

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI
TUESDAY, JULY 5, 2016**

INTRODUCTORY ITEMS:

The Regular Meeting of the City of Washington, Missouri, City Council was held on Tuesday, July 5, 2016, at 7:00 p.m. in the Council Chamber. Mayor Sandy Lucy opened the meeting with roll call and Pledge of Allegiance.

Mayor:	Sandy Lucy	Present
Council Members:	Ward I	Steve Sullentrup Present Walter Meyer Absent
	Ward II	Jeff Mohesky Present Mark Hidritch Present
	Ward III	Jeff Patke Present Greg Skornia Present
	Ward IV	Josh Brinker Present Joe Holtmeier Present
Also Present:	City Attorney	Mark Piontek
	City Administrator	James Briggs
	Assistant City Administrator/ Public Works Director	Brian Boehmer
	City Clerk	Mary Trentmann
	Police Captain	Jim Armstrong
	City Engineer	John Nilges
	Economic Development Director	Darren Lamb
	City Planner	Sal Maniaci
	IT Manager	Robert Douglas
	Library Director	Jackie Hawes

Originals and/or copies of agenda items of the meeting, including recorded votes are available on record in the office of the City Clerk. Each ordinance is read a minimum of twice by title, unless otherwise noted.

Approval of Minutes:

* Approval of the Minutes from the June 20, 2016 Council Meeting

A motion to accept the minutes as presented was made by Councilmember Hidritch, seconded by Councilmember Holtmeier, passed without dissent.

Approval and Adjustment of Agenda including Consent Agenda:

* Payments of over \$40,000 (+): *United Health Care \$130,000.00 Estimated July Health Insurance premium; LAGERS \$60,000.00 Estimated June wage benefits; Ameren UE \$93,000.00 Estimated June energy usage paid June 16, 2016; UMB Bank, NA. Trust*

\$97,100.00 Estimated July debt service payment Sewer Revenue Bonds – 2007B; Lou Fusz Ford \$106,919.25 3 Ford Interceptors Police SUVs.

- * Lewis, Rice L.L.C. invoice – May 2016 Services
- * Change Order & Final Pay Request – 911 Security – Camera System
- * Taxicab License Renewal: Millennium Taxi

A motion to accept and approve the agenda including the consent agenda accordingly was made by Councilmember Hidritch, seconded by Councilmember Patke, passed without dissent.

PRIORITY ITEMS:

Mayor's Presentations, Appointments & Re-Appointments

- * Library Board of Trustees Appointment:

June 30, 2016

To The City Council

City of Washington

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for appointment to the Library Board of Trustees:

Katie Dieckhaus – term ending June 2019

Respectfully submitted,

Sandy Lucy

Mayor

MKT:

A motion to accept and approve the Appointment was made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

PUBLIC HEARINGS

- * Proposed Amendments to Chapters 400-490 of the City of Washington Code:

Mayor: Ok, Sal?

Sal Maniaci: So I know I just went through this presentation with you guys last week. I'm gonna do a quick recap just for, you know, you guys and anyone in the audience who is curious of it. But, is it working? Here we go. So, remember, first and foremost this is just a revision of the current code. So right now our zoning code has 28 chapters, most of those don't even have anything to do with zoning, they just fall under that umbrella of zoning. So, we're renaming the development code, cutting down to seven chapters and then consolidating the rest into the appropriate columns and new chapters, so. Again, newly defined districts, we're removing the R-4, C-4, M-3, PUD and senior community zoned district. And we're going to create planned districts, PD-R, PD-C, PD-I, Planned Mixed, and the senior community will just fall under a PD-R. So these districts will have minimum acreage requirements based on use and allow developers to design larger developments that may or may not form to a standard planned district, so. It allows them to kind of create a more unique design for maybe a neighborhood or a commercial development that maybe wouldn't fit into an area with a non-planned district. The review for this

will be similar to a subdivision review, it will have sketch plan, which is in house, which gives staff a chance to comment and I guess give the opinion if this is really the best option, cause if they can fit into a planned district easier, you know, there's always that route. And there's preliminary plan approval which goes to P&Z and City Council and then the final development plan approval which will go to City Council only.

Patke: Sal, do you there's any confusion that'll be related to the R-4 and the Senior Community as far as Planned Residential? There's no reason to call senior something different?

Sal Maniaci: No, because in reality we don't need to have a zoned district where you solely live there. It's just planned district, if you want to design the planned residential neighborhood to be for senior community, then that's the way it can be designed, but we don't have to have in an ordinance that you have to be 55 and above to live there, so.

Skornia: That's not enforced then either?

Sal Maniaci: Really, that's kind of hard to enforce anyway, so. And again, new zoning matrix to help property owners, business owners, knows where certain uses will be allowed. Each zoning district, again, the uses will be listed. The zoned district listed across the top, all the uses are listed down the side on each page, and it'll tell you exactly where a developer or a business owner can put the business. It'll be a lot quicker for people to be able to flip through, to be able to know what they are looking for, especially if it is a business moving to Washington or wanting to expand or relocate, so. We are, again, changing, doing some amendments to the offsite parking requirements; the three that we are making more intensive are high schools, nursing homes and hospitals. We've realized that those are some that we've had issues with, that didn't have enough parking so we upped them. It'll just be a little bit more practical, just in case we do have more developments. Either a new high school or expansions in the hospital or anything, so. And then we're having new parking standards added to a table. So right now in our code book, it just kind of is a paragraph list of park requirements and you have to fit it into specific uses, use categories. And that'll be an actual table, kind of like the matrix I showed you where the uses go down and it tell you what the park requirement is for that use. Again, just a lot easier to comprehend, so. For retail parking we are reducing the minimum to one space for 250 square feet of floor area. It falls in line with the four per 1,000, which you see in a lot other communities. This is for our larger retail developments, that it is really not necessary to have these massive parking lots, that's gonna save on asphalt and stormwater detention as well for these commercial developments. And we are introducing a parking lot design and standard. This is something we actually have. We are currently using St. Louis County standards but that wasn't actually listed in the code so. This is a lot easier for a designer, an engineer to come in and find in the code and know what to submit without having to worry about the plans getting rejected a second time. So the site plan review, this is a new chapter, a new article we're adding to the zoning chapter, it's something staff is already doing. Anything that is nonresidential or multi family, so basically if it is not a duplex or if it's not a single family home we do a site plan with extra information but it didn't ever actually specify in the code what was required in the code so this just formalizes the process that we were already doing and it creates an application and a checklist for the developers, for engineers to know exactly what needs to be submitted. There won't be any application fees so there is no new cost, but just standardizes that process and it

should move it along much easier so people will know what to submit ahead of time. Just a lot of cleaning up for the zoning code.

So moving on to sign regulations, we've updated some definitions, and created a new section for electronic message displays. Obviously we have them in the code now but we just updated a little bit. I will say that the proposed we now have does have a one minute time limit on individual messages and I sent you guys all an email I think after the last time we met saying that that is something that we could adjust, to lower it, a little bit too intensive. We do other measures to make sure that it's not dangerous, make sure that it's not a distraction to drivers. Something we can think about and we can amend before that it's passed, so. But it does, the new code does have specifics on flashing signs, the transition between messages. It does specify that LED signs are permitted in historic districts, neither will backlit cabinet signs that you see in commercial districts, kind of big box retail districts, so. And then also we updated the requirements for billboards so that they're up with state statutes.

For subdivision regulations, we really just had four major changes. Other than that all the rest were code cleanups, some language cleanups. The first one is cul-de-sac requirements our current code requirement is 60 feet in diameter and this contradicts the IFC which has a minimum of 96 feet so it's somewhat adjusted so we can be on the same page. So developers can have a one stop shop so developers can come to city hall, they don't have to look at the requirements from us and then try to get their permit and realize that the fire department won't sign off on it, so this is just cleaning up and making it better across the board. We've added sidewalk requirements for major and collector streets only; this is something we pulled from looking at the comprehensive plan. There's a lot of feedback from the public and like the city to grow in a way where we have a lot of pedestrian friendly streets, and bicycle friendly streets. So, we thought on our major and collector roads, those that will have higher traffic anyway, this will be a good opportunity to have sidewalks available for pedestrians to get off the roads. And those will only be required on one side of major collector streets, established by the comprehensive plan, so. Private streets, right now our code does not have any requirements for private streets, they just have to be asked for as a variance, approved by Council. And instead of certain conditions that need to be met and going to get a variance, what we originally proposed, we decided that it would be a little bit better if we required all private streets to come in and become part of a planned development and this way they can be approved on a case by case basis and if they want to have a private street, it has to be part of a unique planned development and that way they can show the reasoning as to why that private street is necessary on that. Because we are discouraging private streets, just throughout the neighborhood, throughout the community for no reason, because as they come in the developer may want it to be private, as soon as they are done the homeowners will want it to be taken over, so. And then we just have a revised application process. We're introducing a final plat application which we don't have now. Again this is just cleaning up, make it a lot less confusing, separating the preliminary plat process for final plat, because there will be times that, there will be a lot of time in between there, so they have a preliminary plat approved and then there needs to be improvements made to that area before they can have their final plat recorded, they'll have to show their improvement plans, the cost estimate, how they're gonna pay for the performance guarantee and then they can submit their final plat application after that.

Fire hydrants, this is another chapter that we're taking out of the subdivision regulations chapter in the current code. We're not changing the separation of hydrants, the distance between each and the amount you have to have between buildings; we are increasing the maximum distance any residential structure can be from 300 feet to 400 feet. We actually, and this is a recommendation from Chief, that throughout the community we have some homes that are pushed back farther from the road that 300 feet maybe a little bit too small so we've upped that actually a little bit. Hydrants, we are requiring them now to be at intersections. And then the distance from hydrants has to be, cannot be measured radially, it has to be measured as the actual fire truck drives on the road. Which is obviously common sense but it's something we actually specified in the current code. And then we just specified when hydrants need to be located on both sides of the street. Which would just be when there is a median, when the right-of-way is greater than 60 feet or when it's major highway established by MoDOT. That's really all I have, I know that's a quick summary of what you guys heard last week but we haven't obviously proposed since then.

Skornia: When is this going in effect?

Sal Maniaci: Well, that's something that is up to you guys. We don't have an ordinance on the agenda tonight. We figured we had the public hearing tonight to hear from anyone in the public, anything they had to say and then next meeting, if you guys are willing we can have an ordinance ready with a date that you think would be appropriate.

Skornia: We got a couple of developers that work in stages

Sal Maniaci: Right.

Skornia: They bought the land.

Sal Maniaci: And they may have a whole subdivision planned out on the current code and that makes sense, so.

Skornia: Now you're gonna change the rules in the of their projections and what they're going to make and if they make any money on developing this plan, so I don't think we should enact it, make it July 1 of 2017.

Sal Maniaci: One year from

Skornia: One year.

Sal Maniaci: Ok, well, that's the Council's prerogative, so. If you guys make a motion on that, we can add it to the ordinance, for next meeting, so.

Sullentrup: I think it should be in effect January 1, 2017.

Skornia: Well, when you go to develop something and you got 6 months of planning in a subdivision that isn't basically.

Sal Maniaci: I will say that they will not have to have the improvements completed. As long as the preliminary plat is approved, they

Skornia: As long as they got it platted and, once you have something platted you have two years to implement it before expires.

Sal Maniaci: As long as they have the preliminary plat approved and they have two years to implement it before it expired, that would be approved under the current code, so.

Skornia: I'd rather have a well-planned subdivision where they have the time than the 6 month deadline. That's why I think it's got to be a year.

Sal Maniaci: Ok.

Mayor: Any other comments regarding. This is a public hearing, so does anyone else have comments regarding any of the items on the changes? Council?

Ben Ziglin: I just would add just a

Mayor: You need to state your name and your address.

Ben Ziglin: Ben Ziglin, 2677 Scenic Point Road, Washington, Missouri. I just had a few things, just to say in regards to the sign regulations. Sign regulations is a huge topic right now in the state. I serve on the International Sign Association board we work across the United States from coast to coast and focusing on current sign regulations and the problems that it causes to business owners like myself and consumers and businesses throughout many different states and municipalities. And it's a tough subject right now because there's so many people, so many things going on. And I understand regulations you have to control certain things. The message boards are a huge topic, the LED signs because they are abused and some people don't have regulations to control that. It's just when I read this when Sal sent it over I didn't know nothing about it until I saw it in the paper and then he sent me the draft and I was like Wow! So there are just certain things as far as regulations I just know, I can hear the Bank of Washington, the Bank of Franklin...all the people that have these and then to try and put something, a mandate on something they never had for no reason, it just it's going to be complicated. And I've seen other municipalities that have done this and it's been miserable. And they actually amended it because of it and it's just...that's why I tried to share this knowledge with Sal and education of what it's about there.

So, as far as the hold times I know there's been talk about you know what MoDOT does with billboards, but billboards and off-premise signs are two separate things. They're not the same so treating them equally, it is not really fair. I mean billboards are huge square footages typically with long read times where your on premise signs are going to be short read times. So even a ten second hold time on a sign on Jefferson Street is just...might as well be a minute because you're not going to see it.

Mayor - So do you think there should be any regulations on the lighted signs?

Ziglin - You know stepping back from the sign person I understand your position as having some regulations. I think and that's with our industries, there needs to be a balance. I mean I do believe you know you have to enforce something because the concept with hold-times really originated from billboards, when they went to digitals because they didn't want a thousand different things going on. But most content is animated now anyway so its...you can have a 30 second animated content that has slow moving words and it's not a still frame. So it's very hard to...you know you talked about controlling it or you know regulating it, how...I mean it's almost... I mean I've been in so many of these board rooms like this where the city is telling me what the requirements are and the board is saying a requirement and they have a sign right outside that's doing everything that they said they can't. So it's hypocritical and you don't...I don't want to see you guys put in a position you know...my question is...It's been proven they are not a safety hazard, message centers are not a safety hazard, that's been proven, and there are statistics out there that show that and it just becomes a preference so my idea or thought on that if there is no problem right now why change it? If you have to put a regulation or a hold-time or if you have to put some kind of regulations on it, keep it low cause then its...I mean it's...how do you regulate it?

Sullentrup – You're on the International Board you said right? Has this happened in other cities?

Ziglin – Oh, it's happening all over.

Sullentrup – What are the length of time on theirs?

Ziglin – They're all across the board. They're all across the board. I mean there's people...there's cities that are going to the extreme that won't allow anything and they're losing businesses. I meant there are lots of...there's a couple of businesses like right now that are or cities right now that have banned LED signs and they got people that will not come to their town...I mean your Dairy Queens your national chains. It's a huge help to businesses as far as on premise advertising and getting people through the door. And you see it and the statistics behind it are there and there are people that abuse it. You know that don't control their sensors and don't control their lighting and there are signs that bother me too. And that's things I hate seeing people abuse things because it hurts it for the next guy. And finding a balance in regulations is important. I mean I sent out a few of the comparable cities to Washington, you know some that have historic districts and some that are you know similar in population and size but Washington is kind of unique because it's small town but yet it has you know commercial district box-store feel and theme of a larger county or city. So you have to balance that. I mean I remember when Darren and I, we looked at the sign code I think back in 2000 and then redid it you know back then to try to make it more...you know because the square footage was small. And I think the square footages right now are actually very...I don't want to say strict but they're very close to St. Louis and some of the bigger cities. I know like Columbia and Sedalia and stuff like that, they're 30 square foot. Well we're 5 percent where they're 30 percent, we're 5 percent. So that's a lot of big signs on small businesses and that become gaudy. I think we're fine with that. It's just the message board thing is the thing that concerns me because you just look at every single one that is using them and even if another one doesn't go up in this town, everyone that has been using them for the past 10 years are not going to have to...you're going to have to control that and they'll lose the purpose of having the sign.

Sullentrup – Do you think the owner of the sign should have the right to put up as much time as he wants?

Ziglin - Content is king on that stuff and a lot of time what is advertised with a message board it enables to...if you have an average of three to five seconds is average read time on them on a sign. So if you have a three to five second window, that's a glance to look at something the more information...if you have you know...it's a small sign because you know if you say Bank of Washington, check out our rates, you know, that's three messages, three frames that could happen in five seconds. It didn't do anything obstructive you can't put...if you put up "Check out" and wait five seconds or ten seconds "Our rates" to get to where you can read it, you're long gone and missed the entire purpose of that message. So that was the reason behind message boards is to be able to get as much information out to the consumers and their customers as they can in the shortest period of time. So an animated messages, bouncing sun and stuff, that is more of an attraction thing to get you to look at the sign to do that type of thing.

Moheky – So Ben, what point does a...let's look at the Library where they have that scrolling across, does that become animated?

Ziglin – Any movement is animation. I mean that's the whole thing....

Mohesky – There are a lot of them that just scroll there so that’s technically an animated sign.

Ziglin – That’s an animation. And that’s the hard thing is when you talk with still, back in the day when it used to be time and temps we’ll call it, is it was just dials that just held there and it would switch to time and it would switch to temp and as technology evolved it becomes movement and you know and it becomes a frame a still frame and when you have three still frames it equals a message if you want to call it, they could be two seconds each, they could be three seconds each whatever it might be, now they’re animated with movement in them and transitions are movement just because it appeals to the eye and you look. So how do you regulate them? It’s one of those things that I mean I found it so funny I’m sitting in a room just like this and they’re telling me I can’t have this and the city’s sign right outside is doing the exact same thing. How do you regulate it?

St. Charles has the same thing and they have their sign at the Convention Center animated. You know I mean it’s...you know...

Mohesky – And of course your drive time, you’re I know initially you’re going to look at the time that it’s up there but you know this weekend I actually drove by the one, Jeff Wilson’s out there and to actually drive by that, you know...a minute...you’re...

Ziglin – Well that’s 8 to 10 seconds.

Mohesky – Yeah, but event at 8 to 10 seconds you’re looking at that thing a long time. You don’t realize it sounds like 10 seconds but go look at one. Just go look...drive by a big board like that and look at that board and see...count in your head how long by the time you see it to the time you pass, ten seconds is a lot of time.

Ziglin – Well I counted Walgreen’s the other day and Walgreen’s probably has the longest hold of most of them but Walgreen signs are old and they’re actually in a roll-out right now to come up with full color ones.

But look at Dairy Queen; is the Dairy Queen sign bad? I mean average three seconds. You know? I mean think about a five second, I can say three things in five seconds, six seconds so...

Mohesky – Sure.

Ziglin – It’s hard to put a hold-time on it. My whole objective is if it doesn’t have to be, don’t do it. If gets abused and then you can enact it but...I’m just here for the people so to say for all the sign guys, the customers.

Patke – Well I think in our packet the way it was presented to us was for safety issue, that it’s not doing that but Chief or Captain I guess we can say that it hasn’t been a safety issue in our town as far as signs goes. I mean again...

Armstrong – I can’t recall any accidents that’s attributed to that.

Patke – Right. So it’s one of those things where...

Ziglin – Well ISA did spend close to I think a million dollars through MIT or one of these huge college associations to create a study and it’s published and I think David sent you a link to that where the safety hazards of LED signs you know and the brightness and stuff like that. And that was proven. I think was a five year process, millions of...I mean it was a big study. I don’t have the exact link but I can send it to Sal. I think David Hickey with ISA sent it to him. But that was taken off table because they’ve proven that that message changing center is not any more dangerous than you looking at a street sign that’s going by reflective that what it is. It’s not and it’s been proven. And it’s one of those things where I’m not the professional there and I’ll let it

be to the people. And you know it's one of those things that's not able to be used anymore. A lot of people used to say that and that was fine, ok, let's put some funding to this and put some research behind it and the Signs Foundation which is an association I belong to say it's all about educating and finding this information to educate and train people on what's good and bad you know? There are so many you know...I didn't know about this the whole white background thing...it's the worst thing you could do. I hate it because it's the worst thing you can do and for the sign, it's too bright but you can't tell somebody...I just found this out, you can't tell somebody you can't have a white background because it's some type of you know...law or part of their rights whatever they can say with their logo and...I mean you learn something new every day and it's like Wow!

Sullentrup – Ben, do you know what MoDOT uses for their time on their information boards?

Ziglin – It's between 8 and 10 seconds. And MoDOT is a funny thing MoDOT hated digital billboards, hated them. They didn't want to see them go up. Now that they see them go up and they see the way they are being used, they're pushing digital billboards. They're saying you know what...

Mohesky – MoDOT's got their own billboards.

Patke – They got their own.

Ziglin – Exactly, they're pushing them to other billboard companies and they're like hey we'll let you put up a digital billboard here, we'll comp you this but take down these other four because they're being able to produce a lot more advertising revenue for them. A lot more people on there verses having all the statics. So there is a positive with that. And I see...and I count and 8 to 10 depending on where you go. I mean who's gonna...I mean they have but they're not going to sit out there with...if they do over two seconds it could be that one message that is the way it was built and the way it was scheduled. So it's one of those things how do you regulate it?

Sullentrup – Well you know, getting back to MoDOT, like their information boards like on road closures and stuff like that along the highway, you look at that I think. They're all about safety and how to make...I'm sure they've done enough study on it to make sure that we don't want it out there too much that people will be reading it and keeping their eye on this while trying to get by.

Ziglin – And those are faster than 8 to 10 seconds. Some of the stuff...

Sullentrup – You can get the word out in less than 8 to 10 seconds...

Ziglin – Even if you read the construction ones like they have on site here, most of those are faster than that. Sometimes they'll change in 2 to 3 seconds depending upon the kind of information cause when they type those in, they type in what they want it to say, and sometimes it could be a 5 to 6 second message, but it could consist of two or three frames which is a lot faster than that.

Patke – I think it goes back to what Jeff said a while ago...it says Jefferson Street Bridge Closed and the next frame is Use Alternate Route and if it stays up there for 10 seconds you miss Use Alternate Route. You miss it. And that's kind of the point, it has to rotate otherwise you miss the message. I guess my point is; back to the safety thing, if there is not a problem then why do we want to try and reinvent the wheel here and try to regulate everything that's already in town if we don't have a problem. And if it deters, like Ben says, one business from coming in, then it's

detrimental to us. I mean if it's not...I mean I can understand if we got billboards going up everywhere and it's a problem, it's a safety issue, we're having accidents then we need to look as something more but if it's not that serious of a problem then we don't need that serious regulations at this time.

Ziglin – I've seen four separate companies pull out of locations because of their sign code. You know Ladue being one of them, Clayton being another because they won't allow what they want so they find another location. No national companies come. I hate to see that for Washington.

Sullentrup – Sal, are you looking for a recommendation from the board?

Maniaci – Yeah, I would like a motion to cut it down to the 8 to 10 (*could not understand – not speaking into mic*)...

Sullentrup – I would make a motion to switch it back 8 to 10 seconds maximum.

Briggs – 8 or 10.

Mohesky – I got to be honest with you, I don't see a need for it. So...

Holtmeier - ...put seconds on it at all?

Mohesky – You know this part of the code I don't know if we want to put a recommended 8 on it. I actually think a chunk of this needs to be taken back out because going back to the animation I see no need for it.

Skornia – If you have animation, you can't do animation with an 8 second count so that...

Ziglin – Well you can it's just that a 30 second animation you are going to have I can...want's going to happen with this, you put an 8 second hold time on there I can create an animation in less than 30 seconds and run it on one frame. So it's going to be one message but it will run form 30 seconds. So there are ways around that, I'm saying it's hard to regulate this. We'll find ways to go about it and it's going to be one of those things, there are going to be fighting back and forth. Really to me hold-time is not an issue, its brightness. And I think that is the biggest complaint that people see is brightness because of homes and stuff like that. There is a sign on Fifth Street that's unbelievably bright, there's a sign on Jefferson Street that needs to be...they're bright, I mean they're supposed to automatically dim down to 30%. They run it 70% during the day, 30% night. If they're not doing that, they're staying at 70% and they're too intense for the night time. That is what the importance is cause that's what causes distractions, that's what bothers neighbors, that's what bothers people. That's the annoyance factor. And ISA just submitted a study that over 200 different municipalities are using right now that's helped tremendously to curb that. I think that to me is focus for what I've seen on the negative side of signs, is the brightness.

Patke – Do we have that in this new proposal Sal?

Maniaci – You have brightness that has to be dimmed at night. It has to automatically go from day to night and actually...we do have provisions for automatically dimming at night and then also maximum they are called NITS which is an illumination measurement.

Patke – Well I'm...

Mohesky – How do you measure that?

Maniaci – You have to get a reader or get an app.

Briggs – An app on your phone.

Holtmeier – I think maybe we should just take out the time the signs have to be up and just stay out of that altogether.

Hidritch – What about the brightness?

Patke – We can concentrate on the brightness side.

Holtmeier – Yeah, brightness yes not so much....

Patke – If that’s an issue in a residential area, I don’t have a problem with that. I think as far as the other...

Holtmeier – We can’t dictate what they have on their sign or how they run their business.

Patke – I don’t have a problem concentrating on the brightness side.

Holtmeier – Brightness yes but not...

Patke – That’s an issue in a residential area. I don’t have a problem with that. But I think as far as the other...

Holtmeier – Yeah, cause then we’re dictating what they can put on their sign basically.

Skornia – Or how they run their business.

Holtmeier – Or how they run their business.

Maniaci – You cannot have one of these LED signs within 150 feet of a residence.

Mohesky – What about the one on Jefferson? I guess that’s over 150 feet away? That’s not. That’s close.

Maniaci – I’m sorry 100 feet from a residential use that is a provision that was added.

Lucy – Is it 150 now?

Lamb – It would be non-conforming.

Patke – So if we pass this now you’re trying to tell me that only new signs that go up are going to be regulated for brightness? Ones that are already up, we can’t regulate brightness? Is that where we’re at?

Maniaci – No...

Lucy – Unless they change it.

Piontek – Until they change them out whatever is there today will remain as is.

Mohesky – I personally and I know it’s a public hearing and I don’t have a problem pushing this through but I think we probably ought to just go back and look at some of these and not settle on something tonight. Do you know what I’m saying?

Lucy – And that’s what I was going to say...we probably should go through the entire public hearing here before we start deciding what we’re going to change and what we’re not going to change. And if we need to have another night...

Mohesky – Yeah, we don’t want to throw the baby out with the bathwater cause there’s some good stuff there.

Lucy – We need to have another night because it sounds like...cause Council members were all over...

Sullentrup – Did you attend any of the public hearings at all?

Ziglin – No I really didn’t know anything was going on to be honest with you. I mean I read the paper but I had no clue that they were changing any sign codes. Cause I mean that’s what I’m here for is any help needed you know I mean what I do is to help and the last thing we want to do is cause...I mean you don’t realize how much frustration this adds to our industry business and it takes away I mean I think they just...I think on average of a \$175,000 per business a year based on sign regulations...that we lose because of sign regulations. And that’s detrimental to lots of businesses not including the businesses that want it. So it’s a huge economic hit so anyway we

can be fair not just let me have everything that the sign commission wants but be fair to...it's just one of those things...it's just...trying to find the balance. Thank you.

Lucy – Thank you.

Holtmeier – Thanks Ben.

Lucy – Ok, anyone else who would like to address the Council?

Kurt Unnerstall – My name is Kurt Unnerstall, I just wanted to ask the question of Council, when they thought they were going to enact these proposed changes to the...

Lucy – Well we were just talking about that. And we have one person or one idea that going into effect January 1, 2017 and the other idea is July 1, 2017. And we didn't make a decision.

Unnerstall – Ok. Either one is acceptable to me. I just wanted to express that besides myself that have existing developments, I know of several other land owners that had purchased land under the other codes. And they were waiting for the economics to turn around to develop it. So those are actually smaller infield tracts. So if they maybe impacted to the point where that is an undoable deal. So I think it's only fair to give them you know six months to a year to look at those.

And I guess another question I have if a developer came with an existing subdivision develop it over time in phases, submitted a sketch plan back when he started the project, is he exempt from the changes for the simple fact that then now you have some bigger cul-de-sac's some smaller cul-de-sac's I just thought of that too so I don't know what your thoughts are on that but...

Lucy – We haven't talked about that one as a group here.

Briggs – Mark's going to look it up. I think historically, it won't be a sketch plan but it would be your preliminary plat approved. I think you have two years to implement it...preliminary plat...if it isn't complete within that two year period, then you comply with the new code that is in effect at that time.

Unnerstall – Ok.

Briggs – That's historically, I have not read the...

Piontek – That's what the code says. Yes.

Unnerstall – And the only other thing is I think when Sal called for the initial meeting he had a good turn out a lot of positive feedback, a lot of the engineers and consultants were there but whether if you do have another workshop and I'm not prepared to speak to it tonight, but I think maybe looking at some sort of a matrix entered into the street section of the code and I just use it you know...if you build an acre lot development, your street length is going to be a lot longer because you're...an acre is 210 by 210 so if a bigger subdivision was built, that is a different density than say 7,500 square foot lot. So where I'm going with this is I think there has got to be a chart or a matrix that says ok, a developer who builds a bigger lot subdivision doesn't necessarily have to have a 35 foot street because he's going to have houses spaced way apart. So there's going to be additional parking on the side of the street because the street is going to be longer so they can be narrower. And again, St. Louis County standard width 26 feet, we've been over that I think a compromise would be like a 30 foot street width if you build bigger than the minimum. So again, I'd like to sit down and work with Andrea and the Planning Department. We not only develop here in Washington, Missouri, we develop all over in a three county area. So just something to think about. And obviously the more dense you build it then the wider

street is definitely merited. And I think Sal had mentioned something about restricting parking on one side of the street which is a good idea too so...

Lucy – That was brought up at one of the meetings.

Unnerstall – Ok. Thank you for your time.

Lucy – Ok, thanks Kurt. Ok, is there anyone else? It doesn't look like it. Ok, so what are we thinking here?

Mohesky – So are we thinking we are going to accept this into the minutes with the interest of revisiting the sign issues?

Lucy – Right, I didn't anticipate approving this tonight at all.

Mohesky – No I understand

Lucy – And so we would accept it into the minutes and then I guess also the fact that we've listened to comments regarding some other items. And then what would be our next step?

Maniaci – I would come back with...we could come back with some secondary proposals at the next meeting just regarding items that were addressed tonight. And go from there.

Briggs – Mark, would they have to have another hearing then if they're going to change from what's been publicized?

Piontek – No.

Skornia – On street width that Kurt was talking about a bigger lot subdivision we already can handle that under our variance committee couldn't we? If you got 1 acre lots you want a variance on street widths.

Maniaci – Yeah, I guess technically, yeah it could be approved through the variance process. I mean if you...

Skornia – But it would have to be approved by the City...it would have to be more than just that committee.

Maniaci – Well I guess that would actually go to the board of zoning adjustment if you are doing...

Briggs – I would almost think that you would want that to be codified only because you want the playing field to be equal to whoever came in to do a development.

Maniaci – Right.

Briggs – If your putting 1 acre lots in, if it's on the east end of town it's so much different, there street widths are so wide. On the west end of town there streets are so wide. It could be codified.

Maniaci – Well and it could always come in as a Planned Residential and they could specifically state we want narrower streets because of we're developing it in this layout.

Lucy – You could do planned residential...

Maniaci – Without getting a variance.

Lucy – A Planned Residential is not limited to lot size.

Maniaci – No, so well there's minimum acreage there has to be at least 1.5 acres to even ask for a Planned Residential. But you know you have to submit it in its entirety up front. So you know...here is going to be a lot size, here is going to be the density, here's going to be the street widths, all that. Everything has to be done up front.

Lucy – So in my mind I think of Planned Residential for some reason I think smaller lots but you could do a Planned Residential with larger lots.

Maniaci – You could. Typically I think you see a Planned Residential with those smaller lots because I think we do allow for I would call density transfers or density bonuses in those Planned Residential Districts where you want maybe cluster lots in this part of the development because you're offering open space in a different part of the development. And so we give them a density transfer where you are allowing it to be smaller lots in one portion if they give us so much public space in another area. But...it can be proposed however a developer would like.

Lucy – But you could...as long as you...doesn't have to be small lots...

Maniaci – Nope.

Lucy - ...big lots.

Maniaci – Yep.

Lucy – As long as it came in as a Planned Development and then you would....

Maniaci – And then everything is approved on a case by case basis.

Lucy – Ok.

Maniaci – A Planned Development could be approved and then a condition the street being this wide. So maybe they can come in with a proposal for it to be narrower streets, staff and P&Z, the Commission as well as Council can you know disagree...say no or we're going to approve the neighborhood but it needs to be conditional on the streets being this wide or the lots being laid out like this so it's kind of a negotiation through the whole process and then the ordinance will specify and kind of conditions that need to be changed.

Lucy – Ok.

Maniaci – That's why they have to go through a preliminary development plan first and then if there's any conditions brought up, they have to bring those back as a final development plan and get that approved as a whole.

Sullentrup – So what we need to do here probably is accept it into the minutes, and I'd like to table time-frame, and the starting date.

Lucy – Well, we'll accept it into the minutes tonight, then we'll come back and review...we're just going to accept it into the minutes and then we'll come back and review time limit and the starting date. And we think now that one of Kurt's concerns was would be under the Planned Development is already taken care of.

Maniaci – Right, well...so what we could do...

Lucy – We could go down that path.

Maniaci – Yeah, you could do a zoning matrix where it could be a non-planned district and you could have street widths based on trip generation. So if you're going to have this many homes in the neighborhood, then your street only have to be this wide. That's something we could look at but we thought that maybe just the best route would be to allow developers to ask for that through the planned residential. But you could definitely do it the other way through non-planned if you wanted us to look at that if there was a problem.

John Nilges – Keep in mind a planned development, you look at everything holistically. So you have street widths are obviously a part of the entire development. Setbacks would be another thing so it...maybe a sprinkler of buildings would be another thing. You look at all of this together as one thing rather than each individual item meeting that requirement. So for example if Kurt were to or a developer were to come in with a 30 foot wide street, you'd look at ok, what

are you giving us as kind of a trade to go with that reduced street width. Maybe one would be setbacks, maybe one would be connectivity to streets, you know it a holistic approach...

Mayor – Right.

Nilges - ...rather than each individual item has to be met within the code. So that's why that discussion of larger lots does fit into that kind of concept.

Skornia – You know in the last ten years, they kind of keep saying they want to be like St. Peter's New Town but we restrict it where they can't go that way.

Maniaci – Right.

Skornia – I mean...

Maniaci – Well, in the Planned District it allows for that kind on unique design that does not fit into a standard zoning district. So that would give them this opportunity to do that.

Skornia – I think you did a great job on this Sal.

Maniaci – Thank you.

Patke – We're going to pick it apart just a little bit more.

Maniaci – That's all right.

Lucy – All right. Thank you. Ok, so if we come back at our next meeting with more information about signs...you have to come back if you are going to talk...anyway...

Maniaci – Those specific items, signs, street widths if you want to talk about a matrix and then a time table of when it will be approved.

Lucy – Ok.

Sullentrup – Motion to accept it into the minutes.

Patke – Second.

Lucy – Ok, a motion by Sullentrup, seconded by...hold on...

Tim Frankenberg – Deputy Fire Chief, Fire Marshall. The matrix I think I have a problem with. From the standpoint of the basic street width is 35 feet. That's what a street in Washington is. Twenty-six foot is a fire lane. There is a very big disparity. The public...the development that they are talking about I'm all for what they're talking about the Planned Unit Development and adjusting it there. Just what John said the holistic approach of that, you look at the whole thing. Rather than being very prescriptive, set-in-stone in Code, you're looking at a performance base. And exactly John nailed it on the head you're looking at it holistically rather than piece by piece by piece. So putting a matrix in there I think I have an issue with that from a fire protection standpoint because what happens is if you give the street here we're going to see that narrower street width come up everywhere else. And it's going to become a problem across the board.

Mayor – Ok. Was there anyone else?

Unnerstall – I just want to clarify what I meant by matrix to put the fire department at ease. A matrix laid out into a road program would have a situation of density, fire plug spacing, water flows, all those are in that matrix. What it does is as Jim pointed out; it gives each individual land owner or each future developer some sort of guidance to what can happen. If you leave it to the planned development you had PUD on the books for I don't know 10, 12 years, and every time you put a PUD to a public hearing and discrepancy now you're putting a developer in front of a firing squad to try and get something built. So if you don't give some sort of guidance to what is acceptable from...and I would applaud Tim and his group to be a part of that matrix. But

if we don't sit and work together to build some sort of matrix on what can and can't be built I just think you are going to be right back here hashing it back out. So that was my definition of matrix. We're not asking you to come up with an engineered set code; we're saying develop a set of matrix that can be a part of a document. This document is what, 26 years old John? Twenty-six, twenty-seven years old? So it's long overdue that we look at those things. So that was my only comment. So thank you.

Lucy – Ok, thank you Kurt.

A motion to accept the Public Hearing into the minutes was made by Councilmember Sullentrup, seconded by Councilmember Patke, passed without dissent.

CITIZENS DISCUSSIONS

* None

UNFINISHED BUSINESS

* None

REPORT OF DEPARTMENT HEADS

* John Nilges reported on the Jefferson Street Bridge. It is still on schedule and should meet the July 15th deadline.

ORDINANCES/RESOLUTIONS

Bill No. 16-11527, Ordinance No. 16-11545, an ordinance authorizing and directing the execution of a contract agreement by and between the City of Washington, Missouri and Landmarks Association of St. Louis, Inc.

The ordinance was introduced by Councilmember Holtmeier.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Brinker-aye, Skornia-aye, Mohesky-aye, Sullentrup-aye, Holtmeier-aye, Patke-aye, Hidritch-aye, Meyer-absent.

Bill No. 16-11528, Ordinance No. 16-11546, an ordinance authorizing and directing the execution of a contract with N.B. West Contracting Co., for the 2016 Asphalt Overlay and Concrete Replacement Program and amending the 2016 Budget, in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Patke.

After a brief discussion that included this is over budget due to the fact that Third Street was added, the ordinance was read a second time and approved on the following vote; Brinker-aye, Skornia-aye, Mohesky-aye, Sullentrup-aye, Holtmeier-aye, Patke-aye, Hidritch-aye, Meyer-absent.

COMMISSION, COMMITTEE AND BOARD REPORTS

* None

MAYOR’S REPORT

- * July 17th is the 10 year anniversary of the Public Safety Building and there is an open house to celebrate.
- * The America In Bloom judges will be in town on July 17-19 and an invitation to lunch at the Mayor’s home on July 19th will be coming.
- * The Franklin County Municipal League meeting is on July 10th.
- * July 25th is the Missouri Main Street State Conference in Washington with dinner on the Thursday evening.

CITY ADMINISTRATOR’S REPORT

- * Budget work is nearing completion and will be contacting Council to discuss the budget.

CITY ATTORNEY’S REPORT

Public vote on whether or not to hold a closed meeting to discuss personnel, legal and real estate matters pursuant to Section 610.021 RSMo (2000) passed at 8:06 p.m. on the following roll call vote; Brinker-aye, Skornia-aye, Mohesky-aye, Sullentrup-aye, Holtmeier-aye, Patke-aye, Hidritch-aye, Meyer-absent.

The regular session reconvened at 8:20 p.m.

ADJOURNMENT

With no further business to discuss, a motion to adjourn was made at 8:20 p.m. by Councilmember Mohesky, seconded by Councilmember Patke passed without dissent.

Adopted: _____

Attest:		
	City Clerk	President of City Council

Passed: _____

Attest:		
	City Clerk	Mayor of Washington, Missouri