

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL  
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI  
MONDAY, OCTOBER 17, 2016**

**INTRODUCTORY ITEMS:**

The Regular Meeting of the City of Washington, Missouri, City Council was held on Monday, October 17, 2016 at 7:00 p.m. in the Council Chamber. Mayor Sandy Lucy opened the meeting with roll call and Pledge of Allegiance.

<b>Mayor:</b>	Sandy Lucy	Present
<b>Council Members: Ward I</b>	Steve Sullentrup	Present
	Walter Meyer	Present
<b>Ward II</b>	Jeff Mohesky	Present
	Mark Hidritch	Present
<b>Ward III</b>	Jeff Patke	Present
	Greg Skornia	Present
<b>Ward IV</b>	Josh Brinker	Present
	Joe Holtmeier	Present
<b>Also Present:</b>	City Attorney	Mark Piontek
	City Administrator	James Briggs
	Assistant City Administrator	Brian Boehmer
	City Clerk	Mary Trentmann
	Police Chief	Ed Menefee
	City Engineer	John Nilges
	Economic Development Director	Darren Lamb
	City Planner	Sal Maniaci
	Street Supervisor	Tony Bonastia

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 October 3 & 12, 2016 Council Meetings

A motion to accept the minutes with the correction of Councilmember Meyer and Councilmember Mohesky being absent at the October 12, 2016 Special Meeting was made by Councilmember Patke, 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 November Health Insurance premium; LAGERS \$60,000.00 Estimated October wage benefits; Ameren UE \$101,400.00 Estimated September energy usage; UMB Bank, NA. Trust \$97,048.59 October debt service payment. Sewer Revenue Bonds---2007B; Washington Volunteer Fire Company \$100,000.00 Annual VAER payment.*

- \* Treasurer's Report – August 2016
- \* Liquor License Application
- \* Final Pay Request – Donohue & Associates, Inc. – Hydraulic Study

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

**PRIORITY ITEMS:**

**Mayor's Presentations, Appointments & Re-Appointments**

- \* Police Department Re-appointments

*October 12, 2016*

*To The City Council*

*City of Washington*

*Washington, Missouri*

*Dear Council Members:*

*I herewith submit for your approval the following for re-appointment:*

<u>Name</u>	<u>Appointed</u>	<u>Term Expires</u>
<i>Greg Garrett Patrol Officer</i>	<i>Nov. 3, 2016</i>	<i>Nov. 3, 2017</i>
<i>Casey Hill Patrol Officer</i>	<i>Nov. 3, 2016</i>	<i>Nov. 3, 2017</i>

*Respectfully submitted,*

*Sandy Lucy*

*Mayor*

*MT:*

A motion to accept and approve the re-appointments was made by Councilmember Patke, seconded by Councilmember Hidritch, passed without dissent.

- \* Washington Area Highway Transportation Committee Re-appointment/Appointment

*October 12, 2016*

*To The City Council*

*City of Washington*

*Washington, Missouri*

*Dear Council Members:*

*I herewith submit for your approval the following for re-appointment to the Washington Area Highway Transportation Committee:*

*Mark Wessels – term expiring July 2019*

*I herewith submit for your approval the following for appointment to the Washington Area Highway Transportation Committee:*

*Dan Cassette – term expiring July 2019 (bio attached)*

*Respectfully submitted,*

*Sandy Lucy*

*Mayor*

*MKT:*

A motion to accept and approve the re-appointment/appointment was made by Councilmember Hidritch, seconded by Councilmember Holtmeier, passed without dissent.

### **PUBLIC HEARINGS**

\* **Rezone 355 McLean Avenue from R-2 Overlay to R-1C Single-Family Attached**

*October 10, 2016*

*Honorable Mayor & City Council*

*405 Jefferson Street*

*Washington, MO 63090*

*RE: File No. 16-0904-Rezoning of 355 McLean Avenue, Apt. B*

*Dear Mayor & City Council Members:*

*At a regular meeting of the Planning & Zoning Commission, held on Monday, October 10, 2016, the Commission reviewed and approved the above request.*

*Sincerely,*

*Tom Holdmeier*

*Chairman*

*Planning & Zoning Commission*

**Mayor:** Okay, so, before we go any further, I just want to welcome you all this evening. I should have done that early on. But, thank you for being here. I know that there's a number of different items on the agenda tonight for Public Hearing, and some are just curious as to what's going on because something might be taking place in your neighborhood or whatever. So anyway, thank you for being here and we appreciate your attendance. Sal, I think this is you.

**Maniaci:** Yes, the first one is 355 McLean Avenue, close to the intersection of McLean and Fourth Street, just south of the apartments there. This is an existing duplex that has been zoned R-2, 2-Family Residential since it has been built. We've seen this happen all the time, where a duplex has been split into two different ownerships and sell one parcel. Before they can do that, they have to rezone to R-1C Single-Family Attached. Here's the zoning map, you can see the part in blue is the multi-family, yellow is currently R-2, so you can see most of the neighborhood is the R-2 overlay which will have Single-Family in. 2-Family and the only other, the closest R-1C is this corner here it's not a duplex that was changed a couple of years ago. The use won't change, it's going to stay residential, and so staff has no issue and recommends approval. There will be a Plat for this later on in the Agenda as well.

**Mayor:** Okay, do Councilmembers have any questions or comments regarding this item? Okay, it's a Public Hearing, right? Okay, this is a Public Hearing, is there anyone here tonight who would like to address the Council on this particular item? Okay, I don't see anyone, right? Okay, we can accept this item into the minutes. I guess we need a motion to accept this item into the minutes.

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

**Bill No. 16-11557, Ordinance No. 16-11579, an ordinance rezoning 355 McLean Avenue from R-2 Overlay to R-1C Single Family Attached Zoning District in the City of Washington, Franklin County, Missouri.**

The ordinance was introduced by Councilmember Holtmeier.

With no further discussion, the ordinance was read a second time and approved on the following vote; Mohesky-aye, Hidritch-aye, Brinker-aye, Skornia-aye, Holtmeier-aye, Meyer-aye, Sullentrup-aye, Patke-aye.

\* Voluntary annexation of 14.49 acres south of the Malvern Hill Subdivision

*October 10, 2016*

*Honorable Mayor & City Council*

*405 Jefferson Street*

*Washington, MO 63090*

*RE: File No. 16-0802-Jerome Weber-Voluntary annexation of 14.49 acres south of the Malvern Hill Subdivision with a Zoning designation of R-1D, Single Family Residence*

*Dear Mayor & City Council Members:*

*At a regular meeting of the Planning and Zoning Commission, held on Monday, October 10, 2016, the Commission reviewed and approved the above request.*

*Sincerely,*

*Tom Holdmeier*

*Chairman*

*Planning & Zoning Commission*

**Maniaci:** This is a voluntary annexation of about 15 acres just south of the existing Malvern Hill on Rabbit Trail. As you can see in the aerial here, you can see the Victorian Manor Assisted Living, and the existing Malvern Hill, basically Phase 1. This would be Phase 2 of Malvern Hill. They are requesting, so, with voluntary annexation, if you have no request, it comes in as R1-A Single Family Attached, or you can attach a different zone district as part of your request. Applicant has asked for R-1D, Single Family Residential which is a little bit smaller lots down to 7,500 square feet, that is what the existing Malvern Hill as you can see here. So that zoning is not out of character for the area. We are recommending approval of this, this is the Public Hearing for this, and then we have to wait 15 days before we can bring the ordinance back to you, which would be the first meeting in November.

**Mayor:** Okay, any questions or comments regarding this item? Mr. Schulte, come forward.

**Don Schulte:** I'd like to speak up please.

**Mayor:** Okay, come on up.

**Don Schulte:** I am against the rezoning

**Mayor:** Okay, hold on. You have to give us your name and address.

**Don Schulte:** My name is Don Schulte, and I live at 76 Rabbit Trail Drive in Washington Missouri. I've been there over a year.

**Mayor:** Very good.

**Don Schulte:** However, when I moved right in, I didn't realize the vast amount of traffic that Rabbit Trail carries. Now, you're going to put 14.49 acres and put more houses there, there is going to be at least 60 more cars everyday using Rabbit Trail as an ingress and egress. It's a community of more or less retired people, who are not here tonight because they are probably got in their jammies and their rabbit foot, feet watching the football game.

**Mayor:** That's why I like you so much Don.

**Don Schulte:** I am not against progress as such, but I know I'm here probably flying a dead horse because I know that this is a done deal; however, I do have a solution. We have a

bamboozle at the junction of Rabbit Trail and Hwy 100. That traffic light there is preposterous, people can't hardly get across the highway, or want to make right or left turns. I don't know how we can alleviate that problem; however, we can do one way. We can make Rabbit Trail a one way street from the south entrance of Wenona to the Lake Washington Drive, and from there it would go north and south. That would be one way to alleviate the problem. Like I say, I am not against progress and such, but I think that Rabbit Trail, the traffic there is preposterous. Especially where the concrete goes into the asphalt, their trucks go by there and boom, boom, boom, nobody can sleep. So, this is one of the things that should be taken care of. As I said, I am not against progress, but I think I should at least voice my opinion.

**Mayor:** Okay

**Don Schulte:** Thank you very much Sandy.

**Mayor:** Thank you.

**Sullentrup:** Don, getting back to your problems at Rabbit Trail and 100. I sit on the Traffic Committee, and we bring this up three months in a row now. We are actually trying some new ways of trying to get rid of the traffic, so bear with us on that.

**Don Schulte:** I know, I know that you are and I want to thank the Council for everything that you do because I know that you have a thankless job and listen to people like me.

**Sullentrup:** Thank you for coming.

**Mayor:** Thank you Don.

**Steve Richardson:** My name is Steve Richardson, and I live at 2404 Rabbit Trail. I don't really have a problem with the subdivision going in. The problem is, is that the top, I don't have a pointer, but as you go up the hill on Rabbit Trail there's at least four condos, um, whoops, hit the red one, somewhere in, where's the, right in here there is a hump in the road and a lot of people in the morning, I don't know if they're going to work there, it's like a race track and there's at least five units, if they back out of their driveway they can't see over the hump. And as Mr. Schulte pointed out, these are not real young people, and I mean, somebody's going to get killed there because they're just going up and down that street way too fast. And I agree the Hwy 100 and Rabbit Trail is a circus, you see people coming in off of 100 that are going east, they'll make a right turn and they'll go across all two lanes as people are coming down the street, and they'll go into that side road that goes to the Creek. My proposal would be just to make Rabbit Trail, right only into there and make it a one way street from the alley behind the show. So you couldn't come in and make a right turn on to Rabbit Trail or left turn in there, the only way that you would be able to go is coming off Rabbit Trail because it's, I don't know how there isn't a wreck there a day. So, my two cents as well. Thank you.

**Mayor:** Okay, thank you Steve. John, that's a MoDOT intersection, correct? What's the position on that? I mean I know you've been talking about it in traffic but what.

**Nilges:** Rabbit Trail and 100 is obviously a MoDOT intersection where we do have a City street that obviously intersects into Hwy 100. We are currently looking at doing some things with the stop bar going north at the intersection to add essentially two more cars to stack in the left turn lanes onto 100. So we are working with MoDOT right now to just move that stop bar closer to 100 to get us two more cars in there, which would alleviate two vehicles. We constantly look at signal timing in that area when we get a call if something's not working well, we'll evaluate that with MoDOT. That is a MoDOT signal, in addition, we are always looking at new ideas as far as

Phoenix Center Drive, going east west parallel to 100. The issue is that Phoenix Center Drive is actually an ingress egress easement for the City, so we actually don't own that as a City street. So that makes things a little more difficult as far as what we can do at that location, we constantly as Steve mentioned, constantly looking at it and evaluating what can and can't be done. So, I think that we do have something in the positive direction as far as moving that stop bar, we're just waiting on MoDOT approval.

**Hidritch:** And to you Don and Steve, I don't sit on that Committee but I'm always bringing things forward and that's one of my main issues that I bring to the Committee every other month and I've come up with that idea like you said Steve and it got voted down and that's why John's stating why. I've talked to MoDOT numerous times, they've extended that light three-quarter of a second, that's all they'll give me, you know, to go across. Now, three-quarter second isn't a lot to us, but it is to them.

**Nilges:** I would also add, and Sal may be able to speak to this, as part of this annexation, maybe it's something in the future to talk about this.

**Mayor:** Yeah, that was going to be my next question. Are there some future plans for connectivity here?

**Maniaci:** Yeah, and you'll see one of the last items on the agenda is the Plat for this area. So, we show what the layout is going to look like and we will talk about the three connections getting Rabbit Trail down to Bieker, then Malvern Hill over to Weber Hill Estates, and connecting Rabbit Trail to Phoenix Center and Stone Crest. So that will not only will get people on Rabbit Trail away from 100 on to Bieker, but also if someone is trying to get to Phoenix Center out of Lake Washington, or Malvern Hill, or Weber Estates, they hopefully would be able to cut across the east west road here into Phoenix Center rather than having to go down to 100. But again, that is all subject to additional development and annexation or a City push facilitating that.

**Hidritch:** We've been talking about this for years, the long range. How long of a range is this going to be?

**Maniaci:** The comp plan shows all of the connections, where they are proposed. But all three of those right now are outside city limits so we have to wait for voluntary or involuntary annexation.

**Mayor:** Will that answer some of their questions if they hang around?

**Maniaci:** Yeah, I can show the connection right now if you want me to.

**Mayor:** Yeah, can we do that?

**Steve Richardson:** If that is an egress road, why can't that, I mean understand where you're coming in to Hwy 100, but why can't Rabbit Trail be made right only on the egress road? Stop the egress road at the end, and only make it a right turn because the biggest problem is these people are coming out of the egress going across the two lanes right into the left as people are coming in. So if there's a right in, the rest of the people could go up to the stoplight and come right back into Phoenix Center. It would alleviate a lot of problems.

**Mayor:** John may have something for that.

**Nilges:** It's an ingress egress road, that's in and out.

**Steve Richardson:** But you can go in from Rabbit Trail right

**Nilges:** I absolutely understand. Since we don't necessarily have ownership of that road, for us to put infrastructure on that piece of payment, if you will, it makes it very difficult for us to do that without approvals from the property owner. That's where the situation comes in, we have had conversations with that property owner to do that exact thing, right in and right out situation, and that's something that has not been taken very positively on that end. So, we are aware of it, I know that we actually spoke with the Police Department trying to get accident data, I know there's close calls, but we don't have any data that supports it's dangerous.

**Steve Richardson:** Two weeks ago, there were two cars that hit. One coming out of the right, and one coming out left, and they hit. I mean, there was two people that got hit at the same time.

**Nilges:** I totally understand, and we definitely evaluate every situation. It's been on there for three months in a row and we are doing everything we can.

**Steve Richardson:** Okay

**Nilges:** I do feel like we have a step in the right direction with the stop bar, trying to get one more car staking in there, two more cars actually.

**Steve Richardson:** Well, the other problem too is that interchange. People will be coming down Rabbit Trail, and it's a short light to begin with on the left, there's that gap so they don't block the entrance to the place. People will come out of there like it's their right-of-way and you're trying to get to the left hand, and they're pulling out right in front of you. It's a bad place.

**Mayor:** Alright, let us keep working on it in traffic.

**Steve Richardson:** Thank you.

**Mayor:** And then, we can go from there. Don did you have, or someone else has something?

**Don Schulte:** I want to say something else, if Rabbit Trail goes through Bieker Road, it's going to be a speedway, because it's going to be the first north and south road from Bieker Road to the highway, and I don't know how we are ever going to stop that. The only way you do that, is to make Rabbit Trail a one way street going to the south.

**Mayor:** Thank you. Did you have something? Your name and address please.

**Justin Beil:** Justin Beil, I live at 2289 Bellars Lane. I'm at the very last street in Phase 1 of Malvern Hills. Little background on me, I'm a Production Manager at Boeing, we strive for first time quality no matter what we do. If we make a mistake, we eat that cost and we make it right. My concern is, I'm all about expanding the subdivision to Phase 2; however, myself as well as a few other home owners that here have concerns with the way that the land is layed out in terms of drainage, standing water, run-off, things of that nature that I personally believe, as well as the rest of the second row sitting back here, just a small quorum of us home owners in this Phase 1 that believe that before this expansion is approved, these drainage issues need to be fixed. Because I am sure that you as a City Council, don't want to hear other members of this new part of this subdivision come in and speak about this stuff. So, that's my two cents. I think that before this is approved, I think that the builder should come in, should not turn over the HOA to the home owners. They need to fix this, because if the HOA gets turned over to us, then it falls on our hands. We didn't create this land, the way it's layed out, so I believe that it should be corrected first.

**Mayor:** Okay, thank you. Do we have a comment on that?

**Nilges:** Specifically, I have a question for you actually. Specifically, drainage concerns. What specifically are those?

**Justin Beil:** In between, for instance, I live at Bellars Lane. The house right behind me Denise Lowes, in between our homes, and up next to Denise is Linda. In between those houses, the land is always soggy. When it rains, the water doesn't run-off properly into the culvert at the base of the hill at Rabbit Trail in between my house and Denise's house. I know that there's other home owners that have issues in between the homes with the way that the land is graded. That's just a small example, and Vic, not to call you out but there was a proposed fix that allegedly had been completed that looked like somebody walked between two houses and accidentally spilled a small bucket of dirt and had some grass seed mixed in it, and then ran out of straw to cover it up. So, if that's a fix, that you know the builder is going to say it's complete to fix a drainage issue; I am not satisfied with that in any way, shape or form. So,

**Nigles:** I appreciate that.

**Mayor:** Okay, thank you.

**Dave Schneider:** My name is Dave Schneider, I live at 11 Edward Place, which is off of Mike Allen which is off Rabbit Trail. Not so much the traffic, although you can only fit two cars through the 100 and Rabbit Trail Drive on green, and three on yellow if you hurry. I have two small children who like to ride their bikes in the area, seven and eight years old, and right now we ride up on our cul-de-sac but they are starting to ride a little further through our neighborhood, which is now become a thoroughfare. I would encourage us to just look at it. I don't have a solution, I don't have a proposal, but just look at it from a neighborhood point of view and it is becoming more of a thoroughfare and less of a neighborhood. It's not safe, there's no sidewalks, there's no anything, so just look at it before we add more houses to the thoroughfare as to what the neighborhood will be. Thank you.

**Mayor:** Thank you. Anyone else?

**Skornia:** John can we put those choker pipes like they put on Lexington to slow down traffic?

**Nilges:** Well, we can evaluate any traffic you know to slow traffic down. Any kind of infrastructure would do that. I would not necessarily recommend that way of doing it. We are evaluating, Council actually approved the speed radar signs on Front Street which were, Engineering is working on trying to come up with how that does impact traffic but those will be put on Front Street. Now, those things could be utilized at other locations around town in the future.

**Skornia:** I think that this would be a good place for that.

**Nigles:** We haven't evaluated specific locations other than on Front Street, but that would be an option to notify people the speed they're going. Chief, I don't know as far as the enforcement thing. What we do if we typically get a call for speed, I immediately call Chief and let him know that we've received some calls and we work together to step-up enforcement and do what we can do.

**Menefee:** I know several years ago, we did a zero tolerance. Anybody that was speeding five miles or over got a ticket. We ended up issuing more tickets to the residents that we did to anybody else. We do enforce it now and then, it's not an accident factor, we don't have accidents there. The radar speed display signs, studies have shown that when those are up and people can see that their speed, they slow down. You keep those up for a month or two, and your traffic will slow. If you take them away, you maintain that speed, and people keep slowing down for another month or two, then they start speeding up, so you have to put the sign back.

But those signs may be something we can look at that's an easy way to try to get people to slow down.

**Mayor:** Okay.

**Justin Beil:** May I submit to the Council, I have photos just as a visual representation of the drainage. And second thing, how does the Council feel about speed bumps along the road?

**Hidritch:** It's against the ordinance.

**Justin Beil:** What would it take to add that? Is that a possibility?

**Menefee:** I can tell you, I am speaking for the Chief Halmich the Fire Chief, but I can tell you he is totally against speed bumps.

**Justin Beil:** Understood.

**Menefee:** That interferes with the emergency response for the big fire trucks.

**Justin Beil:** Gotcha, okay.

**Menefee:** It causes damage to them if they go over them too fast. It'll damage a police car too.

**Justin Beil:** Thank you for your time.

**Mayor:** You're welcome, thank you. Thanks for being here.

**Cameran Lueken:** My name is Cameran Lueken with Wunderlich Surveying & Engineering. I guess specifically I just want to speak to the voluntary annexation I guess if you guys have any questions about that we can go through that later on, if you got questions I guess related to the infrastructure plans we can talk about that. So, I guess kinda just looking at things as Sal and John have mentioned, the existing Malvern Hill are already R-1D lots and that was the 7,500 square foot minimum lot size, basically it's a detached Villa is what it is, maintenance free and that first phase has been successful so as Vic moves on, the proposal tonight is voluntary annex the 14.50 acres as R-1D and to do about 31 lots. When you look at this, as already been identified, this is Keunzel Drive to the west, this is Rabbit Trail Drive to the north, and Bieker Road is down here to the south. Only the area in blue is being annexed right now. So to give you an idea to where this lays at, in relation to the existing City limits, everything in yellow or color is existing City limits. So like this is the Kleekamp farm, this was the area that was turned into Victoria Manor. This is Malvern Hill, this is the rest of Weber Farm, this is Weber Estates to the west. This is the preliminary Plat, so I guess that we will back away from that right now but basically, there is a Bieker Road connection mentioned, and I think that this was mentioned already tonight, this is outside the City limits. It's been pretty much fair to say, that throughout probably the last 15 to 20 years, the City of Washington has not built a residential connector street other than a street like Vossbrink Drive, where it serves like an industrial facility. So, I guess what I am saying is that if it helps, hurts, whatever, this Bieker Road connection it may be awhile. I know that it was mentioned, and there was concern about Bieker Road connection from the gentleman that lives further to the north. You know that's going to take some time to possibly do that. So I guess, to the relation of the voluntary annexation, you know, we don't intend to change anything. Malvern Hill has been pretty successful, so therefore, Vic's intention is to keep doing some of the same that he has done before. Any questions relating to that?

**Mohesky:** Not to that, but to the infrastructure part of it.

**Cameran Lueken:** So, do you want to talk about that now or later you think Jeff?

**Mohesky:** It's up to everybody.

**Mayor:** Let's go ahead and talk about it now, if that's alright.

**Mohesky:** My question pertains to drainage real quick, if I can just address that. So, in this new piece that we're wanting to zone in, does any of that affect the current issues that they're having with drainage?

**Cameran Lueken:** To answer that question for you Jeff, I'm just going to use the slide here, I'm just gonna go off my memory, basically your guys' stormwater ordinances in such that I think it's a three and a half feet per second in a swale and a four CFS. So anyway, we've submitted all the calculations to the City related to the protection of what exists here so, by way of example, the area that's identified that gentleman identified, there's a swale, an earth and berm swale above that to the west, so that any development to the west would not exacerbate his situation any further than already what it is. So the new development in this phase, or future phases, will not dump any more water on that situation. So, if I had to guess, I'm not trying to make excuses, but an example would be this past year July/August, has been a very wet year. I don't know of the situation, this is the first that I've heard about it night. I don't know what the situation is, but I'm sure that Vic wants to maintain his good name. If he or we need to look at that situation, we'll look at it and take care of it. It's just, what happens is that between the wet year, the footing drains, and all of the situations that are going on I don't know what the situation is.

**Mohesky:** Okay, but I'm hearing that this new addition should not affect them currently there.

**Cameran Lueken:** Correct.

**Nilges:** Engineering department is currently in the process of reviewing the construction plans, and we were made aware at P&Z of a concern of drainage on the western cul-de-sac. We're reviewing that, we're ensuring that the water coming from the west because that is up hill, coming from the west, is collected in two berms west of the subdivision, the existing subdivision, and then routed in the underground storm sewer. So, as of right now, and like I said, we're preliminary in review of this. We know what's going on with that, and we are going to make sure that it does not make the problem any worse.

**Mohesky:** Okay.

**Nilges:** As far as this drainage situation that the gentleman discussed, I was not made aware of that neither so.

**Mohesky:** Okay.

**Nilges:** We'll work through that as the plans get reviewed.

**Mohesky:** Thank you.

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

**Mayor:** Do we want to jump down to that preliminary Plat at this point? Can we do that? Can we go ahead and jump down to the preliminary Plat approval for Malvern Hills, and then that way you folks can go home.

\* Preliminary Plat Approval – Malvern Hills Phase 2

*October 10, 2016*

*Honorable Mayor & City Council*

*405 Jefferson Street*

*Washington, MO 63090*

*RE: File No. 16-0901-Malvern Hills Phase 2-Preliminary Plat 4*

*Dear Mayor & City Council Members:*

*At a regular meeting of the Planning & Zoning Commission, held on Monday, October 10, 2016, the Commission reviewed and approved the above request.*

*Sincerely,*

*Tom Holdmeier*

*Chairman*

*Planning & Zoning Commission*

**Maniaci:** So this is the plat on that proposed annexation. It is 31 homes, approximately the same size as to what's existing in Malvern Hill. They vary from 7,500 square feet to some above 10,000 on those bigger lots on the cul-de-sac. So the main things I wanna point out are the proposed stubs first all. So, as you can see this is Rabbit Trail. It is part of the comp plan as a major road, which means it has to be 40' wide instead of 35 which it does show that, and the improvements do not extend fully to the property line as they normally would be required. You can see that dotted line is actually a flood plain that goes along here; there is a creek that runs along the southern boundary of this annexation. And so, to be able to extend those improvements to the property line they would need some off-site grading easements, not only outside the City limits but off of the property they own so that's one item that would need to be addressed that I'll bring up the end here.

The second stub is shown to the west, so this road is proposed to be called Keunzel Drive which will connect to the existing Keunzel Drive and Weber Hill Estates. You can see this area of a different color, it is a proposed turn-around, temporary turn-around obviously it will not stay there as the development continues, it is required to meet the existing cul-de-sac requirements as well as being able to hold, it has to be a hard surface and hold 75,000 lbs. for fire apparatus.

The third stub is the proposed road here which is Halls Green Drive. It is proposed to go north towards the existing Malvern Hill, and I guess wrap around there but we have not seen a future phasing plan. I do want to point out, here's where we're at, this is one stub that will go down to Bieker, the second, this is the existing Keunzel it'll wrap around and then Halls Green will wrap up behind the existing homes. This road here Betony Court, is a proposed cul-de-sac and I want to point that out because if you look in the comp plan we do have a connection to Bieker Road as well as one, this number 11, is proposed to connect over to Stone Crest and that does line up pretty much exactly where this Betony Court is. But as you can tell, the developer is proposing a cul-de-sac there instead of a stub for future connection. I do want to point out that there is an existing right away that was dedicated to the City as part of the Victorian Manor Subdivision when this first came in, and it's only 25' wide which is half of what we need for that connection; but there is a possible connection across the creek there. So there are a couple of reasons that staff is recommending approval of this plat with this cul-de-sac instead of a stub. The first one is that, in this location farther north the flood plain is much narrower. So you can see here, the flood plain widens, it's kinda a wider valley, it's not as deep but it does extend longer and it would be a more costly connection there.

The second is that we do have a portion of the right away already dedicated to the City. We would have to require additional land there, but we do have half of the right away essentially between what is this property that is proposed as part of Stone Crest and on existing Bieker Road. And the third real reason why we're recommending this connection farther north rather than what the comp plan shows here in number 11, is that if you move this connection farther north, it does provide a much more direct route to Phoenix Center because you are going to have if Rabbit Trail connects to Bieker, you're going to have traffic off of Bieker, you're going to have existing traffic off of Lake Washington, this new Malvern Hill, and the connection off of Weber Estates; all having quick access to Phoenix Center, and if we do have this connection farther south all of the traffic will have to make multiple turns through Stone Crest. If we did have it farther north it would be much more direct access. A bridge would still have to be built regardless, but it will be a shorter bridge because the valley is deeper there and narrower and it does keep traffic from making multiple turns in a residential subdivision, and this way we have the ability when this gets platted to make sure that connection happens.

So we are recommending approval of the plat as a whole, there are a number of conditions that staff is acquiring most of these I kind of touch already. Keunzel Drive must terminate in that temporary turn-around that is hard surfaced and can have fire apparatus.

A 200' corridor must be recorded on the property to the west, which is on the existing Weber Farm, showing that general connection from the existing Keunzel Drive to the proposed Keunzel and the reason for that is say a different developer comes in and decides to finish the Weber Farm, we wanna make sure that we have that connection in place. So this would be a corridor recorded to make sure that the roads do connect and we've done that before on High Street when it was annexed in High Street going south.

No additional plats proposing access to Keunzel Drive, Halls Green Drive, or Rabbit Trail Drive shall be approved until the second access point is constructed. Like some of the concerns we've heard tonight, Staff does share that concern. That is a lot of traffic going to Rabbit Trail that only has one way in and one way out. After this plat, we propose that second access has to be connected rather it's to Weber Estates or Bieker Road before any additional phases of Malvern Hill, or any other development are approved.

The plat does not show Rabbit Trail Drive improvements extending to the property like I mentioned. We would recommend that requiring a separate guarantee agreement than we normally would with a letter of credit or some other type of financial insurance to make sure that the connection is done, so that way if the property to the south on Bieker Road is developed, we don't have someone just putting improvements up to the property line and then we have 50' that's not connected then we have the monetary insurance to be able to connect that.

A revised plat for Victorian Manor showing the right of way dedication, I actually forgot to point that out. The plat does show half of this Betony Court on the Victorian Manor property. We don't have that recorded, so they would need to revise that plat on Victorian Manor, which wouldn't be an issue as long as Victorian Manor obviously signs off on that.

A 12" waterline is required along Keunzel Drive. This is just to ensure the loop, and is a request from Public Works to ensure the loop from existing Weber Estates down to the subdivision. The City will participate in paying for the difference of the upsizing provided that the water test shows the 10" line will meet the requirements of what's proposed, which we have done in the past as well.

A note must be added to the plat that the maintenance of the stormwater will not be taken over by the City, it will be maintained by the property owner which is a standard note in our preliminary plat requirements.

Future development signs must be posted at the end of each stub street. This will keep from homeowners buying homes and coming to these future meetings saying I never knew that this road was gonna be extended, so they know when they're buying a home that there's gonna be more development.

These last two are pretty standard, construction plans must be submitted. They actually have been since I made this PowerPoint, and approved prior to any construction beginning obviously. And then a final plat will not be approved until the improvements are either completed or per approved, or we do have a guarantee agreement with some additional financial insurance that it'll be completed per approved plans.

This was submitted, that corridor I spoke of between the existing Keunzel and the proposed Keunzel, they have drawn up what that would look like, so it's 200' wide and because it doesn't necessarily have to be exactly in the center line but it can be somewhere in that area, and that will be recorded on the Weber Farm just to ensure that any future development connection is made.

**Patke:** How far is that?

**Maniaci:** It's about 1,000' I believe

**Mohesky:** Can anything be built on either side of that?

**Maniaci:** On either side of this?

**Mohesky:** Yeah, Keunzel.

**Maniaci:** I would assume so. You would have to ask the developer if he has any phasing plans, but this connection that's farther north, again, we have not seen any phasing plans. We would like to see Weber Heights Drive extended, and possibly connected as well so we minimize the amount of cul-de-sacs; but we haven't seen a plan for that but I'm assuming the rest of this is going to be utilized as well for connections.

**Nilges:** Maybe to answer your question, it's a 200' corridor once the road connection gets made, which we have a condition where you can't move to phase 3 until the road actually gets constructed. Once that's done, the right away width will then be granted in that corridor essentially goes away.

**Maniaci:** Okay, I am sorry I didn't follow your question. That 200' will not remain once the road is built.

**Nilges:** That just assures that, it's there if another developer came in. It's essentially a dedication of the corridor.

**Hidritch:** So, still at this time you cannot tell any of the residents up there any time frame of when any other street will get connected?

**Maniaci:** No, not until we have proposed plans going. If a plat for Weber Estates connection, maybe Keunzel Drive if that, if a plat comes in, then you have two years to put it in or else you have to come back in and re-ask for everything. It would be tough to tell someone that they have to have the road connected in so many years and it's not connected and the homes are in. What's the repercussion there?

**Sullentrup:** I think it was Don that mentioned earlier that, I guess it was Rabbit Trail, the elderly people live out there. My question probably would be for Vic or Cameran, on this new phase what do you project for people buying these homes, the ages?

**Vic Hoerstkamp:** We would expect a similar clientele than what we have at Malvern Hill which ranges from I guess in age from 30 to 60 or 70 even. But I do believe, you guys were asking about further extensions and stuff, I know I am not prepared to put more streets in but it is a step towards getting access to the west into Weber Estates but it's just pieces at a time. It's about as fast as I can go. But it will help eventually I know right now it's tough and it's adding more traffic to Rabbit Trail, but eventually it will help ease it up.

**Mayor:** Thank you Vic.

**Cameran Lueken:** I want to answer a few questions; I can tell that you guys have questions about. Sal mentioned that up here to the north at the end of Rabbit Trail Drive when Barkley stopped building there, that was in the master plan about connecting that street to the east and he dedicated 25' to do that. That's recorded on Rabbit Trail, and I can't think of name of the development there at the top of my head. When we did Victorian Manor, these lots here for Mr. Quick, we dedicated an additional 50'; there's actually a 75' strip dedicated when you put those two together, if you look on there. A 25' strip and a 50' strip so you can check that out. I just wanted to correct that, if you look there's 75' dedicated to the City there to make that connection, and I guess for explaining it, as a mention, when you look at the grades going east at the Kleekamp farm, compared to the width compared to the vertical alignment, this is a much easier connection to the north here as well as the reasons why Sal mentioned that. I just wanted to mention it.

**Patke:** Does that connection come to the south or the north of the Phoenix Park?

**Cameran Lueken:** To the south.

**Patke:** It is to the south of that? So behind it.

**Cameran Lueken:** It would not go through the park.

**Patke:** It just seems like a great place to go, and it would alleviate some of the traffic at Hwy 100, anybody going to the shopping center. It seems like the next obvious way to go, and I was just kind of curious if was on the north side it's going to be closer to the shopping center.

**Cameran Lueken:** Correct. So there's that question and there's this corridor connection here, and basically Mark, it's the same thing we did, this is the same situation where you've got property that's outside the City and the County and the City wants to be sure of the connection we made so that's exactly the same issue we had on the Jasper Farm and High Street, so we propose the same type of corridor connection agreement that we did with the City back in 2000.

**Piontek:** The one difference with this is because each end of it would end, if this gets annexed, each end of it would end in the City limits and because it's less than 1,200' in

length the City could go, not that we do, but the City could go through and actually build that road and charge the cost against the property owner which in this case, I would presume to be Weber.

**Hidritch:** Would that be charged at the time or when lots or sold?

**Piontek:** At the time the street is built, you can charge it against the property owners. Now we don't do that.

**Hidritch:** Right, it just seems cost prohibited for the owner.

**Piontek:** It's more expensive for the City to build a road than for the developer because if the City does it you have to pay prevailing wage, and that typically is a higher wage than what they can get it done for.

**Hidritch:** Right.

**Piontek:** If the development ended right there and nothing further ever happened, you could put that road in, if you wanted to.

**Mayor:** The City could.

**Piontek:** Yes.

**Cameran Lueken:** Let's see what other questions you guys have related to, I guess, like I said as far as the infrastructure plans are concerned, we kinda went over some of that, I guess, like I said, they all have been submitted to John for his review. Like I said, our intention is to not exacerbate any situation here, like I said, there will be a structural berm built here as well as piping underground, piping that is going to be directed to, the detention basin is going to be built right here, basically on this southern part of this right here so there is going to be another detention basin built. I don't want to get into the technical details. I'll answer any questions you guys have about it, but I don't want to bore you with all of the details.

**Briggs:** Can you back up to the Master Street Plan? So staff is recommending that we eliminate L from the Comprehensive Plan?

**Lamb:** No, move it north.

**Briggs:** Just on drawings, it's going to go north so it's eliminated there and moves up to there. My question is to Mark, do we not have to amend our comp plan then, which is adopted by a Public Hearing and been recorded in the County?

**Piontek:** We can look at it, I don't think we have to, but we can look at that, it would be fairly simple to do.

**Briggs:** I just want to make sure we follow procedure.

**Maniaci:** When you look at the actual, when you go through all of the numbers, the verbiage in the comp plan just says east west connection from Rabbit Trail to Stone Crest. So, if we just make the east west connection I thought that maybe it would suffice for the comp plans.

**Lamb:** It's purposely left vague for just that very reason, so that you could move it wherever you felt the development needed to occur. It was just to make an east west connection.

**Mayor:** So the stormwater issue that was brought up earlier will be addressed in site plan review and things like that, or as the development.

**Nilges:** Correct, we'll review that specific situation. Like I said, I was not made aware of the situation.

**Mayor:** Right, but the others for the new development will be addressed when you're doing infrastructure design work.

**Nilges:** Yes, all the design work and everything will be reviewed as planned.

**Cameran Lueken:** Yes

**Nilges:** And the actual inspection process to ensure that we don't have issues like this moving forward.

**Mayor:** Does anyone else have questions of Cameran? Okay, thank you.

**Cameran Lueken:** Thank you.

**Mayor:** Someone else has one more comment. Say your name again.

**Dave Schneider:** 11 Edward Place. Just a question, I'm a real logical thinker, Electrical Engineer by trade, but all of this traffic will alleviate corridors between like, over at Weber Estates over to Stone Crest, and everyone going to everyone's houses, but all of the major thoroughfares to all of the shopping districts, which is where everyone is going, is still going to go down Rabbit Drive to get to Walmart, to get to the movie theatre, to get to Target, it's still the shortest distance between two points. Is there anything that is going to alleviate the natural flow of traffic that is going to be the shortest distance between two points and the fastest distance to get to the major shopping areas where all of these residential people are going to go to shop, is my question.

**Nilges:** Like I stated earlier, we are constantly reviewing different ideas and things at Rabbit Trail and Hwy 100. I would note that Rabbit Trail is considered a collector, so to be surprised there's additional traffic on Rabbit Trail, I don't think we can say that. It is a collector street; it will see a higher amount of traffic than your local access streets that connect to these collector type streets, sorry a major street.

**Sullentrup:** Have we done a traffic count on Rabbit Trail?

**Nilges:** I have not done one, I'm not aware of one that's done in the past 10 months, but that's something that can be easily done. We can get it started tomorrow.

**Sullentrup:** It would be nice to have it at a Traffic Meeting.

**Nilges:** Yep, we can discuss it then.

**Mayor:** Okay, any other questions regarding this item?

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

\* Rezone 2 parcels located at 1000 Duncan Heights Drive from R-1A Single-Family Residential to C-4 Planned Commercial and Development Plan Approval

*October 11, 2016*

*Honorable Mayor & City Council*

*405 Jefferson Street*

*Washington, MO 63090*

*Dear Mayor & City Council Members:*

*At their October 10, 2016, meeting, the Planning and Zoning Commission voted to approve the request to rezone two parcels located at 1000 Duncan Heights Drive from R1A to C-4 Planned Commercial. At the same time, the Commission voted to postpone the proposed development plan for the Duncan property to the November 14<sup>th</sup>, 2016 meeting.*

*Sincerely,*

*Sal Maniaci*

*City Planner*

*October 10, 2016*

*Honorable Mayor and City Council*

*City of Washington*

*Washington, Missouri*

*RE: File No. 16-0801-(a) Daryl L. Duncan. Applicant is seeking to rezone 1000 Duncan Heights Drive from R1-A, Single Family Residence to C-4, Planned Commercial District*

*Dear Mayor and Council Members:*

*At the regular meeting of the Planning and Zoning Commission, held on October 10, 2016 the Commission reviewed and approved the above request with the following contingencies subject to the contingencies listed in the staff report.*

*Sincerely,*

*Tom Holdmeier*

*Chairman*

*Planning & Zoning Commission*

**Maniaci:** Okay, so this is the Duncan property. I know that you are all aware of that it went through zoning about a year ago; I think it was in September, and now they're back with a C-4 zoning request. I will preface this whole presentation with the original request was a rezoning from R1-A Single Family Residential to C-4 Planned Commercial as well as a development plan approval. At last week's Planning & Zoning Commission Meeting, the Commission did vote to approve the rezoning but they tabled or postponed the development plan. They did not make any motions on that, so I am just gonna talk about the zoning here and then we can get to public comment.

This aerial shows the subject properties, it's actually two parcels, I think three acres total in size and it's got the existing Duncan Avenue you can see the portion here is not yet right away dedicated. It does access technically, there is a portion off of Duncan and then there was driveway connected to Rainbow as well.

So here is the existing zoning and the surrounding zoning, this hash mark are the subject properties. You can see all of the areas to the rear, I guess to the east of the property are R1-A Single Family Residential, the blue is Multi-Family, this gray on top is Mercy is actually zoned commercially, but that's Mercy south. You can see the high school right across the highway and then as you go south on Hwy 47, all that red is C2 General Commercial and that does extend past Heritage Hills and then into obviously the Washington Square, 100 and 47 intersection. So, I will point out that this is the future land use map that is part of the comp plan; it does show the subject property as C2, which shows it as commercial. We don't designate between the different zoned districts, we just have residential and commercial, but it does show this area as commercial for future development.

So quickly jumping into it, the analysis of the actual rezoning request and not the development plan itself but actually the rezoning to C4, the property is front along highway 47 which is a generally commercial corridor throughout the City limits. The property does have adequate ingress and egress onto Duncan Avenue. Duncan Avenue it is not a residential street, there are no single-family homes that actually directly access Duncan

Avenue. The adjoining property to the north was approved for C4 zoning in 2015, which is the Wilson property. We have not had a development plan been approved for that, they would have to have that come in the future; that does have a two year expiration date so that would expire in I believe, July of 2017 unless it is extended or the development plan is approved.

So the future land use map does designate this property as commercial. There is, this is shown on the comprehensive plan as such, and given its proximity of the highway, its frontage along the highway, and it does have some topographical issues that you are aware of, it does slope upwards pretty rapidly as you get to the eastern property line. It is unlikely that the property will be developed residentially; it has been zoned residentially for quite some time, and now with this Duncan Avenue, and I believe in 2007 being built as quick access to the highway.

So with all of that being said, there is an argument that I think it should be zoned commercial. It is a suitable zoning, and then just on top of that the C4 zoning does allow for extra requirements that can keep the development from being a large detriment to the neighboring properties. So the C4 allows you to not only take usages out of the list of permitted usages as part of the ordinance, but it also requires the development plan to be submitted and approved as part of that.

So, we are recommending approval the rezoning to C4, staff is recommending two conditions of approval. First of which is based on the applicant actually submitted in their proposal that they would voluntarily take out a gas station from a list of uses that was proposed. We agreed with that and said okay, well if the applicant is wishing to take that out, and I looked at the list of uses that I thought were equally as intensive or also had outside storage. And the two on there that I had outside storage or could have as intensive as a gas station my opinion would be equipment repair facility and retail lumber store. So that's why those seem kind of random, but they are on the list of approved usages in C4 so I removed those as well to be on par with the gas station.

The second condition for approval would be that right away for Duncan Avenue must be recorded prior to the rezoning actually taking place; so, just for zoning, those were our two conditions. I want to also mention that a protest petition was filed and it was validated. If you have at least 30% of the property owners within 185' sign a petition and submitted to the City Clerk, you can require a super majority; they did have about 13 of the 24 signatures on there so. I'll take any questions you guys have.

**Mayor:** Okay, are there any questions of Sal?

**Maniaci:** Okay, thank you.

**Mayor:** Okay. So this is a Public Hearing tonight, obviously, and how we're going to handle this this evening, we are going to hear from the opposition first, and when that's completed we will hear from the petitioner, Ray Frankenberg is here to represent the Duncan's. If after you hear Ray's presentation, if you have any new information that wasn't mentioned the time before, when you were up here before, you have some new information, you'll be invited to come back and add new information, add anything that you would want to add onto what was previously said. Just to make you aware, we are not, there is no ordinance on the agenda tonight to vote. Again, tonight is a fact finding night. We will not

be voting on this this evening. It will come for a vote at our next Council Meeting, which is November 7. So that will be the night the Council will vote, and again we are just voting tonight on whether it should be zoned C4, we're not really voting on the plan. Excuse me, I am sorry, I have that wrong. We are just talking about C4 zoning tonight, but we are not voting.

**Skornia:** Sandy, can he maybe give the plan first so they can see the plan before they.

**Mayor:** I think that.

**Piontek:** Well the plan hasn't even made it through Planning and Zoning yet, so it's premature to even talk about the plan today. The only thing that should be the topic of discussion tonight is whether it should be rezoned to C4 or not, because the plan hasn't even made it through Planning and Zoning.

**Mayor:** Okay, so, any Council Members have any questions here?

**Moheky:** Just real quick, before we start, is there a reason we're not voting on that tonight? Just for clarification.

**Mayor:** The feeling was that there was a lot of information that is being disseminated and I think that there's a lot going on with Sal with the City's side of it as far as with Sal's presentation and everything, and there's also a lot of information from the home owner's. So, we just feel like the Council Members should be able to kind of digest it somewhat before we take the vote. It will be on the agenda in November. So, who wants to go first?

**Lloyd Miesner:** My name is Lloyd Miesner, and my wife and I live at 3 Fieldstone Court which is approximately 200' from the Duncan property, and before I get into it, I would like to ask can we vote tonight? Can we change and vote tonight? Why not?

**Piontek:** Because there is no ordinance that's even included in the agenda. There's nothing, there's no ordinance to be voted on; it's not in the packet. It would of had to be on the agenda at least 24 hours prior to the meeting tonight, it's not on the agenda, and it's not in the packet.

**Lloyd Miesner:** Can I ask why it wasn't on the agenda?

**Piontek:** Well I think for the reasons the Mayor described.

**Lloyd Miesner:** Alright, well anyway, last Monday, October 12, I emailed a letter to all of the Council Members stating my concerns in rezoning this property. It will have a detrimental effect on the property values in our area. A residential area such as ours needs a commercial business like Downtown Washington needs a Mobile Home Park. I not being, I guess I being a little bit being facetious, but I'm lettin you know how sincere I feel about this. There's no doubt in my mind that it would lower the values of our homes by as much as 20%. We don't need a rock quarry in our backyard with a commercial business creating noise and light pollution with parking for over 100 cars. The other point of interest that I want to mention is that traffic already exists on Duncan Avenue, and Mr. Frankenberg, at his pitch to our last Planning and Zoning Meeting mentioned this numerous times himself. This afternoon, I was at the stop sign behind 12 cars at 2:45, at 3:00 is when Lourdes lets out, so you can imagine how much more traffic was added after that. If you've not looked at the property on Fieldstone Court, the neighboring, I myself and all the neighbors would be happy to show it to you from our perspective. I think you'll agree that it would be an eye sore, and I think you would be surprised on how close three of these houses are and would be to a 34' rock bluff. At our last appearance before the Council, we received a favorable vote which we

appreciate very much, and since nothing significantly has changed, we ask for your consideration once again. Thank you.

**Mayor:** Thank you Lloyd. Anybody has questions of Lloyd?

**Joe Wildt:** Good Evening, my name is Joe Wildt, I live at #4 Fieldstone Court. Thanks for giving me the opportunity to express my opinion regarding the proposed rezoning of the Duncan property. I presented my reasons of opposing the rezoning during last year's meetings; therefore, I will briefly summarize my position which has not changed since last year. First, I am a registered, professional Engineer in the State of Missouri, after reviewing the site plan submitted, is my opinion that there could be serious issues regarding drainage and water detention if a property is developed as commercial. Second, I am a certified Appraiser with the Institute of Business Appraisers, it is my professional opinion that the value of nearby residential properties would decrease substantially, if the subject property was rezoned commercial. Third, it is my opinion that additional traffic resulting from the development of property is commercial, would add to the present existing traffic problems at this location, and would be a safety hazard. Last, it is my opinion there presently is an excess of commercial property in Washington, and a need for more residential property is what is really required. This is obvious by the large amount of vacant commercial land for sale, as compared to the availability of residential property. There's no logical reason to change this property from residential to commercial. In conclusion, it is my opinion that the rezoning of the Duncan property is not needed, not wanted, and not desirable for the general benefit of the community and the neighborhood. Thanks for allowing me the opportunity to express my concerns.

**Mayor:** Thank you Joe.

**Brinker:** Joe I have a question for you.

**Mayor:** Joe, Josh has a question for you.

**Brinker:** As for as your detailing potential property value reductions with neighboring residential facilities or properties, when Bedford Center was developed and they cut the bluff there, how were the property values effected in the Meriwether Estates Subdivision? That would be the most similar type situation here in Washington.

**Joe Wildt:** Well, I don't know I didn't research that. It depends on facts and circumstances, but to give you a little history in my background, I worked for 30 years for the Internal Revenue Service as an Evaluation Engineer and quite frequently I was involved in situations very similar to this and through extensive surveys and research, we did identify the fact that the property value of nearby residents was reduced considerably. Now this, granted depends upon the fact and circumstances of each individual situation.

**Brinker:** Correct. I guess going into property evaluation, going through the basics of a property appraisal, how would you start the evaluation of this property? What would be at its highest and best use? Is it physically possible, legally permissible, financially feasible, and what would be maximally productive for this property if you went in to do an appraisal of this?

**Joe Wildt:** Sure, well I would take all of those factors into consideration. I think that it depends on the developer, someone that would purchase it. I can visualize somebody buying the four acres and putting up a half-million dollar house there. It's done quite frequently on

270 in Des Peres, where people tear down old homes, sell the lot and the homes are considerably at higher value as placed there.

**Brinker:** That is correct but, will that be maximally productive for this parcel of ground in this instance?

**Joe Wildt:** Well, I don't know. Like I say, it would depend upon facts and circumstances. Are you talking about what it would sell for the most money? Financially it would be a commercial property.

**Brinker:** Just the whole theory, the highest and best use for a particular piece of property.

**Joe Wildt:** For who though, the property owner or the community?

**Brinker:** Specifically the property owner.

**Joe Wildt:** Well, obviously for the property owner, it's best to go commercial; but my opinions about the neighbors and the community in general.

**Brinker:** Okay, I would just like to see, if we had, and maybe I will do some research on my own to see what happened to the Meriwether homes when the Bedford Center bluff was cut.

**Joe Wildt:** Well, I don't know. I suspect the survey would have to be done and compare before values to the after values. Being an appraiser, that's a procedure I would use it's not gonna be easy would be very difficult; but I think that I can ask each of you individually if you owned John Hillermann's house that adjoined this property, would you pay more or less for it if you knew property next to it was zoned commercial? I think that's the obvious answer.

**Brinker:** That I don't know. You go back into, like I said, the Meriwether homes and just wonder if the home across the street that wouldn't back up to it, did that one sell more being everything equal besides that specific location?

**Joe Wildt:** Right, I don't know. When I worked for the IRS, I had a lot of time to do these issues. To get an Appraiser to do it now would be very expensive. I do want to say also, there are numerous court cases that go both ways, but basically its facts and circumstances. Like I said, first I want to say, you know, Frankenberg Engineering, they do an excellent job and I remember working for them 50 years ago when I was in college doing surveys. I know Ray, and I know that they're an excellent Engineering firm; however, there's still that possibility of problems with drainage and water retention. Secondly, from the view point of the neighbors, I don't think there's any neighbors here that feel that it would increase the value of their house, if there is, I would like to see a show of hands, nobody.

**Brinker:** And there could be no affect in value as well.

**Joe Wildt:** I know.

**Brinker:** Then, it would just have to be analyzed

**Joe Wildt:** Sure, it's a difficult situation.

**Brinker:** Correct, thank you Sir.

**Joe Wildt:** You're welcome.

**Mayor:** Thank you Joe. Okay, next, John.

**John Hillermann:** My name is John Hillermann and I live at the house that Joe was talking about. First of all, I would like to thank the Council, most of you have probably been, quite a few of you have been up at our place like a year ago so you kind of know where we are, what we are about, and what kind of residential area we have. It's a very nice area, but to tag onto

what Joe said about the property values especially to you Josh since you asked the most questions, my property backs up to the Kathleen Duncan Property and I would love to have anyone come up there that thinks they could build a commercial property 25' from my back yard and tell me that it's going to increase my property value. There's just no way, in fact, this is kind of a separate subject, but I think they've already decreased the property values by the creative landscaping that they've attempted up there whatever you want to call it. It is an eye soar for the City for a whole year, the stump sitting out by the highway; you should be back where I live, come and tell me that is increasing my property value or that someone would even want to consider buying my house, not that I am selling it. You don't need a survey to do this, you can just look at it, we don't need a meeting for that.

Okay, so I need to move on from that. I'd like the people that are in support of voting C4 to please stand, it's a really good showing considering there's people that live in our neighborhood, around our neighborhood supporting us. I am not the spokesman for this group, Joe isn't, Lloyd isn't but there's four or five of us property owners. The Lutheran Church starting at the south end, Tom Smith, Charlie Heart, myself, and Denny Whitworth, and we all share some of the same concerns, some of them already have been brought up. Rather than go into detail to each one, but I would like to mention some of them, some of them have been piggy-backed to what's been said already. I've got on here that we don't want at 25'-30' rock bluff in our backyard, virtually a rock quarry, you see those along the highway. It's pretty easy to see when it's cut along the highway and the ground's kind of matchin up whatcha gonna end up with. The removal of the rock, as close as we are, has been concerns for our neighbors about how it will be removed. Is it safe to remove it, will it affect our foundations, or driveways? If they approve this, and we hopefully they won't, the type of tenants that they'll let in there; there is no guarantee what type of tenants you can get in there. We're talking the other night and there's a development on Jefferson Street where Aldo's is, and when that was built it was probably made for offices like Walde, or somebody like you know small businesses, now you have Aldo's up there which is a great place but Aldo's is not made to be there. It's too high of traffic, there's not enough parking, we're concerned that we could end up with something like that; in fact, I drove down to McDonald's tonight just as a side note and I counted the parking spaces in McDonald's all the way around; there's 58 parking spaces there. In our development, Steve is it about 140?

**Steve Reuther:** 140

**John Hillermann:** 140, its three times as many parking places that are in McDonald's and they wanna put it in our backyard. Another thing that would concern us is the hours of operation, and once again the property values. In closing, last time the City Council voted eight to nothing in our favor. I think nothing has changed, in fact, if anything, it's worse because the plan that they brought to the P&Z the building is bigger and the parking's doubled. So if anything's changed, they made it worse. Last time you voted eight to nothing in our favor, so I would like to propose that nothing's changed and the vote shouldn't change. Thank you.

**Mayor:** Thank you John. Does anybody have any questions of John?

**Tom Smith:** Good Evening Everyone. Once again, Tom Smith 4 Scenic Drive. My property happens to be 13' from the corner of this proposed effort. Buescher Frankenberg is

representing the Duncan properties and wish to convince this board once again the need to remove residential zoning from a section of our neighborhood to C4 commercial development. BFA implied, of course this last week, that they had a list of clients were interested in development. This meeting and the meetings previous we have heard about increase traffic onto Rainbow Drive and Duncan Drive. Last week, 10/10/16, last Monday, BFA wanted to have us believe traffic would be too dangerous to access Duncan and Rainbow Drive if one were to develop these two properties as residential; yet at the same time, BFA thought there would be no danger in having traffic from 165, maybe I stand corrected on this, 140 parking spaces, either way quite a few parking spaces, surrounding a proposed business building that there would be no danger in having that kind of traffic coming out onto those same drives and that it would be actually safer than having a residential development. Now, I may be putting words into Mr. Frankenberg's mouth, but it was to that effect, he was presenting that argument. But when the P&Z permitted the Duncan request to move forward to C4, it eliminated anyone, if you all decide to go the way with P&Z, for presenting a fair market value for residential development.

Also, BFA, when pressed by P&Z at the meeting last week for more restrictions, as we see there were three for on-site development, one of the restrictions that was proposed was food service. BFA was very quick to come up and speak up on keeping food services at all into the mix, and understandable, but which leads me with some eyes our neighborhood and maybe one of these developers in the background wherever they are, we'll all be smelling fast food in the near future if this request is granted okay. I've stated this before, my and wife and I and our neighbors are appealing to the better nature on all of us as a community, striving to maintain quality, residential life, and ask you to vote no on this rezoning request. Again, we feel, and hope, and know this community continues to promote quality neighborhoods that help all of Washington; however, this proposed C4 designation on this particular property and assuming development will have a deteriorating effect upon our community, I feel. We and those of you on this Board must realize in the aggregate, quality neighborhoods in the long run, provide a more sustainable long term revenue base than any small commercial speculation. I thank you for your time.

**Mayor:** Thank you Tom. Is there anyone else or anyone here that had a question? Okay.

**Pastor Aimee Appell:** Good Evening. I'm Pastor Aimee Appell, I'm Pastor at Peace Lutheran Church. We're the property that is just to the south of the Duncan Property. I spoke last year and I spoke last week at the P&Z Meeting; just concerned for the overall welfare of our neighborhood and of our City. Our mission statement is that we are bound by Christ to break boundaries. It is our goal to be a Church that is present and serving our community and we do that with a lot of different things that we have on our property including Community Gardens, that serve people who are not members of our Church, serve our neighbors and others in the community. We have Butterfly Gardens and we open those to the public for people to come and learn how to improve their own properties. What we would like to see is property this just next to us there, to be developed for the best interest of the entire community. I think that there are ways to do that that would both benefit the property owner and the neighborhood, and would like to see those avenues explored more.

Specific concerns that we have had have to do with safety, having a wall, a drop off 25 or more feet immediately off of our parking lots is a big concern for us. We have families that come to the church also using the property, they're families that use the Community Gardens, and small children and others, and so have concerns about that. The traffic issue that has been mentioned on Duncan Drive, that's one of our major ways in and out of our Church. Already, we can't turn left out of our driveway. At three in the afternoon, five in the afternoon, there are times when it's impossible to turn left out of our driveway.

So those are concerns, and then I mentioned this at the Planning and Zoning Commission, to echo I think that it was John had said the concerns about rock removal in that area. We have a stain glass window in our building that was done by Emil Frei, a very well known Stain Glass Artist. There was an article in the St. Louis paper recently about the need to preserve his work at Churches across the country, and that stain glass window would be at risk as well as the rest of our ceilings and whatever, but that window in particular is irreplaceable.

I know that BFA has said that there are ways to remove rock that are not gonna damage the neighboring properties, but I would imagine, I'm not an expert by any means, but I would imagine that those are the more expensive ways to remove rock, and I wonder what kind of recourse do we have to be able to insist that those are the ways that are used on this property. If they are going to remove rock, I'm assuming they're gonna go with what's the most economic for the property owner not for the neighbors, and I wonder is there a way to guarantee that the rock removal is going to be the most beneficial to the people that are right next door. So I would encourage to find a different way to use this property besides a straight commercial use, I think that there are creative things and we have a lot of very creative minds in this community that would like to work on that idea so thank you.

**Mayor:** Okay, thank you Amy. Any questions?

**Charlie Heart:** Good Evening, my name is Charlie Heart and I live at 6 Fieldstone Court and I'm gonna keep this brief. I just wanna say that I am fully in support of my neighbors, me and my neighbors, all of us in the neighborhood actually that join or surround the Duncan Property, but we're talkin about the C4 now and one issue that I have is the children that play on Duncan Avenue. My wife goes to the high school every morning and every morning their children on their way to school some are riding bikes, some are walking but it's not a good situation and that's all I have tonight. Thank you for your consideration.

**Mayor:** Okay, thank you Charlie.

**Tara Steffens:** Hi, my name is Tara Steffens, I live at 805 Rainbow Drive; I've emailed you all multiple times. I have lived on Rainbow in some capacity since I was born. I was raised at 814 Rainbow, I left, moved to Kansas City and specifically moved back to Rainbow Drive when a house was available and that's because of these people back here who think all but maybe three of them were my neighbors at the time. They made it and Josh, Bedford Center is where Joe's Bike Shop is Ferguson's Bike Shop, my guess is proximity Kathleen Duncan's property is not a backyard and 25' away, it is completely surrounded by three houses now yes, the front property of Duncan is separate but they are trying to combine these into one. To reiterate what I have emailed everybody, it would be a huge detriment on multiple levels

and to as one of my neighbors spoke its long standing citizens that make the City profitable, and I specifically moved back to live in this neighborhood so thank you.

**Mayor:** Thank you Tara.

**Steve Ruether:** Good Evening, my name is Steve Ruether and my wife and I live at 3 Scenic Drive, been there for about 30 some years. We are within the 185' of the Duncan Property. Like everyone else, appreciate the opportunity to talk to you. Gail and I are here as we are to voice our continued opposition against the rezoning of this property. Just quickly, we've all said it; nothing has changed since your vote in September 2015. Other than Mr. Duncan has done significant amounts of landscaping and recently he cleaned up his property but only after he was issued a citation from the City of Washington, that finally enough people got sick and tired of it, that the City filed a citation and made him clean it up, thank you for that, we appreciate that.

A couple of things, the fact that this property is on the future land use map is not a new revelation, it has been there forever, 18 months ago the first time it came up. The property is no more suitable for commercial development now than when it was the last time you voted, and the lack of suitability was one of the reasons that the City Council voted it down a year ago, and the statement says rezoning from a residential to a commercial property would not significantly impact the surrounding properties, is in direct conflict of what Joe Wildt, who is a professional has given you. Nothing substantial has changed in the property but you did change the development plan as it was noted. A year ago the building was 13,000 square feet and 65 parking spaces, the plan that was presented at the P&Z, I know that we're not gonna talk about the plan, but the recent plan is over 32,000 square feet with a 140 parking spaces. That's two and a half times larger with more than double the parking spaces; the building was also set back as far east as you can go to get to the bare minimum set back and everything else.

More trees will have to come down, the building has been moved as I said as far east as possible and the only restrictions are you can't have a gas station, lumber yard, or a repair facility. That just about opens it up to absolutely everything else you guys have the City Codes, and I know you can read them. There's everything that is available and I know they said well if it goes in C4, we'll conduct all that and we'll worry about that, but once somebody starts to move out somebody will say well we need to rent that space so let's put in a coffee shop, let's put in a restaurant, let's put in something because I have that space that has to be rented out.

We've beaten the idea of traffic to death, but I would have to say, also remember that the traffic that comes out, if you have to go right coming out of this place, you're gonna go and cut through Rainbow Drive to get over to Madison to go up to get in and out. So there's gonna be more traffic through the residential areas in the neighborhood.

Fire and rescue and safety is a concern. With the amount of excavation I think that's always a risk. Access to any type of emergency vehicles has to be a strong consideration. We're talking about high retaining walls in the middle of the parking lots, a quarry wall, over 27' quarry cliff with a vinyl fence to crawl over. We got kids in the neighborhood, we got grandkids in the neighborhood and the Pastor said they've got children there all the time, and that line is just right, its 10 or 12' off where their parking lot goes.

Worst case scenario, some young person comes into the Church a little too fast on an icy, winter night, hits the breaks, skids off the parking lot, crashes through the vinyl fence and lands 30' on the parking lot. Now you can tell me that's not going to happen, but it could.

We've talked is it a benefit to Washington, is rezoning this property in the best interest of the entire community? Again, the City Planner says it will be suitable for commercial development, if appropriately developed, if the appropriate measures are taken. I would also say it's suitable for residential development, if the appropriate measures are taken. And actually, a residential developer approached Mr. Duncan to buy it, offered him money on it but Mr. Duncan doesn't even have the courtesy to respond back to that commercial developer, residential developer, thank you. There was a residential developer that had approached Mr. Duncan about buying it to do a residential development and he hasn't even replied.

John Borgmann asked the question at the P&Z, how much unoccupied commercial space is available right now and how much commercial property is available. The City Planner and Darren Lamb were asked to find out how much commercial space is unoccupied and how much undeveloped commercial property is available. It would be certainly worth knowing within the community of Washington how much is out there that is vacant right now. It seems like there is a lot of open store fronts. Again, do we really need more commercial property in a residential area?

And we've gone on and one about this on the corridor, it's in the master plan. Any master plan can be and should be modified, if it needs to be. Why not review this plan and possibly change it. I would make note of one comment in the earlier discussions about the development Malvern, is what it's called? Did you notice more than once, it was mentioned that the comp plan had been changed; the comp plan had been changed. They said, this what we're gonna do with that property, this is where all of the roads are going to be, this is where all the easements are going to be; but you know what, somebody said that's really not the best way anymore and so they changed the comp plan. They just moved it. Pretty interesting, I thought.

When our neighborhood was built 30 years ago, the Duncan was residential, there was no 14<sup>th</sup> Street Intersection, nor was there Duncan Avenue running along Hwy 47. We knew that Hwy 47 would eventually develop into a major thoroughfare, but nothing was hinted as to having a major intersection at 14<sup>th</sup> Street and moving Duncan Avenue down to Rainbow Drive. Now because of that intersection and that avenue, it just seems perfectly natural to have it zoned commercial. We strongly disagree. It is on an avenue leading to residential properties, and borders residential properties.

Again, a year ago you voted eight to zero to oppose the commercial development. Nothing has changed that we can see. All of you have received emails and phone calls and we appreciate what you do for the City, and we appreciate you taking those emails and those calls, and thank you very much for taking the time to read those and for call us back and answer our questions, and put up with what we have been talkin about for a year and a half now.

And I close by saying; we are the citizens of Washington. We cut our lawns, we work at Church Festivals, we go to the Downtown events, supporting everything that goes on. We work at our community events and our dinners, we walk at all of the Walk-A-Thons for every cause that there is, we do our shopping and entertaining in Washington. We live here, we pay our taxes, I don't think the people that own that piece of property are in that category.

I thank you, I would appreciate you putting all of this in your minutes and actually I would appreciate it if you just determined to vote tonight but if not, we will be back again. Thank you very much. Any questions?

**Mayor:** Thank you Steve. Any questions of Steve?

**Debbie Obermark:** My name is Debbie Obermark. My husband and I live at 1306 Zero. We're adjacent to the Peace Lutheran Church. I just have a question. One of the supporting facts that keeps being mentioned is that the long range plan is that this is commercial and all along 47 is commercial, but I question, I just want know why and can that not be changed because this is all residential. If that one's commercial then you moved to Peace Lutheran, and then you start working your way down the street, it's a huge rock bluff that's nothing but houses across from the top of that rock bluff, so are you proposing eventually you would take the whole rock bluff down and dozens of homes because it's supposed to be commercial along 47? And I don't know who can answer that question, but because it's a long range plan commercial.

**Maniaci:** I can show you.

**Debbie Obermark:** I mean I understand that's what you're showing, but why?

**Maniaci:** This is not proposed to be commercial, if that's what you are asking.

**Debbie Obermark:** Okay. So why would you have to go to this one piece of property in the middle of that whole section.

**Maniaci:** I think it was in 2013 when this was adopted. I think but this was because of the access to 47 and its frontage along 47. These all access residential streets that go out to Madison when this portion did not access Madison and it accessed the highway, which was an easier choice for future commercial development. Is what I believe was the thought process when it came in so.

**Debbie Obermark:** Looks like (inaudible). Thank you.

**Mayor:** You're welcome, thank you.

**John Hillermann:** I'm sorry but I can't let this go, so one thing real quick. We have, I don't know 40 people here, I didn't count them. We've been at every meeting, and I understand, I don't know why we can't vote tonight if you can't you can't, but I don't know why we can't. We did this one other night, and we ended up voting.

**Mayor:** Well we are not voting tonight.

**John Hillermann:** Well, I would, I don't know why. That being said, once again, all the citizens are here and the Duncan's aren't here. Years ago I had to go to Court, there was an old Judge named Judge Schafer or Schaefercutter. He would call like, is Mr. Hillermann there, and if Mr. Hillermann wasn't there, Mr. Hillermann was going to lose. He said that anybody that doesn't show up in my Court loses. That's exactly what he said. And I think that this is such a big deal, that the other property owners should be here to represent themselves. Now we're not gonna take another vote again tonight, so we'll be back here in a

couple of weeks again, and I guess we'll be here but I'd like to see us take a vote. Thank you.

**Mayor:** Thank you John. Is there anyone else?

**Moheksy:** Mark just to clarify, that's it's a legal thing right?

**Piontek:** Yes.

**Moheksy:** As much as I would like to vote too, it is a legal thing.

**Tara Steffens:** Can you clarify that, what does it mean by legal?

**Brinker:** We have to give 24 hours posted notice to vote on ordinances.

**Tara Steffens:** Was it not?

**Brinker:** It was not.

**Tara Steffens:** Has it not been posted on the property for the rezoning request in the letter that we, the two letters we received from the City Planner's office that this was on the agenda.

**Piontek:** It is on the agenda for a Public Hearing, but it's not on the agenda to vote on the ordinance to rezone the property either yay or nay, that is not on the agenda.

**Tara Steffens:** The letter I received this time was worded almost exactly how it was last time, and we voted last time.

**Piontek:** It's not on the agenda.

**Tara Steffens:** Then you make want to check the form letter just as a heads up because they were exactly the same except the date, and now Sal, so.

**Mayor:** Is there anybody else? Okay, so Ray is representing the Duncan's, Ray Frankenberg.

**Ray Frankenberg:** Yes, yes.

**Mayor:** So you ready?

**Ray Frankenberg:** Yes. Handouts were passed out by Ray Frankenberg to all Council.

**Steve Reuther:** Can I ask a question?

**Ray Frankenberg:** It's up to her I guess.

**Steve Reuther:** Can I ask a question, may I?

**Mayor:** What did you need?

**Steve Reuther:** I just want to make sure that this is not a development plan because the development plan was tabled at the P&Z. So, is this the development plan, we weren't going to speak of this. I thought.

**Piontek:** This is Planning and Zoning not the development.

**Steve Reuther:** Okay.

**Ray Frankenberg:** Mayor and Council, thank you for the time this evening. I have a couple of packets in front of you they're divided into three categories. I'm kinda gonna walk right through them and try to keep my comments to the zoning issues only, and I think most of the comments that I've heard already tonight were plan issues and can be developed by or answered with the plan. So what I am going to do is try and talk about zoning, a little about the zoning in the City, I'm going to show similar examples within the City of Washington, I'm not going to try to reach out to other communities or anything like that so that was my reason for my presentation.

First of all, I want to thank staff also for their review, their time and their comments and historic generations of Councils before you guys that developed the plans, the zoning, and everything that we are going to be looking at and following through.

Starting off with the first set of drawings, on here is an overview of the City of Washington. This one has the City limits on it and the major roadways, and if I had a little bit more time, the closing one is the same one we've maybe would've shown all the other sites on here that I'm gonna walk through and show you. But right now, it's just the City of Washington, if have used a 2013 aerial photo because it was one where the leaves were off the trees and the houses and streets and everything just showed up better. So I think that it's a good overview of our community.

If you go to the next slide, I am looking at commercial here on West 5<sup>th</sup> Street. On the north or upper side of 5<sup>th</sup> Street you have the old Patke's Store that was there many, many years ago. The large buildings, below 5<sup>th</sup> Street or south of 5<sup>th</sup> Street are the old Phillip's Transit Buildings, their Administration Building. There are several buildings here that were factories in either commercial or industrial; there is residents all around it, backed up to these. Very little code requirements at the time when these were made, most of these backyards look right into the walls of the buildings. There's very little buffer zones, if you were to zoom in on this aerial photo or walk in these neighborhoods, pretty much these buildings are built just a few feet off of the property line. That's not what we are proposing, but I want to talk a little bit how Washington has evolved. It started with 5<sup>th</sup> Street being Hwy 100 on a ridge years ago and we've done a good job on developing past that to where we are.

The next slide is Brookview Estates, which is up off Hwy 100. The large white roof you see at the bottom photo there is the Target Store, and so that's the Phoenix Development there. I wanna call your attention to the large building on the north side of the highway, which would be directly above the Target Store and that is what I used to know as the JB Distributing or Droege's Distributing House or whatever that was up there, I can't think, Big D there we go. Thanks, I knew it had a common name, I wasn't getting it all. The houses that you see around it are all the Brookview Development, and they all developed after that building was there. If you see some of them they're within 15-20' of the pavement in the parking lot for that warehouse development, it's now occupied by I believe, or last I heard it was occupied by a food service, they were making some sort of packaged food in there for shipment. Whether it's still there I don't know, someone can answer that better than I could.

The next slide you're gonna look at is the Meriwether Development, and this is the overall development. On the right side the white roof, which is to the east, would be where the bike shop is, and the cleaners and a few things that are in that little strip center there with the dark roof just above that, that is the Bank. But I want to call your attention first to the left side of this or the west side, and show you that those two commercial buildings were there before Meriwether developed, and they developed right up to them and right up around them. As far as a zoning issue, I can stick with that, but I think the appraisal you've heard about tonight is a zoning issue and I think that if there are studies out there about developments around commercial developments and what happens to retail cost, we should have those and not just say that they are there and they do say it's horrible; because these developers who

were going to sell the retail property or the residential property developed right up around them.

If you look at the next slide it's a closer view. When these houses are built, right next to the property line with very little buffer zone, I think that you can see it better in paper picture better than you can see it on the screen right now, but that upper building the buffer zone is just mowed grass and that's not at all what we're proposing.

The next slide, I'm gonna go to the Town and Country Industrial Park. The title on that one is mislabeled; we are on the east side of Hwy A. I don't know how I got west, I was puttin this together rather fast when I did so I believe we all know where Town and Country Industrial Park is. Large white building in the middle is kinda the center of the Industrial Park, and if you go to the right side or the east side of the photo, that is the old or the original Dawn Valley. So Dawn Valley was there and preceded the Industrial Park and the Industrial Park was built right up next to it, and I don't know that the value has dropped significantly there, these are still nice homes back there when you go back into the back of Dawn Valley. What I do want to point out is the upper right building which would be the furthest north east building in the Industrial Park, was there before all of the development that surrounded it and they built right up to it. There is somewhat of a buffer zone there as per the codes. This is a 2013 photo as I said, so I didn't get all of the trees shading the buildings and the streets, but that building has since expanded and they have most of the grass you see on their lot right now is a large equipment lay down area for the Enbridge Pipeline Company.

The next slide is Hwy 100 at High Street and I think that we are all very familiar with this. This does have food in it, our Blue Duck started there and they've grown and expanded down on to Front Street and I believe that now they're starting another restaurant in toward the City; we have what I think might have been the Smokey Duck was in there for a while so there was food in this. If you look how close the residents' are to this, it's a good example of commercial and residential co-existing together. The white roof in the middle of it is the Napa Building and if you look behind it that property owner's fence behind that Napa Building is only about one parking space away from the building. We're not proposing anything like that. It'll have the full 25' buffer zone and it was pointed out the other day, and I kinda gettin into the site plan so I will drift back away from that.

The other thing that I wanna point is out right now, and I hope it's with the City's approval, there is a tractor trailer sign parked at the southwest corner at the intersection of High and Hwy 100 indicting that there is going to be a combination residential and commercial development coming soon, advertising this like it's a great thing. I think it is. I think when I studied Community Commercial and the future development going through to the early 2000's they wanted people to not have to drive very far to get to the things that they need. Now I realize our whole shopping is only a mile away or so from the site we're talking about.

The next slide is the State Farm property is actually on Madison Street, and between Madison and Hwy 100. The distance between the property line and that building there can't be more than 20', I didn't take the time to go out and measure it but you see the driveway of the resident's beside that and the new State Farm Building not far from it, and now we're getting back into the area where we are.

The next slide is the Ghosh Pain Clinic is the next slide. It is across Madison from the State Farm Building we were just looking at. It has existed here for quite some time also, again residential and commercial co-existing

The next slide is Quail Run and Quail Runs been there for a long time. I remember that as a kid, as one of the big upper class developments that's where all of the houses were gonna be bigger and nicer etc., etc. It has one entrance onto 14<sup>th</sup> Street and is almost completely surrounded by commercial and institutional.

The next slide takes you to the east side of Quail Run. The white roof in the middle of the slide is, got multiple uses in it. It's had a restaurant in it before and I don't think that it was for very long and the Mexican Restaurant, I believe it's called Ernesto's is still in the building to the east of it and I believe that it is currently being rehabbed for some sort of Medical and Chiropractic type clinic is the rumor I'm hearing anyway. If you look at the property line which we can see better on our photo behind that building and the house with the little swimming pool on it, there isn't but about 30-40' between the property line and that building. There are old growth trees that remain there as there would be on our property as well; but again, residential and commercial existing together.

And another point here is that you have Hwy 47 on the right side of the photo, then you have an outer road, just like Duncan Drive, and then you have the commercial development. These people don't have to drive down that drive to get to their houses any more than the people have to drive down Duncan Drive to get to their houses on our development. They can come off of Madison and go other directions. I am gonna get to the rating of the roads also here in just a little bit.

The last slide here is on Quail Run also, it is south north of Hwy 100, and if you can see the highlighted area, it looks like two triangles back together, the entrance between them is the entrance behind Orscheln's to get you oriented a little bit. The white roof at the bottom of the screen is the north end of the Lowe's roof, and the black roof which is hard to see is the Post Office. So if you can get your bearings on where you're at, if you were going into the Orscheln's development you would turn north into that entrance, and then make a very sharp right turn to loop back around to the front of the Orscheln's not just similar to the Duncan Drive; but my point is you drive straight forward to the dead end at that triangular piece and there is an intersection turning off to the left or to the west another large triangular piece. There's no difference between this piece of property and the relationship to the backyards than there is on the development we're talking about. When someone comes to ya and says it's time for me to develop my commercial property, you're gonna be setting a precedent for that.

Finally, I close back to the City of Washington, as I said we can show all of these spots on there if I had more time which I did not. So with that, I think that I have entered into a few areas in town that are very, very similar to the development that we're proposing and I think there are also a few more.

I'm now going onto the second group of attachment. I want to make sure that everybody is aware, and that we've discussed, and that I have said to you as the Representative of the

Duncan's that the master plan exists, and we feel that master plan when it was created showed this as being proposed commercial.

To that end, I've copied the first, I believe eight pages, I go to page seven and the cover page wasn't numbered that gets us through all the Tables of Contents and I would like to say that basically I've looked through and reviewed that master plan and feel that our requests complies with it. I also at this point and time want to talk about the effort that went into a master plan and the planning of it, the staff's effort, this Council's effort, and your Planned Commission's effort. I would bet that probably very few of you have the full 250 pages of this master plan that you've thumbed through or took home, but I also bet that the Plan Commissioners have all been given one, so I hope that they would have anyway. That's all I got on that one, it moves a lot faster now.

Exhibit 3A, I gotta click through eight sheets of the master plan. Exhibit 3A is the City of Washington's Comprehensive Major Street Plan, and you can't see it unfortunately and it's the one that I want to talk about, but the second item in the legend. You have the legend write under the title, the first item is existing major streets and those are in blue. We can track a few of those. Hwy 47 and Hwy 100 are pretty prominent; you can spot those pretty easily. There are others portions of 5<sup>th</sup> Street and so forth that our major streets.

The yellow line right below that's a little bit more difficult to see, it's called existing collector streets, and what's even a little bit more difficult to see is that Duncan Drive is a collector street. I was involved with Patients First at the time Duncan Drive was being created and negotiated and the goal was to provide a drive that could handle a fairly high traffic flow to get to and from Patients First. We also have Madison Avenue who saw a fairly high traffic volume and through conversations the last couple of months, I have been made aware that the East West Gateway identifies Madison Avenue as a high traffic street. That's a report that I am going to have to tell you is hearsay right now, I don't have that correspondence with them but the discussion was that there may be money available for improving the characteristics of Madison Avenue. So my point here is that Duncan Drive was created to be a collector street, it is known as an existing collector street in our plan.

Next item takes a little bit to open up; it is the City of Washington's Zoning Map. I will let you know because it's hard to read on the screen anyway that all of the red on there is commercial. I will also let you know that the gray, there's two different gray's, M1 and M2. So you have the large grays on the west end of town or the upper left of the screen and you have some grays down where the Town and County Industrial Park is and so forth, but I'm gonna draw your attention in just a minute to the gray that is Patients First. Not sure why that was never rezoned to commercial when they changed it from Zero Manufacturing to Patients First but I do believe that at least at that time, industrial accommodated all lighter uses; that's very possible and that's common in most towns. So that is what I want to call your attention to here the current zoning map, and I'm gonna talk about the line of commercial and industrial that runs up Hwy 47 today.

As you look up on Hwy 47, there's the date July 2013, right down below that is the bridge. That little dash line that is the bridge, that's the end of 47. Right below that is the medical center and the hospital and some other medical establishments along Fifth Street.

Exhibit one is just the same draw zoomed in on. What I am going to do is call your attention in the middle of it to that gray area that I just discussed. If you can find Fourteenth Street, if not I can try and describe it. There is a large area above it, that is the high school and I think that does a little dis-justice to my case because it is zoned residential and a high traffic volume, high traffic generator. So a lot of people in our community go to that come off Hwy 47 and to get there they use 14<sup>th</sup> Street to get there and 14<sup>th</sup> Street is signalized and Duncan Avenue hits that location as a collector street for the reason of getting people around.

It the next slide I have, now turn the gray, that was Patient's First in red so it is easier to spot the commercial and industrial aspects of this area. I have also outlined the Duncan parcel in red and colored green so it will stand out to you. I submit to you that zoning this commercial is not anything to do with spot zoning. There was a zoning last year that rezoned the parcel next to us and all of the red there is currently being used to accommodate the traffic flow to and from a major medical facility. And also, accommodates the traffic flow to a fairly private school, Our Lady of Lourdes.

Next item I want to put in is the future land use plan. I think we have all seen it, I think it was on Sal's report. But it does show our property as commercial. It does not show the property north of us as commercial but it was rezoned commercial.

The last slide I have is to point out the Duncan parcel. I zoom in a little closer on the exhibit as 3C2 so you can see the parcel on a little larger scale. Unfortunately, I couldn't find the full map if you will, have the high resolution I was hoping to have so it gets fuzzy the more I zoom so I put an arrow pointing to the Duncan parcel. Again, back to the drawing for the last one that shows the Duncan parcel and feel that is very definitely commercial and we had the right to expect it to be commercial based on what happened in the community before. We feel that zoning it commercial does not harm the community or citizens as a whole. We have no doubt that the people whose back yards that are backed up to woods and wanted to have woods forever but we can't restrict a property owner to maintaining somebody's view of a woods. I respectfully request the zoning to C-4 and allow us to move on to work out all the site plan issues that were mentioned tonight. And I do represent the Duncan's and I want to point out that we did tell them not to come. I pointed that out to the Planning Commission. Tonight at various times they would have been quite insulted and that is not what this is all about. I know most of the people behind me and that I have volunteered with them and have respected for the last 30 years as volunteers for different areas of our community. So, I don't think they would intentionally do that they say that a certain person is not good for Washington. It is easier to keep that separated. And they are represented. Anything that you tell me or that goes on tonight, I bring right back to them first thing in the morning. Thank you.

**Mayor**-Thank you Ray. Is there anyone that has any questions for Ray? Is there someone that wants to speak in favor?

**Steve Kuenzel**-I also represent the Duncan's and I guess I do have a couple of questions here protocol wise and then just a few comments. I promise not to be that long as late as it is. First of all, Mark, in terms of introducing exhibits into the record here, are we ok with where we are at with what Ray just presented or do you request something more in terms of introducing those into the record?

**Mark Piontek**-I think we understand that you want those to be part of the record.

**Steve Kuenzel**-One of things that we have not done is we would introduce the entire City Master Plan, the very last one and we only run the first seven pages because it is obviously it is on file here. We would like to have the entire Master Plan be deemed part of this record. Do you see any problem with that? We can run a copy up here tomorrow or however you want to do that.

**Mark Piontek**-That's fine.

**Steve Kuenzel**-I have a question for Darren Lamb. Darren, are you certified in City Planning?

**Darren Lamb**-Yes.

**Steve Kuenzel**-And how long have you been so certified?

**Darren Lamb**- The first answer was yes and since 2001.

**Steve Kuenzel**-And it terms of the Master Plans, how many have you recommended that this parcel be zoned commercial in this area?

**Darren Lamb**-I would say that this would have to be the second one that we had. I think the first one that I took part in was in 2003. I would have to go back and look at that map to see what this specific parcel was at that time. My guess is that it was zoned commercial at that time because it was close to the time when Patient's First was doing the redevelopment.

**Steve Kuenzel**-That's fine thank you. Madam Mayor I would submit back in the mid 80's I was part of a master planning process up in New Haven. I know that Jim Briggs was around at that time. Probably a City Engineer at the time and I can tell you that the arteries of Hwy 100 and Hwy 47 were identified as early as that as clearly being commercial arteries for this town. I believe on every plan since then they have been identified in that capacity. I noticed the news article last week and it had a quote from you that kind of called out on behalf our City, the St. Clair and Union as not being big picture players on the Hwy 47 corridor for transportation. I say that because what are you being asked to do tonight is not to be a big picture player. That is what you guys are being asked to do. We just called out St. Clair saying how dare you only worry about the St. Clair end of Hwy 47. How dare Union only worry about their intersection over there. We all need to look at the big picture in our region. Now is there a bigger picture in our City then the two major arteries of Hwy 100 and 47 being zoned commercial. They are simply not. If you look at the big picture and you stand back from this and say if these two arteries are not destined to be commercial, in fact they are 90% commercial right now then what is. You have before you the recommendation of the staff, you have your own Master Plan in that exhibit. I don't know if Ray went through the list of names but many of you up here voted for that the last Master Plan and called out this area to be commercial. You didn't have a special interest group looking over your shoulder, you looked at the town as a whole and you voted and passed a Master Plan that called this out to be commercial. You gave C-4 a year ago to the property right next door. And there is no major difference between that and this one. It is in the same corridor that you recommended commercial for a year ago. There are essentially five people that touch this piece of property. Three people are here and they are opposed to it. Dr. Grimes and Jeff Wilson are not here but they told me that they are in favor of it. They just don't want to get involved in this kind of high profile activities. So, three people bring their friends, relatives,

other people up here and ask you to ignore the other 13,000 to 15,000 people that you adopted a Master Plan for just three years ago. That is not looking at the big picture. That is going to affect us a couple of different ways. First of all, when the Mayor next talks to the Mayor of St. Clair, they are liable to say you are just being a little bit hypocritical Madam Mayor, because you are not just looking at the picture in your own town, you just took one little area and that is what we are going to do for St. Clair or that is what we are going to do for Union. Second of all, the next time that you want to promote annexation, you are basically going to tell the people outside of town that we are going to plan the outer road; we are going to plan development. Trust us to have an organized plan for this town to grow. They are going to turn around and say hey you didn't even follow your last couple of Master Plans, probably 30 years of Master Plans when it comes to zoning. So how can we trust you to treat us fairly and to follow the plan that you are going to lay out in front of us? Many of you were up here just a few years ago, when meeting after meeting after meeting people came up and said how devastating it will be to put the Camp Street Bridge in. You know, probably twice if not three times as many people as they are here tonight. But finally after several years I think many of you did it, adopted and put the Camp Street Bridge in and what do you think you hear now. What do you hear about traffic jams on Camp Street? What do you hear about the devastation of that neighborhood? Nothing. Same thing, all the meetings up here and I know some of you were around when the people on Karen Lane said, oh my god if you open the back gate to Wal-Mart, we are going to have nothing but traffic going down Karen Lane and through our neighborhood. The back gate gets opened up because the Police Chief, or not so much the Police Chief, but the Fire Chief says that we need that for safety. Police Chief at that time was with him and the City Council did it. How many people are coming back up here now saying, oh the traffic on Camp Street is so bad terrible right now because the back gate is open. You have to have a bigger view than just a few people on one street when you are making decisions that are going to impact the town for a long time. It's simply common sense that anything on that parcel, 90% of the traffic is going to come in off Hwy 47 and it is going to go out on Hwy 47. There is going to be minimal, minimal, impact. There is more of an impact when we built the new church at Lourdes and expanded the congregation and expanded the school than anything you are going to see from this development. What I would ask you to do is take a dose of the Mayor's medicine and have a big picture point of view when you make this particular decision. Thank you.

**Mayor**-Thank you Steve. Does anyone have any questions of Steve? Is there anyone that would like to speak for? Is this new information?

**Rodney Stoyer**-406 Cedar Street-Clearly not one of the three affected house but a citizen of Washington and speaking out on the best interests of the City. I have a couple of questions for Mr. Frankenberg. The reason I have the question is, I as a citizen have some questions for Mr. Frankenberg. I don't know if that is appropriate but I will just ask them. He can choose to answer or not. How many of the examples he gave, we went through slide and slide and specifically stated that the commercial was there first and residential was built later. Hopefully you all were paying attention to that. That is one of the largest concerns these residents have. They built their homes first and now you are looking to go the other way. So I believe it was the vast majority, there were maybe a couple of examples in there where some

commercial and/or industrial happened after the fact but the vast majority of those slides that were supposed to be proving that case are the exact opposite. The commercial was already there, and the residents knew full well when they built their property and what they were getting. The other example I would argue is that the final, or when he was ending he used Quail Run as the prime example. I would argue that that is not a prime example. The reason is that they are truly not connected. Quail Run, as he mentioned, truly isolated. In other words, there is no connecting street, there is not flow from any of those traffic flow, there is not traffic flow going into Quail Run or even past Quail Run because you can't hit directly 14<sup>th</sup> Street. So, again I am saying that I would question him that I don't believe any of those are technically not very good examples again because the format that came about.

A couple of other things that I noticed....

**Mayor**-We are looking for new information Rodney. Just go on.

**Rodney Stoyer**-As far as new information, I don't think it was mentioned by anyone that there wouldn't be any argument that a school and a church and a parochial school are not a decent alternative for a residential neighborhood. I think it was kind of implied that those were kind of heavy traffic. I think that is understood. It is definitely not commercial. They definitely have their boundaries and restrictions and I would think that people would think that it was a viable part of the neighborhood. The last thing again, just to reiterate what I said at Planning and Zoning, so this will be new to this group, you can say all you want on where the traffic flow is supposed to go. Do you want to go a right in and right out. I have said this over and over again and it is the same as Camp Street. People will use what makes sense and what the easiest way to get from one place to another. So saying that none of the traffic from this new development is going to go in or go through Madison on Rainbow, I think that is naïve. You can say that all day long but I think we have plenty of examples that people will find the best way to go no matter where that is. Thank you.

**Mayor**-Thank you.

**Josh Brinker**-When that neighborhood was developed wasn't Duncan Dairy or Zero and Clemco already basically established in that neighborhood and it was built around farm industrial and then...

**Rodney Stoyer**-I am sorry I started to walk away. I don't know if I have the answer to your question.

**Josh Brinker**-There was originally the Duncan Dairy Farm and when the original factory was built on there I guess they made milk tanks. Then it went to Zero and the Clemco. That factory was commercial/industrial where basically the residential was built around it because they worked there, am it right? So the neighborhood developed around a commercial/industrial neighborhood.

**Steve Ruether**-And we knew that that industrial development was there. Which is what Mr. Frankenberg talks about where the Big D was and that whole development came out after that building was there. We talked about the other properties, as Rodney pointed out, those developments were there and look at the maps and find out the industrial plants were there and the other residential came around it and backed up to it. They knew full out that it was going to be there. When Mr. Whitworth developed that we knew that was there. We knew Lourdes was there. We knew the hospital was up the street. We knew the high school was

across the street. There wasn't anything that would have had us believe that that property was going to turn commercial, until the 14<sup>th</sup> Street and Duncan Avenue was put there. And then all of a sudden it needs to be commercial. It makes sense. Well, it made sense on the residential along Hwy 47 so we built according to what was there. So what you are saying is that you are going to change the dynamics of what is there. If you said 30 years ago we are going to put an industrial development there probably a lot of us would look differently at that and we could be living out of town.

**Josh Brinker**-Correct. I was just thinking back to when the neighborhood was developed. It was an industrial manufacturing area from Zero and Clemco.

**Steve Ruether**-Correct, it was Zero, Clemco and now Patient's First. So the question was, was it there and did we know it, the answer is yes and we made that decision but we did not make that decision based on another large potentially commercial development right next door to us, our properties. Ok? Is that a fair enough answer?

**Mayor**-Yes.

**Steve Ruether**-Any more questions?

**Mayor**-Thank you Steve.

**Tom Smith**-Some of you may already know this. When Zero went in, to give you the background, to that location I remember seeing the original plat when we bought the lot up there from Mr. Whitworth it was originally platted as aluminum city. Mr. Duncan, back in the 30's and 40's aluminum was the new best thing and the idea that we will make aluminum houses and he platted it all out. This area was platted for a residential area but with aluminum houses. Of course reality set in and it would be pretty much of a hot box. To get a history on why that is there and when we moved in there Clemco had taken over Zero and then of course phased out down there so we had that left. Mr. Whitworth had the property that he had acquired from Mr. Duncan and Mr. Duncan's father and was developing that property into the residence that we have. So, I guess in one sense we do have platted, it was residential and the intent to keep it residential. I think Leon, Mr. Duncan's father wanted to keep it that way as well and that is why he made those accommodations for Mr. Whitworth to develop all of this site. As it went on Clemco we have the remains of this industrial park there or building and fortunately enough Patient's First interested people is why what we see today.

**Mayor**-Very good. Thank you Tom.

**Tara Steffens**-To reiterate what I said, when I was born and growing up in the 80's the open lots were there which was right next to my house, an open lot which is now residential. The parking lot for Zero Manufacturing is now also residential, small condos. And the other open lot was next to the house that I grew up in which is now also residential. So all of the open lots in that space were developed residential. The industrial that you are referring to is simply where Patient's First is now. My house that I live in now was the third house built in aluminum city subdivision. I back up to the parking lot of Patient's First. So 805 Rainbow backyard is down the hill onto their parking lot.

**Mayor**-The south side?

**Tara Steffens**-Yes. That is correct and that was the line for industrial. Everything past that is residential and developed as residential since then.

**Mayor**-Ok. Thank you Tara.

**John Hillermann**-I don't know if this is new but I kind of resent the fact that someone said that this is all about 3 people. If I had the power over all these people, I wish I had that kind of power. These people came here on their own free will because they are against it. There is more than three people. So I want that set straight. I resent that fact that that was brought up over and over again. It is about more than three people. I could say Duncan's is about one person because it is about money. Thank you.

**Mayor**-Thank you John. Thank you all for being here. This concludes the Public Hearing.

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

### **CITIZENS DISCUSSIONS**

\* None

### **UNFINISHED BUSINESS**

\* None

### **REPORT OF DEPARTMENT HEADS**

\* **Engineering-**

Discussion on Sink Hole.

Discussion on 6<sup>th</sup> Street.

Discussion on Burnside & MacArthur.

### **ORDINANCES/RESOLUTIONS**

**Bill No. 16-11558, Ordinance No. 16-11580, an ordinance authorizing and directing the execution of a contract with SCS Engineers for the Semi-Annual Groundwater Monitoring Program at the Washington Sanitary Landfill in the City of Washington, Franklin County, Missouri.**

The ordinance was introduced by Councilmember Brinker.

This ordinance is for a third-party consultant to do the groundwater monitoring. After a brief discussion, the ordinance was read a second time and approved on the following vote; Molesky-aye, Hidritch-aye, Brinker-aye, Skornia-aye, Holtmeier-aye, Meyer-aye, Sullentrup-aye, Patke-aye.

**Bill No. 16-11559, Ordinance No. 16-11581, an ordinance authorizing and directing the City of Washington to enter into a sales contract with Sydenstricker Implement Company for the purchase of a 2017 Cab Tractor and a 2017 10' Pull-type Center Drive Rotary Cutter.**

The ordinance was introduced by Councilmember Holtmeier.

With no further discussion, the ordinance was read a second time and approved on the following vote; Molesky-aye, Hidritch-aye, Brinker-aye, Skornia-aye, Holtmeier-aye, Meyer-aye, Sullentrup-aye, Patke-aye.

**Bill No. 16-11660, Ordinance No. 16-11582, an ordinance authorizing and directing the execution of a lease agreement by and between the City of Washington, Missouri and L.B. Eckelkamp, Jr. and Bonnie J. Eckelkamp.**

The ordinance was introduced by Councilmember Patke.

This ordinance is for the Big Driver Lease. With no further discussion, the ordinance was read a second time and approved on the following vote; Mohesky-aye, Hidritch-aye, Brinker-aye, Skornia-aye, Holtmeier-aye, Meyer-aye, Sullentrup-aye, Patke-aye.

**Bill No. 16-11661, Ordinance No. 16-11583, an ordinance amending Schedule IV, Table IV-A, No Parking at Any time, of the Traffic Code of the City of Washington, Franklin County, Missouri, by adding thereto the following restriction.**

The ordinance was introduced by Councilmember Meyer.

With no further discussion, the ordinance was read a second time and approved on the following vote; Mohesky-aye, Hidritch-aye, Brinker-aye, Skornia-aye, Holtmeier-aye, Meyer-aye, Sullentrup-aye, Patke-aye.

**An ordinance establishing the salary of the City Administrator.**

Motion to table was made by Councilmember Sullentrup, seconded by Councilmember Patke, Hidritch-aye, passed without dissent.

**An ordinance establishing the salary of the Economic Development Director.**

Motion to table was made by Councilmember Sullentrup, seconded by Councilmember Patke, Hidritch-aye, passed without dissent.

**COMMISSION, COMMITTEE AND BOARD REPORTS**

\* Preliminary Plat Approval – Skyler Place

*October 10, 2016*

*Honorable Mayor & City Council*

*405 Jefferson Street*

*Washington, MO 63090*

*RE: File No. 16-0902-Ronald Glastetter-Skyler Place Preliminary Plat*

*Dear Mayor & City Council Members:*

*At a regular meeting of the Planning & Zoning Commission, held on Monday, October 10, 2016, the Commission reviewed and approved the above request.*

*Sincerely,*

*Tom Holdmeier*

*Chairman*

*Planning & Zoning Commission*

After a brief discussion, a motion to accept the preliminary plat approval for Skyler Place into the minutes was made by Councilmember Sullentrup seconded by Councilmember Brinker, passed without dissent.

**Bill No. 16-11662, Ordinance No. 16-11584, an ordinance approving the Final Plat of Skyler Place, in the City of Washington, Franklin County, Missouri.**

The ordinance was introduced by Councilmember Holtmeier.

With no further discussion, the ordinance was read a second time and approved on the following vote; Mohesky-aye, Hidritch-aye, Brinker-aye, Skornia-aye, Holtmeier-aye, Meyer-aye, Sullentrup-aye, Patke-aye.

**MAYOR’S REPORT**

- \* American in Bloom Conference was held and attended recently. We did really, really well. In the landscaped areas we were a runner up, won the award for the most impressive Pollinator Garden Program, and won the Circle of Champions for what would be called a Mid-Size City.
- \* Thursday is coffee for the Washington In Bloom volunteers.

**CITY ADMINISTRATOR’S REPORT**

- \* No Report

**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 9:52 p.m. on the following roll call vote;

The regular session reconvened at 10:34 p.m.

**ADJOURNMENT**

With no further business to discuss, a motion to adjourn was made at 10:34 p.m. by Councilmember Holtmeier, seconded by Councilmember Patke passed without dissent.

\_\_\_\_\_  
Adopted: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
President of City Council

Passed: \_\_\_\_\_

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor of Washington, Missouri