he has been, so he invited all to come out. He said he is the emcee.

Mayor Clement advised that on August 17, there will be a tennis clinic at the Park, and on August 29, there will be a pickleball clinic.

Mayor Clement stated that on September 6-8, the annual Manchester Homecoming Festival will be held, and there will be more concerts in September.

Mayor Clement encouraged everyone to participate on September 5 in the second annual "Boots versus Badges" blood drive competition between firefighters and law enforcement. The event will be from 1:00 - 6:00 p.m. at the Police Facility. He said that last year, the Badges won. Great way to give needed blood and be part of a community event.

7. REPORTS FROM THE CITY ADMINISTRATOR

- a. List of Paid Bills (Warrant dates of July 14, 2019 - August 3, 2019)

There were no questions.

- b. New Police Department Vehicles Update

Chief Scott Will said that when he started with the City of Manchester in February, he was driving down the road and out of corner of eye saw motion, he looked over, and realized it was a police officer next to him waving, but he didn't realize it was a police car; it was hard to see. He said he decided to redesign the police cars so they stand out a little more for the safety of the officers, and to let the residents see the officers patrolling the streets. He said the City should be receiving the cars the end of this month. He stated that City Clerk Ruth Baker checked for them, and with approval from the Military Order of the Purple Heart and the POW-MIA Museum, the City has been approved to place POW-MIA and Purple Heart stickers on the Police Department vehicles. He stated that the Missouri Certification stickers will also be added when appropriate.

8. REPORTS FROM COMMITTEES

- a. Planning and Zoning Commission

Alderman Hamill stated there had been no meeting of the Planning and Zoning Commission since the last Board of Aldermen meeting, so he had no report.

- b. Homecoming Committee

Alderman Ottenad stated there had been no meeting of the Homecoming Committee since the last Board of Aldermen meeting, but there will be a meeting on August 14 at 6:30 p.m. at the Parks Building.

9. ACTION ON OLD BILLS

- a. There were none.

10. INTRODUCTION OF NEW BILLS

- a. RESOLUTION APPROVING CONTRACT FOR LINDY BOULEVARD BRIDGE

Alderman Toben read Proposed Resolution # 19-0685, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH KCI CONSTRUCTION COMPANY IN AN AMOUNT NOT TO

EXCEED ONE HUNDRED SEVEN THOUSAND SIX HUNDRED SEVENTY-TWO DOLLARS AND FORTY CENTS (\$107,672.40) INCLUDING A TEN (10) PERCENT CHANGE ORDER IN THE AMOUNT OF NINE THOUSAND SEVEN HUNDRED EIGHTY-EIGHT DOLLARS (\$9,788.00) IN THE EVENT OF UNFORESEEN CONDITIONS FOR CONSTRUCTION OF THE LINDY BOULEVARD BRIDGE REHABILITATION PROJECT”, by title only.

Director of Public Works Bob Ruck stated that this will cause the barricade over Oklahoma Avenue to be removed, because the bridge will be out of service. He said that between the school districts and the fire department, there has to be access on the south side of the bridge, so that will be possible by coming over Tulsa to Oklahoma and down to Jamboree. The barricade will be put back in place upon completion of the project. Residents will be advised why the barricade is coming down.

Alderman Toben made the motion for approval of Resolution # 19-0685. The motion was seconded by Alderman Ottenad and Alderman Hamill simultaneously, and carried 5 - 0, with no objections from any member of the Board of Aldermen.

- b. RESOLUTION APPROVING PURCHASE OF TWO SPECIALIZED BICYCLES, USING ASSET FORFEITURE FUNDS, FOR THE MANCHESTER POLICE DEPARTMENT

Alderman Huether read Proposed Resolution # 19-0686, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO EXPEND THE SUM OF ONE THOUSAND FOUR HUNDRED FIFTY-NINE DOLLARS AND NINETY-EIGHT CENTS (\$1,459.98) FROM ASSET FORFEITURE FUNDS TO SUNSET CYCLERY FOR THE PURCHASE OF TWO (2) 2020 ROCKHOPPER SPECIALIZED BICYCLES FOR USE BY THE POLICE DEPARTMENT, AND TO ISSUE A PURCHASE ORDER THEREFOR”, by title only.

Chief Scott Will stated that he wanted to get officers back into the neighborhoods, and the best way is to get them out of the cars. He said the bikes the City currently has are old and need to be replaced. He said two officers were sent to training and they came back embarrassed because the bikes were so old and in bad shape. Chief stated that the bikes he is proposing are stronger and have tougher frames. He said at one time, part of the training included riding down the stairs at the arch.

Alderman Huether asked if the officers would be available to participate in neighborhood subdivision bike parades, and Chief Will answered that could be arranged.

Alderman Huether made the motion to approve Resolution # 19-0686. The motion was seconded by Alderman Ottenad and carried 5 -0, with no objections from any members of the Board of Aldermen.

- c. RESOLUTION ENTERING INTO AN AGREEMENT WITH METROPOLITAN SEWER DISTRICT FOR REIMBURSEMENT RELATED TO THE BROOKVALE TERRACE-PARKFIELD TERRACE STORM IMPROVEMENTS

Alderman Hamill read Proposed Resolution # 19-0687, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR ON BEHALF OF THE CITY OF MANCHESTER, MISSOURI, TO ENTER INTO AN AGREEMENT WITH THE ST. LOUIS METROPOLITAN SEWER DISTRICT (MSD) FOR REIMBURSEMENT

RELATED TO THE BROOKVALE TERRACE - PARKFIELD TERRACE STORM IMPROVEMENTS”, by title only.

Alderman Hamill made the motion to approve Resolution # 19-0687. The motion was seconded by Alderman Ottenad and carried 5-0, with no objections from any members of the Board of Aldermen.

d. RESOLUTION APPROVING CONTRACT FOR PONTOISON DRIVE STORM WATER IMPROVEMENTS PROJECT

Alderman Hamill read Proposed Resolution # 19-0688, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH KELPE CONTRACTING, INC. IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-THREE THOUSAND EIGHT HUNDRED SEVENTY-NINE DOLLARS AND EIGHTY CENTS (\$123,879.80) INCLUDING AN EIGHT (8) PERCENT CHANGE ORDER IN THE AMOUNT OF NINE THOUSAND ONE HUNDRED SEVENTY-FIVE DOLLARS (\$9,175.00) FOR UNFORESEEN CONDITIONS FOR CONSTRUCTION OF STORMWATER AND DRAINAGE IMPROVEMENTS IN THE AREA KNOWN AND REFERRED TO AS THE 2019 PONTOISON DRIVE DRAINAGE IMPROVEMENTS PROJECT”, by title only.

Alderman Hamill made the motion for approval of Resolution # 19-0688. The motion was seconded by Alderman Ottenad and carried 5 - 0, with no objections from any members of the Board of Aldermen.

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

Alderman Baumann read Proposed Resolution # 19-0689, entitled: “A RESOLUTION AUTHORIZING AN EXTENSION OF TIME FOR THE EXPIRATION OF A SPECIAL USE PERMIT AND FINAL SITE DEVELOPMENT PLAN FOR 14401 MANCHESTER ROAD”, by title only.

Mayor Clement asked for comments and questions with Mr. Suntrup before making a motion for approval.

Mr. Chris Suntrup, 14410 Manchester Road, said they were just advised by the Missouri Department of Transportation (MoDOT) that they must have a signal plan for Manchester Road at Henry on the south side going toward the ballpark. From previous plans, it was anticipated to have an extra left-turn turn lane going south, so MoDOT wants to have an extra signal plan showing two left turn signals. He said this came up last Wednesday, and MoDOT will not approve until this plan is in place.

Answering a question about the extension of the Special Use Permit, Director of Planning, Zoning and Economic Development Melanie Rippetoe stated that a Special Use Permit can only be continued for 90 days, but the current one expires October 1, so if the extension is approved, it will expire on December 31, so, at that time, it will be necessary to come back for a vote again. For the Special Use Permit, essentially the business license must be issued. She said a Site Plan can be extended for up to 12 months.

Alderman Ottenad stated that the Special Use Permit was approved almost a year

ago. She asked when the plans were turned in to MoDOT and to the Metropolitan Sewer District (MSD).

Mr. Suntrup answered they were submitted six to eight months ago.

Alderman Ottenad questioned the fact that there was no notification about the signal plan until about a week ago.

Mayor Clement asked how quickly they could turn their plans.

Mr. Suntrup answered that they should have their traffic signal plan in about two weeks, and then it would be 30-45 days after MoDOT approval when they will be able to begin construction. He said they already have approval from MSD.

Mayor Clement stated that he receives numerous phone calls and that he had received a really nasty letter about the appearance of the property. He asked what could be done to make the site look better for the community.

Mr. Suntrup responded that he will make sure that gets done on a weekly basis, instead of every two weeks.

Mayor Clement said that Code Enforcement may need to monitor that too.

Alderman Toben asked if the concrete slabs are going to be demolished, as well, assuming new slabs will need to be poured. He said the deconstruction process of the buildings has not been completed, and he wanted to know when that would be done.

Mr. Suntrup answered that would be done, after the MoDOT approval, in 30-45 days when construction begins.

Alderman Baumann said he lives in the subdivision behind the area, and countless times, residents have complained about the unsightly appearance of the lot with the grass and weeds. He said that while driving to this meeting tonight, he saw one weed close to five feet tall, so he doesn't believe it is being kept up every two weeks. He asked what concerns Code Enforcement has in this process.

Director of Planning, Zoning, and Economic Development Melanie Rippetoe has had a lot of issues to deal with on that lot from the demolition process to the tall weeds now. She said they have been regularly called and the property is scheduled for abatement this week. She said the City sent a notice, and the City only needs to send a notice once and then the City can abate the situation without additional notification.

Alderman Baumann asked if it is normal during a demolition project to leave the slabs.

Director Rippetoe responded that with most demolition permits, everything goes, and it is graded and restored back to grass. She said she believes this permit is still open with St. Louis County, and that is not normal unless you're going straight from demolition to construction. She said that sometimes some leniency might be granted there, but this has been a long time now.

Alderman Toben asked what the issue was with the demolition process and then the

stoppage and the fencing put around the entire property. He said obviously that didn't reflect well overall, and he wanted clarification as to what happened when they had to stop midway in the process.

Mr. Suntrup answered that when they started the demolition, they had to put up the fence for protection, he assumes, as required by the County. He stated that his contractor is not in attendance, so he would have to discuss that with him.

Alderman Ottenad said she thinks the City has been more than lenient with the looks of the area, and hope things are rectified quickly.

Alderman Toben said he wanted clarification that within 30-45 days, essentially the building process is going to start.

Mr. Suntrup stated that is correct.

Mayor Clement commented that would be with MoDOT's approval. He said the plan is supposed to be submitted to MoDOT in approximately two weeks, and when final MoDOT approval comes, that is when the 30-45 day final demolition and start of construction is activated.

Alderman Hamill stated that approval was always contemplated to have two left lanes coming south on Henry turning east on Manchester. He is confused what changed and why suddenly there is a need for a plan for that.

Mr. Suntrup said that originally MoDOT wanted an east-west traffic count on Manchester Road, which is 46,000 vehicles a day at that light. He said they came back last week saying that they need a traffic light plan, going south on Henry with the extra turn lane which is taking up nine extra feet of their property all the way back to Andersohn. He said there will be a total of four lanes there, one going north and three going south. He said there is one lane facing the ballpark that does not have a turn signal. Mr. Suntrup said there will be two left turn lanes and one right turn lane, so MoDOT wants an extra light on the traffic pole to have it shown that there is an extra left turn lane. He said CBB Engineers informed him that it will take two weeks to complete that. He said they have to come back out and count traffic going south and then going east onto Manchester Road. He said these are extra incurred costs they will have to pay for, and, in addition, they will probably have to pay for the new traffic light on the pole.

Alderman Hamill commented that Director Rippetoe had said it is scheduled for abatement this week and he asked if this is news to Mr. Suntrup. He said since it is scheduled for abatement this week, that makes it sound like the property is not being taken care of.

Mr. Suntrup said he has received letters and been aware of it, and he can put something in writing that they will take care of it.

Alderman Hamill said that is not being done, now that the City has to go out and abate the property.

Mayor Clement asked Mr. Suntrup if he understands that this is suggesting that the City is going to have to do the work and bill them.

Director Rippetoe said the process in Code Enforcement is to send one notification and to have a grass hearing. After that point in time, the City can go out and abate it without sending an additional notification, as they only have to send one notification.

Mayor Clement commented that there is no reason the City has to abate the property; they should be taking care of it.

Alderman Hamill said that Mr. Suntrup is not an absentee landlord, and he is presumably, basically in that area four or five days a week, so he must see the problems.

Mr. Suntrup said he had no answer for that.

Mayor Clement said that Mr. Suntrup should pay attention, look at the property from the eyes of the residents from Manchester Road and also from Henry Avenue, and make sure it is as clean as it can be. He said it is a rough-looking place right now, and it needs some attention. He suggested that if there is someone who takes care of their grounds and properties, that Mr. Suntrup ask them to take care of it.

Alderman Baumann said there is a question regarding whether to complete or close St. Louis County's demolition permit before they start building.

Director Rippetoe said she believes it is 90 days to complete demolition, and she believes it was issued in March, so that time period would be here or coming up, and it should be closed out by now, but she doesn't know the situation.

Alderman Baumann stated he wanted to add a couple new conditions to the Resolution:

1. Giving 30-45 days that the rest of the parking lot be graded so it looks decent for the community if building isn't going to happen right away, and
2. 30-45 days to complete and close out the St. Louis County demolition permit as well.

Alderman Baumann made the motion to approve Resolution #19-0689. The motion was seconded by Alderman Ottenad and carried 5 - 0, with no objections from any members of the Board of Aldermen.

City Attorney Paul Rost asked the members of the Board of Aldermen if the conditions aren't met, whether the extension is no longer valid. He suggested that they would have to come back and address it, or if the two conditions are separate whether the extension is still good.

Mayor Clement said Mr. Suntrup would have to come back and explain and the Board of Aldermen would have to adjust and assess.

11. MISCELLANEOUS

a. Comments from the Public

There were none.

12. ADJOURNMENT

At 7:45 p.m., there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Toben, and carried 5 - 0, with no objections from the members of the Board of Aldermen. The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MPCC
City Clerk

Note: This is a journal of the Board of Aldermen meeting of Monday, August 5, 2019 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.

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