



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, JULY 17, 2023
TEXT AMENDMENT PERTAINING TO HOME OCCUPATIONS**

CALL TO ORDER

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

ROLL CALL AND STATEMENT OF QUORUM

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

PUBLIC HEARING

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, July 17, 2023 at 7:00 p.m. at the Manchester Justice Center, 200 Highlands Boulevard Dr, to consider the following:

Case Number 23-TXT-001: Text Amendment to Sections 405.060, 405.155 and 405.170 of the City’s Municipal Zoning Code pertaining to home occupations.”

Director of Planning and Zoning Riganti explained that the City is revising its zoning code to be in compliance with the state statute that was revised last year regarding home-based occupations. Director Riganti provided a presentation explaining what a home occupation is and the updates the state has made to the statute. She continued that under this new statute home-based occupations are only subject to narrowly tailored health and safety regulations, state and federal laws, and payment of taxes. She explained the No-Impact Home-Based Businesses and how these will inform the City of their operations. Director Riganti continued that private contracts, such as Home Owners Associations and deeds, could restrict home occupations.

Director Riganti stated that the Planning and Zoning Commission reviewed the amendment and recommended it for Board approval at their June 26, 2023, meeting. Staff recommends approval as drafted and recommended by Planning and Zoning Commission to ensure consistency with Missouri law.

COMMENTS FROM OPPONENTS, QUESTIONS OR COMMENTS FROM THE PUBLIC

There were no opponents.

Director Riganti explained occupancy limits in regard to No-Impact Home-Based Business and said she would follow up with the Board with specific examples of occupancy limits.

Alderman Nolte reported that there was a positive recommendation for approval of the text amendment.

ADJOURNMENT

Mayor Clement closed the public hearing at 7:11 p.m.



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, JULY 17, 2023
SPECIAL USE PERMIT FOR A RESTAURANT AT 14360 MANCHESTER ROAD**

CALL TO ORDER

Mayor Mike Clement called the Public Hearing of the Board of Aldermen to order at 7:12 p.m.

ROLL CALL AND STATEMENT OF QUORUM

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

PUBLIC HEARING

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, July 17, 2023 at 7:00 p.m. at the Manchester Justice Center, 200 Highlands Boulevard Dr, to consider the following:

Case Number 23-SUP-001: Special Use Permit to allow a restaurant to serve liquor for consumption on site for the property addressed as 14360 Manchester Road in the PBD – Planned Business District. Locator #23Q430446.”

Elizabeth Kayser, proposed owner of 14360 Manchester Road and applicant for the special use permit presented. She explained that she had presented before the Planning and Zoning Commission and received a positive vote to obtain a liquor license for a proposed restaurant at 14360 Manchester Road.

She continued that the building is currently unoccupied and is a two-story mixed use commercial site and they are looking to establish a healthy food restaurant. She explained that they have already narrowed down food vendors that are going to be used and that the restaurant would be dog friendly with greenspace in the back. Ms. Kayser explained that research shows that dog ownership is up and there is growing demand for places that allow people to be with their dogs. She continued that this dog friendly model has been successful in other states and that the long-term goal for their business would be to franchise. She continued that a slightly different concept that has shown success and demand is Bar K in the City. The proposed restaurant would be a more intimate than Bar K and focus on healthy options.

Mayor Clement clarified that the proposed special use permit was to sell alcohol at the restaurant. Ms. Kayser explained that their goal is to sell alcohol from local breweries; however, the wine selection has not been determined yet. She continued that they would not serve hard liquor.

COMMENTS FROM OPPONENTS, QUESTIONS OR COMMENTS FROM THE PUBLIC

There were no opponents.

Alderman Nolte reported that the Planning & Zoning Commission gave a favorable recommendation for the approval of the special use permit.

ADJOURNMENT

Mayor Clement closed the public hearing at 7:18 p.m.



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, JULY 17, 2023
AT 200 HIGHLANDS BOULEVARD DRIVE**

CALL TO ORDER

Mayor Clement called the Regular Board of Aldermen Meeting to order at 7:18 p.m.

ROLL CALL AND STATEMENT OF QUORUM

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

Mayor Clement introduced Boy Scout Troop 685 who attended the beginning of the meeting.

APPROVAL OF THE MINUTES

June 19, 2023 Regular Board of Aldermen Meeting

Alderman Ottenad made the motion to approve the minutes of the Monday, June 19, 2023, Regular Board of Aldermen Meeting. The motion was seconded by Alderman Huether and carried unanimously, with no objections from any members of the Board of Aldermen.

ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

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

CONSIDERATION OF PETITIONS

Comments from the Public

None

REPORTS FROM THE MAYOR

Mayor Clement explained that the last two weeks there have been large groups of volunteers canvassing in the annexation area. He continued that they had knocked on over 2,000 doors to invite residents of the unincorporated area to annexation open houses.

Mayor Clement reported the data that came from the survey that was sent to Manchester residents and residents of the annexation area earlier this year.

Mayor Clement acknowledged the Community Band Concert from the previous night. He continued with upcoming programming at the Parks including Art Camp, Soccer Camp, and Mad Science Camp.

REPORTS FROM THE CITY ADMINISTRATOR

Vince Tallo Award Recognition

Director Tate and Past President of the APWA Missouri Chapter, April Geismann, presented Public Works Superintendent Mark Becker with the Vince Tallo Award and recognized him for his forty-four years of service with the City of Manchester. Past President Geismann explained that the Vince Tallo Award honors the longevity of employment for public works employees at a single organization and presented Superintendent Becker with the award and thanked him for his years of service.

City Administrator Klocke thanked Superintendent Becker on his forty-four years of service and congratulated him on his retirement.

List of Paid Bills (Warrant dates of 06-19-2023 to 07-16-2023)

There were no questions.

Reports from the Committees

Planning and Zoning Commission

Alderman Nolte reported that the Planning and Zoning Commission considered a final plat on Sulphur Spring and site plan on Joyce Ann.

Veterans Commission

Alderman Huether reported that the Veterans Commission met on June 27th and preparations are being made for the POW/MIA Day in September. The Veterans Commission was also present in the July 4th celebration at Schroeder Park where they greeted and exchanged stories with veterans at the event. Alderman Huether continued that Chairwoman of the Commission, Kay Bell, was interviewed by 101.9FM talking about her work with veterans organizations. The next meeting will be in August.

Audit and Finance Committee

Alderman Baumann stated that there was no report for the Audit and Finance Committee.

Tree Advisory Board

Alderman Dodge stated that the Tree Advisory Board met the previous week. He explained that they are looking into applying for grants from the Missouri Department of Conservation in 2024. Alderman Dodge complimented the Public Works Department for their work on taking care of street trees.

Homecoming Committee

Alderman Ottenad reported that the Homecoming Committee did not meet. The next meeting is scheduled for July 19th at Schroeder Park at 6:30pm.

Annexation Update

Alderman Dodge reported that the next step in annexation education has been the ongoing canvassing to invite residents of the annexation area to open houses. He continued that the open houses would be July 18th at Pierrmont Elementary, July 20th at Barretts Elementary, August 3rd at the Parks Building, and August 5th at First Free Church. The theme of open houses is explaining Better Services, Lower Costs, and Local Decisions.

ACTION ON OLD BILLS

None

INTRODUCTION OF NEW LEGISLATION

Resolution No. 23-0938

2023-2024 Road Salt Purchase

Alderman Ottenad read Proposed Resolution No. 23-0938, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO EXPEND THE SUM OF EIGHTY-FOUR THOUSAND FIFTY DOLLARS (\$84,050.00) FOR THE PURCHASE AND DELIVERY OF ROAD SALT FOR THE 2023-2024 WINTER SEASON FOR USE BY THE CITY OF MANCHESTER," by title only.

Alderman Ottenad made the motion for approval of Resolution No. 23-0938. The motion was seconded by Alderman Dodge and carried unanimously, with no objections from any members of the Board of Aldermen.

Resolution No. 23-0939

Hanna Road Resurfacing and Pedestrian Upgrades Phase 1 & 2

Alderman Dodge read Proposed Resolution No. 23-0939, entitled: "A RESOLUTION OF THE CITY OF MANCHESTER ACCEPTING A SCOPE OF WORK AND FEE PROPOSAL FROM LOCHMUELLER GROUP, INC. IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED NINETY-NINE THOUSAND EIGHT HUNDRED SEVENTY-ONE DOLLARS AND SIXTY CENTS (\$499,871.60) TO PROVIDE THE CITY WITH PROFESSIONAL ENGINEERED SURVEYING, DESIGN, RIGHT-OF-WAY, AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE HANNA ROAD RESURFACING AND PEDESTRIAN UPGRADES PROJECT PHASE ONE AND TWO AND AUTHORIZING SUBMISSION OF SAME TO THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR REVIEW," by title only.

Alderman Dodge made the motion for approval of Resolution No. 23-0939. The motion was seconded by Alderman Ottenad and carried unanimously, with no objections from any members of the Board of Aldermen.

Resolution No. 23-0940

Extension for a Special Use Permit for 4 Topwood Drive

Alderman Nolte read Proposed Resolution No. 23-0940, entitled: "A RESOLUTION AUTHORIZING AN EXTENSION OF TIME TO THE EXPIRATION OF A SPECIAL USE PERMIT FOR 4 TOPWOOD DRIVE," by title only.

Barth Holohan, holder of the Special Use Permit, answered the Board's question regarding the extension. He explained that the third home on their other construction site is just finishing construction. He continued that they finish one project then move to the next and delays with COVID-19, labor issues, and inflation of costs have delayed their previous project. The property at Topwood became available and the use and proposal were brought before the board to make sure it would be approved prior to purchasing the property, but construction

had not started.

Alderman Ottenad inquired on how long the project would take and if this extension would be required every 90 days. Director Riganti explained that the extension could be granted every 90 days. She continued that the language in the code does not recognize challenges with construction and land acquisition and may be something the City looked into in the future. Mr. Holohan explained the process for permitting for the type of construction the care home complex.

The Board discussed the language regarding the 90 day extension of the Special Use Permit.

Alderman Nolte made the motion for approval of Resolution No. 23-0940. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

Resolution No. 23-0941

Flower and Fendler Escrow Release for Landscaping

Alderman Baumann read Proposed Resolution No. 23-0941, entitled: "A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW GUARANTEEING LANDSCAPING IMPROVEMENTS FOR THE BEND AT SULPHUR SPRING SUBDIVISION," by title only.

Alderman Baumann made the motion for approval of Resolution No. 23-0941. The motion was seconded by Alderman Ottenad and carried unanimously, with no objections from any members of the Board of Aldermen.

BILL NO. 23-2504

Approving Final Site Development Plan for 4 Topwood Drive

Alderman Nolte read Proposed Bill No. 23-2504 entitled: "AN ORDINANCE APPROVING A FINAL SITE DEVELOPMENT PLAN TO ALLOW THE CONSTRUCTION OF A CARE HOME COMPLEX AT 4 TOPWOOD DRIVE, MANCHESTER MISSOURI," by title only.

No further action at this time.

BILL NO. 23-2505

Text Amendment Pertaining to Home Occupations

Alderman Ottenad read Proposed Bill No. 23-2505 entitled: "AN ORDINANCE APPROVING TEXT AMENDMENTS TO SECTIONS 405.060, 405.155, AND 405.170 OF THE ZONING CODE OF THE CITY OF MANCHESTER PERTAINING TO HOME OCCUPATIONS," by title only.

No further action at this time.

BILL NO. 23-2506

Special Use Permit to Operate a Restaurant with Liquor Sales for 14360 Manchester Road

Alderman Toben read Proposed Bill No. 23-2506 entitled: "AN ORDINANCE CREATING A SPECIAL USE PERMIT AND GRANTING THE SAME TO ELIZABETH KAYSER TO OPERATE A RESTAURANT WITH LIQUOR SALES AND CONSUMPTION ON THE PREMISES AT 14360 MANCHESTER ROAD, AS PROVIDED FOR IN SECTION 405.285(C)(12) OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER," by title only.

No further action at this time.

BILL NO. 23-2507

Approving Final Plat for 781 Sulphur Spring

Alderman Baumann read Proposed Bill No. 23-2507 entitled: "AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT, "WINSTON PARK RESUBDIVISION OF LOTS 18 THRU 22", LOCATOR NUMBER 23R310565 IN THE CITY OF MANCHESTER, MISSOURI AND AUTHORIZING SAME TO BE RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF ST. LOUIS COUNTY, MISSOURI," by title only.

No further action at this time.

BILL NO. 23-2508

Carman Road Sidewalk Improvements

Alderman Huether read Proposed Bill No. 23-2508 entitled: "AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A TRANSPORTATION ENHANCEMENTS FUNDS GRANT PROGRAM (TEF) - URBAN PROGRAM AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF MANCHESTER FOR THE CARMAN ROAD RESURFACING AND PEDESTRIAN IMPROVEMENTS," by title only.

No further action at this time.

MISCELLANEOUS

Comments from the Public

None

ADJOURNMENT

There being no further business, Alderman Toben made the motion to adjourn. The motion was seconded by Alderman Huether and carried unanimously. The meeting adjourned at 7:47 p.m.