

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL  
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI  
MONDAY, JANUARY 7, 2019**

**INTRODUCTORY ITEMS:**

The Regular Meeting of the City of Washington, Missouri, City Council was held on Monday, January 7, 2019, at 7:05 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
	Susan Watermann	Present
<b>Ward II</b>	Jeff Mohesky	Present
	Mark Hidritch	Present
<b>Ward III</b>	Jeff Patke	Present
	Greg Skornia	Absent
<b>Ward IV</b>	Gretchen Pettet	Present
	Joe Holtmeier	Present

<b>Also Present:</b>	City Attorney	Mark Piontek
	City Administrator	Darren Lamb
	City Clerk	Mary Trentmann
	Director of Public Services	John Nilges
	Police Chief	Edward Menefee
	Economic Development Director	Sal Maniaci
	Building Official	Tom Neldon

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 December 17, 2018 Council Meeting

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

**Approval and Adjustment of Agenda including Consent Agenda:**

- \* Change Order #1 & Final Pay Request – K.J. Unnerstall Construction – Oak Street Improvements
- \* Final Pay Request – Shingle-Tech – Roofing Package D
- \* Final Pay Request – Shingle-Tech – Roofing Package F

After a brief discussion on Final Pay Requests – Shingle-Tech Roofing Packages D and F, a motion to accept and approve the agenda including the consent agenda accordingly was made by Councilmember Sullentrup, seconded by Councilmember Holtmeier, passed without dissent.

**PRIORITY ITEMS:**

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

- \* None

**PUBLIC HEARINGS**

- \* None

**CITIZENS DISCUSSIONS**

- \* Mike Zimmermann, 3 West Second Street, addressed the Council concerning the homeless and the building at Second and Jefferson.

**UNFINISHED BUSINESS**

- \* None

**REPORT OF DEPARTMENT HEADS**

- \* Police Department Employee of the year – 2018  
Chief Menefee presented Officer David Burke DSN 249, the Washington Police Department Employee of the Year Award.
- \* Police Department Drug Awareness Award – 2018  
Chief Menefee presented Officer Jason Gibson DSN 253, the Washington Police Department, Washington Elks 1559 Ed Menefee Drug Awareness Award.
- \* Review & Update of City Code  
*December 18, 2018*  
*Honorable Mayor & City Council*  
*City of Washington*  
*Washington, Missouri 63090*  
*RE: Review and update of City Code*  
*Dear Mayor & Council Members:*  
*Section 71.010, RSMo. states: "Any municipal corporation in this State, whether under general or special charter, and having authority to pass ordinances regulating subjects, matters, and things upon which there is a general law of the state, unless otherwise prescribed or authorized by some special provision of its charter, shall confine and restrict its jurisdiction and the passage of its ordinance to and in conformity with the state law upon the same subject."*  
*The last time the City's Code was reviewed and recodified was in 1992. The staff at General Code has reviewed the City of Washington's Code as it is presently and has suggested reorganization of certain Chapters and/or the addition of Statutory Material to enhance the user's understanding of the City's ordinances and bring the City's laws into compliance with State Law.*  
*Below is a summary of the recommended changes:*
  1. *There are numerous "Reserved Sections" throughout the Code, which is common when a Code has not been recodified in over 25 years. Recommendation of removing the Reserved Sections and renumbering the remaining/subsequent Sections.*

2. *Change the term “policemen” to Police Officer(s).*
3. *Combining provisions Chapter 110 Article I and Article II into one Chapter.*
4. *Change the Time for City Council Meetings from 7:30 p.m. to 7:00 p.m.*
5. *Delete the last sentence of Section 110.430 “the Police Chief is responsible for the lights and heat in the Council Chamber.”*
6. *Section 115.120 – remove “...a monthly expense allowance in the sum of two hundred dollars (\$200.00)” and insert “an expense allowance for mileage as set by the IRS Standard Mileage Rate”.*
7. *Section 115.290(A)(4) to read “...with provisions of the purchasing policy of the City of Washington, which is on file in the City offices...”*
8. *Remove Section 115.290 (18) (a,b,c,d) referencing duties of City Clerk concerning establishment of City addresses. (this is done in combination with the Engineering and Emergency Services Departments).*
9. *Change all references to Finance Manager to Finance Director.*
10. *Change Subsection 160.060(B) regarding the procedure for waiting in line to file for candidacy from “east door” to “north door”.*
11. *Delete reference to State Law References that no longer exist regarding City Depository.*
12. *Update Chapter 175, Open Meetings, Records and Votes to reflect changes from the 2017 State Legislative Session.*
13. *Chapter 200.010 (A)(1) reads “The Police Department shall have a Marshal who shall be the Chief of Police and who shall serve for a term of one (1) year.” To read, “The Police Department shall have a Chief of Police who shall serve for a term of one (1) year.”*
14. *Change Section 205.070 regarding animal abuse to correspond to RSMo 578.012 effective as of 01-01-2017.*
15. *Change Section 205.150(B) and Section 205.240(B) from “...re-vaccinated at not more than twelve (12) month intervals...” to “re-vaccinated every one (1) or three (3) years as necessary based on the type of rabies vaccination received.”*
16. *Fines in Section 230.080(B) “Daily fines for overdue materials are five cents (\$.05) per day, per book, not exceeding the replacement cost of the material. Membership fees for out-of-town patrons are ten dollars (\$10.00) per person or twenty-five dollars (\$25.00) for a family membership (mother, father and any school-age children).” To “There are no overdue fees, but it is expected that materials will be returned on time. Denial of services will result from failure to return or pay for borrowed material that are six (6) weeks overdue, failure to pay fees for damaged materials, and failure to pay for any outstanding fine \$10 or more.”*
17. *RSMo 577.014 as of January 1, 2017 the Boating with excessive blood alcohol content changed from 0.10% to 0.08%. Recommendation to change Section 240.040(C) of the City Code from 0.10% to 0.08%.*
18. *Replace Section 240.070 “No person under fourteen (14) years of age shall operate any motorboat upon the waters of this State unless such person is under the direct visual and audible supervision of a parent, guardian or other person sixteen (16)*

*years of age or older, or unless the motorboat is moored. No person shall authorize or knowingly permit a motorboat owned by such person or under the person's control to be operated on the waters of this State in violation of this Section, nor shall a parent or guardian authorize or knowingly permit such a child under fourteen (14) years of age to operate a motorboat in violation of this Section.” to read – “No person under fourteen (14) years of age shall operate any motorboat or vessel upon the waters of this State unless such person is under the direct on-board supervision of a parent, guardian or other person sixteen years of age or older, or unless the motorboat is moored. No person shall authorize or knowingly permit a motorboat owned by such person or under the person's control to be operated on the waters of this State in violation of this Section, nor shall a parent or guardian authorize or knowingly permit such a child under fourteen (14) years of age to operate a motorboat in violation of this Section.”*

19. Remove the term “non-intoxicating beer” throughout the Code. Chapter 312 RSMo now defines intoxicating beer as “...all preparations or mixtures for beverage purposes containing in excess of one-half of one percent (0.5%) by volume...”
20. Section 405.540 missing elements contained in RSMo 89.100. Planning and Zoning Commission approves adding the underlined verbiage: “Appeals to the board of adjustment may be taken by any person aggrieved, by any neighborhood organization as defined in section 32.105 representing such person, or by any officer...” and “...In such case proceeding shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause shown.”
21. Chapter 625, Massage Establishments Change fees in Section 625.020 from \$60 to \$75 and \$25 to \$30.
22. Chapter 640, Taxicabs – Section 640.040 revise from 5 passengers to 7 passengers and delete Section 640.040 “Approval of Application”.

*With your approval, I will submit the revisions to General Code to begin the next step in the process of updating the Codes.*

*Respectfully submitted,*

*Mary Trentmann,*

*City Clerk*

A motion to accept and approve was made by Councilmember Pettet, seconded by Councilmember Sullentrup, passed without dissent.

## **ORDINANCES/RESOLUTIONS**

\* None

## **COMMISSION, COMMITTEE AND BOARD REPORTS**

\* None

**MAYOR’S REPORT**

- \* Next Council Meeting is Tuesday, January 22 due to the Martin Luther King Holiday.
- \* Employee Appreciation Party was nicely decorated and everyone had a nice evening.

**CITY ADMINISTRATOR’S REPORT**

- \* Public Form for the Aquatic Complex is Tuesday, January 8 in the Council Chambers at 6 p.m.

**COUNCIL COMMENTS**

- \* Brief discussion on the West Main Street Sidewalk Project.

**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 7:23 p.m. on the following roll call vote; Hidritch-aye, Holtmeier-aye, Mohesky-aye, Patke-aye, Pettet-aye, Sullentrup-aye, Watermann-aye.

The regular session reconvened at 8:36 p.m.

**ADJOURNMENT**

With no further business to discuss, a motion to adjourn was made at 8:36 p.m. by Councilmember Patke, seconded by Councilmember Mohesky passed without dissent.

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

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

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

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

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

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