

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI
TUESDAY, JULY 5, 2022**

INTRODUCTORY ITEMS:

The Regular Meeting of the City of Washington, Missouri, City Council was held on Tuesday, July 5, 2022, at 7:00 p.m. in the Council Chamber. Mayor Doug Hagedorn opened the meeting with roll call and Pledge of Allegiance.

Mayor:	Doug Hagedorn	Present
Council Members: Ward I	Al Behr	Present
	Duane Reed	Present
Ward II	Mark Hidritch	Absent
	Mark Wessels	Present
Ward III	Chad Briggs	Absent
	Jeff Patke	Present
Ward IV	Mike Coulter	Present
	Joe Holtmeier	Present

Also Present:	City Attorney	Mark Piontek
	City Administrator	Darren Lamb
	City Clerk	Sherri Klekamp
	Police Chief	Ed Menefee
	Economic Development Director	Sal Maniaci
	Fire Chief	Tim Frankenberg
	Library Director	Nelson Appell
	Parks Director	Wayne Dunker

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

Approval of Minutes:

- * Approval of the Minutes from the June 20, 2022 Council Meeting

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

Approval and Adjustment of Agenda including Consent Agenda:

- * Collector's/Treasurer's Report Summary – April 2022
- * Monthly Investment Report – April 2022
- * Change Order #1 – 2022 Overlay Project
- * Final Payment Request – Lakeview Trails Paving Project
- * Liquor License Renewals: La Joya AR LLC DBA Taco Loco and Augusta Brewing Venture LLC

* Pawnbroker Business License Renewals: Stone Ledge Pawn & Gun

After a brief discussion on Change Order #1 – 2022 Overlay Project, a motion to accept and approve the agenda including the consent agenda accordingly made by Councilmember Patke, seconded by Councilmember Holtmeier, passed without dissent.

PRIORITY ITEMS:

Mayor’s Presentations, Appointments & Reappointments:

* Proclamation – Parks & Recreation Month

Parks and Recreation Month

Whereas, parks and recreation programs are an integral part of communities throughout this country, including the City of Washington; and

Whereas, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

Whereas, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

Whereas, parks and recreation programs increase a community’s economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

Whereas, parks and recreation areas are fundamental to the environmental well-being of our community; and

Whereas, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

Whereas, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

Whereas, the Parks and Recreation Department helps make Washington the best place for everyone to live, work, learn and play.

Now Therefore, I, James D. Hagedorn, Mayor of the City of Washington do hereby proclaim July as Parks and Recreation Month in the City of Washington.

In Witness Whereof I have hereunto set my hand and caused to be affixed the Seal of the City of Washington, Missouri, this 5th day of July 2022.

James D. Hagedorn

Mayor of Washington, Missouri

* Parks & Recreation Commission Appointment

June 22, 2022

To the City Council

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for appointment to the Parks & Recreation Commission:

Jeanne Miller Wood – term ending July 2025

Respectfully submitted,

James D. Hagedorn

Mayor

A motion to accept and approve the appointment made by Councilmember Patke, seconded by Councilmember Behr, passed without dissent.

* Police Department Appointment

June 23, 2022

To the City Council

City of Washington

Washington, MO 63090

Dear Council Members:

I herewith submit for your approval the following for appointment to the Police Department as a Reserve Officer:

<i>NAME</i>	<i>APPOINTED</i>	<i>TERM EXPIRE</i>
<i>James Pratt</i>	<i>July 05, 2022</i>	<i>July 05, 2023</i>

Reserve Officer

Respectfully submitted,

James D. Hagedorn

Mayor

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

* Police Department Reappointments

June 23, 2022

City Council

City of Washington

Washington, Missouri

Dear Council Members:

I herewith submit for your approval the following for reappointment to the Police Department:

<i>NAME</i>	<i>*APPOINTED</i>	<i>TERM EXPIRES</i>
<i>Wyatt Loague</i>	<i>July 06, 2022</i>	<i>July 06, 2023</i>

Police Officer

**This is Officer Loague's end of his second half of his first year and starts a whole year reappointment.*

<i>Chad Sloan</i>	<i>July 15, 2022</i>	<i>July 15, 2023</i>
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Sergeant

<i>Matthew Cooper</i>	<i>July 20, 2022</i>	<i>July 20, 2023</i>
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*Police Officer
Respectfully submitted,
James D. Hagedorn
Mayor*

A motion to accept and approve the reappointments made by Councilmember Patke, seconded by Councilmember Coulter, passed without dissent.

PUBLIC HEARINGS

* Special Use Permit – 2134 Matilda Court

June 14, 2022

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 22-0501-Special Use Permit-Vacation Rental-2134 Matilda Court

Mayor & City Council,

At the regular meeting of the Planning & Zoning Commission held on June 13, 2022 the above mentioned Special Use Permit was approved with a unanimous 8-0 vote in favor.

Sincerely,

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

Maniaci: All right, while John is waking that up I'll just kind of brief you. We have two Public Hearings tonight both of which are for short-term lodging. If you have any questions on this, these past two weeks we did have push this, one of them was tabled. The first P&Z, when P&Z had more questions and then when we had to move the Council meeting that's why that application is so many weeks behind. If you were curious there. I'll get started.

Nilges: Is this the right one?

Maniaci: No sorry, Matilda Court, the other one first.

Nilges: Is that it?

Maniaci: Yes, there we go.

Nilges: There we go, sorry.

Maniaci: So, our first request tonight is for a Special Use Permit for short-term lodging here on Matilda Court. John, if you could full-screen that, I think you're on view mode.

Nilges: I'm getting there, sorry.

Maniaci: There we go, thank you. All right, so this is in Cricket Creek Estates and Matilda Drive here is just a short cul-de-sac street here just off of Steutermann, this is Steutermann Road to the north. The property is zoned, John you're going to have to click for me. We're having a lot of difficulties tonight.

The property is zoned R-1A Single-Family Residential. Everything kind of in this area is all R-1A Single-Family. There are no other short-term lodging properties in the direct vicinity that are shown on this map. We actually don't really have any on the south side of 100. This would be the first one that's approved other than Super 8, which counts as short-term lodging. This would be the first AirBnb.

This did go to P&Z twice. The first time they tabled it after they had some more questions for the applicant. Second time, the applicant came back with some more answers and was able to explain they will be living there, it'll be more of a live-in AirBnb and they'll rent out the basement facility. They did have their inspection done by our Building Department to ensure that it meets all of the living standards for that additional use.

P&Z voted unanimously two weeks ago, or previous meeting to approve this permit. So, if there are any questions for me, I would leave it open to the public. All right, thank you.

Hagedorn: No questions?

Coulter: No opposition from the neighbors?

Maniaci: There was some questions; I'll also put it that way at the last meeting but after the applicant came and explained that it was going to be a live-in and not, a group could come in and book up the whole house for a week or so for parties, that seemed to ease some concerns.

Hagedorn: Any other questions? Need a motion.

Lamb: No, it's a Public Hearing.

Hagedorn: Okay, we'll open up the floor for public comments please. If there are none, okay, now we need a motion.

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

Bill No. 22-12592, Ordinance No. 22-13548, an ordinance granting a Special Use Permit to utilize 2134 Matilda Court as a Vacation Rental 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; Wessels-aye, Coulter-aye, Patke-aye, Holtmeier-aye, Reed-aye, Behr-aye, Hidritch-absent, Briggs-absent.

* Special Use Permit – 1448 East Eighth Street

June 14, 2022

Mayor & City Council

City of Washington

Washington, MO 63090

RE: File No. 22-0601-Special Use Permit-Vacation Rental-1448 E. Eighth Street

Mayor & City Council,

At the regular meeting of the Planning & Zoning Commission held on June 13, 2022 the above mentioned Special Use Permit was approved with a unanimous 8-0 vote in favor.

Sincerely,

Thomas R. Holdmeier

Chairman

Planning & Zoning Commission

Maniaci: Our second request tonight again for short-term lodging, kind of on the other side of town. This one is at the corner of Camp Street and Eighth. It's across from Lincoln Street. You see this parcel here, is a large corner parcel that does have street parking along Eighth and Camp Street as well as garage parking as well.

You can see the zoning here, it's still single-family residential but historically just like most of everything north of Highway 100 is the R-1B Single-Family Residential that allows for a little bit higher density.

This also went to P&Z at their last meeting and they voted unanimously to accept this in favor of approving it. We did not have any opposition at the meeting at that one, but we did send out letters letting them know that the time had been changed, so there may be some people tonight.

Hagedorn: Questions?

Patke: No neighborhood questions there?

Maniaci: Not at P&Z.

Patke: Okay.

Maniaci: But like I said, since we had to move the meeting after Juneteenth we sent out a new letter and sometimes people get a second letter, they could get additional questions.

Patke: Do you know how many, is it 180 feet from the property?

Maniaci: 185 feet so...

Patke: Do you know how many people you sent it to...*inaudible*

Maniaci: Yes, I mean...

Patke: It's across the street?

Maniaci: We actually don't take right-of-way into that so, it's 185 feet minus right-of-way so, it got past this alley here and this back half.

Patke: Okay.

Maniaci: There was quite a bit on that mailing list.

Hagedorn: Okay, any other questions for Sal you guys? Public comments, any further discussion from you guys out there?

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

Bill No. 22-12593, Ordinance No. 22-13549, an ordinance granting a Special Use Permit to utilize 1448 East Eighth Street as a Vacation Rental in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Behr.

With no further discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Coulter-aye, Patke-aye, Holtmeier-aye, Reed-aye, Behr-aye, Hidritch-absent, Briggs-absent.

CITIZENS COMMENTS

- * Kristen Stoyer 406 Cedar Street, addressed the Council regarding the possibility of hosting a Soap Box Derby in town during the Missouri Book Festival.

UNFINISHED BUSINESS

- * None

REPORT OF DEPARTMENT HEADS

*** Rabbit Trail/Phoenix Center Drive/Highway 100**

July 20, 2022

Honorable Mayor and City Council

City of Washington

405 Jefferson Street

Washington, MO 63090

RE: Rabbit Trail / Phoenix Center Drive / Highway 100

UPDATE – JULY 5, 2022

Honorable Mayor and City Council,

The following is pertinent information to the subject request.

Description:

Since 2016, the Engineering Department worked diligently to reengage with business and property owners to find some common ground and a common sense solution to perceived traffic issues.

Three solutions have been identified:

- 1. Solution “A” – Relocate Phoenix Center Drive away from the intersection*
 - a. 2022 Cost - \$750k (include ROW acquisition)*
 - b. Requires ROW from private property and MoDOT*
 - c. MoDOT supports this solution*
- 2. Solution “B” – Right in / Right out @ Rabbit Trail + Right in / Right out @ Hwy 100*
 - a. 2022 Cost - \$200k (include ROW acquisition)*
 - b. Need ROW from private property and MoDOT*
 - c. Does not have MoDOT support*
- 3. Solution “C” – Median on Rabbit Trail to prevent left turns.*
 - a. 2022 Cost - \$50k*
 - b. No ROW needed*
 - c. Has MoDOT support but does not have property owner support*

City Council has already authorized staff to pursue a secondary east / west connection from Rabbit Trail to North Crest. This connection is generally shown the City’s comprehensive plan and would provide a secondary access to Phoenix Center II from the south.

Funding source:

With the limited solutions and the issues identified, it appears that Solution “A” minimizes adverse effects to the surrounding businesses, while providing full access to Phoenix Center Drive.

Each fall MoDOT has a funding opportunity called Congestion Mitigation and Air Quality (CMAQ). This is an 80/20 grant, where the City pay 20% of the total project cost, including land acquisition. In 2022 100% of the CMAQ projects were funded. In addition to relocating Phoenix Center Drive as a CMAQ project, they City would also add a right turn lane from International Drive to WB Hwy 100 as part of the same project.

The application period opens in late 2022, and the City would be notified of award in spring of 2023. Construction would occur in 2027.

Funding Example:

If the project was to balloon to \$1.5 million, the City would be responsible for \$300,000.

Summary:

After reviewing the traffic studies, taking into consideration adjacent property owner's concerns, and reviewing the solutions, staff believes that Solution "A" is the best solution to the issue. While the traffic studies do not explicitly identify a major project, development is occurring to the south that will increase traffic at the intersection.

Does City Council agree that staff should pursue Solution "A" by applying for a CMAQ grant in 2023? This would allow for construction to occur in 2027.

As always, if you have any questions, concerns or would like additional information, please feel free to contact me.

Respectfully,

John Nilges, PE

Public Works Director

Public Works Director John Nilges discussed the three potential solutions.

Stephen Richardson 2404 Rabbit Trail and President of Lake Washington Condo Association addressed Council with his concerns of the intersection.

Patty Wood 3 East Lane Drive addressed the Council with her concerns of the intersection.

With no further discussion, a motion to approve Solution "A" by applying for the Congestion Mitigation and Air Quality (CMAQ) Grant made by Councilmember Holtmeier, seconded by Councilmember Wessels, passed without dissent.

ORDINANCES/RESOLUTIONS

Bill No. 22-12594, Ordinance No. 22-13550, an ordinance authorizing and directing the execution of a Supplemental Agreement by and between the City of Washington, Missouri and Union Pacific Railroad Company and amend the 2022 Budget.

The ordinance was introduced by Councilmember Holtmeier.

After discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Coulter-aye, Patke-aye, Holtmeier-aye, Reed-aye, Behr-aye, Hidritch-absent, Briggs-absent.

Resolution No. 22-13551, a resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center's State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury ("Treasury") pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26.

The resolution was introduced by Councilmember Holtmeier, seconded by Councilmember Patke. After discussion, the resolution passed without dissent.

Resolution No. 22-13552, a resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center’s State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury (“Treasury”) pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26.

The resolution was introduced by Councilmember Patke, seconded by Councilmember Holtmeier. With no further discussion, the resolution passed without dissent

Resolution No. 22-13553, a resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center’s State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury (“Treasury”) pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26.

The resolution was introduced by Councilmember Patke, seconded by Councilmember Holtmeier. With no further discussion, the resolution passed without dissent

Resolution No. 22-13554, a resolution authorizing the filing of an application with the Missouri Department of Natural Resources, Financial Assistance Center’s State ARPA Grant Programs for subaward of federal financial assistance provided to the State of Missouri by the U.S. Department of the Treasury (“Treasury”) pursuant to Section 602(b) of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act, (Pub. L. No. 117-2 (March 11, 2021), 135 Stat. 4, 223-26.

The resolution was introduced by Councilmember Patke, seconded by Councilmember Holtmeier. With no further discussion, the resolution passed without dissent

COMMISSION, COMMITTEE AND BOARD REPORTS

*** Preliminary Plat Approval – “W-W” Industrial Park Plat 2”**

June 28, 2022

Honorable Mayor & City Council

405 Jefferson Street

Washington, MO 63090

RE: File No. 22-0602-Scheer Properties LLC-Preliminary Plat

Dear Mayor & City Council Members:

At the regular meeting of the Planning & Zoning Commission held on Monday, June 13, 2022 the Commission reviewed and recommends approval of the above request with a unanimous vote.

Sincerely,

Sal Maniaci

Community & Economic Development Director

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

Bill No. 22-12595, Ordinance No. 22-13555, an ordinance approving the final plat of “W-W Industrial Park Plat 2” in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Holtmeier.

With no further discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Coulter-aye, Patke-aye, Holtmeier-aye, Reed-aye, Behr-aye, Hidritch-absent, Briggs-absent.

Bill No. 22-12596, Ordinance No. 22-13556, an ordinance providing for the approval and acceptance of Minimum Improvements for Maintenance for “W-W Industrial Park Plat 2” in the City of Washington, Franklin County, Missouri.

The ordinance was introduced by Councilmember Holtmeier.

After a brief discussion, the ordinance was read a second time and approved on the following vote; Wessels-aye, Coulter-aye, Patke-aye, Holtmeier-aye, Reed-aye, Behr-aye, Hidritch-absent, Briggs-absent.

MAYOR’S REPORT

- * Have been touring some of the businesses in the industrial park. It’s been a great experience and highly recommend Council to do the same.
- * Thank you to Police Chief Ed Menfee for his years of service.

CITY ADMINISTRATOR’S REPORT

- * Update on the Library HVAC System.

COUNCIL COMMENTS

- * Brief discussion on adding a list of business licenses to the website.
- * Thank you to the American Legion Post 218 for the superb fireworks show.

CITY ATTORNEY’S REPORT

Public vote on whether or not to hold a closed meeting to discuss personnel, legal and real estate matters pursuant to Section 610.021 RSMo (2000) passed at 8:31 p.m. on the following roll call vote; Wessels-aye, Coulter-aye, Patke-aye, Holtmeier-aye, Reed-aye, Behr-aye, Hidritch-absent, Briggs-absent.

The regular session reconvened at 9:32 p.m.

ADJOURNMENT

With no further business to discuss, a motion to adjourn made at 9:32 p.m. by Councilmember Holtmeier, seconded by Councilmember Coulter passed without dissent.

Adopted: _____

Attest: _____
City Clerk

President of City Council

Passed: _____

Attest: _____
City Clerk

Mayor of Washington, Missouri