

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI
MAY 20, 2019**

INTRODUCTORY ITEMS:

The Regular Meeting of the City of Washington, Missouri, City Council was held on Monday, May 20, 2019, at 7:00 p.m. in the Council Chamber. Mayor Sandy Lucy opened the meeting with roll call and Pledge of Allegiance.

Mayor:	Sandy Lucy	Present
Council Members: Ward I	Steve Sullentrup	Present
	Nick Obermark	Present
Ward II	Mark Wessels	Present
	Mark Hidritch	Present
Ward III	Jeff Patke	Present
	Greg Skornia	Present
Ward IV	Gretchen Pettet	Present
	Joe Holtmeier	Present

Also Present:	City Attorney	Mark Piontek
	City Administrator	Darren Lamb
	Deputy City Clerk	Sherri Klekamp
	Police Chief	Ed Menefee
	Public Works Director	John Nilges
	Economic Development Director	Sal Maniaci
	Street Superintendent	Tony Bonastia
	Public Works Superintendent	Kevin Quaethem
	Fire Chief	Tim Frankenberg

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 May 6, 2019 Council Meeting

A motion to accept the minutes with removing Jeff Mohesky and adding Mark Wessels to the Roll Call was made by Councilmember Holtmeier, seconded by Councilmember Hidritch, passed without dissent.

Approval and Adjustment of Agenda including Consent Agenda:

- * City Collector's Report Summary – November 2018
- * City Investment Report Summary – November 2018
- * Fireworks Display Permit Request

May 9, 2019

Honorable Mayor and City Council

405 Jefferson Street

Washington, MO 63090

Re: Fireworks Display Permit Request

Dear Honorable Mayor and City Council,

On Friday, May 24, 2019 John G's Bier Deck will be hosting an annual fundraiser. This year's charity is for Missouri Patriot Paws, an organization which pairs up service members and first responders experiencing post-traumatic stress with rescued dogs. They are requesting to detonate fireworks in the boat parking lot area at Rennick Riverfront Park. The small display will begin at twilight.

Larry "Cowboy" Proemsey has agreed to be the pyro-technician for the event and is working with our staff to obtain the necessary permits.

The issuance of this permit is contingent upon all paperwork and approvals being met by all departments and weather conditions being favorable.

- * Liquor License Renewals: Xpress Liquor & Smokes 9; Cinema 1 Plus, The Tilted Skillet; Washington Elks Club & Building Association; The Twisted Fish; Big Boys Grilled Subs & Wings; American Legion Post #218; Old Dutch Tavern; Applebee's Neighborhood Grill; Aldo's Pizza; Casey's Marketing Company; 305 Liquor

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

PRIORITY ITEMS:

Mayor's Presentations, Appointments & Re-Appointments:

- * Proclamation – National Public Works Week

National Public Works Week

May 19 – 25, 2019

WHEREAS, public works employees focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the residents, business leaders and civic organizations in the City of Washington; and

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works employees who are responsible for rebuilding, improving and protecting the transportation, public buildings and other structure and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the residents, business leaders and civic organizations to gain a knowledge of and to maintain a progressive and understanding of the importance of public works and public works programs in the community; and

WHEREAS, The American Public Works Association has celebrated the annual National Public Works Work since 1960 and this year's theme is "Public Works – It Starts Here."

NOW, THEREFORE, I Sandy Lucy, Mayor of the City of Washington, do hereby proclaim the week of May 19 through May 25, 2019 as National Public Works Week in the City of

Washington, and during this 59th annual National Public Works Week, I call upon all residents, business leaders and civic organizations to acquaint themselves with the issues involved in providing and maintain our public works infrastructure and to recognize the contributions which public works employees make every day to our health, safety, comfort and quality of life.

In Witness Whereof, I have hereunto set my hand and caused to be affixed the Seal of the City of Washington, Missouri this 20th day of May, 2019.

Sandy Lucy

Mayor

* Urban Forestry Appointment

May 14, 2019

City Council

City of Washington

Washington, Missouri 63090

Dear Council Members:

I herewith submit for your approval the following for appointment to the Urban Forestry Council:

Susan Watermann – term ending March 2022

Respectfully Submitted,

Sandy Lucy

Mayor

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

* IDA Reappointment

May 20, 2019

Washington City Council

405 Jefferson Street

Washington, Missouri 63090

Dear Council Members:

I herewith submit for your approval the following for reappointment to the Industrial Development Authority:

Robert “Bob” Dobsch – term ending May 2025

Respectfully submitted,

Sandy Lucy

Mayor

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

PUBLIC HEARINGS

* Special Use Permit – 1807 E. 5th Street – Indoor Shooting Range

May 14, 2019

Mayor & City Council

City of Washington

Washington, MO 63090

Re: File No. 19-0501-Special Use Permit-1807 E. Fifth Street-Indoor Shooting Range

Mayor & City Council:

At their regularly scheduled meeting of the Planning and Zoning Commission held on May 13, 2019 the Commission voted to recommend approval of the above Special Use Permit request with a unanimous vote.

Sincerely,

Thomas R. Holdmeier

Commission Chairman

Mayor: Okay, Sal.

Maniaci: So our first request tonight is for a Special Use Permit to place an indoor shooting range at 1807 East Fifth. This is located directly to the east of where the old Patke's building was. As you can see right in between, it's right in the middle of the block here.

If you remember about three months ago we did approve a code amendment to allow an indoor gun range as a special use in C-1 and C-2 properties, meaning that it is permitted with conditions in that area as long as it fits into the area and that if there are any extra conditions that are required, they could be added with an ordinance at that time. So the applicant has come forward now that the code amendment has been approved to request a Special Use Permit for an indoor gun range in addition to this building.

You can see here it is zoned C-2 General Commercial. It has commercial on either side of it and the property to the west actually does have some commercial that wraps around it, and it does wrap around the portion where the addition will be. There's also some light industrial directly across the street.

So this area of Fifth Street is mixed use, obviously there's residential to the back but the commercial in this area is a little bit more intensive when it comes to commercial uses then you would see in other C-2 areas. So here is the site plan I have submitted, this in yellow is the proposed 60 x 60 expansion. This dotted line was a boundary adjustment they had done about a month ago in order to fit this building on there and meet that 10' setback that's required. It's also going to be placed in the grass areas, so they're not removing any parking so before they get a building permit they will have to make sure that they meet the parking requirement for their existing and proposed addition. Will have to show the stripe and everything. I can't imagine that they'll have an issue there with the size of the parking lot that they have, they should be fine but they will have to provide that information with the building permit. We are recommending approval.

Sullentrup: How do you decide parking for a gun range?

Maniaci: It is determined by use, so we've put it to the closest use we can in our code book. It's probably going to be, we've got a recreational activity in our code that's probably the closest thing we have to it. Our zoning matrix is much more specified, our parking matrix only has about 45, 50 uses listed in it, and we have to get as close as we can to those parking calculations. We do have the capability of, if we don't have anything that fits it directly, the applicant can submit in writing what they think is appropriate parking and can be approved by myself and the engineering office.

Sullentrup: Thanks.

Obermark: Do we have any type of studies as to external noise outside of this from the shooting range?

Maniaci: I don't...

Obermark: *Inaudible*

Maniaci: We didn't require that as a submittal.

Obermark: Right.

Maniaci: You are certainly able to add hours of operation to a Special Use Permit that can be attached to the ordinance.

Obermark: Thank you.

Mayor: Is there a limit to how many people can be at a shooting range like that at one time? I mean I guess...

Maniaci: Not unless there is a state requirement. I'm sure there is some ATF license to be able operate one of these, they may have their own regulations. It's not something the City would inspect on a daily basis.

Mayor: Okay.

Obermark: We would just have some approved drawings before?

Maniaci: Yeah, and they would have to submit as part of the building plans to the Building Department, make sure they have the appropriate wall in the back to collect the debris and bullets.

Mayor: Any other questions or comments?

Sullentrup: What did you say about sound?

Maniaci: We don't have any regulations for it, we didn't require a study for this. Again, this is a brand new use we just added the definition, so the Special Use itself doesn't have any minimum requirements. It is a Special Use that the Council can add requirements as approved case by case.

Sullentrup: Are you going to recommend it though?

Maniaci: We are not recommending it at this time, you know if it's daytime operations, we anticipate the noise will be contained in the building no more than what the body shop just down the street would be just as loud.

Lamb: You can limit the hours of operation as he said earlier on the Special Use Permit and put that as a condition. You can also if you wanted to figure out some way to go ahead and measure the sound outside of the building.

Sullentrup: Well I'm just saying if we come up, if we approve this and all of the sudden get complaints from neighbors.

Lamb: Right.

Maniaci: Yeah.

Patke: Right.

Sullentrup: What do we do then?

Mayor: Good idea.

Nilges: We could look at, I mean one way to do it, similar to like what you do with like lighting, with like lumens. You could look at doing a decimal reading at the property line and then set that as a parameter. Right here tonight I don't know what decimal reading to even recommend to

you all because we haven't even looked into it, but we could figure out something that would tie into something like a door slamming or something that we all understand what the sound really is. So we could...

Sullentrup: Is the applicant here?

Mayor: I don't think so.

Maniaci: I don't think so.

Sullentrup: Something that you can talk to him about.

Mayor: Is the applicant, you are the applicant? Okay.

Lamb: That could be a question you can ask him.

Nicholas Watts: Yes ma'am.

Mayor: Okay, so give us your name and address and then for the record.

Nicholas Watts: Sure, Nicholas Watts. Home address 129 Monticello, Business 1807 East Fifth Street.

Mayor: Okay, all right so we have some questions regarding...

Sullentrup: Nick...

Mayor: *Inaudible*

Sullentrup: What is your, what do you have planned to keep the noise down if you have complaints with the neighbors?

Nicholas Watts: There are several engineering firms that until we get the permit approved, I don't want to put them on I call it the payroll, at that point. The building is designed to keep the noise inside. It's you know designed with solid concrete blocks, noise dampeners, baffle systems, things like that. It has less noise on the exterior than the audio shop across the street from my building now. But, there's several other indoor shooting ranges in St. Louis and everything, right in the middle of light urban areas and there's never been an issue with sound with the way they're designed and built at this point. But that, there's two things that they're designed for, one to keep the noise down and two, for safety to keep the projectiles.

Sullentrup: I just want to bring it to everybody's attention now in case we have problems down the road.

Nicholas Watts: Absolutely, I understand. Anything else that I can...

Sullentrup: Thank you.

Lamb: I was going to ask, you said something about you had in your application saying it's normal business hours...

Nicholas Watts: Yes.

Lamb: Can you define those?

Nicholas Watts: Right now I'm open on Wednesday through Friday, 10 to 6, Saturday 10 to 3. I would like to expand that being Monday through Friday and Saturday as well with those continued those business hours. I don't see anything beyond that range.

Lamb: So that would be when the indoor shooting?

Nicholas Watts: Yes.

Lamb: Would take place...

Nicholas Watts: Yes.

Lamb: Between 10 a.m. to 6 p.m.

Nicholas Watts: Yes.

Lamb: Monday thru Friday and...

Nicholas Watts: Saturday 10 to 3.

Lamb: 10 to 3.

Nicholas Watts: Maybe little later hours on Saturday, it seems to be a peek time for shooting range, but nothing later in the evening.

Mayor: So it just would operate as your regular business operates.

Nicholas Watts: Yes.

Mayor: Okay.

Holtmeier: Is it strictly pistols, or just...

Nicholas Watts: Light riffles as well, nothing in higher calibers. Like I said, it's rated for everything up to a 50 BMG, but I don't perceive that being something that anybody wants to shoot indoors.

Sullentrup: I hope not.

Nicholas Watts: So do I.

Obermark: Kind of short anyways.

Patke: I think the only the major question like we've asked, is just that if the neighbors hear that you know it's going to be a nuisance, and that's going to be the only issue...

Nicholas Watts: Sure.

Patke: And we have that Sal or John, if we can look at just any other existing maybe we can get that from Nick too.

Lamb: Well, that would lead up to my question as would you be willing to go ahead if we waited, tabled the ordinance that immediately follows the Public Hearing so we could go ahead and take a look at that and place those conditions? If you want to put some type of sound right now tonight, you just have an ordinance that just grants a Special Use Permit and even though this gentleman's telling you everything you know that he plans on doing, that could be transferred over to another owner at a later date and so you may have some issues because they may want to keep it open later. So you may want to go ahead and consider putting those conditions on there, and we can come back with that ordinance if you...

Sullentrup: Nick, would that effect your starting date?

Nicholas Watts: The only thing it holds up is the engineering companies because they want a considerable amount of money up front. If we don't have some kind of approval on it, it just holds it back. I don't have a problem doing a Sound sStudy or bringing you information that's going to show you what the decibel levels are average outside most of the gun ranges that I'm familiar with. I don't have a problem with that, I would just like to get something saying hey you can proceed with this with in these limitations.

Mayor: So our next meeting would be June 3rd. So that's two weeks from now.

Nicholas Watts: Sure.

Mayor: Is that, I mean we're not trying to drag this out for months...

Nicholas Watts: No, not at all, I understand.

Mayor: Or anything like that so, we could come back with the ordinance on June 3rd. Would that cause a big?

Nicholas Watts: I think that's doable.

Mayor: Is that, is that okay?

Nicholas Watts: Sure.

Mayor: Yeah, we wouldn't want to be making you wait.

Nicholas Watts: I can get some information together as far as noise dampening and things like that as well.

Mayor: Yeah, that way.

Sullentrup: Sorry to inconvenience you, but we want to make sure we're right on our side too.

Nicholas Watts: Absolutely, I understand.

Mayor: Right.

Sullentrup: Thank you.

Mayor: Okay, well thank you for being here. So we'll go ahead and...

Lamb: *Inaudible*

Piontek: *Inaudible*

Mayor: Alright, okay, thank you for being here.

Unknown: Right.

Nicholas Watts: Thank you.

Mayor: Okay, is there anyone else here this evening who would like to address this issue? Okay.

Sullentrup: Make a motion to table.

Obermark: Second.

Mayor: Well wait a minute, are we going to...

Lamb: First you need to go ahead and just...

Mayor: We need to approve, we need to accept the...

Lamb: Hearing into the minutes.

Mayor: Hearing into the minutes.

Sullentrup: Okay.

With no further discussion, a motion to accept this item into the minutes was made by Councilmember Sullentrup, seconded by Councilmember Hidritch, passed without dissent.

TABLED - An ordinance granting a Special Use Permit at 1807 E. Fifth Street for an indoor shooting range in the City of Washington, Franklin County, Missouri. A motion to table the ordinance was made by Councilmember Sullentrup, seconded by Councilmember Obermark, passed without dissent.

* Zoning Code Amendment Chapter 400.120 – Homeless/Temporary Shelters as Special Use in Industrial Zone Districts

May 14, 2019

Honorable Mayor and City Council

City of Washington

Washington, Missouri

Re: Proposed Code Amendments-Temporary Shelters, Establishments primarily engaged in providing (1) short-term emergency shelter for victims of domestic violence, sexual assault, or child abuse and/or (2) temporary residential shelter for homeless individuals or families, runaway youth, and patients and families caught in medical crises. These establishments may operate their own shelters or may subsidize housing using existing homes, apartments,

hotels, or motels. Permitted in M-1 and M-2 with a Special Use Permit and a Permitted Use in PDC.

Dear Mayor and Council Members:

At the regular meeting of the Planning and Zoning Commission, held on Monday, May 13, 2019 the Commission reviewed and recommends approval of the above request with a unanimous vote.

Sincerely,

Thomas R. Holdmeier

Planning & Zoning

Chairman

Mayor: Okay, Sal.

Maniaci: John, would you mind switching slides? It's just a one slide.

So I'll give you some background on this before we get to our proposal so we're all aware of how we landed here. About four months ago, staff received some inquiries about what the requirements would be if an organization were to open up a homeless shelter or some type of emergency temporary shelter in the City limits. At the time, I went through; we tried to figure out the best use possible. My first instinct was that it would be some type of special use in the commercial district but we actually, the closest thing we found is a group home and we actually allow group homes in all single-family, residential, as long as it's eight or less family members. We realized that group home was not the best definition, it serves a different purpose.

I got some advice from our City Attorney Mark, and talked to him about what the best definition we currently had and we came to the conclusion that the best definition we really had would be that the closest thing is that it's a hotel, motel or facility for overnight transient guests but essentially it's just free. There wouldn't be a difference between someone opening a hotel or motel and letting people stay there for free than as a homeless shelter. That's the closest thing we had.

Those are all hotel, motel and overnight transient guest facilities are permitted uses by right with no Public Hearing, no notice to the neighborhood or any review by Council and all C-2 General Commercial properties. As you know, C-2 is our most generic commercial zoning district. We have it all up and down Fifth Street, Highway 100, Highway 47, Highway A and some of our major thoroughfares in town.

That's what we told the interested parties, that's the properties that you have to look for. There is an item later tonight that has been withdrawn, that's why there was a request to rezone a certain property from C-1 to C-2 in order to get that hotel, motel use there.

We continue to have discussions with City staff internally and looking through our code, our entire zoning matrix is derived from a classification system called the North American Industry Classification System. It is a couple thousand-page book that cities all across North America and actually industries all across North America used to get a classification number. An actual case number to their type of business, and that's what they actually file on tax forms and everything so it is a government sanction listing or classification. We wanted to, the rest of our uses are actually derived from that code. We wanted to see what that code had as similar to, as close as we could get to homeless shelters, emergency shelters. We came to this definition here, it reads as: a temporary shelter is an establishment primarily engaged in providing (1) short-term

emergency shelter for victims of domestic violence, sexual assault, or child abuse and/or (2) temporary residential shelter for homeless individuals or families, runaway youth, and patients and families caught in medical crises. These establishments may operate their own shelters or may subsidize housing using existing homes, apartments, hotels, or motels. So we did not write that definition, we got that definition straight from the NAICS Code, as it's called.

I decided that would be our proposal to add that definition into our, list the definition into our or a list of uses in our zoning matrix. Our zoning matrix as you know list hundreds of uses and then says what zoned districts they're approved in. So the next step would not only create a definition but deciding which zoning districts this would be permitted in, either in special use or by right.

Our original recommendation was to have them permitted in M-1, M-2 zoned districts which were light industrial and heavy industrial with a Special Use Permit. Meaning if an organization was wanting to operate some type of temporary shelter that meet this definition, they would have to find an industrial district and would have to get a Special Use Permit which includes a Public Hearing at Planning and Zoning and at City Council as well as notification to the neighborhood.

We took that to Planning and Zoning and there was long discussion there and it did come forward, one of the Commission Members asked why we hadn't considered adding it to our PDC which is Planned Commercial. This is a Zoning District we added in 2017, it is a brand new district we currently have zero properties in town zoned PDC; originally it was called C-4. So if you're familiar with C-4, it is basically planned district where someone asks for that commercial zoning, it has to be submitted with a site plan and basically a business plan of exactly what they're going to do and attach it to that ordinance.

When we adopted our new code in 2017 to add this PDC District and remove C-4s, we did add some minimum lot requirement because these are meant for larger developments. The intent of a planned district is for unique larger scale developments.

The discussion at the Planning and Zoning we didn't realize that planned commercial that five-acre minimum, that's required for planned commercial can be exempt as part of the approval process. So when it goes to Planning and Zoning, it goes to City Council, that five-acre minimum can actually be waived as part of the approval process. It's more of a guideline, here's the minimum of what you have to meet but as you submit plans, City Council can basically amend those guidelines because it is a planned district and everything is very specific to that plan.

Looking forward to the end of the meeting, there was a motion to add this definition of temporary shelters as a permitted use and our PDC Planned Commercial Zoned District. It passed unanimously at Planning in Zoning, I'll tell you in discussion with City staff we are also in recommendation of that. I'll be honest, as soon as the meeting was over I said, "You know I wish I would have actually thought of that, of exempting that five acre." It does create an opportunity for additional oversight while also allowing organizations to look at additional properties that aren't necessarily industrial.

Because this can be a controversial and an intensive use, it is difficult to find specific properties for them. For example, I think there's easy to make a case that there are commercial

properties that are appropriate and inappropriate for this use and there are industrial properties that are appropriate and inappropriate for this use. It always come down to a case-by-case basis.

The reason if they found an industrial property, they can ask for a Special Use Permit and that's why there is a Public Hearing to decide if that specific industrial parcel is appropriate for that use. With a planned commercial, it's not a special use requirement but it is the same application process. It's still \$150 application fee, same as the special use. They can actually pick any property that they think is suitable. Ideally, property in a commercial area would be most appropriate because it is still planned commercial; it is a commercial zoning district.

If they find a commercial zoning district ideally or a parcel closely to a commercial district, that they would, the organization would like to operate this type of facility at and they request to rezone it to PDC. It's the same process, it goes to Planning and Zoning, we notify the neighbors, goes to Planning and Zoning, goes to City Council. It is not any longer than a Special Use Permit, it's not any more expensive for an application fee that a Special Use Permit. The only difference is that a PDC when it's planned, requires a development plan and basically a business plan to be written and submitted with the application.

A Special Use is a little more generalized where they have to say here's what I want to do, here's how I think it will affect the neighborhood, and then Planning and Zoning and Council has the ability and in this situation those industrial districts to determine are there extra conditions that need to be placed on.

If they would go the route with a PDC, and we are recommending that you have both options, one with industrial and with PDC, they can submit that plan upfront, come to the Public Hearing and make an entire presentation on here's what we are going to do to the building, here's what the access will be, if we're going to have screening, here's what it would be, here's how many employees we will have, our hours of operation, if there's a curfew, if there's a drug and alcohol policy, that is all information that they can submit up front. I think we determined after Planning and Zoning that's actually something that most organizations would want to do to kind of have their own plan that they can present instead of having something that kind of gets away from them that maybe is under definition that they don't agree with. This would be able to give them a chance to be able to describe their plan in its entirety. With that being said, when they finish their presentation, it goes to Planning and Zoning all those requirements say Planning and Zoning and City Council agree with that and say yes, it'll be appropriate with this. All of those requirements are attached to an ordinance and tied to that piece of property in its entirety as long as that use is in operation.

So that's our recommendation to add this exact definition as a special use in those industrial districts but also allow it as an option in a planned district. We believe that gives people who are looking at this use an option for a handful of properties around town. This keeps them not just in industrial but also the possibility of commercial, but also has enough oversight and chance for public input as this is a use that can be intensive and like I said inappropriate in relation to residential areas.

That's all I have if you have any questions I'd be happy...

Sullentrup: Yeah, so you have a PDC...

Maniaci: Yes.

Sullentrup: And it's under five acres and you want to go to Planning and Zoning but do you have an option to go to variance or...

Maniaci: No, so in this case...

Sullentrup: Board of Adjustments.

Maniaci: It does not go to the Board of Adjustment, which actually simplifies it. It is approved in its entirety through Planning and Zoning and City Council. So there's not two Boards voting on it to actually get it passed. So there is a recommendation from P&Z and then the approval but just like so there are variances obviously that goes to the Board of Adjustment if it's directly related to the subdivision code, it's approved by P&Z and Council.

Sullentrup: Okay.

Lamb: If you would have a situation, the only thing that I could think of where the Board of Adjustment would get involved with something like that is if they were going to go ahead and propose to expand the building and as a result would encroach on whatever...

Maniaci: Yeah.

Lamb: The setbacks would be for that zoning district and they would be voting strictly on whether or not that building needed to encroach on that, not the use of the building itself. So that's the only thing that I can think of that you would get the Board of Adjustment involved.

Sullentrup: Thank you.

Wessels: Could you Sal, you mention this makes a possible larger number of sites.

Maniaci: Yes, well, yeah sorry go ahead.

Wessels: Well, I was going to ask could you expand on that a bit and kind of describe...

Maniaci: Well right, because a Special Use Permit is tied to a certain zoned district. They have to one, if we just get the original where we had a Special Use Permit M-1 and M-2 and a group would have to find an industrial property first and then also ask for a Special Use Permit.

The PDC is its own-zoned district so they can actually request that zoned district just like they would any other rezoning. Anyone could request any property in town if they owned it or if they had permission from the owner and requested it to be PDC. Now if they pick something in the middle of the neighborhood obviously they would never get a recommendation from us, just like if someone were to pick C-2 in the middle of a neighborhood. There's still stipulations that has to meet the Master Plan, our Comprehensive Plan, and it needs to be in conjunction with a commercial area but it allows them to request that zoned district on any parcel.

Wessels: M-1's and M-2's, is that strictly out in our Industrial Park?

Lamb: No, we've got more than that. If we can pull up the zoning map, John if you can...

Maniaci: So...

Lamb: Get access to that while Sal's talking.

Maniaci: Yeah, we you get out obviously to...

Lamb: There's more than that.

Maniaci: When you get obviously out to Bluff Road and West Main and Vossbrink Drive all of that is heavy industrial but we do have light industrial and heavy industrial sprinkled throughout...

Lamb: Just a couple of places to name a few, there's like around Alberta Lane, I think it's that Kids Ahoy or whatever in that general area has some light industrial. You have the old...

Maniaci: Well everything we just looked at across from Nick's Gun and Pawn, that's all light industrial.

Lamb: Correct.

Maniaci: That whole block is light industrial.

Lamb: We've also got the area of Twelfth Street and between Stafford and Jefferson.

Maniaci: Yes.

Lamb: Those areas where the old Hazel Plant was located.

Maniaci: Yeah.

Unknown: *Inaudible*

Maniaci: Yeah well the Lumber Yard on Jefferson Street. There is right across from Busch Brewery.

Pettet: Jefferson Products.

Lamb: That's Jefferson Products.

Maniaci: Jefferson Products. We have actually Mercy South is still zoned industrial...(*inaudible.*) This is the eastern side of town, this entire four blocks is light industrial and there is some heavy industrial to the south as well from when that was an old pocket, and then what Darren was mentioning this was up and down on Stafford and Twelfth Street. That's all industrial as well.

That's our main pockets of it, there's a couple here and there. This is the old Droege Building, right here.

Sullentrup: So when you hearing M-1 and M-2 you're not everybody thinks Industrial Park.

Maniaci: Right, it's not just Industrial Park but it is there are three percent of our, I think we had to put this into our report; three percent of our land is industrial about. That's where we were getting at, the PDC still allows just as much oversight but it does allow them to if they find what they think, what a group thinks is appropriate for that area or make their case for it, it allows them to make their case for it without having to get a rezoning to industrial because the problem where staff may see that the rezoning to PDC may make a case for why it's appropriate but we would recommend the denial some cases on rezoning to industrial. If they rezone to industrial and then they get their Special Use Permit, it's not just giving them a Special Use Permit before that use, it's also opening up to every other use that's permitted in industrial.

That's the opposite with the PDC, it's very specialized to whatever they're asking for at Council and that's actually why after looking at it, it's almost if they are outside of an industrial area, it's almost I would recommend that they go to PDC route because it is more specialized and they can make their case for it, rather than opening it up to all other uses that are in the industrial area.

Lamb: I want to stress to that Sal said this PDC, that's subject to a rezoning. So all of the criteria that go with that, so if to go back on what Sal said even if we could have staff make a recommendation saying yeah I think if they do this, this and this, we think you should go ahead and consider it. You may have the landowners around it that go ahead and sign a petition similar to the location that was on item 3e on your agenda. They would still have to go through that process, meaning if you have to if there's enough people that's filed a petition against it then it would require a super majority of the Council...

Maniaci: Right.

Lamb: To go ahead and approve it.

Sullentrup: Did we do PDC up on Madison?

Lamb: We have not done a PDC because that's only been in our code for two years.

Maniaci: But, it used to be C-4.

Lamb: Right.

Mayor: Used to be C-4.

Maniaci: Yeah, everything up on Madison, Diane Holdinghausens, Total Access Urgent Care

Lamb: Correct.

Maniaci: Those are planned districts. The Duncan Property never built but that was a C-4 Planned District. The process really didn't change between C-4 and PDC, we just cleaned up our district to...

Sullentrup: If anybody wants to do something with it, they have to come up with a PDC.

Maniaci: Correct, correct.

Pettet: Sal, what are the implications of a change like this for the only one that comes immediately to mind is the Grace's Place.

Unknown: Grace's Place.

Maniaci: Right, that was also brought up at Planning and Zoning. This would change the code on them and grandfather them into the current status. If they were to expand or want to relocate, they would have to come into conformance with the new code. I think the change or the addition to our proposal adding that PDC helps an organization like that, because if they are able to say we are doing exactly what we want to do here but just do it at a different location, Council can say yes, here's the basically come up with the requirements and add that to that ordinance. So you know it is going to be similar to what...

Lamb: And I don't know that it's likely for that use specifically for that property can expand, there's not that much room to go.

Pettet: Right.

Maniaci: Right.

Lamb: The building itself. So the intensity of that use of that location is probably not going to go ahead and change but like Sal said, it just becomes grandfathered at that location. We should all make sure that everybody else knows the City owns that property anyway and enters into a lease agreement with those.

Pettet: Yes.

Lamb: So.

Mayor: But it probably would be more difficult to find something in industrial.

Maniaci: Correct.

Mayor: If they were going to expand or needed to move.

Pettet: Okay, thank you.

Maniaci: Which is why we agreed with Planning and Zoning and recommended to add this as well because this does it doesn't limit the groups from requesting this while at the same time still giving us the capability of having appropriate oversight. We thought it was a fair compromise.

Obermark: Is this PDC transferable from who applies it to if it would switch hands or be...

Maniaci: It does...

Obermark: *Inaudible*

Maniaci: So it does not it's not tied to a specific owner, it's tied to that ordinance.

Mayor: *Inaudible*

Maniaci: Similar to a Special Use Permit. Like Darren said, it could switch hands. That's why you need to specify in the ordinance what the regulations are.

Obermark: Gotcha.

Maniaci: If it's sold as long as the new owners following the exact same guidelines, there's no issue.

Mayor: Any other questions or comments from Councilmembers?

Maniaci: Alright, I'll open it up.

Mayor: So in essence they you could just basically I mean this really does open it up to more opportunities.

Maniaci: The fact that PDC is its own district, it can be requested anywhere just like a C-2 can be requested anywhere. Someone wants to go in the middle of...

Lamb: Right.

Maniaci: Stonecrest and request C-2, it's probably never going to be approved but it still can be requested.

Lamb: Highly unlikely.

Maniaci: Unlikely, yes. PDC is its own district; it just comes with stipulations tied to it.

Mayor: Okay.

Patke: Same things we hear, you know someone wants to put a gas station in a residential neighborhood...

Unknown: Right.

Patke: There was always the fear that people come back, the Duncan Property for example, that was always the fear that the neighbors on Rainbow and the other streets there. You know we don't want a gas station in our backyard.

Maniaci: Right.

Patke: And then that's, this is something where you're going to have that option to look into the total project...*(inaudible.)*

Maniaci: And I believe with Duncan that we were able to stipulate what was uses were prohibited through that ordinance.

Patke: Right.

Maniaci: So something similar can be done here in this case as well. So if they find something that it's in agreement that this particular use that's appropriate, but again they don't want a gas station or a restaurant or whatever, that can be stipulated in the ordinance.

Mayor: Okay.

Lamb: It's a Public Hearing.

Maniaci: I will open it up, thank you.

Mayor: Alright, thank you Sal.

Maniaci: Thank you.

Mayor: Okay, so tonight, it's great to see so many people here and I hope that you kind of understood what Sal was explaining to us about the zoning. By no means because of this change are we saying that you cannot fulfill your plan or your dream to do that but, tonight we're talking

about zoning and how the zoning would affect this particular project and where we would want to see a project like this located.

So is there anybody would like to address the Council regarding the zoning issue? Okay, Susan you're arm went up first so we'll let you come first.

Susan Watermann: Good Evening, my name is Susan Watermann and my address is 625 East Eighth Street in Washington, Missouri. So I want to make sure that everybody understands what the NAICS Code is and what it isn't because as a person that didn't wouldn't have previously understood this, I would have thought that the classification system automatically equates into some sort of how this should be zoned, but it doesn't. It's an economic classification system that's designed so that the United States Government can process and collect data related to the US Economy. So it doesn't anywhere in that system say this number corresponds with where this sort of business should be located in a zoning map.

So that's I think an important thing to remember to realize because then that means then taking that definition which that is the definition that the NAICS System says that I think this would fall under. When you look at it that way, it makes that definition seem a little bit different. It's clear that it's an economic definition because it states that there's an establishment made to operate their own shelters or may subsidize housing using the existing homes, apartments, hotels or motels.

So that would those sorts of uses subsidize housing, cross several different zoning boundaries. It's not just you know an industrial or a PDC Zone because if they could use regular homes in residential neighborhoods under that classification, it would have to cross different zoning boundaries. It doesn't make sense that it would have to be in a particular zoning. So if you adopted that use it wouldn't fit your zoning model.

Further, when you go to it makes a point it the way that those are used is purely subjective. It's not an objective use of that system to say this is the definition so therefore it should be in this zoning. There's a lot of subjectivity there to come to that decision.

Maniaci: (*Inaudible*)...when we PGAV was the company that we paid to do our zoning...

Lamb: Correct.

Maniaci: And that is correct, this is a classification system that the government uses to place businesses in a certain classification so they can figure out how the economy is functioning.

It is up to us so we use those definitions and it's up at that time, it was up to PGAV who gave us the first of a couple hundred and then from there on out it is up to us, City staff and Planning and Zoning to take those definitions and even if it is subjective for us to make the designation on aware it goes.

Lamb: Within in the zoning...

Maniaci: Yes.

Lamb: Within on the zoning map.

Maniaci: Correct, so...

Lamb: What zoning districts you're going to allow it.

Maniaci: Correct, so whenever I pull up that NAICS Code and I see this definition it does not say anything where on there, it doesn't say anything about zoning. It just says here's what the definition is and then it's up to us to decide where is that appropriate.

Lamb: It's a local issue.

Maniaci: Correct.

Susan Watermann: So in that sense if you had say you they had an office in the Industrial Park and that was approved and then they decide to subsidize housing in a residential neighborhood, they would then be allowed to do so according to this definition.

Lamb: No this I guess...

Susan Watermann: So the house would have to be...

Lamb: The last sentence I think is the key or the...

Susan Watermann: Right...

Lamb: Or especially after the or section, which says may subsidize housing using existing homes, apartments, hotels and motels. If, if there was a situation where it was being heavily subsidized in a location in town etc., and that became part of the problem that the City became aware of, and they said it fits this definition of a temporary shelter because you're offering this to individuals that would not normally go ahead be there. Then that is also considered a temporary shelter. It's not that the office is out here in the Industrial Park and this property is over here, both of them could be considered, I mean well the other one, the office it would be an office, it wouldn't even be the temporary shelter. It's where that use is taken place.

Susan Watermann: But the motels in addition since a lot of the churches already use the motels to assist with that sort of thing. If they were working in conjunction with the local churches, who are also using that would it fall under them to and then you have to have...

Lamb: Are you asking if the shelter would be at the...

Susan Watermann: Right.

Lamb: At the church?

Susan Watermann: Well or...

Lamb: Physically at that location?

Susan Watermann: Or be helping with the working in conjunction with the churches, not necessarily at the location of the churches.

Lamb: Okay.

Susan Watermann: But if they were working in conjunction with the churches, I mean who is to decide how many rooms...

Lamb: Well it...

Susan Watermann: In a motel...

Lamb: That's regardless it depends on whoever the money comes from...

Susan Watermann: Right.

Lamb: To go ahead and provide these facilities for these shelters to go ahead and be in place. It's where that shelter takes place, that's where the City could sit there and say sorry this just isn't an apartment but this is a temporary shelter and it fits in our definition and your subject to the zoning code.

Susan Watermann: Right but the motels could also be viewed as a temporary shelter if they were using the motels as a subsidized so then that would mean that the motels would also have to fall within that zoning.

Lamb: There is no, I would say this and argument to that would be Susan, would be what is the primary use of the facility and if you have a hotel. I mean I will just go ahead and use real world examples since we're talking about this. Let's just say the American Inn and somebody decided

to go ahead and put somebody in a room for a few days to go ahead and help them in a situation where they were homeless, that American Inn is still an American Inn, it's a hotel, it's a motel, that's the primary use. If they choose to go ahead and allow somebody to stay there for a few days that's what we call an ancillary use, that's not the primary use is the hotel. It's the same thing when we're talking at Planning and Zoning Commission, I don't think we used this example but one of these examples would be is the heating, you know the temporary...

Susan Watermann: Mercy, yeah...

Lamb: The hospital for the shelter that they got, thank you. It's not that Mercy is operating a temporary shelter, by the way we're running a hospital too, it's we're running a hospital but we're also going to provide these shelters here just at this time, it's not the primary use.

Susan Watermann: Yeah, I guess I just the subjectivity from in which I'm glad that Sal addressed was that it is the City deciding that this is the most based on definition this is the use that they find as most appropriate. I would argue that industrial is not the most appropriate, PDC possibly would, but I also see how commercial would be so I think I would disagree that M-1, M-2 so I'm glad that at least PDC was brought in. I just want to make sure that everybody understood that that it is a very subjective decision. It was not based on a lot of objectivity.

Mayor: Okay.

Susan Watermann: Thank you.

Mayor: Thank you. Annie...

Annie Foncannon: Hi, Annie Foncannon. I actually live at 335 Nathan Drive, Foley, Missouri, but I am the Executive Director of the Franklin County Community Resource Board. We oversee the Children's Services Fund for Franklin County and we also oversee the Domestic Violence Fund for Franklin County.

A couple of things that I really want to talk about tonight is in regards to unintended consequences and how this could have a chilling effect and ill effect on non-for profit organizations in general within the community.

So as it has been brought up, the definition that is being proposed and the zoning regulations that are being proposed. You have a domestic violence, victims of domestic violence in there and sexual assault, you have victims of child abuse or individuals that run away youth and patients in medical crisis.

So basically this is saying that if we ever wanted to have a Ronald McDonald house or a Fischer House for Veterans who their families could stay there while they're going through some treatment, that that would have to be done in either an industrial area away from the hospital for the most part unless we can find one that's vacant, which we've looked, or to go through the PDC zoning process.

The issue I have with the PDC zoning process, I think that it is it sounds very good on the surface but you are asking a non for profit organization to go through and do a lot of work upfront with no guarantee that they're going to be successful. You know one thing is having a business plan, I'm fine with that. I think that every non-for profit should have a business plan. I actually require all agencies that we fund to have a business plan, but to require that before they can even you know start the process that they have to pay for somebody to come in and do a sketch plan including a landscape plan that's a lot of money upfront. If this would have been required of Grace's Place when we started Grace's Place because I was a part of that process,

Grace's Place would of never happened because they didn't have that kind of money. They didn't have the money to be able to pay for all these things up front to do this.

Truthfully, no grant are out there would actually from a grant standpoint; there are not grants available to this kind of work. Most grants are for services provided so actually serving people in the community or operation of your non-for profit organization. There is capital grants for actual building of stuff but not for planning and doing sketch plans and doing those types of plans. I mean that's thousands and thousands of dollars that would have to be raised before anybody could ever step forward and do this.

So I fear for organizations that may want to help, you know I understand people have fears about homeless individuals. They have something in their mind that looks like what people see in St. Louis, what people see on the TV. We have had a Community Forum and we've tried to educate folks that yeah, we may have four or five trouble makers in our community that are homeless but for the most part our homeless population 80% of them work. They just can't get enough money together to get an apartment or a place to live or find a place to live that a lot of them have families. We have three families I can tell you right now, two single dads and one single mom, they are living out of cars with small children. If they don't work, they want to work, they're trying to find jobs. So our homeless population is not what you see down in St. Louis, but I understand.

I get that there is a certain stigma but when we're talking about actually putting this on places like Grace's Place and on domestic violence shelters, most domestic violence shelters are: a) undisclosed locations, b) I can tell you, because I know exactly where it is, that in St. Charles their domestic violence shelter is smackdab on one of their major streets in the middle of two residential houses and you would never know that it's there. The reason why they do that for domestic violence shelters is because you need them to be safe, secure and that people can't go and find the victims. So that's why they're normally placed in very mixed-use areas where people can't know where there at.

I mean to put that burden on a place like that or run away youth, most youth shelters are located very near schools, very near their high schools so these kids that are homeless and run away youth can get to school, especially after school activities because we all know that if a child participates in after school activities they are most likely to stay in school and graduate. That's why they are usually located in those areas.

Just an example, I just pulled up a few. If you look at Crisis Nurseries, the Crisis Nursery in Wentzville is right next to the hospital, backs up to a residential area. The Crisis Nursery in St. Charles is on First Capitol Street right across from the hospital in a beautiful old building that is all residential behind it, and there is a couple commercials; there's Buse's Flower Shop, Pio's Restaurant basically right around it. Youth In Need Homeless Shelter has been in their location pretty much my entire lifetime on Jefferson Street in the middle of a residential center. Those are by design so that the kids are comfortable and the families are comfortable going there.

Can you imagine a person driving out to an industrial area to drop off their child to Grace's Place? I can't. I know that a lot of people are saying well we've got a lot of industrial areas that are in town, throughout town. Well, we've looked, and we've looked, and we've looked. Most of them that would be good locations are already occupied and the ones aren't, the rehab on the building alone mostly most of them would have to be torn down and started over

again. That's not the kind of money that non-for profit organizations have. I understand a PDC for a for-profit something that's going to make money and such in the future but that's not what this is. These are non-for profit organizations trying to do the work that most people won't do. Thank you.

Lamb: I would like to...

Mayor: Annie...Okay, did Councilmembers have any questions or comments?

Lamb: The only comment, we'll double check this, it is not our intent and I don't think the code requires, just as far as cost for the plans come up, you do not have to have a licenses engineer to go ahead and submit the plan. You can, they can go ahead and be done by anybody that wants to get access to the mapping, the aerial maps show all the requirements that are on here, so it's not I just want to make sure that it's very clear we do not require that be submitted by a professional engineer.

Annie Foncannon: Right, I did not show that it had to be done by a professional engineer but that the contents of the sketch plan basically have to know, have somebody that, pay somebody that knows exactly what they're doing because there's A through P on what you have to include in that, and that includes a landscape design plan. Just alone the your guys' Washington Missouri District Regulations is 34 pages. It takes 10 of them to explain the PD, Planned Development Districts. That should tell you how much work it would take somebody. And really, I am, what I'm really asking this evening is not you know I understand that Planning and Zoning is a good thing. Believe me, I live in a town or in a county that does not have any Planning and Zoning at all and it's a disaster. But what I would like is to table this for a month. Let's talk about it, let's discuss it, let's look at what is actually happening and the unintended consequences that may occur if we take on both these particular, this particular definition, and these restrictions in regards to zoning. Let's really look at it and study it and talk about it and let's talk to Grace's Place and some of the domestic violence places so that we can get a good a really good understanding of how this could really ill effect some of our people that are trying to help our most vulnerable populations.

Mayor: Okay.

Patke: What do you couple questions here.

Annie Foncannon: Sure.

Patke: Tabling it for another month is going to you're going to come up with a better idea that should be in C-2 or residential areas or?

Annie Foncannon: Potentially or maybe, a better definition that could be potentially used or some split up of the definition.

Patke: I guess my thing is with the PDZ or PDC zone, all it does is make sure that wherever it goes, I mean I think it's opening it up to so many more places, but it allows those neighbors to know what's going to go next door. If we don't have those regulations and we don't have those restrictions and Special Use Permits then we can just sit here and say that the next Crisis House could be in the middle of your neighborhood, my neighborhood, whatever and you not know it's there and you have no way of stopping it from it being there. And I know we're all passionate about helping those people in the community, you guys come out in droves, I get that but I think the number one question for me is and those who don't come here in opposition but who are and oppose it is the fact that I just don't want it in my back yard. You know, I want to know when

something like that is going to come in my back yard and I want to be able to, to stop that or to be able to voice their opposition at that time.

Lamb: A voice concern.

Patke: Correct a voice concern at that time. So, whenever this was came to me and I watched the Planning and Zoning on video and it came up and I'm like, okay this make sense. It's just more research, more restrictions and us as a Council, those who apply for it, we have to know exactly where it's going to go, what it's going to do, what it's going to be and then it fits. If it doesn't then we've got to look for a different spot. That's why I think it's the best case. Tabling it for a month to open it up to something else to me doesn't seem like it's worth while. I think it's I think we've found the right thing, I just think we're pushing off the enviable. My opinion.

Obermark: Echo what Jeff said. I like the business plan, I like know that's from what I've been hearing from people, it's the lack of information, not knowing what it is, and I think that, I think this process would help that, as to everyone taking all the hearsay and whatever you want to call it out of it, and have an actual on paper what this is, what we're offering, what other stipulations A,B,C,D,E,F,G down the line. Personally.

Annie Foncannon: And I appreciate that, and I will tell you that knowing the non-for profit world as well as I do because it's what I've been doing my entire career. Is that the chilling effect will be that basically, you know the services just won't be provide here I'm not just saying homeless, I'm talking everything else too. I mean it's basically like you know...

Mayor: Do you have a guarantee on that; I mean I can't imagine that would happen.

Annie Foncannon: I don't know any organization that would be a startup organization like Grace's Place was back in the day that would be able to come up with funding up front like that to get everything that a PDC would require.

Pettet: Isn't there an anonymous donor willing to contribute a significant amount of money for this project?

Annie Foncannon: This project, yes. I'm talking, I'm worried about the unintended consequences from the perspective avid, the Children Services Fund and Domestic Violence Fund and the agencies that we serve. I am worried about the unintended consequences for what could be future agencies that would want to serve this community.

Pettet: And I appreciate that, I think, I don't want to speak for the Council, but I think the unintended consequences are one of the things that we're planning for and talking about long term. Even when you say we looked to see if there are other properties available and they're aren't any not now, we're not just talking about now. The decisions we make are in place long term, and we have to, we have to hear not from the really passionate people who are showing up, but the people who aren't willing to come out and verbally and express their concerns. Because who wants to be thought of as, I mean the amount of rhetoric I've seen about where are your christian values and oh Washington I thought you were this strong Catholic community. That is causing some consternation. Because there are many, many people who want to see you succeed. We just want to be really purposeful about how you succeed.

Annie Foncannon: I understand that completely, and if you think that we haven't had stuff on the other side, you're sadly mistaken. One of our leaders just received a call the other day that she should be run out of the town. And it wasn't a very nice, I mean it was horrible and it wasn't the first time she received a phone call like that. So, we're getting on this side too.

Mayor: Any other comments, questions? Okay, Karen did you want to say something?

Karen Dawson: Good Evening, I'm Karen Dawson. I'm President of the Harvest Table, I'm a 501(c)(3), and I do want to talk to you about this zoning.

From the aspect of someone who's here in town already and is homeless. Mary would you bring that up for me? I want to give you an idea of what it's like to be homeless in Washington, Missouri really quick, and why it's important for them to be in our community and not out on the fringes.

Just pass this around. A homeless person in Washington, Missouri wakes up in the morning somewhere where they found a place to sleep. What they have with them is a backpack, that's all any of them have, there no shopping carts anywhere. In that backpack, they have the clothes that they have, hopefully a change of clothes for their job, hopefully a bottle of water; that's about it. Now we do give them once a month a bag like this, it's got nonperishables food in it because you can't cook or refrigerate anything, right? It also has toilet paper in it, has hygiene products in it, and we would like to think it helps them through a month. Your awakened in the morning, whenever you're sleeping and there are pockets here in town where they have a tendency to, I'm going to let you guys look through this so you can get an idea.

You get up and your first problem is where to go to the bathroom. The parks close at about 10:00 at night, the bathrooms and they open 7 or 8 in the morning, and if you have a job let's say your at the Riverfront Park or over in the fringes over there and you have a job at Colton's or a job at Hardee's, those two organizations are wonderful by the way you should really go there. You have to get cleaned up and go to work, so you go in the bathroom there and try to do your hair and you put on that change of clothes that you work clothes because you only have two changes, and you walk to work.

Now walking from the Riverfront Park to Colton's is a pretty decent walk. Walking to the Industrial Park from there is a pretty good walk, or walking to Hardee's. You spend that day at your job, hoping you can save enough money that you can make a down payment and one month's rent, but remember now; you're still in town pretty much. Right? We can walk to those places.

My problem with this and I understand all of it and God love you for explaining it so well. The places we have seen and looked at are not exactly convenient and I understand why, but I want you to understand why in the day of a life of someone who's trying to get out of homelessness that that business of being able to go someone and clean up, having that chance to be human relies on us being able to get them to those jobs and the jobs that are here in town. We have a lot of jobs, and gosh darn we try to fill them with every homeless person we know. I can't penalize them for that.

So why we've looked around and I thank you for explaining everything to us, but that thought of having them be marginalized to the point where it becomes impossible for us. We're willing to work with you all, we're still willing to work. I truly do believe in this, I feel a little bit like the lorax who talked for the trees. I'm Karen, I talk for the homeless and I want you to remember in your hearts and when you're thinking about this and maybe you'll help us find a place. Maybe you guys will go around and tell us hey, look at this spot and see if it's really feasible, am I within walking distance of the hospital, am I within walking distance of wherever I am tried to spend the night because I want to get up early in the morning so I don't get run off

and I won't go to that place until its dark so nobody finds me. Is their places like that? Is there places if I'm living out on the outskirts that that works. Does that make sense to you? I think the one thing we have to think of is this is the most wonderful town. I love it completely. It's been my home for almost all my life, and when I didn't live here I lived in places it said Washington. Washington, DC, Seattle, Washington I was stuck on the name.

And so to think any way that any of us are trying now to do something to hurt the City, that's ludacris. That's just ludacris. We only want to better the City, I'd like to get all of those people off the streets so that homeowners and shop owners aren't affected by them. I'd like a have a place where we can say, send them there if they're bothering you, send them to us.

So the zoning, and I do understand the PDC and I've looked through all of those qualifications with Annie and there are pages and pages long. I find them to be very off-putting and I find them to be pretty hard because anywhere along the line we can be told no. And so that's why the C-2 where we were, was just ideal and why all these people here are here tonight.

Just one quick thing, if you guys have worked with the homeless would you just stand up for just one moment. If you have worked with the homeless in Washington, Missouri. See that's a pretty good group. It takes a whole group to do it. Thank you, you can sit back down. Thank you very much.

I think that we will continue to do it no matter what. We're not going to go away and we're not going to turn our backs, but it would be awfully nice to be able to say we have a plan now that benefits everybody, benefits the City, benefits those people and benefits all of us in the long run from being people who have no voice.

So thank you, thanks for listening and stop and think if you had that bag and that's all you had with you, and you had to carry, it's heavier than you think isn't it? And you had to carry it around everywhere with you, cause that's the only food you had, where would you want to live? Thank you very much.

Mayor: Thank you Karen. Any comments from Councilmembers?

Rhonda Stockglausner: Hello everyone. My name is Rhonda Stockglausner, I live at 2102 Monty View, Washington, Missouri. I'm here tonight on behalf of the St. Peter's United Church of Christ Church Council who voted unanimously, 12 people voted unanimously, to be in support of a Homeless Resource Center in Washington, Missouri.

Our Pastor is not here, he's on vacation. I wish he was here because he speaks much more eloquently than I do. I have worked with homeless people, I'm a retired Social Worker, I've also had a business in this town. I understand both perspectives but I think tonight what I'm here to do is represent the faith community. I'm not trying to mix Church and State, we've got to keep that separate but who are we in this community? We're not all Catholic by the way, but most of us are Christian and what does God tell us to do? Jesus tells us to love thy neighbor and our neighbor is not just the person that lives next store. I personally have some neighbors, I think Mr. Menefee knows who they are, I'd rather have the homeless living in that house; they're also Ed's neighbors too.

From that faith perspective, keep an open mind; let's not rush into this. Like Annie said, "Let's give us some time to go to the drawing board." "It's very hard for non-for profits to get any money together." We have a benefactor right now and I don't know who the person is, there is some money there but it takes time to get these things done. The money that is there is for the

facility, the way that I understand it. It's not for all of the other background work that needs to be done. Give us some time. I haven't been working with the Homeless Task Force, I know the people on it, I work for a non-for profit, I work for Catholic Family Services in Union for 12 years. I've worked for non-for profits, I know how that goes. It's hard to get funding and especially when you're start up like Grace's Place was. It took a long time to get them going.

So please, let's take a step back. Work with the Task Force, let the Task Force get their business plan together; they're Board together and do this right. We don't want to make people in the town irate.

The other thing to keep in mind is the faith community and I don't know how many, there's a bunch of people here from St. Peter's that have these t-shirts, there's also people here from St. Peter's that don't have these t-shirts on but I think that there are other churches represented here that are in much support of this.

St. Peter's has a food pantry, we have the Harvest Table. We administer it through the Washington Emergency Relief Fund. We're 175 years old this year, we've been here a long time and we've done a lot of mission work in this town. We're always going to do it. We want to be involved with this, we want everybody to just take a breath.

I personally looked at some of the sites and people, I looked at the map at the meeting last week and my husband, Carl Clover and I drove around. There's not a lot that's there that's really usable.

Mayor: And you're looking at industrial...*(inaudible.)*

Rhonda Stockglausner: I looked at the ones in industrial in the core of town.

Mayor: Right.

Rhonda Stockglausner: Which is right where it needs to be. People have to access to services, jobs. So I want to thank the Council for hearing me out, I appreciate everything you do for our town. I love Washington too, went to high school here, I left for about 25 years and came back and I'm glad I did because this is a wonderful town. We're a good town and we need to just be good to our neighbors and our neighbors aren't just the people that own residences or rent apartments. Thank you.

Mayor: Okay, thank you Rhonda.

Patke: Can I ask Rhonda a question? Rhonda, sorry. I appreciate everything I mean my daughter even volunteers at Harvest Table those things, I mean it's fantastic. Is the St. Peter's Church oppose to this zoning request tonight?

Lamb: *Inaudible*

Rhonda Stockglausner: That's not what...

Patke: The zoning amendment? I mean I guess that's what I'm...

Rhonda Stockglausner: No.

Patke: We're not getting opposition for that, we're trying to rezone to try to help out...*(inaudible.)*

Rhonda Stockglausner: We were in favor of rezoning the other property

Mayor: The C-2...

Rhonda Stockglausner: Yeah, the C-2 I think we need time to absorb this. We need time to look at the issues too and work with everybody together.

Patke: But in my opinion this is, we're trying to help you by doing this and giving you more options and then we're getting told to table it and wait. So I'm really confused as far as what we, I thought we were trying to help...*(inaudible.)*

Lamb: The only thing I will tell you is that I think right now you do not have this definition within your code. You have the same one that Sal had talked about earlier when he gave you the historical background on this; you've got that definition to go by. That definition would be allowed in C-2 zoning as a permitted use. You would not have a Public Hearing, you would not have a Special Use Permit, nobody would have to request to rezone anything.

By doing this, it does require that any location that they proposed to go ahead and do would come to Planning and Zoning Commission and come to the City Council. That's about as simple as I can make it tonight.

Patke: Right.

Lamb: If you choose to not act tonight, if you choose to table this, you just have to be aware of the fact that somebody could go ahead and propose the C-2 of a property within a C-2 and go ahead and propose that, and get it permitted without you having the opportunity to hear from the neighbors wherever that may be.

Where this, this tells you you have to be in those locations. If you vote on it and pass this tonight, you are requiring them to come to you where they decide to go ahead and place that...*(inaudible.)*

Patke: *Inaudible...* I don't want to be like you're trying to tell us that hold on and wait because I think this is a something that needs to be established through the City and we can go forward with finding the correct spot.

Rhonda Stocklausner: I can't speak on behalf of our church on this particular issue because it wasn't an issue when we had our meeting a month ago. I can speak personally that I don't totally don't understand it all. I understand that the Planning and Zoning people and Darren and John and Sal have done a lot of work, but at the same time, the Homeless Task Force has also done a lot of work. There is a lot more work that needs to be done and trying to, like Annie said "Trying to find an affordable option that's in those zones, I think we just need a little more time." Am I right Annie?

Annie Foncannon: *Inaudible*

Mayor: Council, you have any comments or I mean I understand what you're saying. I think we've talked a few months ago about slowing things down. I mean we talked a couple of months ago about that.

I think that you all could do more education; I think you had a forum. I think the forum was very well attended but I think there were a lot of people who needed to be there that night who weren't or could have been there that night and weren't. I don't think that in any way are we saying here as a Council and I'm not part of that, that no you can't have a homeless shelter or a resource shelter or anything like that.

We just feel like we would like to be able to have some say in it and with our current zoning, stop me if I'm wrong...

Lamb: Correct.

Mayor: With our current zoning, we basically have none the way this is landing and stuff like that. We would like to have some input.

Patke: And that input Your Honour comes from the residents of the City. That's who we serve, that's who, our compassionate vote is yeah, give you the biggest house in town and do that but the practicality vote of the City as a whole takes that step back and look at what's best for the City as a whole. That's where I guess I stand is compassion is definitely what you guys all entail, I consider myself as a passionate person myself I'll help anybody, but when I sit here it's the practicality of the City that has to come into play. So, Your Honour I'm sorry but...

Mayor: No, no, that's okay. So, Annie, you were going to say something.

Annie Foncannon: *Inaudible*...just a quick verification.

Lamb: If you could come up to the microphone.

Mayor: Come up to the microphone please.

Annie Foncannon: *Inaudible*...does the Special Use Permit require a hearing?

Lamb: Yes.

Annie Foncannon: Then why don't we do C-2 with a Special Use Permit? It would be a lot less expensive on non-for profit organizations to be able to do that and it still would require a Special Use Permit...

Lamb: My only...

Annie Foncannon: I mean that's what I'm hearing from you is you want to make sure that the people around the area know what's going on, that would require it. I mean we just had one earlier tonight on a shooting range.

Mayor: Right.

Annie Foncannon: Which I am all for because I am an avid hunter and on a women's shooting team. A Special Use Permit would still allow it and not the outlay of cost that would be required for everything else.

Lamb: The answer to the question though is that there is really no difference whatsoever between what you have to prepare for a Special Use Permit and one of those Planned Development Districts. If a Council wants to sit there and say even on a Special Use Permit they can ask for as much detail as they wish they need in order to go ahead and make a decision. So, they could ask for every single thing that's in that Planned Developed Commercial District.

My point is, as I said earlier, you do not need to go hire a engineering firm to go ahead and draw up this plan. That's not an upfront cost that you would have to go ahead and do. Anyone that can go ahead and pull up a map, draw highlight all of those A through P items that you have mentioned earlier. The only thing I saw in there and the Council could also request this even in a Special Use Permit, is a building elevation for you to see what's the building going to look like.

Annie Foncannon: Right.

Lamb: So they can do that on either one. So, I guess my argument, my response back to you is that there is no cost difference between the Special Use Permit and what has to be prepared for that verses the Planned Development Commercial District.

Don't get me wrong, there are some Special Use Permits, you made the example earlier, that people don't have a lot of concerns, the Council doesn't have a lot of concerns, they pass it and it is what it is. There are others but that's part of the whole process, the others though are concerns. What do we need to address those and they can go ahead and give you a long laundry

list of items that they want to see for that permit because again, it's not just you it may be passed onto somebody else the future Council maybe dealing with it down the road.

Annie Foncannon: What I'm asking though is but on a PDZ PDC zone the way it reads in your regulations, all of that stuff has to be done upfront where as in a Special Use Permit you would be coming to a meeting and then it may be required after that so you would actually get a feel for the group that you're speaking to and saying you know what, this isn't going to be worth my time to do this or the money to do this; therefore, they don't do it for that particular...

Lamb: I but...

Annie Foncannon: *Inaudible*

Lamb: On a use like what you're proposing, I would say that you'd probably be going through the same amount of upfront effort to show how you're going to run the facility. What it's going to look like, what's the exterior of the building going to look like, you're going to have to do that regardless.

Annie Foncannon: But for like a Grace's Place or a youth shelter? In St. Clair the high school actually looked at potentially buying a building across the street from the high school for a Homeless Youth Shelter. If we wanted to do that within Washington so that the kids were close, I mean that's a lot of outlay upfront so again, why not make it C-2 with Special Use Permit if you're going to require all of the information anyways but it would make it easier on some of those non-for profits that are doing stuff that maybe isn't as controversial but fall underneath this...*(inaudible.)*

Patke: I think you just answered your own question. If you go to C-2 with Special Use Permit, you're limited to C-2 with special use by us. If you go to PDZ PDC, you can be in a residential area and get it passed and you can have a house...

Lamb: If it's the right spot.

Patke: If it's in the correct spot it could be, do you understand what I'm saying?

Annie Foncannon: I do.

Patke: You're actually limiting yourself more.

Annie Foncannon: I understand, I just feel that the outlay of cost for non-for profits are going to have a chilling effect on the non-for profit community providing these types of services and especially the overnight services within the community. So, that's my only concern especially for Domestic Violence Shelters and things of that nature.

Mayor: Okay. Any other comments?

Obermark: How many other requests have we had for something like this in recent memory, other than this one?

Mayor: This is the first time.

Lamb: This is the first one that I could remember, I mean other than Grace's Place has been mentioned several times. That's the closest that I could tell you that we've had here in the community other than that.

Chief Menefee: Harmony House.

Lamb: I'm sorry?

Chief Menefee: Harmony House.

Lamb: Harmony House, how long has that been in operation? Not for a while?

Chief Menefee: 12, 15 years.

Lamb: Okay.

Annie Focannon: They don't have any overnight.

Lamb: Yeah I was going to say, I didn't think they had any overnight accommodations.

Annie Focannon: They're not overnight.

Mayor: Okay well, Councilmembers?

Sullentrup: If we're done I'd like to make a motion to accept it into the minutes.

Pettet: *Inaudible*

Hidritch: We're done.

Mayor: Did you want to talk about zoning?

Pettet: *Inaudible*...hands up.

Larry Proemsey: My name is Larry Proemsey, most of you know me as Cowboy. I own Cowboys Holdings. I have several businesses in the City of Washington, including the Busch Brewery, nightly rentals, monthly rentals, some commercial property.

I would like to say that when it comes to zoning and I understand a little bit about this. I've done some of these zoning issues with the City multiple times and I found it very easy to work with.

What Darren says is what I found out always to be the case. If you sit down, ask him, and discuss something with him, they'll give you all the help you need. I've gone to him several times with several issues. I've met with the Mayor, I've met with John several times about issues we've had and the City has been very easy to deal with.

I don't think that this zoning clarification that you guys are coming forward with is going to hurt anybody or anything. What it's going to do is define something that was previously undefined in the code, provide some guidance and the most important thing is I think it's going to protect the rights of the property owners because those of us who own property here, we have rights too. I realize these are stories that tug at your heart strings and makes people want to stand up and say yes I want to support these things and like you said a minute ago and what I think Jeff lead to, you know a lot of people are afraid to stand up and say hey, I don't want this here or I don't like this idea because everybody says oh, you're a heartless non-Christian bla, bla, bla.

That's not really the case here. Those of us that run businesses here, we deal with this problem every day. We loan employees of ours money so they can pay their rent so they don't become homeless. We've paid their electric bills, we've fixed their cars so they can come to work. I get that, I think we all get that.

But what you've done here is come up and I think that staff did a great job in researching this, and while the definition there came from the National Code which you guys are using for your Planning and Zoning Code so you can establish you know what these things are. What the big thing here is with the PDC District requirement and with the ability of them to get them with a Special Use Permit in certain areas, I think it's giving them a pathway to success. I don't have a problem with the fact that they need to follow the rules because guess what, I have to follow the rules, nobody is going to say that you don't have to follow the rules because you're restoring the old brewery that was about to fall down or because you're doing this or doing that. I think that everybody should play by the same set of rules and I think that the property owners and the business owners in the City have rights too.

I think you're doing a great job, this was unanimously passed as I know all of you know at the Planning and Zoning Meeting. After great consideration by them, I think they did the right thing. I think the staff have done a great job, I think we're taking a step forward and I'll implore you to consider the rights the other citizens of the City as well. I would urge you to pass this and make this part of the zoning code. Thank you.

Mayor: Okay, thank you. I was just getting something clarified but anyway, thanks. Elaine, did you want to say something?

Elaine Menke: My name is Elaine Menke, I live on 5125 Mid-American Lane in Washington, Missouri. I did not plan on saying anything tonight because there so many other people here that are so much more eloquent and they have their plans and I just came off of vacation, I have no notes, I have nothing.

I was listening to what people are saying tonight and I guess what I have is a question to the Councilmembers from what I heard them say. When I heard this presentation and I appreciate all of the work that was been done, it sounded like it made complete sense and that there are things that we would need to provide. When I heard different Councilmembers more than once say is basically no matter what you give us and it seems to me like when I was here two meetings ago, there was the presentation and the talk about these are the requirements, and this is what the building is going to look like, and we were going to have this beautiful front part and it's going to be fenced off and no one was going to see people that were sitting out smoking, etc., etc., etc., etc..

It seems to me that that's been pretty much covered and it sounded like a great place that no one would ever suspect had anything that would detract from people coming across our beautiful new bridge etc., etc. But yet what I hear multiple people saying tonight, not in my backyard, not in my backyard, not in my backyard. To me what I heard you say is that no matter what the presentation is going to be, because of what it's going to be and what it's going to do, it's going to be voted down. It's not wanted in my backyard. We'll work with you to put it out there. That's the only gut reaction I got from what I heard from you tonight.

I can ask each one of you individually if that's what you said but it's regardless that's what I heard, not in my backyard and we could spend all of this money to do more engineering drawings, etc., etc., but it's not be in your backyard or my backyard. That's what I heard, that's all I have to say.

Mayor: Elaine, I just want to, go ahead applaud her. I do want to clarify just one thing. The forum that was here that evening, was not a City Council Meeting or a Planning and Zoning Meeting or anything like that. That was a Public Forum for when the leaders of this homeless idea, the Resource Center, were coming forth and presenting it to the community. We had some Councilmembers who attended that meeting and some Councilmembers who didn't because of conflicts or things like that.

Elaine Menke: Right, right.

Mayor: In essence that was really I mean there were a considerate amount of people here that night who were in supporting the shelter and there were people here who were not in support of the shelter. This is really the first time that this shelter idea has come before a voting body other than Planning and Zoning. A lot of this is the first time some of these guys have heard this. I mean because not everybody was there. We weren't the other meeting was not a Council

Meeting or it was not in this type of situation where we were sitting here and listening to the presentation.

When Annie says earlier that “Well maybe we could do more presentations or work on this a little bit longer,” I think there is some truth to that. I think there is some truth that and I know those of you who support it we keep talking about, but you’ve got to talk to the right people.

Elaine Menke: So, then there would not be so what I’m hearing you say then is that there shouldn’t be a problem with waiting another month and talking more for all of these folks who did not think it necessary to come to that first meeting to come and listen.

Mayor: The only thing is what we want to decide about the current zoning of C-2 because then the C-2 would...

Lamb: Be permitted.

Mayor: Would be permitted unless we added a Special Use Permit or something like that. I mean this is kind of a conundrum on our end as well. We’re thinking about what if we don’t do it, what if we do do it. I don’t want to speak for the Council and I just want to clarify that that was not a Council Meeting where the presentation came forward to the Council with your plans of what was going to take place.

Elaine Menke: Okay.

Mayor: And there was schedule, you know, people have schedules and things like that. So, anyway just clarifying that part of it. I hear what you’re saying and Councilmembers can answer you if they want. If you’re asking them, then can answer you on those questions. I see Washington as a very generous community but I think sometimes new ideas take a while to, you sow the seeds and you have to let them grow for a while.

Elaine Menke: So, maybe we could let this grow for a while.

Mayor: Yeah, and we have that thing about...

Lamb: Take care of zoning...

Mayor: We still have to take care of the zoning problem. So anyway, but you can okay...

Elaine Menke: Okay.

Mayor: Alright but no, thank you, thank you for your comments. Susan...

Susan Watermann: So I understand your conundrum Darren about the if you table this that there is you know there is still this ambiguity.

Lamb: It’s not ambiguity, it’s permitted in C-2.

Susan Watermann: But how is it permitted in C-2 since there’s not a definition for that sort of use?

Lamb: Because you have to find the closest definition that basically it’s in there.

Susan Watermann: Right.

Lamb: As it was determined as Sal said previously, “That is...”

Susan Watermann: *Inaudible*

Lamb: “Hotel motel or something similar establishment.”

Susan Watermann: But wouldn’t it be possible to create a new resolution or ordinance that said that you were adopting the definition and tabling where that definition would fall in zoning until there was more investigation into that.

Lamb: You mean create, I guess the question...

Susan Watermann: Sure.

Lamb: If I can rephrase it. Is adopt an ordinance accepting temporary shelters as a use and use this definition but do not identify where it can be located in any zoning district?

Susan Watermann: Just say that it's...*(inaudible.)*

Lamb: You have to sit there and say where can that use to be placed. If you're going to identify you have to say you can't just sit there and say we're going to make that definition of a use but you know what, we don't want it anywhere so we're not going to allow it. I mean I think that's the other problem that the City has. If I hear what you're saying, adopt this definition without putting it in the zoning district.

Susan Watermann: But it was already, I mean so it was already having to go through C-2 Special Use anyway.

Lamb: No...

Susan Watermann: No, it was just C-2.

Lamb: It was just permitted.

Susan Watermann: Okay.

Lamb: Therein lies the conundrum.

Susan Watermann: Right.

Lamb: And there were and also I just want to be very clear why there's maybe a little bit more of an urgency to adopt this code, is because there were some discussions about some other properties being looked at that were already zoned C-2 that would not have to go through any type of Public Hearing and that would significantly impact a residential development. So, I want to be very clear that's why this code was being looked at by the City Council so that they had another option to consider.

Susan Watermann: Okay, thank you.

Mayor: Okay, so here's a question. So what happens tonight if we vote on this particular what's on our agenda tonight.

Lamb: The ordinance change.

Mayor: All right, the ordinance change. We continue to have discussions, maybe ideally we could have a Councilmember or two be part of the discussion when the homeless, what are you calling yourselves as a small group?

Annie Foncannon: The Bridge Planning Committee.

Unknown: *Inaudible*

Mayor: Right, the four of you. We would have a Councilmember or staff or someone be part of those discussions for guidance or for input and then if we want to change this can we change it later but we have to start over right?

Lamb: Yeah, you can always sit there, if you go back at a later date and you want to come back I'm going on the assumption that you put this up for a vote and the Council passes this, you could always come back at a later date to go ahead and take another look at that amendment and change what zoning districts you feel that would be subject to the Planning and Zoning Commission and City Council.

I don't like to go back and forth a whole lot of times...

Mayor: Well I know.

Lamb: When we pass a code like this I think you're trying to give it thought, and you're trying to say this is what we want to identify, and this is where we've you know and that is why this PDC allows like we've said multiple times tonight, any place within the City that could be reasonable.

Pettet: And I'll be honest, that's part of the reason why I liked it. I felt like when it came to a case-by-case basis, like oh, we want to allow it in C-2, you're constantly going to have neighbors up in arms. I think there is no greater advocacy you can do than come show us what the thought out well-prepared plan and gain the trust of the neighbors that you're trying to influence.

So I felt like it gave us an opportunity to say not in my backyard but this is where in my backyard on a case-by-case basis.

Mayor: And that's anyone else? Mark...

Wessels: Yeah, I was mentioning to the other new Councilman, we walked in on a real doozey here for our first second meeting of our lives but that's alright, it's very important for a lot of people.

I did want to address and I tried to be quite, I tried to listen and learn. I did want to address though your impression of where the Councilmembers specifically are. I came here in 1980 and I know homeless in this town since then. I've worked with homeless in this town since then and in this whole area, three counties with the School District. I know they're there, they've been there and so I was glad to see this group getting together and trying to do something.

It's time to be proactive, I agree with that 100%. I think though this whole issue here we have to have this and I was really pleased like some of the others. It sounded like this was an attempt to open up more possibilities and so I took this as a positive move for the group to find something. I understand it's probably not out there today or tomorrow yet but I understand it opened it up the other way see. I do agree that we have to be able to listen to the other people who live in this community and those people for some reason have fears be they unreasonable or whatever. We have to listen to them.

I thought this zoning at least was an attempt. Now, I think if somebody comes up with another one that also gives a little bit of leeway and is a better explanation of this, great. I've seen two or three in my short time of being on here, this one seems to be the most flexible one, at least from my limited understanding.

Mayor: Okay, thank you. Anyone else?

Tami Morton: My name is Tami Morton and I live at 814 Missouri Avenue. I just wanted to say a couple of things that I heard this evening.

First of all, I think in order to open a business anywhere it requires some thought and some planning. The requirements I had to meet before I opened a business in this community, there were a lot of steps that you had to go through. What I found is that I took my idea to the staff, they sat with me with a piece of paper, and a pencil and I drew A through Z with the assistance of this community. I opened a viable business, I ran it for nine years, I had 17 employees, it was a very successful business, and I couldn't have done it without the City of Washington.

I think any business in order for it to succeed has to have a good plan, has to have the support of the community and what I'm hearing here is, I think that this is an amazing offer. It's not shutting anything down. The original meeting that I was here for it ended to where I felt like

that was shut down, that plan. To me, this is a beautiful option and I don't think that anybody as had the time or made an effort to research other properties.

It seems like a lot of people are not hearing what they want so they're just shutting down saying well we're not getting what we want. I think this is a beautiful idea but it will not succeed if it's not done right.

So, I personally say that I thank the City for being willing to come back and offer another option that might let this come to fruition if that's what's meant to be. I appreciate it, and I applaud the City and I thank you for not just shutting it down but for opening more doors. So thank you.

Mayor: Okay, thank you Tami.

Patke: What's your name?

Mayor: Tami Morton.

Patke: Thank you.

Mayor: Okay, do we want to...

Patke: Need a motion to accept.

Mayor: We'll need a motion to...

Lamb: Accept...

Mayor: Accept this item, the hearing into the minutes.

Sullentrup: I'll make a motion.

Holtmeier: Second.

Mayor: Okay, we have a motion by Sullentrup...

Lamb: You have another speaker yet.

Mayor: Sure.

Suzanne Jackson: Hi, I'm Suzanne Jackson, 214 Inwood Drive in Washington. I just had a question, I guess I'm not particularly clear with where you're saying that this, this definition of a shelter is permitted in M-1 and M-2 with a Special Use Permit and permitted in this PDC Zone which I understand, why can't you just add also permitted in a C-2 with a Special Use Permit so you guys have oversight?

Lamb: You could go ahead a propose to do that for commercial for C-2 Zoning District. There are some concerns with regards to if you did that. The Council has a little bit more leeway when it comes time to for rezoning than they do necessarily with Special Use Permit. Both of them have hearings, both of them bring up concerns and questions that neighbors can go ahead and request, but there is a little bit more discretion with the City Council with regards to rezoning a property rather than passing a Special Use Permit or turning down a Special Use Permit.

Suzanne Jackson: Okay, well yeah...*(inaudible.)*

Lamb: So that's kind of it's without getting into the weeds with regards to, I'll defer this to our attorney with regards to the difference between how a Special Use Permit is treated, verses a as administrative permit verses a rezoning where it's a legislative issue. I think in this case, if it's a PDC it's a legislative issue. This Council still then has that authority, they would still have it with the others but they don't they don't have I think their hands tied quite as much as when somebody has to come to them to request to rezone the property, it's that simple. That's about the simplest explanation I can give you. I'll defer to Mark if he wants to go into the weeds further.

Suzanne Jackson: Well to me it just seems to me like I mean it's up to you, you're putting this out there it's up to you to say we're going to permit it here but, it has these stipulations. Just like on the PDC Zone it sounds like you could also maybe say, put something in there that you don't have to require all this information up front, maybe somebody a non-profit for example, would have to come to you first with a business plan that says hey this is what we want to do and then you have that option to say no we need this, or yes it's okay go ahead. I mean that just, I just don't understand why, you know all of the sudden the C-2 is out. Who made that decision, and why?

Lamb: We discussed that among staff, and then we made a recommendation to the Planning and Zoning Commission...

Susanne Jackson: Okay.

Lamb: And that's when the PDC option was put on the table by the Commission.

Suzanne Jackson: So the staff just decided.

Lamb: Yes, and our attorney.

Mayor: Well, it was the Planning and Zoning who brought in the PDC.

Lamb: PDC.

Suzanne Jackson: Right.

Mayor: They added that.

Patke: From my point of view if I may, is if it's C-2 with a Special Use Permit I have to come up with everything of all the restrictions. I sit here and say it has to be set back this far, the fence has to be this high, the windows can't be this color, whatever.

Suzanne Jackson: The special use does that? I...

Patke: The Special Use Permit with restrictions from the Council, we would have to set those restrictions. A PDC would have those restrictions in place, and we would be...

Lamb: You would have that up front information.

Patke: Up front information.

Lamb: And it is but my point that I was trying to determine earlier when Annie was asking the question, there's not any more upfront cost but you do have to do have to provide, there is effort that you have to make to go ahead and say this is where we're going to have this screened in fence for those that may be concerned about anybody that's going to be outside of the facility and you've got 12 people who are maybe living there, where're they going to go when they want to have a cigarette, or where they're want to go if they want to be outside.

Suzanne Jackson: Well, sure.

Lamb: Etc., those things.

Suzanne Jackson: Everybody has to have those things, I get that.

Lamb: And we understand that, but what I'm saying is this Planned Development District says where you going to put those things? Where you going to put the fence? Where you going to put the trash receptacles? Where you going to put? I mean those are the questions. But it doesn't have to be engineered to the point where you have to hire a professional engineer to turn that into the City to have your application be complete.

Suzanne Jackson: Okay, I understand that. I just didn't understand with the C-2 and the Special Use what I didn't know the code what the specifications were for that.

Mayor: Okay.

Suzanne Jackson: So.

Mayor: All right.

Suzanne Jackson: Okay, thank you.

Skornia: I've got a quick question. If they would make it C-2 with this Special Use Permit and it closed down, the property is zoned C-2 any C-2 could go in there then, isn't that right?

Lamb: Somebody else could go in there. If you allowed a temporary shelter with a Special Use Permit and a C-2 Zone District and somebody else, and the original group that formed it and started it stopped, you could still transfer that on to another entity to go ahead and continue those operations. They'd have to meet those restrictions within whatever that ordinance stated. It's transferable but they still have to meet the conditions that are on the original ordinance.

Skornia: But if they went, say it didn't go over.

Lamb: Okay.

Skornia: Now the property is zoned C-2.

Piontek: Right.

Skornia: Any C-2...

Piontek: Any use.

Lamb: Any use can go in there.

Skornia: Any use can go in there now.

Lamb: Right.

Skornia: We're not approving going making this C-2 and then you move in and everything's great. If we make it C-2 and your business doesn't make it, now we've zoned this property C-2 and any C-2 business could go in there. That's why we don't want to do C-2.

Suzanne Jackson: Okay.

Lamb: There's with another long list of uses that could go ahead and take place. For example, the best example I can give between light commercial which is the C-1 versus the C-2, is you've got automotive repair places etc., you've got hotels motels that are in C-2 that are not allowed in C-1; hence the reason why the previous application was put in. Those are heavier uses, C-2 are the ones we generally have like on the highway where there in high traffic district etc., and as Greg is pointing out, once that's zoned C-2 all those other uses can go ahead and take place.

Suzanne Jackson: Okay.

Susan Watermann: But M-1 and M-2...

Suzanne Jackson: Thank you.

Susan Watermann: Is even more...(inaudible.)

Lamb: Correct.

Mayor: Right.

Susan Watermann: *Inaudible*

Lamb: That's correct, but you'd have to rezone that property and I really would have, we would have strong concerns from staff in our report of just primarily rezoning some property M-1 or M-2 just for purposes of a temporary shelter.

Susan Watermann: C-2 is too...(inaudible.)

Mayor: Get up here.

Lamb: You know.

Susan Watermann: But I think her point is, is if C-2 is too permissive in your mind, M-1 and M-2 is even more permissive.

Lamb: Right, but they are in defined areas already.

Susan Watermann: Right.

Lamb: We know where those areas are.

Susan Watermann: So, but it's the same thing, I mean it's...

Lamb: I don't think so.

Skornia: No.

Lamb: Rezoning something M-1 or M-2 we're going to give that a lot of thought

Susan Watermann: Right.

Lamb: If it's going to be in some place that's just plopped down in the middle of the of a block just for the sole purpose of putting in a temporary shelter.

Susan Watermann: But so could C-2, I mean you could still give that the same amount of thought.

Lamb: Correct, if you do the PDC it could be limited to the temporary shelters, is what I guess that's what we're trying to.

Susan Watermann: I think that's just what she was trying to articulate.

Mayor: Okay, you're always a ball of fire so you're going to be the last one.

Mary Price: I am.

Mayor: Okay.

Mary Price: I am, thank you. You know my name is Mary Price and I live at 120 Dawn here in Washington. I have to applaud everybody in this room. Especially you all for listening to all of us, some of the same old stories come out, but there're important stories to tell.

I think what we have here and I, I'm one of these people. I'm getting a crash course on M-1 and M-2 and PDC and all of those other things and have no clue, really and truly exactly what it's all about. And I but there are a number of people in this room that do know what that's all about and I think those are the ones that have spoken their thoughts already.

I really think that there needs to be some more thought given to this, now whether if you go ahead and pass this tonight, I don't know. You are our Councilmembers, and you have to have in your hearts and in your heads what needs to really be done for the City. None of us have any objection to people voicing their concerns about not wanting this type of business in their back yard, we, I think we would all be the very same.

As some of the people have said, well not in my back yard but we have to think about it. We live in a different age now and we do have homeless in town, but I think my thing here is, I think that what you mentioned Nancy, about a few people getting together and talking to a few people on the Council and really working it out. Then and only then will there be a more clear understanding of what is required, and to come to some kind of conclusion, solution to the whole thing.

We could be talking here all night, going backwards and forwards and we've done this for three weeks now.

Mayor: Right.

Mary Price: I had a speech prepared, but you don't need to hear it. You need to hear what I'm saying now and I guess I want, the last thing, second to the last thing that I want to say, there for

the grace of God, go I. To be in that situation as a homeless. It can happen to any one of us, regardless. Even though we might have a lot of money, or businesses or whatever we have it can happen to us in a blink. It can or to one of our family members and we all have children and grandchildren growing up, we don't know what they're choosing in life. They could be out on that street just as well as some of these other people are.

We are not talking about helping those people that are so destitute and homeless that this is their only life now. We're talking about being a Resource Center for people who want to drive them, bring themselves back up out of the mire. We're not talking about the ones that some people have mentioned about, they just can't come out of it. They're down so far they can't reach up, but they need to have somebody to give them a hand to pick them up to give them the resources. These are people that really want to be tax-paying citizens in our town. That's who we want to work with. What we want you all to be able to help us to decide where this Resource Center is going to be. We have to change our minds about the negativity that happens in what we say and what we feel about homeless. They're people like you and me. Thank you.

Mayor: Thank you.

With no further discussion, a motion to accept this item into the minutes was made by Councilmember Sullentrup, seconded by Councilmember Holtmeier, passed without dissent.

Bill No. 19-11994, Ordinance No. 19-12036, an ordinance amending Section 400.045 and Chapter 400, Attachment 1 – Table of Permitted and Special Uses.

The ordinance was introduced by Councilmember Patke.

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

* Rezone 4 & 10 Franklin Avenue from C-1 Commercial to C-2 General Commercial

May 13, 2019

Honorable Mayor and City Council

City of Washington

Washington, Missouri

Dear Mayor and Council Members:

Re: File No. 19-0401-Sam Farrell-Rezoning, 4 & 10 Franklin Avenue

The above file was withdrawn by the applicant.

Sincerely,

Thomas R. Holdmeier

Planning & Zoning Chairman

S. L. Farrell, M.D.
~~222 S. WASHINGTON~~
WASHINGTON, MISSOURI 63090
TELEPHONE 239-~~2447~~ 7505

May 13, 2019

PLEASE WITHDRAW MY

Request for Rezoning of my
Property located 10 Franklin & Franklin
and 905 E 21st St



With no further discussion, a motion to accept this item into the minutes was made by Councilmember Sullentrup, seconded by Councilmember Hidritch, passed without dissent.

CITIZENS COMMENTS

- * Michael Peterson – Brand New Beginnings
Michael Peterson addressed the Council concerning the sale, use, possession and distribution of synthetic urine.

UNFINISHED BUSINESS

- * None

REPORT OF DEPARTMENT HEADS

- * Public Works Director, John Nilges briefly discussed grass clippings in City streets.
- * Police Chief, Ed Menefee updated Council on Bomb Threat from three weeks ago.

ORDINANCES/RESOLUTIONS

Bill No. 19-11995, Ordinance No. 19-12037, an ordinance authorizing and directing the execution of a contract agreement by and between the City of Washington, Missouri and Integrity Municipal Systems, Poway, California.

The ordinance was introduced by Councilmember Holtmeier.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Patke-aye, Hidritch-aye, Holtmeier-aye, Sullentrup-aye, Wessels-aye, Skornia-aye, Pettet-aye, Obermark-aye.

Bill No. 19-11996, Ordinance No. 19-12038, an ordinance amending Schedule IV, No Parking At Anytime of the Code of the City of Washington, Missouri.

The ordinance was introduced by Councilmember Sullentrup.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Patke-aye, Hidritch-aye, Holtmeier-aye, Sullentrup-aye, Wessels-aye, Skornia-aye, Pettet-aye, Obermark-aye.

Bill No. 19-11997, Ordinance No. 19-12039, an ordinance approving a Boundary Adjustment for Sunset Heights Estates in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Sullentrup.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Patke-aye, Hidritch-aye, Holtmeier-aye, Sullentrup-aye, Wessels-aye, Skornia-aye, Pettet-aye, Obermark-aye.

COMMISSION, COMMITTEE AND BOARD REPORTS

* Preliminary Plat Approval – Kimmes Fourth Addition

May 14, 2019

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 19-0502-Preliminary Plat Approval-Kimmes Fourth Addition

Mayor & City Council:

At their regularly scheduled meeting of the Planning and Zoning Commission held on May 13, 2019 the Commission voted to recommend approval of the above request with a unanimous vote.

Sincerely,

Thomas R. Holdmeier

Commission Chairman

After a brief discussion, a motion to accept and approve this item was made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

Bill No. 19-11998, Ordinance No. 19-12040, an ordinance approving the Final Plat of the Resubdivision of Lot 1 Kimmes Fourth Addition in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Patke.

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

MAYOR'S REPORT

- * The VFW and American Legion will be having a Memorial Day Service at the Riverfront. Event begins at 10 a.m.

CITY ADMINISTRATOR'S REPORT

- * None

COUNCIL COMMENTS

- * None

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 9:28 p.m. on the following roll call vote; Patke-aye, Hidritch-aye, Holtmeier-aye, Sullentrup-aye, Wessels-aye, Skornia-aye, Pettet-aye, Obermark-aye.

The regular session reconvened at 9:41 p.m.

ADJOURNMENT

With no further business to discuss, a motion to adjourn was made at 9:41 p.m. by Councilmember Patke, seconded by Councilmember Holtmeier passed without dissent.

Adopted: _____

Attest: _____
City Clerk

President of City Council

Passed: _____

Attest: _____
City Clerk

Mayor of Washington, Missouri