

**REGULAR MEETING OF WASHINGTON, MISSOURI CITY COUNCIL  
TUESDAY, FEBRUARY 21, 2023 - 7:00 P.M.  
COUNCIL CHAMBER, 405 JEFFERSON STREET, WASHINGTON, MISSOURI**

**SUGGESTED  
COUNCIL ACTION**

**1. INTRODUCTORY ITEMS:**

Roll Call / Pledge of Allegiance		
Approval of the Minutes from the February 6, 2023, Council Meeting	Need Motion/Mayor	Memo
<u>Approval and Adjustment of Agenda</u>	Need Motion/Mayor	Memo

**2. PRIORITY ITEMS:**

**Mayor’s Presentations, Appointments & Reappointments**

a. Proclamation – Recognizing Lieutenant Joe Bolte	Mayor	
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**3. PUBLIC HEARINGS:**

a. Short-Term Lodging Moratorium	Accept Into Minutes	Memo
b. An ordinance enacting a Moratorium on development and issuance of Special Use Permits for Short-Term Rentals.	Read & Int/Read/Vote/Mayor	Memo
c. Special Use Permit – RV Park – 1399 West Main Street	Accept Into Minutes	Memo
d. An ordinance granting a Special Use Permit for 1399 West Main Street to operate an RV Park in the City of Washington, Franklin County, Missouri.	Read & Int/Read/Vote/Mayor	Memo

**4. CITIZENS COMMENTS:**

**5. UNFINISHED BUSINESS:**

**6. REPORT OF DEPARTMENT HEADS:**

a. 2023/2024 MoDOT Traffic Safety Grants	Approve/Mayor	Memo
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**7. ORDINANCES/RESOLUTIONS:**

a. An ordinance authorizing and directing the execution of a Landlord Consent to Sublease by and between the City of Washington, Missouri and Missouri Meerschaum Company.	Read & Int/Read/Vote/Mayor	Memo
b. An ordinance repealing Sections 210.1800 and 210.1830 of the Code of the City of Washington, Missouri relating to possession of marijuana and possession of drug paraphernalia.	Read & Int/Read/Vote/Mayor	Memo
c. An ordinance amending Section 340.110 of the Code of the City of Washington, Missouri.	Read & Int/Read/Vote/Mayor	Memo
d. An ordinance denying the issuance of a Special Use Permit for a Vacation Rental by Owner located at 612 Riverview Place in the City of Washington, Missouri.	Read & Int/Read/Vote/Mayor	

**8. COMMISSION, COMMITTEE AND BOARD REPORTS:**

- |   |                            |      |
|---|----------------------------|------|
| a. Preliminary Plat Approval – 2238 English Crest Drive   | Accept/Approve/Mayor       | Memo |
| b. Preliminary Plat Approval – Stone Crest Plat 18  | Accept/Approve/Mayor       | Memo |
| c. An ordinance approving the final plat of Stone Crest Plat 18 in the City of Washington, Franklin County, Missouri.     | Read & Int/Read/Vote/Mayor | Memo |
| d. Preliminary Plat Approval – Highland Meadows Plat 8  | Accept/Approve/Mayor       | Memo |
| e. An ordinance approving the final plat of Highland Meadows Plat 8 in the City of Washington, Franklin County, Missouri. | Read & Int/Read/Vote/Mayor | Memo |

**9. MAYOR’S REPORT:**

**10. CITY ADMINISTRATOR’S REPORT:**

**11. COUNCIL COMMENTS:**

**12. 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).

Roll Call Vote

**13. INFORMATION:**

**14. ADJOURNMENT:**

NOTICE: COPIES OF THE PROPOSED ORDINANCES ON THIS AGENDA ARE AVAILABLE FOR PUBLIC INSPECTION PRIOR TO THE TIME THE BILL IS UNDER CONSIDERATION BY THE CITY COUNCIL.  
POSTED BY SHERRI KLEKAMP, CITY CLERK, FEBRUARY 15, 2023  
A COPY OF THIS NOTICE IS ALSO AVAILABLE ONLINE AT [www.washmo.gov](http://www.washmo.gov)

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL  
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI  
MONDAY, FEBRUARY 6, 2023**

**INTRODUCTORY ITEMS:**

The Regular Meeting of the City of Washington, Missouri, City Council was held on Monday, February 6, 2023, at 7:00 p.m. in the Council Chamber. Mayor Doug Hagedorn opened the meeting with roll call with Troop 443 from Gray Summit leading the Pledge of Allegiance. They are working on Build a Better World for Arrow of Light Rank.

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

<b>Also Present:</b>	City Attorney	Mark Piontek
	City Administrator	Darren Lamb
	City Clerk	Sherri Klekamp
	Police Chief	Jim Armstrong
	Public Works Director	John Nilges
	Parks Director	Wayne Dunker
	Economic Development Director	Sal Maniaci
	Communications Director	Jennifer Brune
	Library Director	Nelson Appell
	Fire Chief	Tim Frankenberg
Emergency Management Director	Mark Skornia	

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 January 17, 2023, 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:**

- \* Liquor License Approval; Guffey's LLC
- \* Final Payment Request – South Point Road Improvement Project

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

**PRIORITY ITEMS:**

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

- \* Proclamation Presentation – Mike and Eileen Stapp Excellence in Baseball and Softball Award

*Excellence in Baseball/Softball Award*

*Whereas, the City of Washington's Hall of Fame recognizes outstanding individuals in the community; and*

*Whereas, The D.H. "Dutch" Borcharding Excellence in Baseball/Softball category awards individuals that give back to the community in areas of baseball and softball; and*

*Whereas, the Washington Youth Sports Association is an organization which has promoted mental and physical health for the children of this community for three decades and prides itself on its participation of upward of 1,000 players in a season for age groups ranging from four to eighteen years old in T-ball, baseball and softball leagues; and*

*Whereas, Mike and Eileen Stapp have volunteered their time to the Washington Youth Sports Association for more than 28 years; and*

*Whereas, Mike and Eileen Stapp have instructed the game of baseball and softball and have created a platform which encouraged teamwork amongst students, offered opportunities for young people to gain confidence and work experience in concessions or umpiring. They further created a scholarship program and an assistance program for parents who could not afford the payment to play.*

*Now Therefore, I, James D. Hagedorn, by virtue of the authority vested in me as Mayor of the City of Washington, and on behalf of the entire City Council hereby take great pride and pleasure in paying tribute to Mike and Eileen Stapp and hereby proclaim The D.H. "Dutch" Borcharding Excellence in Baseball/Softball Award for their dedicated years of service to the Washington Youth Sports Association.*

*In Witness Whereof I have hereunto set my hand and caused to be affixed the Seal of the City of Washington, Missouri, this 6<sup>th</sup> day of February 2023.*

*James D. Hagedorn*

*Mayor*

**PUBLIC HEARINGS**

- \* Short Term Rental – 612 Riverview Place (See Attachment A)

*January 9, 2023*

*Mayor & City Council*

*City of Washington*

*Washington, MO 63090*

*RE: File No. 23-0101-Short Term Rental-612 Riverview Place*

*Mayor & City Council:*

*At their January 9, 2023 meeting the Planning and Zoning Commission voted to recommend denial of the above Special Use Permit with an unanimous vote.*

*Sincerely,*

*Thomas R. Holdmeier*

*Commission Chairman*

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

**Bill No. 23-12732, FAILED, Introduced by Councilmember Patke, an ordinance granting a Special Use Permit to utilize 612 Riverview Place 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 failed 5-3 on the following roll call vote; Behr-nay, Holtmeier-aye, Reed-nay, Pake-aye, Wessels-aye, Coulter-nay, Hidritch-nay, Briggs-nay.

#### **CITIZENS COMMENTS**

- \* Mike Johns 610 Roberts Street, addressed the Council regarding the vote on the Short Term Rental at 612 Riverview Place.

#### **UNFINISHED BUSINESS**

- \* None

#### **REPORT OF DEPARTMENT HEADS**

- \* None

#### **ORDINANCES/RESOLUTIONS**

**Bill No. 23-12733, Ordinance No. 23-13696, an ordinance amending Exhibit A of Ordinance No. 21-13459 being an ordinance annexing approximately 115 acres of the Watermann Farm as M-2, Heavy Industrial, into the City of Washington, Franklin County, Missouri.**

The ordinance was introduced by Councilmember Patke.

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

**Bill No. 23-12734, Ordinance No. 23-13697, an ordinance amending the 2023 Budget of the City of Washington, 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; Holtmeier-aye, Reed-aye, Behr-aye, Patke-aye, Wessels-aye, Coulter-aye, Hidritch-aye, Briggs-aye.

**Bill No. 23-12735, Ordinance No. 23-13698, an ordinance providing for the approval and acceptance of Minimum Improvements for Maintenance for “The Meadow at Koch Farm” Subdivision 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; Holtmeier-aye, Reed-aye, Behr-aye, Patke-aye, Wessels-aye, Coulter-aye, Hidritch-aye, Briggs-aye.

**Bill No. 23-12736, Ordinance No. 23-13699, an ordinance authorizing and directing the execution of an Easement Deed by and between the City of Washington, Missouri and 1400 Jefferson, LLC.**

The ordinance was introduced by Councilmember Patke.

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

**Bill No. 23-12737, Ordinance No. 23-13700, an ordinance authorizing and directing the execution of an Easement Deed by and between the City of Washington, Missouri and Union Electric Company.**

The ordinance was introduced by Councilmember Patke.

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

**Bill No. 23-12738, Ordinance No. 23-13701, an ordinance authorizing and directing the execution of a Parking License Agreement by and between the City of Washington, Missouri and Union Pacific Railroad Company.**

The ordinance was introduced by Councilmember Holtmeier.

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

**Bill No. 23-12739, Ordinance No. 23-13702, an ordinance accepting the Proposal from S-K Contractors, Inc for boat dock decking, bumper removal and installation.**

The ordinance was introduced by Councilmember Patke.

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

**Bill No. 23-12740, Ordinance No. 23-13703, an ordinance accepting the Estimate from John Hall Lumber Co. for boat dock materials.**

The ordinance was introduced by Councilmember Behr.

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

**Bill No. 23-12741, Ordinance No. 23-13704, an ordinance authorizing and directing the execution of a Contractor Agreement with K.J.U. Inc. dba K.J. Unnerstall Construction Co. for installation of a concrete pad, sidewalks and fence at Optimist Skate Park.**

The ordinance was introduced by Councilmember Holtmeier.

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

**Bill No. 23-12742, Ordinance No. 23-13705, an ordinance authorizing and directing the City of Washington, Missouri to enter into a Sales Contract between Schicker Chrysler Dodge Jeep Ram of Washington for the purchase of three (3) 2023 Dodge Durango Pursuit Patrol Vehicles.**

The ordinance was introduced by Councilmember Hidritch.

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

**Bill No. 23-12743, Ordinance No. 23-13706, an ordinance authorizing and directing the City of Washington, Missouri to enter into a Sales Contract between Public Safety Upfitters LLC for the purchase, outfitting and upgrading of equipment for three (3) 2023 Dodge Durango Pursuit Patrol Vehicles.**

The ordinance was introduced by Councilmember Holtmeier.

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

**Resolution No. 23-13707, a resolution authorizing the City of Washington to apply for funding through the East-West Gateway Council of Governments to provide for the Highway 100 & International Avenue/Rabbit Trail Drive CMAQ Project in the City of Washington, Franklin County, Missouri.**

The resolution was introduced by Councilmember Hidritch, seconded by Councilmember Patke. With no further discussion, the resolution passed.

**Resolution No. 23-13708, a resolution supporting the application for federal assistance from the Recreational Trails Program for Phase III of the Rotary Riverfront Trail Expansion in the City of Washington, Franklin County, Missouri.**

The resolution was introduced by Councilmember Patke, seconded by Councilmember Behr. With no further discussion, the resolution passed.

**COMMISSION, COMMITTEE AND BOARD REPORTS**

\* None

**MAYOR'S REPORT**

\* Second Council Meeting in February – Tuesday, February 21, 2023, due to President’s Day Holiday.

**CITY ADMINISTRATOR’S REPORT**

\* None

**COUNCIL COMMENTS**

\* Our Lady of Lourdes Breakfast is Sunday, February 12 from 8 to 11:30 a.m.

**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 8:43 p.m. on the following roll call vote; Holtmeier-aye, Reed-aye, Behr-aye, Patke-aye, Wessels-aye, Coulter-aye, Hidritch-aye, Briggs-aye.

The regular session reconvened at 9:26 p.m.

**ADJOURNMENT**

With no further business to discuss, a motion to adjourn made at 9:26 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



Attachment A

**CITY OF WASHINGTON, MISSOURI**

**CITY COUNCIL PUBLIC HEARING**

**RE: SHORT-TERM RENTAL/612 RIVERVIEW PLACE**

**HEARING HELD FEBRUARY 6TH, 2023**

**REPORTED BY KIM WROCKLAGE, CCR**



**WROCKLAGE REPORTING, LLC**

**467 BROOKFIELD DRIVE - WASHINGTON, MO 63090**

**(kimwrocklage@aol.com)**

**(314) 210-6917**

**City Council Public Hearing - 2/6/2023**

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CITY OF WASHINGTON, MISSOURI  
CITY COUNCIL PUBLIC HEARING

Transcript of Proceedings SHORT-TERM RENTAL AT  
612 RIVERVIEW PLACE, heard at the offices of the  
Washington City Hall, 405 Jefferson Street, in the  
City of Washington, State of Missouri, on the 6th day  
of February, 2023, before Kim Wrocklage, CCR for the  
State of Missouri.

**City Council Public Hearing - 2/6/2023**

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APPEARANCES

- Mr. Doug Hagedorn, Mayor
- Mr. Mark Piontek, City Attorney
- Mr. Darren Lamb, City Administrator
- Ms. Sherri Klekamp, City Clerk
- Mr. Sal Maniaci, Community & Economic Development  
Director
  
- Mr. Al Behr, Ward 1
- Mr. Duane Reed, Ward 1
- Mr. Mark Hidritch, Ward 2
- Mr. Mark Wessels, Ward 2
- Mr. Chad Briggs, Ward 3
- Mr. Jeff Patke, Ward 3
- Mr. Mike Coulter, Ward 4
- Mr. Joe Holtmeier, Ward 4

City Council Public Hearing - 2/6/2023

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INDEX OF EXHIBITS

Applicant's Exhibit

1 - Special Use Permit Application

2 - Wash MO Zoning Map

3 - Chart for Work Code

4 - 10 Criteria for Reviewing Special Use Permits

5 - Short-Term Rental Management Agreement

6 - Rules & Regs for 612 Riverview Place

7 - 17 Previous Special Use Permits Issued

8 - Rules for Guests for 612 Riverview Place

9 - Copy of Slide Show Presented to P & Z

10- Street Pics

11- Document Re: Noise Sensor App & Security App

12- City Zoning Map Showing Approvals of SUPs

13- Open House Notice

14- Affidavit

15- Affidavit

16- Affidavit

17- Price Opinions

**City Council Public Hearing - 2/6/2023**

1           MAYOR HAGEDORN: Folks, this next item on our  
2 agenda is basically the main thing that's going on  
3 tonight. I ask everyone as you come to the  
4 microphone to please state your name, your address  
5 and most importantly if you would please speak into  
6 the microphone. We're going to give the applicants  
7 first shot at this. They've got 15 minutes. I've  
8 got a list of folks here who have signed up to speak  
9 also. I'm going to ask those folks to limit their  
10 remarks to three minutes, please. And at the end of  
11 that, we're going to ask the applicants back. So any  
12 other thing I'm forgetting here?

13           MS. KLEKAMP: Public hearing, short-term  
14 rental, 612 Riverview Place.

15           MR. MANIACI: Good evening, Council. So just  
16 like you've been seeing multiples of these over the  
17 last few months, we have another request for a  
18 short-term lodging Special Use Permit here at 612  
19 Riverview Place. This property is zoned R1-B  
20 single-family residential, and per our zoning code  
21 any property in that zoned district that requests to  
22 do short-term lodging does have to get a Special Use  
23 Permit approved, first reviewed by City Council and  
24 then approved by you all, which is what we're doing  
25 here tonight.

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1           So you can see here the property is mid block of  
2 Riverview Place. So Riverview Place is a pretty  
3 short street. There are -- actually east of there it  
4 becomes First Street and it dead ends at MacArthur.  
5 So you can see this whole neighborhood here consists  
6 of what you're seeing where it's highlighted, and  
7 there is no alley access in the subdivision either,  
8 which does come up often when we see these in the  
9 older parts of town. Zooming in here a little bit to  
10 get a clearer image, you can see the home does have a  
11 fairly long driveway and garage, so it does allow for  
12 an adequate amount of parking. The applicant did say  
13 that they could fit five cars on that, obviously it  
14 would have to be stacked single file in order to be  
15 parked there, but it does have the ability to have  
16 five cars even without the garage, off street  
17 parking, which is above and beyond the two that we  
18 require for single-family residential.

19           As for staff's recommendation, as we have for  
20 all of these, I think 17 since we've done since 2017,  
21 we do recommend approval of this strictly based on  
22 the fact that these are residential in nature and  
23 have from -- meeting the standards of Special Use  
24 Permit, as well as having little impact on the  
25 surrounding properties.

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1           This did go to Planning and Zoning last month,  
2 their January meeting, and there was a number of  
3 opposition. There was a petition that was submitted  
4 and I believe should have been in your packet for  
5 tonight. And so after review of that meeting, having  
6 the opposition at the meeting, Planning and Zoning  
7 did vote to deny this permit, the recommendation of  
8 denial unanimously at their last meeting. So now  
9 we're here tonight, and I'd be happy to answer any  
10 questions. All right, thank you.

11           The only thing I want to bring up, I have had  
12 some questions from the audience or from neighbors, I  
13 would assume, have had some calls about the  
14 moratorium. Planning and Zoning at that same meeting  
15 proposed to put a vote on a moratorium at their  
16 February meeting, so that does not affect this since  
17 that was applied for beforehand, so I wanted to clear  
18 that up. Next Monday the 13th Planning and Zoning  
19 will review and have a public hearing on whether or  
20 not to approve a moratorium on short-term lodging  
21 until we revise the code, and then you guys will vote  
22 on the moratorium on the Tuesday meeting February  
23 21st. So, I just wanted to clear that up.

24           MR. PATKE: Sal, one question. I know people  
25 are going to speak to this, but in your opinion in

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1 the Planning and Zoning meeting, the reason they  
2 voted against it, can you just give us an overview.  
3 Was it the neighbors just didn't want it to be there?  
4 Obviously it's not a parking issue.

5 MR. MANIACI: I think it's a litany of  
6 questions. I think there is a concern about parking  
7 because it is single file. You could fit five cars  
8 but they would have to back out, and you may have  
9 guests not utilizing that correctly and park on the  
10 street anyway, and I think it was the character of  
11 the neighborhood that it may not just be a use that  
12 is wanted by the neighborhood. I will say we've  
13 had -- these have become increasingly more and more  
14 requested over the past year or so, since 2017, but  
15 as you guys all know, at least one a month we've been  
16 seeing, sometimes more. It's really been case by  
17 case on the neighborhoods, but I think the more that  
18 have come up, the more opposition we've heard, and  
19 that's where the conversation came at P & Z is maybe  
20 we need to look at the actual language of the code,  
21 so.

22 MAYOR HAGEDORN: Thanks. Other discussion?  
23 Applicant, please.

24 MR. POLITTE: Good evening Mayor Hagedorn and  
25 Councilmen. My name is Dave Politte. I'm an



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1 attorney here in town. Our office is at 438 West  
2 Front Street. I'm here tonight to represent the  
3 applicant, Marci Kiel, the native Washingtonian who  
4 bought this property quite a long time ago and  
5 actually ended up renovating it with the hopes of  
6 having the short-term rental. In my 15 minutes, I'm  
7 going to try to create as good a record as I can or  
8 thorough record, so I might talk fast. Interrupt me  
9 if you don't understand something, but I've handed  
10 out a packet of information binded together by this  
11 black clip, and I just want to go through that and  
12 explain what you have here. First is a Special Use  
13 Permit application by my client.

14 Exhibit 2 is a copy of the Wash Mo zoning map  
15 indicating where the property is and that it's R1-B.

16 Exhibit 3 is a chart for work code which  
17 provides that vacation rental dwellings are required  
18 to get a Special Use Permit in R1-B.

19 Exhibit 4 is the 10 criteria for reviewing these  
20 applications, which Planning and Zoning ignored.

21 Exhibit 5 is a Short-Term Rental Management  
22 Agreement. I've been around a lot of towns that deal  
23 with these, and one of the concerns of the neighbors  
24 in the cities is that there's nobody close to respond  
25 to emergencies or guests who need something or

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1 complaints or whatever. So my client does live in  
2 St. Louis County, but she has signed this agreement  
3 with Deon Johanning and Cindy who live seven miles  
4 away, and they're going to take care of the property.  
5 It even says in here if they move more than 10 miles  
6 away, then the agreement is terminated.

7 Exhibit 6 is the 612 Riverview Place proposed  
8 rules and regulations that they're going to impose on  
9 this property.

10 And then I get to Exhibit 7, and there's 17  
11 applications as part of Exhibit 7, 17-A through 17-Q.  
12 As Sal alluded to here a few minutes ago, this  
13 possibility of getting a Special Use Permit for these  
14 things came around in 2017, and it's my understanding  
15 that the City Council has considered 17 applications  
16 that made it this far, and the City Council has  
17 approved all 17. So we're on a string of 17 in a  
18 row. You look through these, I'm not going to spend  
19 time on every one, but you'll notice applications  
20 from people in St. Louis, from Cedar Hill, from  
21 Columbia, from places more than an hour and a half  
22 away. I wasn't at those hearings, I don't know if  
23 they have Management Agreements like we have, but  
24 nevertheless their application was approved. I don't  
25 know if their house was as nice as this house or if

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1 their owners were going to be as responsive as these  
2 owners, but like I said, we're on a string of 17 in a  
3 row.

4 Getting to Exhibit 8, just information regarding  
5 the place for prospective guests, sort of a rules  
6 refresher for people when they come in.

7 Exhibit 9 is a copy of the overhead that was or  
8 the slide show that was presented at Planning and  
9 Zoning. Well, in my opinion they did a very nice job  
10 fixing up the inside of the place, wouldn't spend all  
11 that money and do a nice job like that if they were  
12 planning on having people staying there that were  
13 going to be loud and rowdy and tear the place up.  
14 That would be not very smart on their part.

15 Moving on, let's see, Exhibit 10 is a picture of  
16 the street looking east, the street that the property  
17 is on, and a picture, the next page, a picture of the  
18 street looking west. At this particular time when  
19 this was taken, there was one truck there on the left  
20 parked along the street. On the other side there is  
21 a vehicle right there, a little Toyota, but again  
22 with more time we can present about 30 pictures that  
23 show this is the standard, not the exception. There  
24 really isn't anybody hardly parked on the street, and  
25 if there was, like Sal said, we have the off street

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1 parking available.

2 Exhibit 11 is just an example of the extent to  
3 which my clients are willing to go to make sure this  
4 is a quality place. Apparently now you have indoor  
5 noise sensors and they link to an app right to your  
6 phone and security programs linked to apps right to  
7 your phone. So even if they are in St. Louis County,  
8 they can get a notification or notice as to things  
9 that are going on there, they call Cindy or Deon and  
10 they're on it.

11 Exhibit 12 is a copy of the City's zoning map  
12 indicating in my crude black lines there properties  
13 where Special Use Permits for short-term rentals have  
14 been approved by the Council in the same  
15 neighborhood. There was a question asked previously  
16 by Mr. Patke, was the sole reason this was denied  
17 that enough people showed up and said they just  
18 didn't want it? Yes, that was the sole reason. If  
19 you read the minutes from the Planning and Zoning  
20 Commission meeting, I think that you will glean that  
21 same answer.

22 Exhibit 13 is just a copy of an open house  
23 notice that they put out among the neighbors, an  
24 invitation to come by the house and hear what they  
25 have to say and see things and check it out.

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1 Exhibits 14, 15, 16 are affidavits signed by  
2 people that say that they know that certain people  
3 who are likely going to speak tonight have known  
4 about this plan to make this a short-term rental for  
5 months and months and months. They did not just hear  
6 about it when they got the notice to come to the  
7 Planning and Zoning meeting, as had been testified to  
8 at that meeting.

9 Exhibit 17 is just copies of price opinions.  
10 Cindy DeArriba had realtors come through and just  
11 make their notes and give an indicator of what they  
12 would expect the listing price should be, and it's  
13 all very impressive, I think, mid 300s, high 300s.  
14 Again they made these renovations with the  
15 expectation of having responsible folks there, not  
16 people that are going to tear their place up. In  
17 case there's anybody that says that granting this  
18 would reduce property values, right, you all, they  
19 say that I think at every Planning and Zoning  
20 hearing, we would beg to differ based on that.

21 And so, just moving along here, if you look at  
22 Exhibit 4, criteria for reviewing applications. I  
23 don't recall seeing in the Planning and Zoning  
24 minutes any reference whatsoever to the 10 criteria  
25 for reviewing Special Use Permit applications, which

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1 is their job. They are the technical people  
2 appointed by the Mayor, approved by the City Council  
3 to sort of vet these things and be even more detailed  
4 when they go through these things than you guys are  
5 so that they can make their recommendation. The  
6 factors to be considered, the compatibility of the  
7 proposal in terms of both use and appearance, and I  
8 think you can see the house looks great, it looks  
9 like a lot of the other houses from the outside. The  
10 comparative size, it's in keeping with the  
11 neighborhood. Frequency and duration of various  
12 indoor and outdoor activities and special events, not  
13 necessarily special events, not necessarily outdoor  
14 activities, other than maybe people playing corn hole  
15 or something, which any single family resident can do  
16 for that matter. Capacity of adjacent streets to  
17 handle increased traffic, I believe that those  
18 streets are able to do this. Increased traffic, if  
19 you have people staying in a long-term (sic) rental  
20 for a weekend, I don't know that that's a concern.

21 The requirements for public services where the  
22 demands of the proposed use are in excess of the  
23 individual demands of adjacent land uses in terms of  
24 police and fire protection. There's single family  
25 homes, there's two-family homes, there's

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1 owner-occupied homes, there are homes that are leased  
2 to long-term tenants, I don't necessarily see that  
3 renting this house short term to people that can  
4 afford the price who are going to stay overnight at  
5 this place, which is probably going to be upwards of  
6 300 or 400 bucks a night, are going to be anymore of  
7 a problem or anymore of a burden on the police than  
8 any other people in this neighborhood.

9       Next, whether the general appearance will be  
10 adversely affected. You've seen the appearance.  
11 Next, the impact of night lighting, I don't see that  
12 they're going to be impacting night lighting. If you  
13 have a problem with that, go ahead and make it a  
14 condition. Say no additional ambient lighting and  
15 they'll do it. The impact of landscaping, I think  
16 this is more for commercial special uses, but they'll  
17 landscape it however you want it, I'm pretty sure.  
18 I'm sure they'll make it look nice. Impact of a  
19 significant amount of hard surface areas for  
20 building, sidewalks, et cetera, I don't see that  
21 applying. They're not going to put in a huge  
22 driveway, unless you want them to put in a huge  
23 driveway, then they will, but that doesn't really  
24 apply here, I don't believe. In my opinion if you go  
25 through the records, such as it will be, there is no

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1 significant evidence going to be presented to you  
2 tonight that this Special Use Permit needs to be  
3 denied.

4       And let's talk about that for a second. Special  
5 Use Permits are allowed uses, they are approved uses  
6 in the zoning class where they're indicated per that  
7 chart that I gave you. Your decision is not approve  
8 or do not approve. Your decision is approve or  
9 approve with conditions. If all the neighbors speak  
10 tonight and they bring up potential issues about  
11 lighting and parking and noise, impose conditions on  
12 this permit. Say noise shall not be more than 100  
13 decibels measured at the lot line. Say that parking  
14 shall be off street or there shall be one off-street  
15 parking space for every guest room, I've seen that in  
16 other cities. Condition the heck out of it but you  
17 can't deny it.

18       So I would respectfully submit that to grant 17  
19 of these in a row, some of which are in the same  
20 neighborhood, and then to deny this one, which is at  
21 least as good as the other 17, I would guess would be  
22 what we call in the law arbitrary and capricious.  
23 It's completely arbitrary. As Sal said, we're  
24 getting one of these a month. We're getting more and  
25 more neighbors coming and complaining that they don't



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1 want these. Fine, amend the code. Issue your  
2 moratorium, but you can't take it out on this  
3 particular applicant who happened to be the last  
4 straw that broke the camel's back or whatever the  
5 rational would be and say well, we don't like these,  
6 there's too many of these, we deny. That's not a  
7 legal reason to deny.

8       Again, move forward with the moratorium if you  
9 think there are too many of these. You need to find  
10 substantial evidence on the record tonight to show  
11 that this thing shouldn't be granted. I went in to  
12 do some research, lawyers have a program they call  
13 Westlaw where we go in and enter some search terms  
14 and see if there's any cases, Supreme Court cases or  
15 Appeals Court cases that deal with this. I went in  
16 there to see if I could find definitions for  
17 arbitrary and capricious. The very first case,  
18 coincidentally, that came up was Presbyterian Church  
19 of Washington versus City of Washington from 1994, I  
20 believe, when the Council wrongfully denied a Special  
21 Use Permit and the property owner filed a lawsuit and  
22 the Court reversed the City. The Court said a  
23 special permit is a kind of administrative permission  
24 that allows property owners to use land in a way  
25 expressly permitted, as your code does, under

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1 conditions in the zoning ordinance itself and thus if  
2 proposed use meets standards, described by local  
3 ordinance, the agency is bound to issue the Special  
4 Use Permit. That's this analysis I was going through  
5 earlier, you can admit or you can admit with  
6 conditions. The agency is bound to issue the Special  
7 Use Permit, subject to reasonable conditions which it  
8 might impose. Again what I was saying earlier, if  
9 you think parking is a problem, say they have to park  
10 off the street. I think they'll do whatever you want  
11 to do that's reasonable.

12 So what about all the neighbors who will say  
13 that they just don't want one of these in their  
14 neighborhood. We should respect their opinion.  
15 There aren't any of these in my neighborhood. We  
16 almost made my parents' house one but that didn't  
17 work out, so I don't know, I'm not in their shoes,  
18 but there are protections in the law for the  
19 neighbors, other than just coming and expecting the  
20 Council to deny a perfectly valid permit application.  
21 Those protections are, again, issue conditions.

22 No. 2, this is only temporary. Your code says  
23 that Special Use Permits are valid for a year. If  
24 you give them this for a year and a year from now we  
25 come back and it was party central every weekend and

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1 noise and cops going in there every weekend, yank it.  
2 You don't have to wait the year. If you get evidence  
3 in two months that there's parties there every  
4 weekend and the cops are called there every night and  
5 there's drugs going on or whatever, yank it. We  
6 expect that. They've been advised of that. The  
7 provisions in your code allowing special uses for  
8 short-term rentals didn't just appear in your code  
9 over night either. In 2017 the Planning and Zoning  
10 Commission and this Council had meetings upon  
11 meetings upon meetings and public hearings where the  
12 public was invited to come and say whatever they  
13 wanted to say about whether they like or don't like  
14 these short-term rentals. If they didn't come then,  
15 are they stopped from saying that now, I don't think  
16 so, but there are some protections here. People get  
17 invited to these meetings.

18 Also, if the code was in place at the time they  
19 moved there, of course it's sort of a high burden to  
20 ask your average buyer but they can later review the  
21 code and say oh, shoot, short-term rentals are  
22 allowed as a permitted use. Oh, shoot, the City has  
23 issued 17 of these in a row, maybe we ought to not  
24 move into this neighborhood because we might be  
25 living next door to a short-term rental someday.

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1           So in conclusion I would say your remedy in this  
2 case or decision is not to deny the permit, it is to  
3 grant the permit with whatever conditions you think  
4 are reasonable, and if you don't like short-term  
5 rentals anymore or you don't like them in certain  
6 zoning classes, change the code. Thank you.

7           MAYOR HAGEDORN: Thank you, Dave. Okay, I  
8 have a list in front of me here. Annie Klingler, do  
9 you care to come speak?

10           MS. KLINGLER: Sure. Council, Mayor, thank  
11 you very much for allowing me to speak.

12           MAYOR HAGEDORN: Annie, can you say your name  
13 and your address.

14           MS. KLINGLER: Yes. My name is Annie  
15 Klingler. I live at 609 Riverview Place. I'm  
16 located directly across the street from 612 Riverview  
17 Place. I've lived here in that home for 27 years  
18 peacefully. And to address the 2017 short-term  
19 meeting that was had that Mr. Politte just mentioned,  
20 I would say that I did not receive a letter in the  
21 mail to attend that or I would have voiced my  
22 concerns at that time. I'm sure it was posted in the  
23 paper, but if I'm not a subscriber to the paper, I  
24 would not have gotten that notice; however, I would  
25 have stated my claim that I lived there much longer

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1 than prior to 2017, and I certainly wouldn't have  
2 bought in an area where I thought there could be an  
3 Airbnb. With that being said, I want to say that I  
4 am profoundly saddened that this close knit  
5 residential neighborhood is before you today pleading  
6 for your denial of a profit making short-term rental  
7 in our residentially zoned neighborhood. I spent a  
8 great deal of time over this last month speaking with  
9 many Washington residents who live near Airbnbs and  
10 VRBOs. I went out on the street and made it my point  
11 to meet as many as I could. I wanted to speak to  
12 them about their concerns and past issues with me so  
13 that my eyes would be fully opened, and they were.  
14 They were opened to the misconduct that occurs in and  
15 around these properties. Transient guests have no  
16 stake in our residential neighborhood, thus have no  
17 reason to behave as neighbors should behave, as my  
18 neighbors do, peacefully coexisting, offering  
19 courtesy and friendliness, looking out for one  
20 another. These transient guests check-in, party, do  
21 as they wish, check-out with no consideration for the  
22 people that reside here, that have lived here for  
23 years, pay taxes here, send our children out to play  
24 here. We have elderly residents who have lived in  
25 our neighborhood their entire lives, 50 and 70 years

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1 respectively. They do not want to, nor should they,  
2 be forced to spend their golden years living in a  
3 party zone wondering what cars are parked in front of  
4 their house or what person is walking through their  
5 backyard mistakenly. We do not want to continually  
6 wonder why a car is driving so slowly back and forth  
7 down our street. Are they casing the neighborhood or  
8 is it a transient guest looking for the home they  
9 rented and booked online for the weekend, we won't  
10 know.

11 This is grossly concerning for everyone in our  
12 neighborhood and truly a safety issue for all parties  
13 concerned. I will not be redundant about the safety,  
14 serenity, noise, parking, small lots, close homes,  
15 alleyways and more. I've certainly watched the P & Z  
16 meeting, I'm sure you're fully aware of how we felt.  
17 This is a solid close-knit neighborhood. It's  
18 founded on grass roots, hard-working, tax-paying  
19 families that send their children to school here and  
20 vote here. We volunteer here. We truly care about  
21 each other and take care of each other. We do not  
22 want to see our neighborhood become a tourist  
23 attraction or turn into a hotel district. We just do  
24 not want it. Free enterprise is great for Washington  
25 in industrial areas and commercial districts, I'm all

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1 for it, but we are a residential zoned district. We  
2 purchased our houses under those terms. We do not  
3 want this. We've made our lives in this  
4 neighborhood, and we're here to tell you anything  
5 different than a denial on the Special Use Permit, no  
6 matter how many have been approved prior, we're not  
7 okay with this. We're not.

8 MAYOR HAGEDORN: Can you wrap it up please,  
9 I'm sorry.

10 MS. KLINGLER: Yes, I will. No matter what  
11 this investor says she will do granted this permit,  
12 she is not bound by those words, there's no  
13 enforcement on that, and I am not going to police the  
14 neighborhood for a year, calling the police and  
15 occupying the police force and us be punished by  
16 having to police her business. We shouldn't be  
17 punished that way. I'm not going to suffer for a  
18 year policing her business in my residential  
19 neighborhood. We simply do not want this. Do you  
20 have any questions of me?

21 MAYOR HAGEDORN: Pardon the pronunciation,  
22 Tyann Marcink; is that correct? Please correct me.

23 MS. MARCINK: Yep, no problem. I'm Tyann  
24 Marcink, and I am the owner and operator of Missouri  
25 House Vacation Rentals, so essentially the

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1 competition to the folks right here, and I am here in  
2 support of them. First I'd like --

3 MS. KLEKAMP: Tyann, I'm sorry, can you state  
4 your address?

5 MS. MARCINK: 680 Scenic View Drive in Union.  
6 I would like to commend the City of Washington for  
7 the absolute wonderful, reasonable regulations that  
8 you do have, especially in concerns of safety. There  
9 is a lot of other towns who don't have anything to do  
10 with safety at all, and you guys do a really, really  
11 good job. I would also like to address what I feel  
12 is a root issue of the opposition and that is fear.  
13 Fear of the unknown. Fear of who is going to be in  
14 this house next door, and I have been hosting guests  
15 coming into the area since 2017, and I'd like to tell  
16 you exactly who those people are. It is friends of  
17 families coming for funerals, for weddings, for  
18 celebrations, folks coming in for graduations, sister  
19 groups coming in to celebrate birthdays and going to  
20 the wineries. It's folks coming in because they have  
21 family here and they're visiting family, and if they  
22 don't have family and there is no connection there,  
23 then it's folks who have come in because Washington  
24 tourism has done an excellent job to bring them in,  
25 or it can be folks coming in for Purina events and to



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1 dog shows, or maybe they've heard me talk about  
2 Missouri and Washington and the wine country. If you  
3 would look at it and you looked at the data actually,  
4 I bet no one is more than one or two degrees  
5 separation between the guests and somebody who is  
6 from the area here that they're coming to visit.  
7 Those are the people that are coming in, and we host  
8 them all the time. Thank you.

9 MAYOR HAGEDORN: Thank you, Tyann. Bonnie  
10 Martin, please.

11 MS. MARTIN: Hello, my name is Bonnie Martin.  
12 I live at No. 4 Riverview Court. I'll try to stay  
13 under. I am not opposed to vacation rentals in the  
14 commercial zones of our town. I am specifically  
15 opposed to vacation rentals in residential zones of  
16 town, because residential zones are where people  
17 live, and commercial zones are where business is  
18 done. I could talk about our neighborhood all  
19 evening, how wonderful it is. It is our home. It  
20 means where we feel the safest, where we're most at  
21 peace, it means privacy, sanctuary, family, memories,  
22 fellowship, community. The neighbors, we care about  
23 each other in our neighborhood. We watch out for  
24 each other. We pray for each other if one of us has  
25 a problem. We make sure the elderly ones of us are

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1 looked after. It's idyllic and lovely and safe, and  
2 I wish everybody lived in a neighborhood like ours.  
3 We do not want strangers coming and going and  
4 bringing with them all manner of potential issues  
5 that we have to police. I know Ms. Kiel worked hard  
6 on that house, and I'm sure it's beautiful, but she  
7 purchased that house in 2022, January. There's been  
8 12 months to apply for a Special Use Permit, 12  
9 months to speak to the neighbors. I knew nothing  
10 about an Airbnb going into that house until I got a  
11 letter from the City. The delay or spending money  
12 before you apply for these permits, the consequences  
13 of that delay do not belong on the neighbors of this  
14 neighborhood. They just don't. My husband Mike  
15 Martin, some of you know him, very tall Mike Martin,  
16 he's sick, he couldn't come today, but he wanted me  
17 to convey his opposition as well.

18 A few years ago when he and I were looking to  
19 move to this side of town, we did a ton of due  
20 diligence. We talked to a realtor, we had a  
21 financial adviser, and we studied the City's  
22 published zoning map because we didn't want to live  
23 near businesses. We wanted an established  
24 residential solid neighborhood. So we took the  
25 City's map, and we used that to decide to invest our

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1 money in No. 4 Riverview Place, and that is right,  
2 that is our investment property where we live, and we  
3 live there, we don't buy it and then go live  
4 somewhere else and try to make a profit out of it,  
5 that's our home, but it's our investment. And for  
6 the life of me I cannot understand why I am up here  
7 having to defend my investment or why this  
8 out-of-town developer's investment is going to  
9 eclipse mine. Since Mike and I invested our money  
10 where we live, that means we're fully engaged in this  
11 community in ways that out-of-town developers and  
12 short-term guests are not. We support the local  
13 economy here. We pay taxes, vote, volunteer here.  
14 Small business in this town lives or dies on locals.  
15 So does its economy, so does its sense of self. Who  
16 are we, are we Lake of the Ozarks, Branson,  
17 Breckenridge, Gatlinburg or are we Wash Mo. Downtown  
18 looks great. It's exciting, glamorous, shiny and new  
19 and important, I get it. Locals, we like the  
20 restaurants down there too and those little shops, I  
21 go down there, but there is more to Wash Mo than what  
22 the tourists see at the front door. I'm talking  
23 about the not so exciting, not so fancy part in the  
24 back, the community part of community economic growth  
25 and development. The auto repair shops and the

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1 hairdressers and the vets and the dentists, karate,  
2 dance lessons. And speaking of kids, short-term  
3 guests and out-of-town developers do not enroll their  
4 kids in our schools. What's in the back is what  
5 holds this place up.

6 MAYOR HAGEDORN: Wrap it up.

7 MS. MARTIN: I can't, I got to get it out.  
8 Developers buying homes in residential neighborhoods  
9 like ours and turning them into vacation rental  
10 businesses is doing damage right now to this  
11 community. There's a \$300,000 median home price  
12 right now in Washington. It's over inflated because  
13 developers are coming here and they'll out bid people  
14 who want to live here or each other to get a good  
15 house to buy so that they can make a profit on it.  
16 The impressive job growth out in the industrial area,  
17 who is going to fill those jobs, it's not the people  
18 who can afford a \$300,000 house.

19 MAYOR HAGEDORN: I'm sorry, I've got to cut  
20 you off. We have other people tonight.

21 MS. MARTIN: I've got to finish, Mr. Mayor.

22 UNKNOWN SPEAKER: She can have my extra time.

23 MS. MARTIN: Thank you. Mr. Politte offered  
24 some sort of mitigation for nearly all of our  
25 concerns, but he didn't offer one for the revolving

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1 door of strangers in our neighborhood never knowing  
2 who is coming or going, having to be hypervigilant,  
3 on guard, fearful all the time. There's no  
4 mitigation for that except to not have strangers in  
5 our neighborhood. And if you just have to approve  
6 this special permit, what was that charade we did at  
7 the Planning and Zoning meeting. Why did you even  
8 invite us if you just have to approve it thumbs up or  
9 thumbs down. All right, I'll leave, but I have a lot  
10 more to say. I'll leave you my speech but this is  
11 our last chance, Mr. Mayor, to save our neighborhood,  
12 and you know, maybe my speech is longer than three  
13 minutes, but I really wish you would let me tell you  
14 why this is so important to us.

15           MAYOR HAGEDORN: I can see that. We can all  
16 see that.

17           MS. MARTIN: Our home is gone forever if you  
18 make the wrong choice here. Our sanctuary is gone.  
19 Our investment is compromised. Our investment is not  
20 less important than hers. We live here. We vote  
21 here.

22           MAYOR HAGEDORN: Everybody sees your passion.  
23 Sorry I had to do that, everybody sees your passion,  
24 trust me, and knows where you're coming from. Katy  
25 Kamper, please.

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1 MS. KAMPER: My name is Katy Kamper. I live  
2 at 615 East Third. This is actually in my backyard,  
3 and we all talk about things that we don't want in  
4 our backyard, and surprisingly I don't want strangers  
5 there every weekend or day, depending on the rental.  
6 The house is lovely, and I look forward to somebody  
7 actually using it. It's been sad and by itself for  
8 too long, and I hope that somebody is going to be a  
9 family or an empty nester, but I look forward to  
10 somebody becoming a part of Washington and not just  
11 coming by, hanging out, drinking some beer and then  
12 taking off. As far as people who live fearfully or  
13 afraid of change, I'm not one of those people. I've  
14 never lived in fear. I welcome change, not this one.  
15 I think we've all expressed that there is a wonderful  
16 place for these in our community, and that is in the  
17 commercial district. I'm sorry that Marci did not  
18 research ahead of time that this was not actually in  
19 the commercial district. It's close, which is  
20 fantastic for those of us who want to walk down to  
21 the amenities that Washington provides us, but yes,  
22 this is not something that has worked well in most  
23 communities that it's become a (inaudible). I don't  
24 often use Washington and New York City in the same  
25 sentence for a comparison, but as of recent years

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1 have shown where we have grown exponentially in  
2 Airbnbs and short-term rentals, I believe the rate  
3 has been 300 percent since 2019 when we started with  
4 14, we now have over 40. For those of us who want to  
5 go online and research it, a lot more than 40 have  
6 come in. There's over seven sites that I found, and  
7 I'm not looking hard, for short-term rentals that are  
8 available, and that's VRBO, Airbnb, Drop Key, the  
9 list goes on and on. I don't know if all of those  
10 are on our rolls or if they're on our radar, but  
11 they're here. So what New York has now is more  
12 Airbnbs than they actually have rentals for people  
13 that live there. They also have a problem with their  
14 property values. I don't think this is going to  
15 drive my property value down at all, I think it's  
16 going to make it high, too high for my kids to come  
17 back and start a family, too high for young couples  
18 to start out, too high for rentals, too high for  
19 actual homes being purchased. I couldn't afford my  
20 home today with the job I have today because of  
21 property values in Washington going up, which is a  
22 fantastic thing for most people. If you plan on  
23 starting here young, it's not a good thing. 60 some  
24 odd properties came up in Washington for short-term  
25 rentals. Those are 60 families that could be living

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1 here and playing little league ball, which we have a  
2 great one, playing little league football, going to  
3 our schools and contributing long-term. Sounds like  
4 that's my time, but I will just say that I think this  
5 is a great thing, I think she did a great job, it's  
6 beautiful and I look forward to somebody actually  
7 living there. I don't look forward to meeting new  
8 people every weekend.

9           MAYOR HAGEDORN: Thanks, Katy. Next is Tami  
10 Wheatley.

11           MS. WHEATLEY: Good evening. My name is  
12 Tamara Wheatley. I live at 616 Riverview Place. I'm  
13 not living in fear, I'm not afraid of an Airbnb,  
14 however, I do want to let you know that I'm not going  
15 to talk about safety, although there are concerns;  
16 I'm not going to talk about parking, although there  
17 are concerns. I just want to basically implore you,  
18 the Council, to deny this permit for running an  
19 Airbnb at 612. I truly, truly deep in the bottom of  
20 my heart believe that residential neighborhoods  
21 should be preserved in our City for those who are  
22 seeking them and want to live in them, just like I  
23 did. I mean if we lose the integrity of the  
24 neighborhood living, then our City is on its way to  
25 becoming like a lot of other cities have become,



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1 these little Hamlet style cities and towns, and  
2 they're just almost bedroom communities of the  
3 downtown city centers, and you can't afford to live  
4 in a city center or walkable neighborhood anymore.  
5 I'm just asking for the neighborhood I love so long  
6 and so hard to not become a street of vacant homes  
7 basically, which is exactly what it's going to be,  
8 because there's nobody living in these homes, and  
9 ours, as you can see right there, our street is  
10 small. We only have eight houses that face Riverview  
11 Place. There's a little community behind Riverview  
12 Place that isn't on this map, and there is a  
13 community around the borders of Riverview Place and a  
14 couple up and down the street here that let you know  
15 how close this neighborhood is. We all know each  
16 other. We picked up a neighbor from the middle of  
17 First Street tonight because she was so adamant to be  
18 here to show her non-support of this Airbnb. She's  
19 80 years old by the way. We are heartfelt about this  
20 place. It's a little Hamlet. It's a little area  
21 that you can't pick this out. It's hard to find a  
22 place like this. And I'm just asking for the  
23 neighborhood to stay a neighborhood. I'm really  
24 trusting that you guys will all, and especially our  
25 Mayor, keep our neighborhoods intact for us and those

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1 residents who wish to live in them. And I want to  
2 finally just remind the Mayor that I wrote down a  
3 quote of his when he was running, just in case  
4 there's a tie, and it says, "We have got to get more  
5 young families to move here. As Mayor I will do  
6 everything I could to make Washington the kind of  
7 place where young families want to live and stay,"  
8 and that was candidate Doug Hagedorn at the time, and  
9 without you guys denying these folks, we really --  
10 somebody has got to break that camel's back. I'm  
11 sorry about the way it turned out, but I just want --  
12 I really do not want this to be a vacant street. We  
13 don't want those destabilizing places in our  
14 neighborhoods. Thank you very much.

15 MAYOR HAGEDORN: Thanks, Tami. Next is  
16 Chelsea Allen, please.

17 MS. ALLEN: Hello, my name is Chelsea Allen,  
18 and I live at 210 MacArthur. So I live around the  
19 corner from this residence, and I actually have an  
20 alleyway that connects with a gate that goes into my  
21 backyard, so you can see it would be very short for  
22 someone to be able to get to my backyard. I,  
23 however, am in support of this becoming an Airbnb or  
24 a VRBO. I've known Ms. Kiel since she purchased this  
25 property, and I was able to actually tour the

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1 property when she first purchased it and was able to  
2 see the disarray that the property was in when she  
3 originally took ownership of it. I also work for and  
4 help run and maintain a family business that is owned  
5 and operated out of Washington. We have several, 35  
6 employees that work for us, and we have businesses,  
7 or I'm sorry, we have locations that are in other  
8 states, so I have employees that work in other  
9 states. I bring those employees in different times a  
10 year to come in to do trainings. I bring in vendors  
11 different times a year to do trainings. I support  
12 and I bring in customers different times a year. My  
13 goal and my hope was to be able to use this property  
14 as a lovely, beautiful place to host those guests as  
15 I bring them in to our community to Washington to  
16 include them in our small town, family-owned and ran  
17 company. I've lived in this neighborhood for two  
18 years. I love the neighborhood. I was able to move  
19 back to Washington to help support the community. I  
20 love the neighborhood, but I can tell you of the  
21 neighbors that I've seen here, I've only met two of  
22 them. So as lovely and tight knit as it may seem to  
23 be, I haven't necessarily met all of those folks.

24 I was also informed as soon as the home was  
25 purchased that it was going to be used as a

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1 short-term rental property, and I was okay with that.  
2 Like I said, I immediately thought oh, great, I have  
3 intentions that I can use it for this and this and  
4 that's great. We also have family that live out of  
5 state, my family can stay there. That can be  
6 overflow. My parents are selling their five bedroom  
7 home and moving into the riverfront block that  
8 Unnerstall is building. They would like to use it  
9 when we have family. I was able to visit the  
10 property when Marci had the open house and see how  
11 beautiful the property is and how high end and  
12 upscale the property is and know the clientele that  
13 she is expecting to rent there, and knowing the  
14 clientele that we should hope to have is not one to  
15 be worried of parties or mischief. Our neighborhood  
16 is very close, and I would assume that if something  
17 were to happen, they would of course contact the  
18 correct authorities, but I'm not concerned that  
19 that's going to happen. I'm also not concerned about  
20 parking. There have been multiple people that have  
21 done construction projects on Riverview over the last  
22 year or so, and there's been construction vehicles in  
23 the road. I've never had an issue getting through  
24 the street to make my way to work in the morning.  
25 Thank you.

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1 MAYOR HAGEDORN: Thanks. Murray Schwengels.

2 MR. SCHWENGELS: My name is Murray

3 Schwengels. My wife and I own 607 Riverview Place.

4 Thank you, Mr. Mayor, Councilmen and Chief, I

5 appreciate all you guys. I thought about this and

6 I've -- let me back up. There are good people here.

7 I don't know all of you, I know some of you, some of

8 you better than others. I've just met Mike and Marci

9 just a short time ago, maybe less than a year ago, I

10 guess. Don't really know them but what I do know

11 about them is that they're good people. They're

12 hard-working people. Marci has her roots here in

13 this town. I'm the guy every winter -- my wife and I

14 purchased this seven and a half years ago, something

15 like that. I'm the guy every winter that would go

16 across the street or to my next door neighbors and

17 brush the snow off of their cars without them asking

18 or even knowing about it until after I had done it,

19 just the guy I am. I don't know how many times I

20 would, by hand, shovel the alleyway next to my house

21 at 607 so the three people that live behind me can

22 get out without having to worry about snow or ice,

23 that's me. And yeah, I did it in a hoodie and shorts

24 and a pair of boots, but that's just me. Was I upset

25 when I first heard there was a possibility of an

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1 Airbnb going in adjacent from my house, yeah, I'm not  
2 going to lie, what good is lying. I talked to  
3 several neighbors about it, they were upset but the  
4 difference came when I actually went across and met  
5 Mike and Marci for the first time. And they'll tell  
6 you that I -- I'm the kind of guy I never meet a  
7 stranger, and if I've got a question, I'm going to  
8 ask it. And I asked them, I said hey, I heard that  
9 you guys might be turning this into an Airbnb. And  
10 this has been almost a year ago. So for me and a few  
11 others this wasn't a shock and awe or surprise that  
12 just came up, because for a few of us in here, we did  
13 know about it. And the more I talked to them and the  
14 more I met with them, and Dana and I took the time to  
15 go out and over to their open house, and I saw the  
16 house as well, as Chelsea said, before it had been  
17 renovated and it was a mess. It's neither here nor  
18 there but the people that used to live there, they  
19 grew marijuana up there, nobody ever complained about  
20 that. I don't think that's going to happen in this  
21 house. So my whole thing is this. They're just  
22 good-hearted people. You've heard their attorney.  
23 It's up to you guys, I just hope you guys can make  
24 the right decision. Thank you.

25 MAYOR HAGEDORN: Thank you, Murray. Dana

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1 Schwengels, please.

2 MS. SCHWENGELS: Hello, I'm Dana Schwengels,  
3 Murray's wife. We own 607 Riverview Place. I did  
4 not plan on having to come, didn't want to be here.  
5 Like my husband said, we have a lot of good memories  
6 from this neighborhood, it's great. We did, whenever  
7 Marci and Mike were over there one day, Murray and I  
8 said we're just going to go over and introduce  
9 ourselves, we did, we were on the porch, Murray asked  
10 a question and Marci said to us that they planned on  
11 staying there whenever they come to Washington. They  
12 planned on their family members being able to have a  
13 place to stay, and they also planned on renting it  
14 out, and again that was about a year ago. There was  
15 also a day whenever my husband came in and he had  
16 talked to one of our neighbors. We happened to share  
17 that person's name, but, and the conversation was  
18 that another person had told this neighbor that they  
19 had been told by Marci that it was going to be an  
20 Airbnb. So that let's me know at least myself, my  
21 husband and at least two other neighbors who  
22 absolutely did know about this about a year ago. I  
23 just want to make sure that somebody is telling the  
24 truth about that part, and if that has to be me,  
25 that's fine. I don't want to be here but I have seen

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1 the house whenever they first purchased it, whenever  
2 we went over and introduced ourselves, they gave us a  
3 tour and it needed a lot of help. It had not been  
4 taken care of before whatsoever. Even the sidewalks  
5 during the summer, the neighbors before, the ivy,  
6 vines, whatever, were going completely across the  
7 sidewalk to the road. So what Marci and Mike have  
8 done is very impressive. It is a spectacular place  
9 to walk through. So I applaud them for that and  
10 that's what I have for you, the truth.

11 MAYOR HAGEDORN: Thank you, Dana.

12 MS. GARZA: Can it be said they sold their  
13 house to those people --

14 COURT REPORTER: I don't know who you are.  
15 You need to say your name.

16 MAYOR HAGEDORN: I'll give you a minute. You  
17 guys didn't sign up.

18 MS. GARZA: We didn't sign up. My name is  
19 Yvonne Garza and I live at 3 Riverview Court.

20 MS. NAZARI: I'm Marcia Nazari. I'm at 205  
21 MacArthur Street.

22 MS. GARZA: We just wanted to get on the  
23 record that yeah, the Schwengels, they still own that  
24 home that they're talking about in the neighborhood,  
25 but they're in the process of selling it to the



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1 people turning our neighborhood into this rental  
2 agreement. I think let's get the truth out, and  
3 that's fine to say and yes they were helpful to  
4 neighbors, I have no denial of that, but they were  
5 upset about the rental coming in until they sold  
6 their house out thinking their's was going to become  
7 a rental. That will be the next one coming up for a  
8 Special Use Permit.

9 MAYOR HAGEDORN: Thank you, guys.

10 MS. NAZARI: I just wanted to say I don't  
11 know Murray, I don't know these people that bought  
12 this house, I only know Murray because my husband and  
13 I borrowed him a chainsaw when his tree went down,  
14 and he was out there cutting it up by hand. So we  
15 said hey, do you want the chainsaw, my husband  
16 stopped, yes, that's all I know of him. We've been  
17 in our home almost 27 years. Like everybody said,  
18 it's a very, very nice neighborhood. Everybody helps  
19 everybody out. I was out of town one day and my  
20 front door was open, I didn't know that, I was out of  
21 state. I had somebody call me, are you home, your  
22 door is open. People are walking food to neighbors.  
23 We don't want transients. We don't want -- and it's  
24 not the unknown, it's going to change our  
25 neighborhood.

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1 MAYOR HAGEDORN: Thank you.

2 MS. NAZARI: It's just sad.

3 MAYOR HAGEDORN: We're going to give the  
4 applicant five more minutes, if you wish, answer any  
5 questions.

6 MR. LAMB: There are no other names on the  
7 list.

8 MAYOR HAGEDORN: Go ahead.

9 MS. CURRAN: I didn't realize there was a  
10 list that we had to sign up on. I apologize. I am  
11 sorry and I am sorry for all of you.

12 MS. KLEKAMP: Could you say your name and  
13 address, please.

14 MS. CURRAN: I'm sorry. I'm Delisa Curran.  
15 My husband Greg and I live at 2 Riverview Court, and  
16 man, I wouldn't want to be in your shoes, I'm so  
17 sorry. I appreciate all that you're doing, I really  
18 do. I do feel like I have to -- I did have a  
19 prepared something that I wanted to say to you, but I  
20 also have to clear up some things, beginning with  
21 this. I'm not a lawyer, none of us are lawyers, I  
22 don't believe, unless they're secret lawyers that I  
23 didn't know about, so we're not prepared with what  
24 the legal terms are, but I got a notice, I did not  
25 know at all, I don't know any of our neighbors who

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1 do, other than it appears to be the ones who are  
2 selling their house to Marci and also a friend of  
3 hers, who of course she would have told, but the rest  
4 of us were surprised by this information. We got the  
5 notice a week before the meeting. We were completely  
6 caught off guard. My husband Greg and I purchased  
7 the home on 2 Riverview Court. We had moved away for  
8 eight years to Kansas City. We were excited to move  
9 back to the community of Washington. It's a  
10 wonderful place to live. Bought a piece of land,  
11 thought we'd build a house, found out you have a  
12 problem in Washington with finding a place to live, a  
13 rental house, rental apartment, anything. It's a  
14 difficult thing to find a place to rent. So, we  
15 bought, trying to keep this short, we bought the  
16 house on 2 Riverview Court thinking we would be able  
17 to live in it while we built the other house. Before  
18 we made that big investment, again not a lawyer, but  
19 I did go to the City of Washington, did my due  
20 diligence, looked up where the areas are that are  
21 zoned commercial versus zoned residential. We chose  
22 intentionally to live in a zoned residential area  
23 because we wanted to live in a neighborhood with  
24 people, not in a commercial district. We didn't want  
25 to live next to an Airbnb. We wanted our home to be

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1 a home only. If we wanted to invite people in, we  
2 thought about having an Airbnb, so we did research a  
3 little bit that there is a Special Use Permit, but we  
4 chose not to be in that area. We wanted to be in a  
5 residential area. We thought special meant special,  
6 not that just because 17 others have gone before us  
7 and gotten approval, that means that there has to be  
8 18 and then again 19, because Murray's house  
9 apparently is also slated to become an Airbnb. My  
10 concern with that too is we live on the little road  
11 that Murray is so kind enough to plow. He has been a  
12 wonderful neighbor, I do hate to see him leave, to be  
13 honest, but we live down that road that he plows. If  
14 somebody stays at a place called Riverview Place,  
15 where do you think they're going to look. What do  
16 you think they're going to look for. They're going  
17 to look at the river, that's what I would do. That's  
18 the closest way to get to it is to walk down our  
19 street. Now we're not going to call the police every  
20 time someone walks down our street, you guys don't  
21 need to deal with that, but at the same time it's  
22 going to change things. Don't want to put up  
23 barriers on our street, don't want to change our  
24 neighborhood, but this is where we live.

25 The other concern that I wanted to address is

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1 that we have been a place that has character. We  
2 live in a town that people come to and they want to  
3 live. We have generations of immigrants that have  
4 been born and raised in Washington, raised their  
5 kids, raised their families. Their kids can no  
6 longer buy a home here because people are --  
7 investors are coming in from other places, St. Louis  
8 or in the example of Union Airbnbs, they're coming in  
9 from other places and living in them. So it's an  
10 hour and a half away, there are things that you can  
11 do to quell the noise and different things like that,  
12 but you can't put a person in there who's going to  
13 raise children and go to school. These people, my  
14 nephew is one, who is dying to buy a house. He can't  
15 buy a house for 100 to 200,000 that isn't a wreck  
16 because someone else is buying them before they even  
17 go on the market because the prices are inflated  
18 because of this short-term rental situation.

19 MAYOR HAGEDORN: I hate to cut you off.

20 MS. CURRAN: That's okay. I just would beg  
21 you, because the other thing I brought up at the last  
22 meeting was I never lived in a place that was a  
23 neighborhood and not a subdivision. I hate  
24 subdivision meetings, I'll be honest, everybody does,  
25 but we get a vote when we have a neighborhood, and we

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1 as residents of a neighborhood are begging you to be  
2 our vote. You invited us to speak at the last  
3 meeting. We thought you wanted our opinion. We gave  
4 it. We are not afraid, we're not afraid, except of  
5 losing this town. We didn't hire a lawyer but we're  
6 asking you to hear us please. Please vote for us and  
7 our neighborhood. We are your constituents.

8 MR. ALFERMAN: Can I have one minute?

9 MR. POLITTE: Can I have 8, 10?

10 MAYOR HAGEDORN: Last one.

11 MR. ALFERMAN: My name is Terry Alferman. I  
12 own the property at 610 Riverview. I live at 875  
13 Northern Sky Drive. I've owned this piece of  
14 property since 1978. It's been a residence, I've  
15 lived there for 14 years and love the place. I still  
16 love the house, I love the neighborhood. My only  
17 concern with this whole thing is everybody -- if I  
18 need to drive into somebody's yard or I need to do  
19 this or I need to do that, I go and I ask permission  
20 before I ever decide to do anything. I find out from  
21 my renter they have a hot tub delivery. Nobody  
22 talked to me. They drive a truck right into my yard  
23 and leave ruts in my yard. My renter has made it her  
24 point to go out and stomp them down. If that's the  
25 way they want to do business, I don't think I want

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1 them next to me. Thank you.

2 MR. KIEL: Can I have a minute to hit on that  
3 point?

4 MAYOR HAGEDORN: Guys, we don't want to be in  
5 a tit for tat.

6 MR. POLITTE: He can have my five, how about  
7 that.

8 MR. KIEL: I'm Michael Kiel, I'm Marci's  
9 husband at 612 Riverview Place. The incident he's  
10 referring to was actually, yes, it was a delivery  
11 truck that we hired to have this hot tub put in the  
12 backyard. And I went up to our neighbor's house  
13 three times that day, knocked on her door to say hey,  
14 it looks like we might have to get in your yard a  
15 little bit to get this hot tub put in there. She  
16 didn't answer the door, nothing happened. I actually  
17 told the delivery truck driver I don't feel  
18 comfortable with you going in their yard until we get  
19 permission, and he continued to just go in the yard.  
20 And she came out and I said listen, I'm going to do  
21 everything I can to make this better. I sat there  
22 and stomped her yard down for four days. I raked her  
23 leaves three times. We bought extra fertilizer to  
24 make sure her lawn looks better than it does  
25 currently in the spring. So I can't stand when

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1 people come here and tell a lie, and so I wanted to  
2 get that straight. Thank you for your time.

3 UNKNOWN SPEAKER: That is a lie.

4 MAYOR HAGEDORN: Come on, let's argue  
5 passionately but respectfully, please. The rest is  
6 for counsel, you guys. Five minutes.

7 MR. POLITTE: So again I'd like to reiterate  
8 that in my opinion just denying a permit where the  
9 technical boxes have been checked to get the permit,  
10 like any permit, it needs to be granted. If you have  
11 heard any evidence tonight actually about 612  
12 Riverview itself and not just broad statements about  
13 the town or the neighborhood or children or schools,  
14 whatever, you might have something to hang your hat  
15 on possibly to establish some conditions about  
16 parking. Nobody expressed a concern about not being  
17 able to park their cars in their driveway. And about  
18 noise, I don't think I heard anything about noise,  
19 not about lighting. Are all these general  
20 guesthouses bad, neighborhoods, people, property  
21 owners, let's see. I don't want to live near a  
22 business, these are quotes. We were compared to New  
23 York City. We were compared to Gatlinburg. We need  
24 enrollment of kids in our schools. Short-term  
25 rentals are ruining our community. Let's see, what



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1 else. I'm sorry Marci did not research before she  
2 bought. Actually she did research, and if you would  
3 have done the research you'd say okay, this is zoned  
4 residential, you look at the chart, when you're  
5 residential you can get a Special Use Permit. Oh,  
6 the City has issued 17 in a row, my chances are  
7 pretty good. Maybe at that time it was only 12 or  
8 13. We need to keep our neighborhoods intact. Mayor  
9 was quoted that we need to keep our young families  
10 here. What does that have to do with 612 Riverview  
11 Place and the special use application for that  
12 particular property? Yeah, let's get families here,  
13 let's find places for them, but this application was  
14 filed before any moratorium or code change at a time  
15 when you're supposed to analyze it correctly and  
16 issue it. So I would say -- and I heard a lot of  
17 great comments about guesthouses and concerns about  
18 short-term rentals and what they do to a community  
19 and what they do to a town and what they do to a  
20 neighborhood, and I hope everyone of these people  
21 comes back and testifies verbatim, if they want to,  
22 before Planning and Zoning and before the City  
23 Council when you have your hearings regarding  
24 moratorium and regarding a possible code change  
25 addressing these things. But for tonight, for what's

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1 on before you tonight, this application for Special  
2 Use Permit, there's not substantial evidence to deny.  
3 There's not substantial evidence to even put  
4 conditions on this thing. There is not substantial  
5 evidence that you have the right, the legal right to  
6 treat this application any differently than you did  
7 the 17 prior applications. As I said in my opening,  
8 you can't just decide okay, we don't like this  
9 anymore, we have more and more people coming to the  
10 meetings to complain, denied. You have to have  
11 something to hang your hat on, a reason. And I would  
12 respectfully submit that you haven't heard any  
13 reasons to deny this particular application tonight.  
14 Thank you.

15 MAYOR HAGEDORN: Ma'am, this is not a court  
16 of law argument. I understand. I understand.

17 UNKNOWN SPEAKER: He wanted arguments and I  
18 was going to give him a few.

19 MR. HIDRITCH: I just want to make note that,  
20 Mr. Politte, there was, at the P & Z meeting, there  
21 was about parking, there was about noise, there was  
22 even a fear of somebody jumping out of a hot tub and  
23 their grandkids seeing it. So there was those  
24 issues. They might not have said it tonight.

25 MR. POLITTE: We addressed parking.

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1 MS. KLEKAMP: David, you need to go to the  
2 podium, please.

3 MR. POLITTE: I think we addressed the  
4 parking with the five off-street parking spaces. I  
5 can put a hot tub in my backyard and have a kid jump  
6 out and I've lived there 23 years, that can happen  
7 whether it's single family, dual family, whatever,  
8 so.

9 MR. HIDRITCH: I just wanted to make you  
10 aware of it.

11 MR. BEHR: Yeah, I think the point that Mr.  
12 Hidritch was trying to make, in our packet we have  
13 everything from the P & Z meeting where those were  
14 addressed, parking and noise and those things. They  
15 just weren't brought up tonight.

16 MR. POLITTE: And Mr. Hidritch's quote that  
17 there's just too many neighbors here tonight that are  
18 against it and I have to go with whatever the  
19 neighbors say because that's what I was elected to  
20 do. That's not a very specific fact.

21 MR. HIDRITCH: It's not?

22 MR. POLITTE: No.

23 MR. HIDRITCH: What if somebody hired you to  
24 be a lawyer, wouldn't you defend them or would you  
25 just sway with the other person? Those people

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1 elected us, so we have to defend them and be their  
2 voice.

3 MR. POLITTE: My only response to that is  
4 when you were elected, you took an oath of office to  
5 uphold the laws and ordinances of the City of  
6 Washington, Missouri, and that's on behalf of the  
7 entire City. You don't just represent your ward, you  
8 don't just represent this neighborhood, you represent  
9 the entire City, and you have a City Code this thick  
10 that you have to be kind of concerned about in making  
11 decisions consistent with it.

12 UNKNOWN SPEAKER: (Inaudible)

13 MAYOR HAGEDORN: Really it doesn't do your  
14 argument any good if you're disrespectful, okay. I'm  
15 on the fence about this, and remarks like that, it's  
16 going to sway some people. It may sway me, okay, so  
17 let's be respectful, everybody. Thank you.

18 MR. PATKE: Fellow councilmen, I'd just like  
19 to say that we knew or at least I knew that at some  
20 point we were going to come to this. So approving  
21 Special Use Permits for vacation rental homes was  
22 going to, at one time, be enough. It was going to be  
23 where are they at, how many. Obviously we've come to  
24 that point. No disrespect to this neighborhood, but  
25 due to the fact that the applicant has applied does

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1 put them in the position where granting that  
2 application is, again can be denied, not against, but  
3 in a good spot, but I think moving forward we must  
4 issue a moratorium. We must look at our code  
5 changes, put all to it so we do put these in the  
6 right spot, the right neighborhoods or lack thereof,  
7 in the future. So again I guess my point is that we  
8 can't stop someone from buying a piece of property  
9 with the intent of doing this and then change it mid  
10 application. If we have a change made before the  
11 application is submitted, then they follow the code  
12 for sure. I completely agree with that. And like I  
13 said, we need to change the code as we see fit, and I  
14 think we've talked briefly about that but now it's  
15 come to a huge head here tonight, there's no doubt  
16 about that, but the 17 before it, the 16 before it,  
17 whatever we have in town, we have now come to a point  
18 where enough is enough and we have to figure out a  
19 better code change. Whether you agree with that or  
20 not, I don't know, but gotta be honest.

21 MR. REED: I'd like to say all these people  
22 are my neighbors. I live four houses away from this,  
23 and I know how they feel. And you're right, they  
24 voted for us. I can't say I'm a big fan of it and I  
25 understand every one of these people, and it's in my

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1 hood, and are we going to table it or are we going to  
2 vote on it?

3 MR. WESSLES: I don't see what tabling -- I  
4 don't know what good -- I thought about that. We're  
5 going to have to make the decision, whether it's  
6 tonight or it's two weeks from now, and I don't see a  
7 change as a result. I personally -- and I understand  
8 what these folks are talking about. I've talked to  
9 several of you, and I mentioned to a couple of you on  
10 the phone that we're kind of on the cusp here,  
11 unfortunately for the people involved here, of this  
12 decision about when is it time to bring the limit.  
13 I've asked the City for details on how many  
14 households do we have, exactly how many Airbnbs do we  
15 have and what percentage is that, how does that  
16 compare to others. I think we need to make that an  
17 informed decision also when and if we do this  
18 moratorium. I personally, I don't know how, I don't  
19 know how we can go against the ordinances and laws  
20 that are put in place right now. I don't know how we  
21 can do that and fairly do that across the board where  
22 you pick -- that's the whole idea of having these so  
23 that you don't -- when you come up with these things,  
24 you have something to guide you, you have something  
25 to go by, and we've had these rules in place for some

## City Council Public Hearing - 2/6/2023

1 time. I for one feel like we're going to have to  
2 follow them and grant the approval.

3 UNKNOWN SPEAKER: Excuse me. Then why did we  
4 come to the Planning and Zoning board meeting to  
5 express our --

6 COURT REPORTER: I don't know who's speaking.  
7 Do you want to have her come up here?

8 MAYOR HAGEDORN: Bonnie, I'm sorry, the  
9 public comment section is over. I know you guys each  
10 would have differing arguments with what the  
11 councilmen are saying, but quite frankly it's time  
12 for the council to act, and we need to get their  
13 viewpoint too. So I'm sorry to cut you guys off.

14 MR. WESSLES: Anybody else?

15 MAYOR HAGEDORN: Okay, I'll accept a motion.

16 MS. KLEKAMP: I need a motion to approve the  
17 minutes.

18 MR. HOLTMEIER: I'll make a motion.

19 MR. WESSLES: Second.

20 MAYOR HAGEDORN: Motion by Holtmeier, second  
21 by Wessels. I think we probably ought to have a roll  
22 call vote.

23 MR. LAMB: You're just accepting it into the  
24 minutes.

25 MAYOR HAGEDORN: All those in favor say aye.

## City Council Public Hearing - 2/6/2023

1 (WHEREUPON ALL AYES WERE HEARD)

2 MAYOR HAGEDORN: Any nays? No nays. It's in  
3 the minutes.

4 MS. KLEKAMP: An ordinance granting a special  
5 use permit to utilize 612 Riverview Place as a  
6 vacation rental in the City of Washington, Franklin  
7 County, Missouri.

8 MAYOR HAGEDORN: Patke. Introduced by Patke.  
9 Go ahead, Sherri.

10 MS. KLEKAMP: An ordinance granting a Special  
11 Use Permit to utilize 612 Riverview Place as a  
12 vacation rental in the City of Washington, Franklin  
13 County, Missouri. Behr?

14 MR. BEHR: No.

15 MS. KLEKAMP: Holtmeier?

16 MR. HOLTMEIER: Aye.

17 MS. KLEKAMP: Reed?

18 MR. REED: No.

19 MS. KLEKAMP: Patke?

20 MR. PATKE: Yes.

21 MS. KLEKAMP: Wessels?

22 MR. WESSLES: Aye.

23 MS. KLEKAMP: Coulter?

24 MR. COULTER: No.

25 MS. KLEKAMP: Hidritch?



**City Council Public Hearing - 2/6/2023**

1 MR. HIDRITCH: Nay.

2 MS. KLEKAMP: Briggs?

3 MR. BRIGGS: No.

4 MAYOR HAGEDORN: By vote, denied the Special  
5 Use Permit.

6 (PUBLIC HEARING CONCLUDED)

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## City Council Public Hearing - 2/6/2023

1 State of Missouri )

2 County of Franklin )

3

4 I, Kim Wrocklage, duly commissioned, qualified  
5 and authorized to administer oaths and to certify to  
6 depositions, transcribed the City of Washington City  
7 Council public hearing held at the offices of  
8 Washington City Hall, 405 Jefferson Street, in the  
9 City of Washington, State of Missouri on the 6th day  
10 of February, 2023.

11 Said hearing was reported by me in shorthand and  
12 caused to be transcribed into typewriting, and the  
13 foregoing pages correctly set forth the testimony of  
14 the public, together with the questions propounded by  
15 counsel and the Board, and remarks and objections of  
16 counsel, the Board and the public, and is in all  
17 respects a full, true, correct and complete  
18 transcript.

19 I further certify that I am not of counsel or  
20 attorney for either of the parties, not related to  
21 nor interested in any of the parties or their  
22 attorneys.

23

24 \_\_\_\_\_/s/ Kim Wrocklage, CCR \_\_\_\_\_

25

# Mayor's Proclamation

CITY OF WASHINGTON, MISSOURI

## Recognizing Lieutenant Joe Bolte First WFD Firefighter boxer at Guns 'N Hoses

*Whereas*, Joe Bolte joined the Washington Volunteer Fire Department on February 27, 2019, is a Member of Section 1 at Fire Department Headquarters, and became Second Lieutenant for Section 1 on August 25, 2021; and

*Whereas*, each year, first responders from the St. Louis area compete in the Guns 'N Hoses Charity Boxing and MMA Tournament all to raise money for BackStoppers. This dedicated group trains and works diligently to prepare for the now St. Louis infamous Wednesday before Thanksgiving tradition, under strict supervision for the safety of the participants. Since 1987, there have been approximately 700 bouts and 1,400 first responders compete in the event to help raise money for the families of St. Louis area first responders killed in the line of duty; and

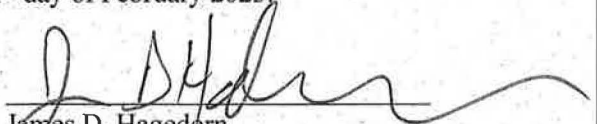
*Whereas*, Lieutenant Joe Bolte competed in the Guns 'N Hoses event on November 23, 2022, as the first Firefighter to represent the Washington Volunteer Fire Department; and

*Whereas*, Lieutenant Joe Bolte traded jabs and uppercuts with Kirkwood Police Officer David Muehl for three one-minute rounds of boxing and won his fight by judges' decision.

*Now Therefore*, I James D. Hagedorn, by virtue of the authority vested in me as Mayor of the City of Washington, and on behalf of the entire City Council hereby extend Lieutenant Joe Bolte our congratulations and extend this token of affection and admiration with which you are regarded in this City.



*In Witness Whereof*, I have hereunto set my hand and caused to be affixed the Seal of the City of Washington, Missouri this 21<sup>st</sup> day of February 2023.

  
James D. Hagedorn  
Mayor



February 21, 2023

Mayor & City Council  
City of Washington  
Washington, MO 63090

Re: Short Term Lodging Moratorium

Mayor & City Council,

At their February 13<sup>th</sup> meeting the Planning and Zoning Commission voted unanimously to recommend a 6-month moratorium on all new Short Term Lodging Establishments in residential districts. They will review revised codes at their next two meetings and have agreed to send new recommendations to Council by May 2023. The moratorium on your agenda tonight would give Council an additional 3 months to finalize new laws by August 2023.

Short Term Lodging establishments can still be approved by City Staff in C-2 and C-3 zoning districts during this period.

Feel free to reach out with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Sal Maniaci".

Sal Maniaci  
Community and Economic Development Director

BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ENACTING A MORATORIUM ON DEVELOPMENT AND ISSUANCE OF SPECIAL USE PERMITS FOR SHORT-TERM RENTALS

WHEREAS, the City of Washington, Missouri (the "City") is a third-class city and municipal corporation of the State of Missouri that exercises zoning authority within its corporate limits; and

WHEREAS, an appropriate mix of residential, commercial, and lodging options is required in order to ensure the vitality and character of the City; and

WHEREAS, the best interests and welfare of the City and its residents require that the City consider whether additional or revised regulations are necessary or appropriate to preserve or enhance the mix and development of lodging options; and

WHEREAS, the establishment of new short term rental uses in the City during the pendency of any such consideration may irreversibly change the character of the City to the possible detriment of the City and its residents; and

WHEREAS, in order to prevent such an irreversible change in the character of the City, the City Council has determined that it is necessary for the City to impose a moratorium on the issuance of business, occupancy, special use, and other permits for short term rentals by owners including but not limited to, Airbnb, Vrbo, and the like as hereinafter set forth; and

WHEREAS, the Planning and Zoning Commission and the City Council are currently reviewing various regulations affecting short term rentals in the City, including, but not limited to, Airbnb, Vrbo, and the like; and

WHEREAS, the City Council has determined that adopting a temporary moratorium at this time is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, MISSOURI, AS FOLLOWS:

SECTION ONE: Recitals. The foregoing recitals are incorporated into this Ordinance as if fully set forth in this Section.

SECTION TWO: The City Council of the City of Washington, Missouri hereby directs the City's Planning and Zoning Commission to consider the need for changes to the City's ordinances of zoning, business, occupancy, special use, and other permits for vacation rental dwellings, except for those spaces that have received a special use permit for short term rentals as of the date of this Ordinance. No applications for special use permits for short term rentals shall be processed during the period that this Ordinance is in effect.

For purposes of this Ordinance, a short-term rental is defined as a private furnished residence (either single-family or condominium, but not a multifamily apartment unit) rented for lodging purposes, not owner-occupied at the time of rental, and rented for periods not exceeding sixty (60) days.

The Planning and Zoning Commission should report its recommendations to the City Council within two (2) months from and after the date of passage and approval of this Ordinance.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage and approval and shall automatically expire six (6) months hence unless extended or terminated sooner.

SECTION FOUR: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

ATTEST: \_\_\_\_\_

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

\_\_\_\_\_

President of City Council

\_\_\_\_\_

Mayor of Washington, Missouri



February 13, 2023

Honorable Mayor & City Council  
405 Jefferson Street  
Washington, MO 63090

RE: File No. 23-0202-1399 W. Main Street-Special Use Permit-RV Park

Dear Mayor and City Council Members:

At the regular meeting of the Planning & Zoning Commission, held on Monday, February 13, 2023, the Commission reviewed and recommends approval of the above mentioned Special Use Permit.

Sincerely,

Thomas R. Holdmeier  
Chairman  
Planning & Zoning Commission

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: February 13, 2023

Re: File # 23-0202

Synopsis: The applicant is requesting approval of a Special Use Permit for a RV Park on property located at the corner of Westlink Drive and West Main Street

	Existing Land Use	Existing Zoning
North	Industrial Plants	M-2
South	Miller Post Nature Reserve	AG
East	Miller Post / Single Family	AG / R-1A
West	Industrial Plant	M-2

**Analysis:**

The Applicant has submitted an application for a Special Use Permit located at 1399 W Main Street, at the intersection of West Main Street and Westlink Drive. According to Section 400.205, City Council can approve, after review from Planning and Zoning Commission Special Uses.

*According to this Section, "Special uses are those types of uses which tend to be problematic because they: (1) have a tendency to generate significant traffic volumes and/or turning movements; (2) have operational characteristics that may have a detrimental impact on adjacent or nearby properties; or (3) have other characteristics which may impact public health, safety, or welfare; but can be approved if such uses meet the criteria established herein. Special uses also include public and quasi-public uses affected with the public interest. In order to ensure that detrimental impacts are avoided or mitigated to a satisfactory level, special uses must be reviewed and may be approved in accordance with the provisions of this Article."*

*"In considering whether or not such application for a special use permit should be granted, it shall be the duty of the Commission and the Council to give consideration to the effect of*



*the requested use on the health, safety, morals and general welfare of the residents of the area in the vicinity of the property in question and the residents of the City generally. In considering the special use, the Commission and the Council may consider, among other factors, the following:*

- 1. The compatibility of the proposal, in terms of both use and appearance, with the surrounding neighborhood.*
- 2. The comparative size, floor area and mass of the proposed structure in relationship to adjacent structures and buildings in the surrounding properties and neighborhood.*
- 3. The frequency and duration of various indoor and outdoor activities and special events, and the impact of these activities on the surrounding area.*
- 4. The capacity of adjacent streets to handle increased traffic in terms of traffic volume, including hourly and daily levels.*
- 5. The added noise level created by activities associated with the proposed use.*
- 6. The requirements for public services where the demands of the proposed use are in excess of the individual demands of adjacent land uses, in terms of police and fire protection, and the presence of any potential or real fire hazards created by the proposed use.*
- 7. Whether the general appearance of the neighborhood will be adversely affected by the location of the proposed use on the parcel.*
- 8. The impact of night lighting in terms of intensity, duration and frequency of use, as it impacts adjacent properties and in terms of presence in the neighborhood.*
- 9. The impact of the landscaping of the proposed use, in terms of maintained landscaped areas versus areas to remain in a natural state, as well as the openness of landscape versus the use of buffers and screens.*
- 10. The impact of a significant amount of hard-surfaced areas for buildings, sidewalks, drives, parking areas and service areas, in terms of noise transfer, water runoff and heat generation."*

Given the above criteria, staff has the following comments:

1. The proposed use, being adjacent to both industrial and recreational uses, appears compatible with the surrounding neighborhood. RV Parks require a special use permit in every zone district under City Code. The proposed location with access to recreational facilities, in close proximity of downtown, while still being on an industrial truck route makes this location much more ideal than others.
2. The proposed construction of 35 pads, a bath house, and a check in facility does not create a scenario that is more intensive than the surrounding industrial uses. In fact the development serves as a decent transition from industrial to residential uses.
3. The development will be required to adhere to noise and nuisance codes just as any other use with quiet hours after 10 p.m. The frequency of the proposed activities will not appear to impact the surrounding area. There is a 30 ft. buffer between the existing homes and the proposed development.
4. Staff does not believe that the proposed use will generate more traffic than any of the surrounding properties. West Main Street and Westlink Drive are both

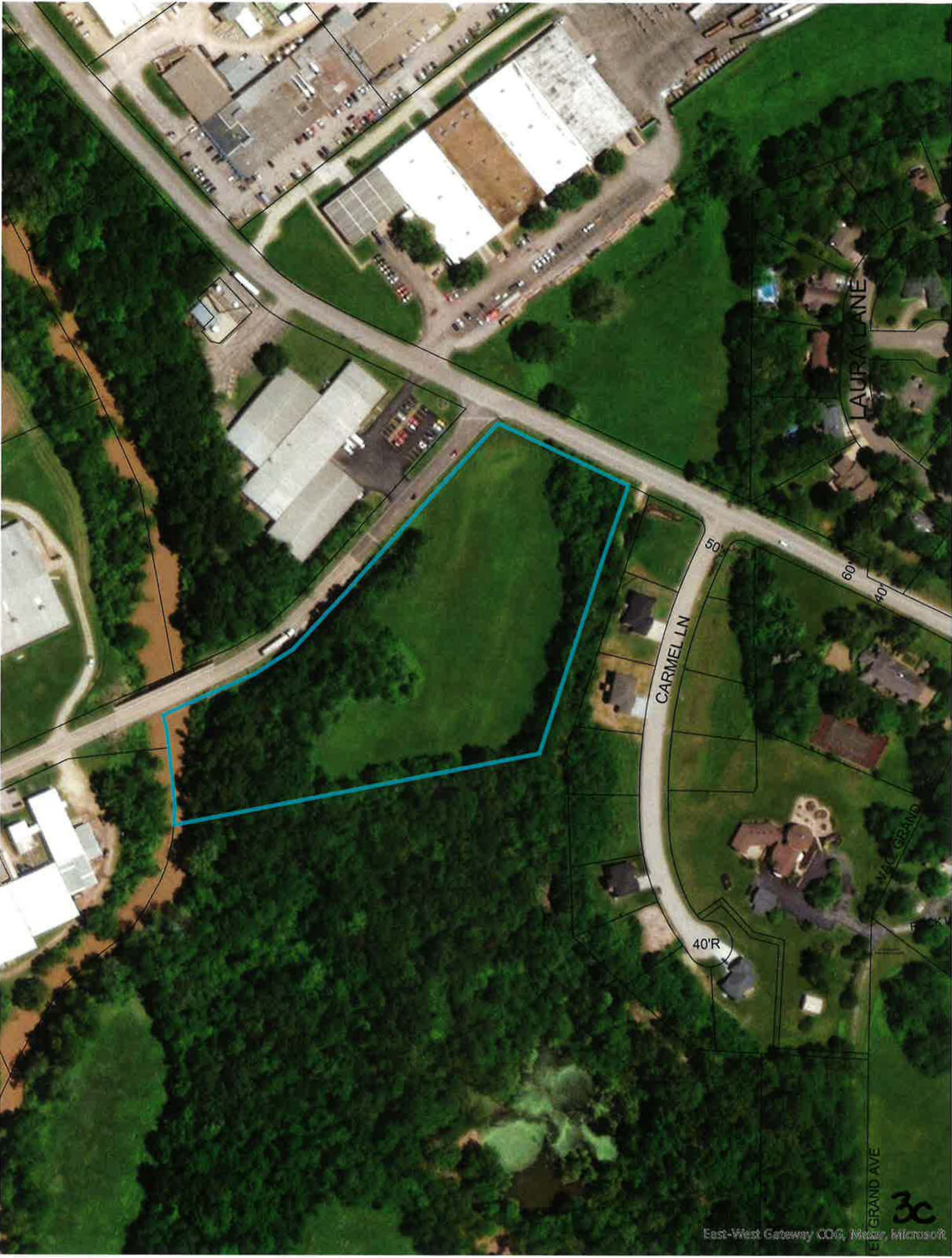
designated as industrial truck routes, allowing for the capacity for RVs. There are also two access points proposed, with the main one being on Westlink Drive.

5. The proposed use does not create a noise level we believe will be any more intrusive than an industrial use.
6. There is no reason to believe the proposed use will place a stress on public services in the area and the police and fire protection can accommodate the use.
7. With being between industrial, recreational, and residential uses, we believe this type of short-term lodging does not impact the appearance of the neighborhood.
8. There is no lighting proposed that will affect the neighborhood.
9. There is no proposed landscaping that will affect the neighborhood. Much of the landscaping is being proposed to maintain.
10. The site plan was reviewed by City Staff and the applicant is in discussions with our engineering staff for stormwater runoff plans. With access to the creek and river nearby, it should be a fairly straightforward system of retention. The amount of proposed hard surface is also less than would happen with industrial zoning in the area.

Given the above analysis, staff believes the proposed special use has the ability to not detrimentally affect the neighborhood.

**Recommendation:**

Staff recommends approval of the Special Use Permit to operate 1399 W Main Street as an RV Park

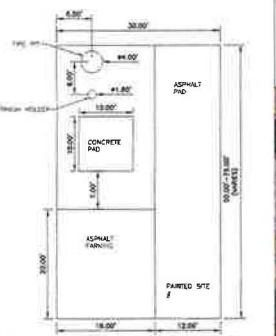




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Maxar

# CONCEPTUAL SITE PLAN



TYPICAL LOT LAYOUT



PRELIMINARY DRAWING

FOR REVIEW PURPOSES ONLY  
NOT TO BE USED FOR CONSTRUCTION

**Gregg & Brittany Gross**  
1399 West Main Street  
Washington, Franklin County, Missouri

DRAWN	10/15
CHECKED	
DATE	
BY	
TITLE	
SHEET	
TOTAL	
SHEET NAME	
CONCEPTUAL SITE	
PLAN	

CSP-1

# CONCEPTUAL SITE PLAN

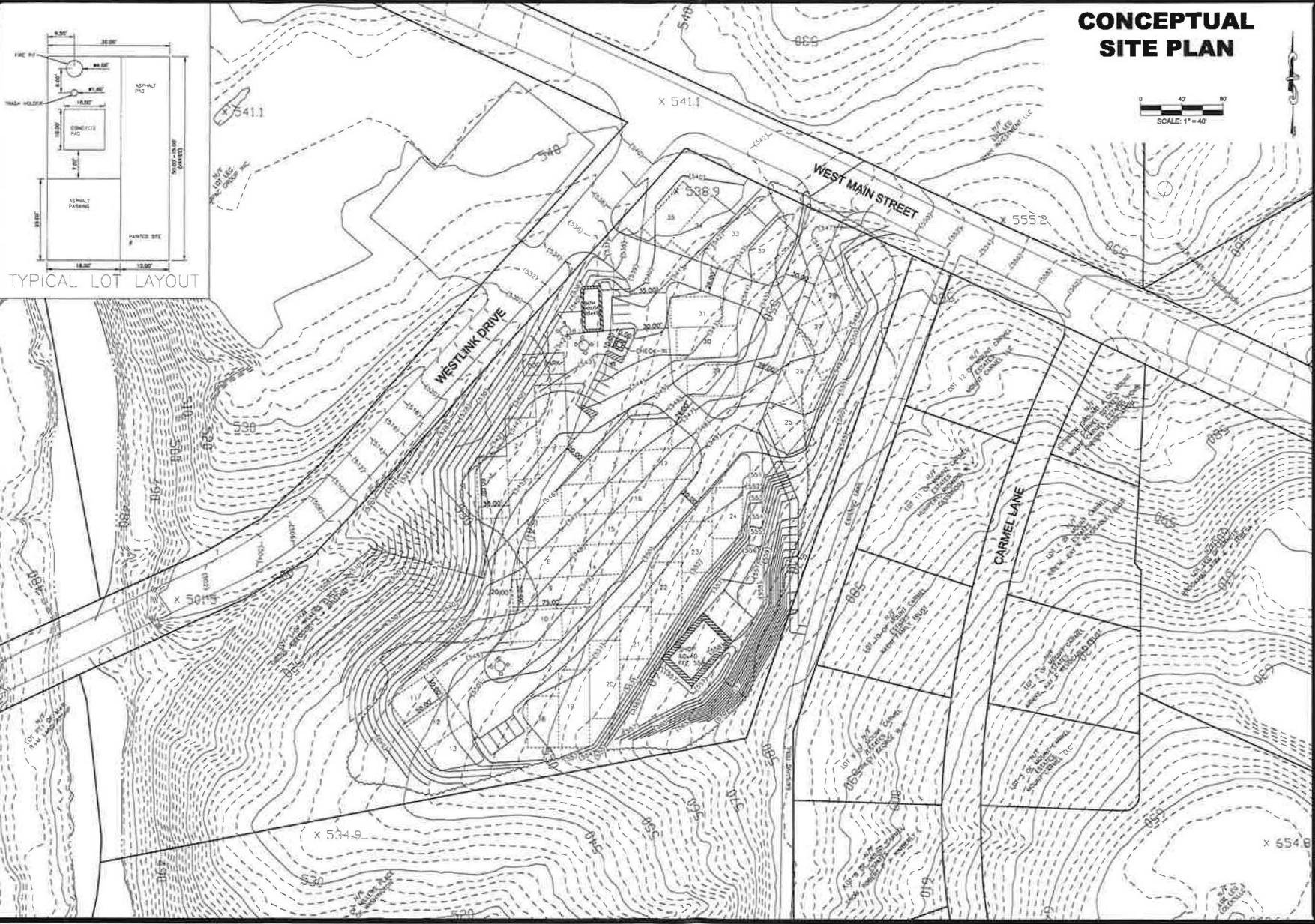


BFA  
 Engineering & Surveying  
 103 ELM STREET  
 WASHINGTON, MISSOURI 63090  
 TELEPHONE: 636.326.1155  
 WWW.BFA.MO

**PRELIMINARY DRAWING**  
 FOR REVIEW PURPOSES ONLY  
 NOT TO BE USED FOR CONSTRUCTION

**Gregg & Brittany Gross**  
**1399 West Main Street**  
**Washington, Franklin County, Missouri**

DRAWN: E.C. / J.S.  
 CHECKED: R.C.R.  
 DATE: 12/2/23  
 SCALE: 1"=40'  
 JOB NO: 1805  
 SHEET NAME: CONCEPTUAL SITE PLAN  
 CSP-1

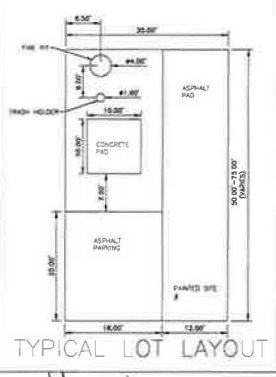
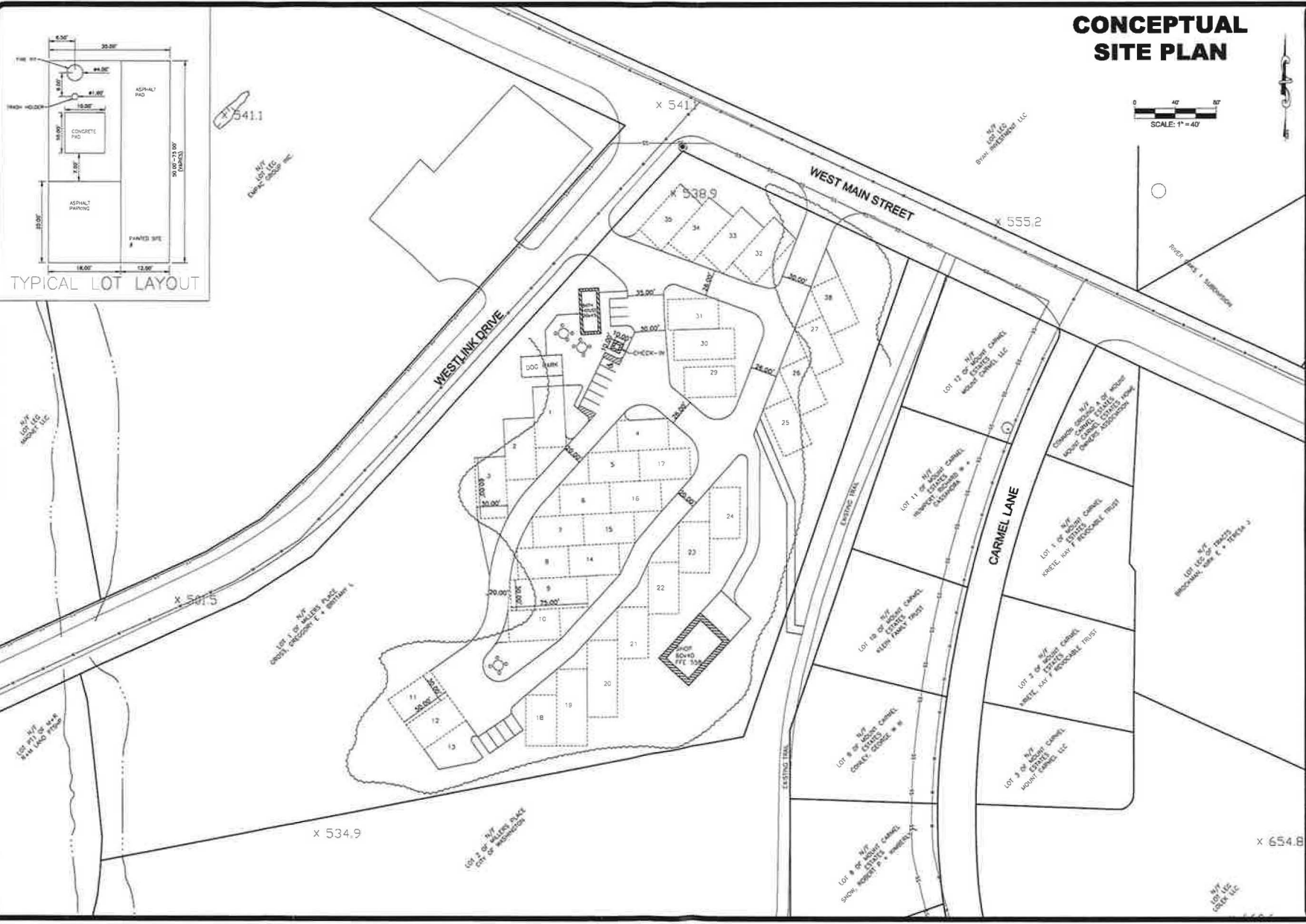


TYPICAL LOT LAYOUT

# CONCEPTUAL SITE PLAN



BFA  
 Engineering & Surveying  
 MISSOURI, WASHINGTON, WISCONSIN, ILLINOIS  
 1875 LEXINGTON  
 TEL: 636.336.4333



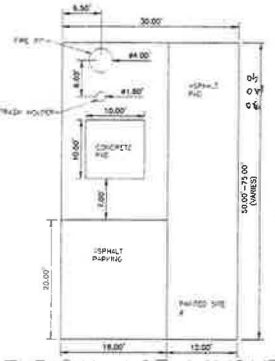
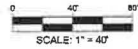
**PRELIMINARY DRAWING**  
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**Gregg & Brittany Gross**  
**1399 West Main Street**  
**Washington, Franklin County, Missouri**

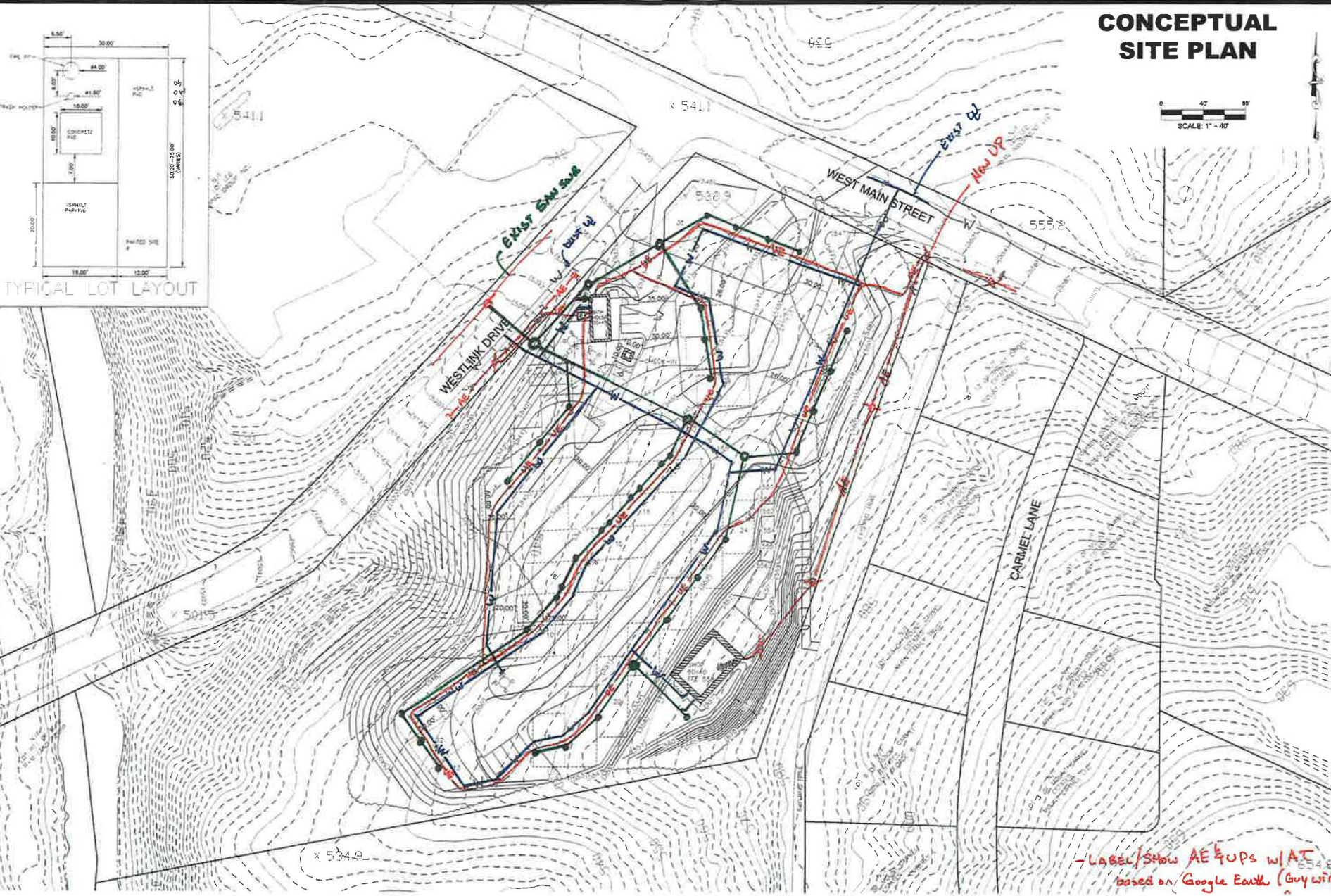
DATE	1/29/23
SCALE	1"=40'
SHEET NO.	7/20
SHEET NAME	CONCEPTUAL SITE PLAN

CSP-1

# CONCEPTUAL SITE PLAN



TYPICAL LOT LAYOUT



PRELIMINARY DRAWING  
 FOR REVIEW PURPOSES ONLY  
 NOT TO BE USED FOR CONSTRUCTION  
 BFA  
 Engineering-Surveying  
 1200 N. 10th St. Suite 200  
 Des Moines, IA 50319  
 Phone: (515) 281-1111  
 Fax: (515) 281-1112  
 Website: www.bfa.com

Gregg & Brittany Gross  
 1399 West Main Street  
 Washington, Franklin County, Missouri

DRAWN: C.M.G.  
 CHECKED: J.S.P.  
 DATE: 11/2/22  
 SCALE: 1"=40'  
 SHEET NO: 2305  
 SHEET NAME: CONCEPTUAL SITE PLAN

- LABEL/SHOW AE EUPS w/AT based on Google Earth (Guy Williams)





CITY OF WASHINGTON, MISSOURI  
Department of Planning and Engineering Services  
405 Jefferson Street · Washington, MO 63090  
636.390.1010 Phone · 636.239.4649 Fax

SPECIAL USE PERMIT APPLICATION

All applications for Special Use Permits must be submitted to the Engineering Department at least 15 working days prior to the second Monday of each month in order to be placed on the agenda for the Planning & Zoning Commission Meeting. Legal Description: Parcel: 10-5-160-0-020-068180

Please Print: Street Address: Westlink Drive and West. Main St.

Lot: \_\_\_\_\_ Subdivision: Miller's Place PID# \_\_\_\_\_

Applicant Name: Gregg and Brittany Grass Phone: 636-667-0441

Address of Applicant: 15 Lexington Ln. Washington, MO 63090

Owner: Gregg and Brittany Grass Phone: 314-226-5867

Owner's Address: 15 Lexington Ln. Washington, MO 63090

Current Zoning: Agricultural Proposed Zoning: \_\_\_\_\_

It is proposed that the property be put to the following use: RV Park

Lot Size: Frontage 6.41 Acres (feet) Depth (Lot Size: 279,612 sq. Ft.) (feet) Number of Stories N/A

Number of Units: 30-40 Spaces Number of Off-Street Parking Spaces: 13-14

Include with this Special Use Permit Application:

1. Application Fee of \$150.00 (make check payable to the 'City of Washington')
2. Completed Special Use Permit Application
3. Plot Plan
4. Legal Description of Property
5. Building Elevation Plan (for new construction only)

Brittany Grass Signature of Applicant Date: 1-23-23

Brittany Grass Applicant Name Printed

## SPECIAL USE PERMIT EVALUATION CRITERIA

The following criteria are used in evaluating a Special Use Permit Application. It is recommended these criteria be addressed as to their applicability to the proposed Special Use Permit request:

1. The compatibility of the proposal, in terms of both use and appearance, with the surrounding neighborhood.

This property does not touch any residential properties. It only touches the nature reserve.

2. The comparative size, floor area, and mass of the proposed structure in relationship to adjacent structures and buildings in the surrounding properties and neighborhood.

This property has sufficient space and size for proposed business.

3. The frequency and duration of various indoor and outdoor activities and special events, and the impact of these activities on the surrounding area.

This property is by a nature reserve and the city park. It is also next to industrial.

4. The capacity of adjacent streets to handle increased traffic in terms of traffic volume, including hourly and daily levels.

This property is on Westlink Drive which leads to industrial businesses.

5. The added noise level created by activities associated with the proposed use.

Site is near industrial park, nature reserve open to the public and city park.

6. The requirements for public services where the demands of the proposed use are in excess of the individual demands of the adjacent land uses, in terms of police and fire protection, and the presence of any potential or real fire hazards created by the proposed use.

Proposed business should not require any excess in demands of police or fire protection, or any fire hazards.

7. Whether the general appearance of the neighborhood will be adversely affected by the location of the proposed use on the parcel.

Property has trees surrounding site. Only the corner tip is open. Property faces the industrial park.

8. The impact of night lighting in terms of intensity, duration and frequency of use, as it impacts adjacent properties, and in terms of presence in the neighborhood.

Proposed business should not impact any adjacent properties with night lighting.

9. The impact of the landscaping of the proposed use, in terms of maintained landscaped areas, versus areas to remain in a natural state, as well as the openness of landscape versus the use of buffers and screens.

Property is currently an open field with surrounding trees.

10. The impact of a significant amount of hard-surfaced areas for buildings, sidewalks, drives, parking areas and service areas, in terms of noise transfer, water run-off, and heat generation.

This site can accommodate all needs for proposed business. Site is a gradually sloping site with water run-off to the creek. Noise level should not increase much due to being near industrial sites, nature reserve and city park.

BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR 1399 WEST MAIN STREET TO OPERATE AN RV PARK IN THE CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI

WHEREAS, an application for a Special Use Permit has been filed with the City of Washington; and

WHEREAS, pursuant to the ordinances of the City of Washington, Missouri, a Public Hearing on such request will be held in the City Council Chambers, 405 Jefferson Street, Washington, Missouri, on Tuesday, February 21, 2023, notice of said hearing having been duly published in the "Washington Missourian", and

WHEREAS, the City Council has determined that allowance of said request would be proper and in the best interests of the City.

NOW, THEREFORE, be it ordained by the Council of the City of Washington, Missouri, as follows:

SECTION 1: That a Special Use Permit be issued for 1399 West Main Street to operate an RV Park with the following conditions:

1. Quiet hours shall be 10:00 p.m. to 6:00 a.m. - 7 days a week.
2. No visitor or RV shall stay longer than 30 days.
3. Stormwater, lighting and hard surface parking details must be approved by City Staff.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST: \_\_\_\_\_

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

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

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



East-Whisper Gateway, 100th, Millers, Wilkesville, PA

GRAND AVE

CARMEL LN

LAURA LANE

40R

50

60

40

VAC GRAND

3d



**POLICE**  
CITY OF WASHINGTON

**Washington Police Department**  
Chief Jim Armstrong DSN 256

301 Jefferson Street  
Washington, MO 63090  
Police Dispatch: 636 390-1050  
Direct Line: 636 390-1207  
Fax: 636 390-2455

February 13, 2023

Mayor Doug Hagedorn  
Washington City Council

RE: Missouri DOT, Traffic Safety Grants for 2023/2024 Budget Year

Honorable Mayor and City Council,

Attached is a memo from Sergeant Mike Grissom. It contains the preliminary highway safety grant applications for 2023/2024 budget year. The usual Hazardous Moving, DWI Enforcement Grant and Youth Alcohol Grant applications are being applied for. All are 100% funded by highway safety funds.

In addition to the manpower grants, the Washington Police Department is requesting funding to send personnel to two different training conferences. An application is being made for funding to send all three of the Department's active Drug Recognition Experts (DRE) to the annual DWI/DRE Conference. Funding has also been applied for to send two officers to the Law Enforcement Traffic Safety/Accident Conference. (LETSAC). The cost of the conference registration and room and board is included in the application. The training is 100% funded by the grant.

Below is the breakdown of those grants:

Hazardous Moving Violation Enforcement	\$7,000 for manpower
LETSAC Conference	\$2,000 for training
DWI Enforcement	\$2,500 for manpower
DWI/DRE Conference	\$1,800 for training
Youth Alcohol Enforcement	\$5,000 for manpower
<b>TOTAL</b>	<b>\$18,300.00</b>

Also included with Officer Grissom's paperwork is an authorization form, which must be signed by each Council member and the mayor to apply for the grants and prior to receiving any grant funding. I request approval to apply for all the safety grants listed.

Respectfully,  
  
Jim Armstrong, Chief of Police

6a





**POLICE**  
CITY OF WASHINGTON

**Washington Police Department**

301 Jefferson Street  
Washington, MO 63090  
Administration: (636)390-1055  
Dispatch: (636)390-1050  
Fax: (636)390-2455

---

February 1, 2023

Chief Armstrong

Attached are the preliminary highway safety grant applications for the 2023/2024 budget year. You will see that I have completed the normal Hazardous Moving, DWI, and Youth Alcohol applications for manpower which are all 100% covered by highway safety funds. Below is a breakdown of the funding requested through those grants.

Hazardous Moving Violation Enforcement

\$7,000 for manpower  
\$2,000 for LETSAC Conference

DWI Enforcement Grant

\$2,500 for manpower  
\$1,800 for DWI/DRE Conference

Youth Alcohol Grant

\$5,000 for manpower

In addition to the manpower grants, I have requested funding to send personnel to two different training conferences. I have applied for funding to send all three of our active DRE's to the DWI/DRE conference and have also applied for funding to send two officers to the LETSAC Conference. The cost for conference registration and room and board is included in the application. If approved, the training would also be 100% funded by highway safety funds. This leaves our total amount requested at \$18,300

I have attached a city council authorization form, which must be signed prior to receiving any grant funding for the above mentioned budget year.

Respectfully,

Sgt. Mike Grissom #299

ba



Highway Safety and Traffic Division  
P.O. Box 270  
Jefferson City, MO 65102  
1-800-800-2358 or 573-751-4161

### CITY COUNCIL AUTHORIZATION

On \_\_\_\_\_, 20\_\_ the Council of \_\_\_\_\_  
\_\_\_\_\_ held a meeting and discussed the City's participation  
in Missouri's Highway Safety Program.

It is agreed by the Council that the City of \_\_\_\_\_  
will participate in Missouri's Highway Safety Program.

It is further agreed by the Council that the Chief of Police will investigate the  
financial assistance available under the Missouri Highway Safety Program for  
Traffic Enforcement and report back to the Council his/her recommendations.  
When funding through the Highway Safety Division is no longer available, the  
local government entity agrees to make a dedicated attempt to continue support  
for this traffic safety effort.

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

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Council Member

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Council Member

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Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Mayor

ba

BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING AND DIRECTING THE  
EXECUTION OF A LANDLORD CONSENT TO SUBLEASE  
BY AND BETWEEN THE CITY OF WASHINGTON,  
MISSOURI AND MISSOURI MEERSCHAUM COMPANY

BE IT ORDAINED by the Council of the City of Washington, Missouri, as follows:

SECTION 1: The Mayor is hereby authorized and directed to execute a Landlord Consent to Sublease by and between the City of Washington, Missouri and Missouri Meerschaum Company, a copy of which is marked Exhibit A and is attached hereto and incorporated herein by reference, and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized and directed to attest to and affix the seal of the City to the said Consent and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 2: The City shall, and the officials, agents and employees of the City are hereby authorized and directed to, take such further action, and execute and deliver such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST: \_\_\_\_\_

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

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

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

**EXHIBIT A**

**LANDLORD CONSENT TO SUBLEASE**

This Landlord Consent to Sublease ("Consent") by Landlord to sublease is made and entered into this \_\_\_\_\_ day of February, 2023 ("Effective Date"), by and between the City of Washington, Missouri and Missouri Meerscham Company concerning that certain sublease between Tenant and Tim Hellebusch ("Subtenant").

**WITNESSETH:**

WHEREAS, Landlord and Tenant are parties to that certain lease dated October 7, 2019, ("Lease") for the premises described therein ("Premises"), which Premises are more particularly described in the Lease; and

WHEREAS, Tenant desires to sublease all of the Premises to Subtenant and Subtenant desires to accept a sublease ("Sublease"); and

WHEREAS, the Landlord is willing to consent to the Sublease on the terms and conditions set forth in this Consent.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Recitals.** The recitals set forth above are hereby incorporated into this Consent as if set forth at length herein.
  
2. **Terms.** Capitalized terms used herein, unless defined in this Consent, shall have the respective meanings ascribed to them in the Lease.
  
3. **Consent to Sublease.** Landlord hereby consents to the Sublease and the transactions contemplated therein, in reliance upon Tenant's and Subtenant's agreement that Subtenant's use, operation and practices will comply with the Lease. This Consent to Sublease shall automatically expire and be of no further force or effect after December 31, 2023.
  
4. **Breach.** Tenant and Subtenant acknowledge that any breach by Tenant of the Lease may cause material and costly damage to the Premises and Landlord. Landlord's consent to the Sublease will not be deemed as consent to:
  - (a) Any further or other subleasing of the Premises;
  - (b) Any subleasing of any other portion of the Premises;
  - (c) The subleasing of any portion of the Premises to any other subtenant or on any other or different terms than those stated in the Sublease. The Tenant will

provide Landlord with a fully executed copy of the Sublease promptly after execution.

**5. Continuing Liability.** Tenant acknowledges that:

- (a) Tenant will remain primarily liable for, and will not be released from, the full and faithful performance of all terms and conditions of the Lease, notwithstanding the existence of (and Landlord's consent to) the Sublease, or any breach committed by Subtenant under the Sublease; and
- (b) Landlord will be entitled to pursue all remedies available in the event of Tenant's breach of the Lease, without regard to the performance or nonperformance of the terms of the Sublease by Subtenant.

**6. Monthly Basic Rent.** Landlord and Tenant acknowledge and agree that the Rent due from Subtenant under the Sublease, Two Hundred Sixty Two and 50/100 Dollars (\$262.50) per acre leased, does not exceed the Rent due from Tenant under the Lease. Rent shall be due at the same time and in the same amounts as set forth in the Lease.

**7. Entire Agreement.** This Consent constitutes the entire agreement of Landlord and Tenant relating to Landlord's Consent to the Sublease and replaces any prior negotiations, representations, agreements and understandings of the parties with respect to the Landlord's Consent, whether written or oral. The parties acknowledge that they have not relied on any promise, representation or warranty, expressed or implied, not contained in this Consent.

**8. Binding Effect.** All of the covenants, terms and conditions set forth herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

**9. Amendments.** This Consent may only be modified, altered, amended or terminated by the written agreement of the parties hereto. Any notice, request, demand or consent made hereunder or in connection herewith to any party shall be in writing and shall be sent to the addresses and in the manner specified in the Lease. If any term, covenant or condition of this Consent shall be held to be invalid, illegal or unenforceable in any respect, this Consent shall be construed without such provision.

**10. Governing Law.** This Consent shall be governed by and construed under the laws of the State of Missouri.

IN WITNESS WHEREOF, the parties hereto have executed this Consent as of the day and year first written above.

City of Washington, Missouri

By: \_\_\_\_\_  
James D. Hagedorn, Mayor

SEAL:

Attest: \_\_\_\_\_  
Sherri Klekamp, City Clerk

Missouri Meerschaum Company

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



February 15, 2023

Honorable Mayor and City Council  
Washington, MO 63090

Re: Sublease on Airport Property

Dear Mayor and Council,

The City has received a request from Missouri Meerschaum Company to sublease the 72 acres to Tim Hellebusch. Subject to the lease with Meerschaum, all subleases are required to receive City Council approval. Staff recommends approval of the proposed sublease.

Sincerely,

Darren Lamb  
City Administrator



BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REPEALING SECTIONS 210.1800 AND 210.1830 OF THE CODE OF THE CITY OF WASHINGTON, MISSOURI RELATING TO POSSESSION OF MARIJUANA AND POSSESSION OF DRUG PARAPHERNALIA

BE IT ORDAINED by the Council of the City of Washington, Missouri, as follows:

SECTION 1: Sections 210.1800 and 210.1830 of the Code of the City of Washington, Missouri are hereby repealed.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST: \_\_\_\_\_

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

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

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



**POLICE**  
CITY OF WASHINGTON

**Washington Police Department**  
Chief Jim Armstrong DSN 256

301 Jefferson Street  
Washington, MO 63090  
Administration: (636)390-1055  
Dispatch: (636)390-1050  
Fax: (636)390-2455

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February 13, 2023

Mayor Doug Hagedorn  
City Council Members

RE: Repeal of ordinances related to Marijuana

Honorable Mayor and City Council,

The City Prosecutor and I are requesting your approval of an ordinance repealing the prohibition on possession of marijuana and possession of drug paraphernalia. With the recent passage of Amendment 3, and subsequent implementation of Article XIV Sec. 2 of the Missouri Constitution, City Ordinances 210.1800 and 210.1830 are no longer applicable.

Should you have specific questions or concerns prior to the council meeting, please reach out to me.

Respectfully,

A handwritten signature in black ink, appearing to read "Chief Jim Armstrong".

Jim Armstrong, Chief of Police

City of Washington, MO  
Tuesday, February 7, 2023

## Chapter 210. Offenses

### Article XI. Offenses Concerning Drugs

#### Section 210.1800. Possession Of Marijuana Or Synthetic Cannabinoid.

A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in Section 195.010, RSMo., if he/she knowingly possesses marijuana or any synthetic cannabinoid, except as authorized by Chapter 579 or Chapter 195, RSMo.<sup>[2]</sup>

[1] *Note: Under certain circumstances this offense can be a felony under state law.*

[2] *State Law Reference: For similar statutory provisions and the elements setting the levels of this offense, see §§ 195.010, 195.017 and 579.015, RSMo.*

City of Washington, MO  
Tuesday, February 7, 2023

## Chapter 210. Offenses

### Article XI. Offenses Concerning Drugs

#### Section 210.1830. Unlawful Possession Of Drug Paraphernalia.

A person commits the offense of unlawful possession of drug paraphernalia if he/she knowingly uses, or possesses with intent to use, drug paraphernalia, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body, a controlled substance or an imitation controlled substance in violation of Chapter 579, RSMo., or Chapter 195, RSMo.

[1] *Note: Under certain circumstances this offense can be a felony under state law.*

BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 340.110 OF THE  
CODE OF THE CITY OF WASHINGTON, MISSOURI

BE IT ORDAINED by the Council of the City of Washington, Missouri, as  
follows:

SECTION 1: Section 340.110 of the Code of the City of Washington, Missouri  
is hereby amended to read as follows:

A. No person shall operate an all-terrain vehicle, as that term is defined in  
Section 300.010, upon the streets and highways of this City, except when  
operated by a handicapped person who is in possession of a windshield placard  
issued to him or her by the Missouri Department of Revenue in accordance with  
Section 301.142 RSMo. and displays the same upon request of a law enforcement  
officer. Any handicapped person to whom a windshield placard has been issued  
shall also obtain a permit as set forth in subsection N. below..

B. No person shall operate an all-terrain vehicle, utility vehicle, recreational  
off-highway vehicle, or golf cart, as those terms are defined in Section 300.010,  
upon the streets and highways of this City except as follows:

1. All-terrain vehicles, utility vehicles, recreational off-highway  
vehicles, and golf carts owned by a governmental entity for official use;
2. Utility vehicles, recreational off-highway vehicles, and golf carts  
operated for agricultural purposes or industrial on-premises purposes

between the official sunrise and sunset on the day of operation unless equipped with headlights, taillights, brake lights, and turn signals.

3. All-terrain vehicles between the official sunrise and sunset on the day of operation unless equipped with headlights, taillights, brake lights, horns, and turn signals.

4. All-terrain vehicles, utility vehicles, recreational off-highway vehicles, and golf carts operated by handicapped persons for short distances occasionally when operated between the official sunrise and sunset on the day of operation.

C. No person shall operate an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart within any stream or river in this City, except that all-terrain vehicles, utility vehicles, recreational off-highway vehicles, and golf carts may be operated within waterways which flow within the boundaries of land which an all-terrain vehicle operator, utility vehicle operator, recreational off-highway vehicle operator, or golf cart operator owns, or for agricultural purposes within the boundaries of land which an all-terrain vehicle operator, utility vehicle operator, recreational off-highway vehicle operator, or golf cart operator owns or has permission to be upon, or for the purpose of fording such stream or river of this City at such road crossings as are customary or part of the highway system.

D. A person, except a handicapped person, operating an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart, on the streets or

highways of this City, shall have a valid operator's or chauffeur's license, and shall operate the vehicle in obedience with all traffic laws applicable to motor vehicles. A handicapped person operating an all-terrain vehicle shall not be required to have passed an examination for the operation of a motorcycle, and the all-terrain vehicle shall be operated at speeds of less than thirty miles per hour.

E. No operator of a utility vehicle on the streets or highways in this City shall carry a passenger, except for agricultural purposes. The provisions of this Subsection shall not apply to any utility vehicle in which the seat of such vehicle is designed to carry more than one (1) person.

F. No person shall operate a utility vehicle or recreational off-highway vehicle on the streets or highways of this City unless such person wears a seat belt.

G. When operated on the streets or highways of this City, a utility vehicle or recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover.

H. No person shall operate an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart:

1. In any careless way so as to endanger the person or property of another; or
2. While under the influence of alcohol or any controlled substance.

I. No person shall operate an all-terrain vehicle without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the individual is at least eighteen years of age.

J. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any all-terrain vehicle in which the seat of such vehicle is designed to carry more than one person.

K. No person shall operate an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart on the streets or highways of this City unless such operator maintains proof of financial responsibility in accordance with § 303.160, RSMo., or maintains any other insurance policy providing equivalent liability coverage for a utility vehicle, recreational off-highway vehicle, or golf cart.

L. No operator of a utility vehicle, recreational off-highway vehicle, or golf cart shall operate the same on any Federal or State highway.

M. No operator of a utility vehicle, recreational off-highway vehicle, or golf cart shall cross any Federal, State or county highway except at an intersection where the highway being crossed has a posted speed limit of not more than forty-five (45) miles per hour.

N. No all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart shall be operated on the streets or highways of this City unless the owner



of the same shall obtain a permit from the Chief of Police every three (3) years and display the same on the all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart. Prior to the issuance of the permit, the owner shall have the vehicle inspected by the Washington Police Department to ensure compliance with the provisions of this section and shall provide proof of such inspection to the Chief of Police. The fee for the permit shall be fifteen dollars (\$15.00).

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST: \_\_\_\_\_

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

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

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



**POLICE**  
CITY OF WASHINGTON

**Washington Police Department**

301 Jefferson Street  
Washington, MO 63090  
Administration: (636)390-1055  
Dispatch: (636)390-1050  
Fax: (636)390-2455

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February 3, 2023

Honorable Mayor and City Council  
City of Washington  
Washington, MO 63090

Re: Updated ordinance concerning UTV/ATV/Golf Cart/Recreational off Highway Vehicle

Dear Mayor and City Council Members:


For your consideration, this letter, with the attached ordinance amendment, was reviewed and approved by Traffic Committee as they related to UTV's, ATV's, Golf Carts, and Recreational off Highway Vehicles (ROHV) while operated within the city limits.

It should be noted that for the purposes of this code, ATV's are described as four wheeled vehicles that the operator straddles and steers with a handle bar (traditional 4 wheelers).

The proposed amendments are designed to allow ATV's to be operated on city streets only when the operator possess a valid handicap placard issued by the State of Missouri. The operator is required to show proof of such placard to the Police Department prior to the issuance of a permit to operate. The code also requires operators to maintain insurance on the ATV and subjects them to the same expectations as normal motor vehicles from a traffic standpoint.

Thank you for your consideration.

Respectfully submitted,

  
Sgt. Michael Grissom #299  
Washington Police Department

Section 340.110 All-Terrain Vehicles — Prohibited — Exceptions — Operation Under An Exception — Prohibited Uses — Penalty.  
[Ord. No. 21-13440, 11-15-2021]

- A. No person shall operate an all-terrain vehicle, as that term is defined in Section 300.010, upon the streets and highways of this City, except when operated by a handicapped person who is in possession of a windshield placard issued to him or her by the Missouri Department of Revenue in accordance with Section 301.142 RSMo. and displays the same upon request of a law enforcement officer. Any handicapped person to whom a windshield placard has been issued shall also obtain a permit as set forth in subsection N. below.
- B. No person shall operate an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart, as those terms are defined in Section 300.010, upon the streets and highways of this City except as follows:
1. All-terrain vehicles, Utility vehicles, recreational off-highway vehicles, and golf carts owned by a governmental entity for official use;
  2. Utility vehicles, recreational off-highway vehicles, and golf carts operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation unless equipped with headlights, taillights, brake lights, and turn signals.
  3. All-terrain vehicles between the official sunrise and sunset on the day of operation unless equipped with headlights, taillights, brake lights, horns, and turn signals.
  34. All-terrain vehicles, Utility vehicles, recreational off-highway vehicles, and golf carts operated by handicapped persons for short distances occasionally when operated between the official sunrise and sunset on the day of operation.
- C. No person shall operate an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart within any stream or river in this City, except that all-terrain vehicles, utility vehicles, recreational off-highway vehicles, and golf carts may be operated within waterways which flow within the boundaries of land which an all-terrain vehicle operator, utility vehicle operator, recreational off-highway vehicle operator, or golf cart operator owns, or for agricultural purposes within the boundaries of land which an all-terrain vehicle operator, utility vehicle operator, recreational off-highway vehicle operator, or golf cart operator owns or has permission to be upon, or for the purpose of fording such stream or river of this City at such road crossings as are customary or part of the highway system.
- D. A person, ~~except a handicapped person~~, operating an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart, on the streets or highways of this City, shall have a valid operator's or chauffeur's license, and shall operate the vehicle in obedience with all traffic laws applicable to motor vehicles. A handicapped person operating an all-terrain vehicle shall not be required to have passed an examination for the operation of a motorcycle, and the all-terrain vehicle shall be operated at speeds of less than thirty miles per hour.
- E. No operator of a utility vehicle on the streets or highways in this City shall carry a passenger, except for agricultural purposes. The provisions of this Subsection shall not apply to any utility vehicle in which the seat of such vehicle is designed to carry more than one (1) person.
- F. No person shall operate a utility vehicle or recreational off-highway vehicle on the streets or highways of this City unless such person wears a seat belt.
- G. When operated on the streets or highways of this City, a utility vehicle or recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an

occupant of the vehicle in case of the vehicle's rollover.

- H. No person shall operate an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart:
1. In any careless way so as to endanger the person or property of another; or
  2. While under the influence of alcohol or any controlled substance.
- I. No person shall operate an all-terrain vehicle without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle or who is being towed or otherwise propelled by an all-terrain vehicle, unless the individual is at least eighteen years of age.
- J. No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any all-terrain vehicle in which the seat of such vehicle is designed to carry more than one person.
- K. No person shall operate an all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart on the streets or highways of this City unless such operator maintains proof of financial responsibility in accordance with § 303.160, RSMo., or maintains any other insurance policy providing equivalent liability coverage for a utility vehicle, recreational off-highway vehicle, or golf cart.
- L. No operator of a utility vehicle, recreational off-highway vehicle, or golf cart shall operate the same on any Federal or State highway.
- M. No operator of a utility vehicle, recreational off-highway vehicle, or golf cart shall cross any Federal, State or county highway except at an intersection where the highway being crossed has a posted speed limit of not more than forty-five (45) miles per hour.
- N. No all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart shall be operated on the streets or highways of this City unless the owner of the same shall obtain a permit from the Chief of Police every three (3) years and display the same on the all-terrain vehicle, utility vehicle, recreational off-highway vehicle, or golf cart. Prior to the issuance of the permit, the owner shall have the vehicle inspected by the Washington Police Department to ensure compliance with the provisions of this section and shall provide proof of such inspection to the Chief of Police. The fee for the permit shall be fifteen dollars (\$15.00).

BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DENYING THE ISSUANCE OF A SPECIAL USE PERMIT FOR A VACATION RENTAL BY OWNER LOCATED AT 612 RIVERVIEW PLACE IN THE CITY OF WASHINGTON, MISSOURI

Whereas, Marci DeArriba Kiel submitted an Application for a Special Use Permit (“Application”) to the City of Washington, Missouri in order to operate a Vacation Rental by Owner, commonly referred to as a short-term rental (“Short-Term Rental”) at 612 Riverview Place, in the City of Washington, Missouri; and

Whereas, the Application was reviewed by the Planning and Zoning Commission of the City of Washington, the Commission solicited public comment from the applicant as well as those in favor of, and those in opposition to, the issuance of the Special Use Permit, and the Commission voted 8-0 to recommend that the City Council of the City of Washington deny the issuance of the Special Use Permit; and

Whereas, on February 6, 2023, after public notice was duly provided as required by law, the City Council conducted a public hearing on the Application at which time the City Council heard testimony from the Applicant as well as those in favor of, and those in opposition to, the issuance of the Special Use Permit; and

Whereas, after due consideration of the evidence presented at the public hearing, and taking into account the recommendation of the Planning and Zoning Commission, the City Council does hereby adopt the following Findings of Fact and Conclusions of Law.

Td

BE IT ORDAINED by the Council of the City of Washington, Missouri, as follows:

**FINDINGS OF FACT**

SECTION 1: The City Council of the City of Washington, Missouri hereby adopts the following Findings of Fact:

A. The property located at 612 Riverview Place, Washington, Missouri is zoned R-1B Single-Family Residential.

B. The Code of the City of Washington classifies a Short-Term Rental as a Commercial Use that is permitted in an R-1B Single-Family Residential zoned district with issuance of a Special Use Permit.

C. Section 400.205 of the Code of the City of Washington describes special uses as “those types of uses which tend to be problematic because they: (1) have a tendency to generate significant traffic volumes and/or turning movements; (2) have operational characteristics that may have a detrimental impact on adjacent or nearby properties; or (3) have other characteristics which may impact public health, safety, or welfare; **but can be approved if such uses meet the criteria established herein.** ... In order to ensure that detrimental impacts are avoided or mitigated to a satisfactory level, special uses must be reviewed and **may be approved** in accordance with the provisions of” Article V of the Code of the City of Washington. (Emphasis supplied).

D. Section 400.230 of the Code of the City of Washington, Missouri establishes criteria for the Planning and Zoning Commission and the City Council to consider in determining whether or not an application for a special use permit should be granted and in consideration of the effect of the proposed special use permit on the health, safety, morals, and general welfare of

the residents of the area in the vicinity of the property in question and the residents of the City generally.

E. The criteria set out in Section 400.230 include, but are not limited to, the following:

- i. The compatibility of the proposal, in terms of both use and appearance, with the surrounding neighborhood.
- ii. The comparative size, floor area and mass of the proposed structure in relationship to adjacent structures and buildings in the surrounding properties and neighborhood.
- iii. The frequency and duration of various indoor and outdoor activities and special events, and the impact of these activities on the surrounding area.
- iv. The capacity of adjacent streets to handle increased traffic in terms of traffic volume, including hourly and daily levels.
- v. The added noise level created by activities associated with the proposed use.
- vi. The requirements for public services where the demands of the proposed use are in excess of the individual demands of adjacent land uses, in terms of police and fire protection, and the presence of any potential or real fire hazards created by the proposed use.
- vii. Whether the general appearance of the neighborhood will be adversely affected by the location of the proposed use on the parcel.
- viii. The impact of night lighting in terms of intensity, duration, and frequency of use, as it impacts adjacent properties and in terms of presence in the neighborhood.

ix. The impact of the landscaping of the proposed use, in terms of maintained landscaped areas versus areas to remain in a natural state, as well as the openness of landscape versus the use of buffers and screens.

x. The impact of a significant amount of hard-surfaced areas for buildings, sidewalks, drives, parking areas and service areas, in terms of noise transfer, water runoff and heat generation.

F. This Short-Term Rental is incompatible, in terms of both use and appearance, with the surrounding neighborhood. There was testimony at the public hearing that the neighborhood does not contain any short-term rental properties but instead is made up of owner-occupied, or long-term rental, single-family residences.

G. The comparative size, floor area, and mass of the proposed structure in relationship to adjacent structures and buildings in the surrounding properties and neighborhood is consistent with the area.

H. The frequency and duration of various indoor and outdoor activities and special events, and the impact of these activities on the surrounding area, will be significant as this Short-Term Rental will be available for rental for periods of as little as one day at a time to as much as sixty (60) days at a time, with the possibility that occupancy could change on a daily basis. By its very nature, a short-term rental can be rented daily, weekly, or monthly not to exceed sixty (60) days at a time. There was no evidence presented by the applicant that the rental of this Short-Term Rental would be for any minimum period of time.

I. With the potential for frequent changes of occupancy there will be a significant increase in traffic in the area, with guests and management entering and departing the Short-



Term Rental on a regular basis. These arrivals and departures are not in conformity with the current daily activities in the neighborhood in terms of frequency and duration indoor and outdoor activities and special events.

J. Adjacent streets have the capacity to handle increased traffic in terms of traffic volume, including hourly and daily levels.

K. The Short-Term Rental will add to the noise levels of the neighborhood with the frequent arrivals and departures of guests and management. The Short-Term Rental will have many of the same characteristics of a hotel or motel and is inconsistent with the character of the neighborhood in which it is proposed to be located.

L. There are adequate public services to meet the demand of the proposed Short-Term Rental, and the need for public services are not in excess of the individual demands of adjacent land uses, in terms of police and fire protection, and the presence of any potential or real fire hazards created by the proposed use.

M. The structure where the proposed Short-Term Rental is proposed will not change on the exterior. However, with the potential for frequent arrivals and departures, the general appearance of the neighborhood will be adversely affected by the location of the Short-Term Rental at this location.

N. There will be no additional night lighting added to the structure or the property and therefore there will be no impact beyond any current impact in terms of intensity, duration, and frequency of use, as it impacts adjacent properties and in terms of presence in the neighborhood.

O. There will be no impact of any landscaping from the Short-Term Rental.

P. The Short-Term Rental is proposed to be located in an existing structure utilizing the existing driveway, sidewalks, and other hard surface areas. Therefore, there will be no additional impact of a significant amount of hard-surfaced areas for buildings, sidewalks, drives, parking areas and service areas in terms of noise transfer, water runoff, and heat generation. However, there was evidence at the public hearing that the driveway can only hold five (5) cars in single file order that would necessitate movement of numerous vehicles in order for any vehicle that isn't parked nearest to the street to back out of the driveway.

**CONCLUSIONS OF LAW**

**SECTION 2:** Based on the foregoing Findings of Fact, the City Council hereby adopts the following Conclusions of Law;

- A. The property that is the subject of the Application for the Short-Term Rental is located at 612 Riverview Place, Washington, Missouri and is zoned R-1B Single Family Residential.
- B. This Short-Term Rental is incompatible, in terms of both use and appearance, with the surrounding neighborhood.
- C. The frequency and duration of various indoor and outdoor activities and special events, and the impact of these activities on the surrounding area, will be significant.
- D. There will be a significant increase in traffic in the area of the Short-Term Rental due to the activities at the Short-Term Rental.
- E. The Short-Term Rental will add to the noise levels of the neighborhood.
- F. There is inadequate parking proposed for the Short-Term Rental.

**SECTION 3:** Section 400.205 of the Code of the City of Washington describes special

uses as "those types of uses which tend to be problematic because they: (1) have a tendency to generate significant traffic volumes and/or turning movements; (2) have operational characteristics that may have a detrimental impact on adjacent or nearby properties; or (3) have other characteristics which may impact public health, safety, or welfare; but can be approved if such uses meet the criteria established herein.

SECTION 4: The Short-Term Rental at issue here will be problematic because it has a tendency to generate significant traffic volumes and/or turning movements, has operational characteristics that will have a detrimental impact on adjacent or nearby properties, and have other characteristics that may impact public health, safety, or welfare.

SECTION 5: The Application for the Special Use Permit for a Vacation Rental by Owner, commonly referred to as a Short-Term Rental, at 612 Riverview Place, Washington, Missouri is hereby denied.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST: \_\_\_\_\_

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

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

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



February 13, 2023

Honorable Mayor & City Council  
405 Jefferson Street  
Washington, MO 63090

RE: File No. 23-0201-Preliminary Plat-Comely-2238 English Crest Drive

Dear Mayor and City Council Members:

At the regular meeting of the Planning & Zoning Commission, held on Monday, February 13, 2023, the Commission reviewed and recommends approval of the above mentioned Preliminary Plat.

Sincerely,

Thomas R. Holdmeier  
Chairman  
Planning & Zoning Commission

To: Planning and Zoning Commission  
From: Planning and Engineering Department  
Date: February 13, 2023  
Re: File # 23-0201

Synopsis: The applicant is requesting approval of Stonecrest Plat 19 for the creation of 2 additional lots and the extension of English Crest Drive

<b>Adjacent Land Use /Zoning Matrix</b>		
	<b>Existing Land Use</b>	<b>Existing Zoning</b>
North	Single Family	R-1A
South	Single Family Residential	R-1A
East	Single Family Residential	R-1A
West	Vacant Land	N/A

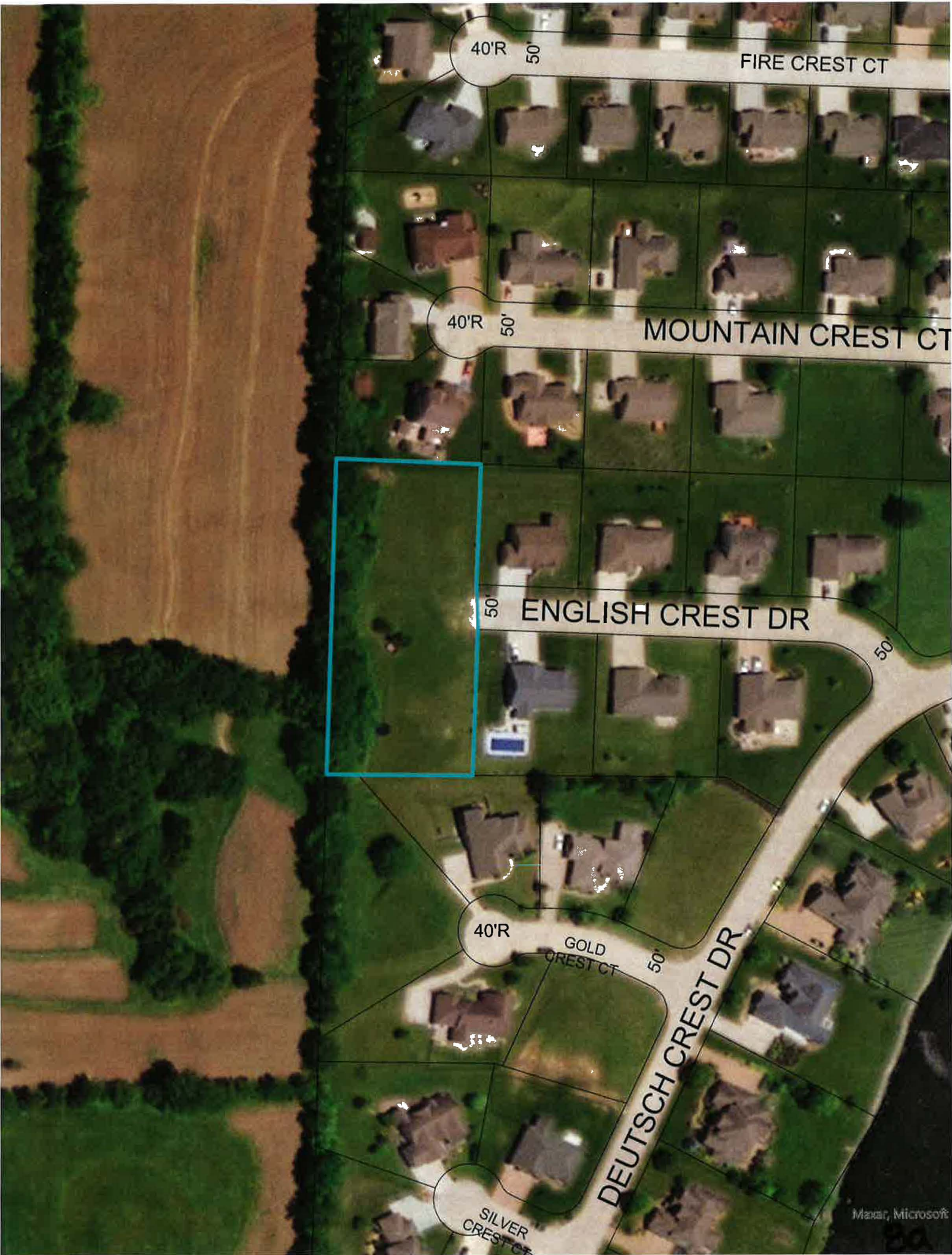
**Analysis**

The applicant has requested a preliminary plat for Stonecrest Lot 19. This plat includes the extension of English Crest to the western property line and creates two additional lots (lots 2A, and 3A). Lot 1A currently has an existing home on it and the proposed plat enlarges the lot.

There is currently a "spite strip" or blocking piece of land that hinders the development to the west connecting to the existing English Crest. This plat removes that strip and dedicates the Right-of-Way to the property line so when the development to the west begins it can connect directly to Stonecrest providing another entrance into the subdivision. There is an existing pipeline easement that runs north/south along the plat, however the proposed lots are still large enough to be developed outside of that easement. All other easements for access and utilities are shown as required.

**Recommendation**

Staff recommends approval of the Stonecrest Plat 19



40'R 50'

FIRE CREST CT

40'R 50'

MOUNTAIN CREST CT

50'

ENGLISH CREST DR

50'

40'R

GOLD CREST CT

50'

DEUTSCH CREST DR

SILVER CREST CT



# STONE CREST SUBDIVISION - PLAT 19

A RESUBDIVISION OF LOT 129 OF "STONE CREST PLAT 5" IN U.S. SURVEY  
1912, TOWNSHIP 44 NORTH, RANGE 1 WEST, OF THE 5TH P.M.,  
CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI



**LEGAL DESCRIPTION - LOT 1A**

A resubdivision of Lot 129 of "Stone Crest Subdivision Plat 5" in U.S. Survey 1912, Township 44 North, Range 1 West of the 5th P.M., City of Washington, Franklin County Missouri, to wit:

Beginning at a found iron rod at the Southeast Corner of Lot 129 of "Stone Crest Subdivision Plat 5", recorded on September 16, 2005 with Document No. 2005-22681, thence along said south line S89°-31'-07"W 165.00 ft. to a set iron rod at the Southwest Corner of said Lot 1A; thence leaving said south line along said west line N02°-13'-06"E 164.33 ft. to a set iron rod at the Northwest Corner of said lot, also being the south right-of-way line of English Crest Drive; thence leaving said west line along said south right-of-way line S87°-46'-54"E 165.00 ft. to a set iron rod at the Northeast Corner of said lot; thence leaving said south right-of-way line along said east line S02°-13'-06"W 159.33 ft. to the point of beginning, containing 0.61 acres. Subject to any and all easements, conditions, restrictions, etc. of record.

**LEGAL DESCRIPTION - LOT 2A**

A resubdivision of Lot 129 of "Stone Crest Subdivision Plat 5" in U.S. Survey 1912, Township 44 North, Range 1 West of the 5th P.M., City of Washington, Franklin County Missouri, to wit:

Beginning at a found iron rod at the Southwest Corner of a tract of land recorded on November 28, 2022 with Document No. 2217753, thence along said west line N01°-45'-55"E 163.59 ft. to a set iron rod at the Northwest Corner of Lot 2A, also being the south right-of-way line of English Crest Drive; thence leaving said west line along said south right-of-way line S87°-46'-54"E 135.00 ft. to a set iron rod at the Northeast Corner of said lot; thence leaving said south right-of-way line along said east line S02°-13'-06"W 164.33 ft. to a set iron rod at the Southeast Corner of said lot; thence leaving said east line along said south line S89°-31'-07"W 133.73 ft. to the point of beginning, containing 0.51 acres. Subject to any and all easements, conditions, restrictions, etc. of record.

**LEGAL DESCRIPTION - LOT 3A**

A resubdivision of Lot 129 of "Stone Crest Subdivision Plat 5" in U.S. Survey 1912, Township 44 North, Range 1 West of the 5th P.M., City of Washington, Franklin County Missouri, to wit:

Beginning at a found iron rod at the Northwest Corner of a tract of land recorded on November 28, 2022 with Document No. 2217753, thence along said north line S87°-46'-54"E 163.59 ft. to a found iron rod at the Northwest Corner of Lot 3A; thence leaving said north line along said east line S02°-16'-44"W 134.96 ft. to a set iron rod at the Southeast Corner of said lot, also being the north right-of-way line of English Crest Drive; thence leaving said east line along said north right-of-way line N87°-46'-54"W 162.37 ft. to a set iron rod at the Southwest Corner of said lot; thence leaving said north right-of-way line along said west line N01°-45'-55"E 135.04 ft. to the point of beginning, containing 0.51 acres. Subject to any and all easements, conditions, restrictions, etc. of record.

**LEGAL DESCRIPTION - RIGHT-OF-WAY DEDICATION**

A resubdivision of Lot 129 of "Stone Crest Subdivision Plat 5" in U.S. Survey 1912, Township 44 North, Range 1 West of the 5th P.M., City of Washington, Franklin County Missouri, to wit:

Commencing at a found iron rod at the Northwest Corner of a tract of land recorded on November 28, 2022 with Document No. 2217753, thence along said west line S01°-45'-55"W 135.04 ft. to a set iron rod at the point of beginning also being the Northwest Corner of said right-of-way dedication, thence leaving said west line along said north right-of-way line of English Crest Drive S87°-46'-54"E 162.37 ft. to a set iron rod at the Northeast Corner of said right-of-way dedication; thence leaving said north right-of-way line along said east line S01°-14'-06"E 50.09 ft. to a point at the Southeast Corner of said right-of-way dedication, also being the south right-of-way line of English Crest Drive; thence leaving said east line along said south right-of-way line N87°-46'-54"W 135.00 ft. to a set iron rod at the Southwest Corner of said right-of-way dedication; thence leaving said south right-of-way line along said west line N01°-45'-55"E 50.00 ft. to the point of beginning, containing 0.19 acres. Subject to any and all easements, conditions, restrictions, etc. of record.

**NOTES:**

- Bearings referenced to Grid North of the Missouri Coordinate System 1983, East Zone per GPS observations utilizing the MoDOT VRS RTK Network.
- Field work was completed on this site by Buescher Frankenberg Associates, Inc. on December 28, 2022.  
M = Indicates measured outboundary information obtained by Buescher Frankenberg Associates, Inc.  
R = Recorded outboundary information as per "Stone Crest Subdivision - Plat 5" recorded on September 16, 2005 with Document No. 2005-22681 of the Franklin County Recorder of Deeds Office.
- General Warranty Deed recorded on July 14, 2022 with Document No. 2211160 of the Franklin County Recorder of Deeds Office.
- General Warranty Deed recorded on November 28, 2022 with Document No. 2217753 of the Franklin County Recorder of Deeds Office.
- Zoning ID - R-1A
- City of Washington to complete a minimum of 120' of road extension of English Crest Drive by June 2023.
- City of Washington to be responsible for 1/2 of the cost for the survey fees associated with this plot.

**STATE OF MISSOURI )  
COUNTY OF FRANKLIN ) SS**

This is to certify to Tracy D. Comely and Christine M. Comely, Trustees of the Tracy D. Comely and Christine M. Comely J.R.L.T., that during the month of January, 2023 we executed a Property Boundary Survey and Subdivision Plat on all of Lot 129 of "Stone Crest Subdivision - Plat 2" recorded on September 16, 2005, with Document No. 2005-22681 and a tract of land recorded on November 28, 2022 with Document No. 2217753, both being in U.S. Survey 1912, Township 44 North, Range 1 West, of the 5th P.M., City of Washington, Franklin County, Missouri. To the best of my knowledge and belief, this map or plat and the survey on which it is based were made in accordance with the current "Missouri Standards for Property Boundary Surveys of the Missouri Department of Commerce and Insurance, Missouri Board of Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects" and meets the accuracy requirement of a Urban Survey as defined therein.

Date: \_\_\_\_\_  
Mark R. Franzenberg, PLS #2365  
State of Missouri  
Registered Land Surveyor  
for Buescher Frankenberg Associates, Inc.  
Corporate #0098



**CERTIFICATE OF OWNERSHIP:**

We, Tracy D. Comely and Christine M. Comely, Trustees of the Tracy D. Comely and Christine M. Comely J.R.L.T., hereby certify that we are the owners of the property shown and described herein, and have caused the same to be surveyed and subdivided in the manner shown on this plat, and we hereby freely adopt this plan of subdivision.

The subdivision shall be known as "Stone Crest Subdivision - Plat 19".  
We hereby dedicate the proposed right-of-way extension of English Crest Drive.  
The utility easements as shown herein are hereby dedicated to the various utility companies for utility purposes.  
IN WITNESS WHEREOF, we have executed this plat as of this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Tracy D. Comely, Trustee  
Tracy D. Comely and Christine M. Comely J.R.L.T.

Christine M. Comely, Trustee  
Tracy D. Comely and Christine M. Comely J.R.L.T.

**STATE OF MISSOURI )  
COUNTY OF FRANKLIN ) SS**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me personally appeared Tracy D. Comely and Christine M. Comely, Trustees of the Tracy D. Comely and Christine M. Comely J.R.L.T. to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.  
My term expires: \_\_\_\_\_

**CITY CLERK'S CERTIFICATE:**

I, Sherri Klekamp, City Clerk for and within the City of Washington, Missouri, do hereby certify that the above plat of "Stone Crest Subdivision Plat 19" was approved by the City Council of Washington, Missouri by:

Ordinance No. \_\_\_\_\_ passed and approved the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Sherri Klekamp, City Clerk

**COMELY**  
2238 English Crest Drive  
Washington, Franklin  
Missouri, 63090

DRAWN  
A.C.W.  
DATE  
01-05-23  
JOB No.  
7589  
SHEET NAME  
STONE CREST  
PLAT 19

www.bfa.com TELEPHONE: (636) 238-4751  
**BFA**  
Engineering-Surveying  
103 ELM STREET WASHINGTON, MISSOURI 63090





23-0201

CITY OF WASHINGTON, MISSOURI  
Department of Planning and Engineering Services  
405 Jefferson Street • Washington, Missouri 63090  
636.390.1010 phone • 636.239.4649 fax

PRELIMINARY PLAT APPLICATION

Date: 01-05-2023

**Applicant Information:**

Name: Aaron Wagner (BFA Land Surveying) Phone: 636-231-4336

Address: BFA Inc., 103 Elm Street, Washington, MO 63090

Do you own the subject property?  Yes  No  
If not, please provide ownership information here:

Name: Tracy D. & Christine M. Comely Phone: 314-210-7495 (Tracy)

Address: 2238 English Crest Drive, Washington, MO 63090

Name of Proposed Subdivision: Stone Crest Subdivision - Plat 19

Number of Lots Proposed: 3 Zoning District(s): R-1A

***Two copies of a detailed plat of the subject property must accompany this request.***

*Fee: Seventy-five dollars (\$75.00) for the first two lots, plus seven dollars (\$7.00) for each lot in excess of two. This fee must be paid to the City of Washington at the time this application is filed.*

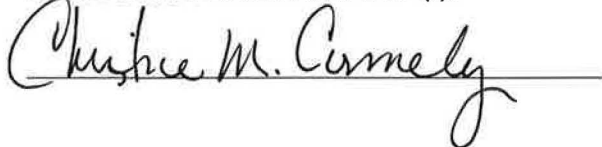
APPLICANT'S SIGNATURE:



APPLICANT/COMPANY NAME (Printed):

Aaron Wagner | BFA Inc.

LANDOWNER SIGNATURE(S):



LANDOWNER NAME (Printed):

Christine M. Comely



February 13, 2023

Honorable Mayor & City Council  
405 Jefferson Street  
Washington, MO 63090

RE: File No. 23-0203-Preliminary Plat & Final Plat-Stone Crest Plat 18

Dear Mayor and City Council Members:

At the regular meeting of the Planning & Zoning Commission, held on Monday, February 13, 2023, the Commission reviewed and recommends approval of the above mentioned Preliminary Plat and Final Plat.

Sincerely,

Thomas R. Holdmeier  
Chairman  
Planning & Zoning Commission

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: February 13, 2023

Re: File # 23-0203

Synopsis: The applicant is requesting approval of a preliminary plat for Stone Crest Plat 18

<b>Adjacent Land Use /Zoning Matrix</b>		
	Existing Land Use	Existing Zoning
North	Commercial Property	C-2
South	Vacant Land / Single Family	R-3, R-2, R-1D
East	Single Family	R-1D
West	Vacant Land	R-3

**Analysis:**

The applicant is requesting approval for a preliminary plat to create two additional lots for Stonecrest. Lots 237 and 238 are located on the north side of proposed Fox Crest Drive just west of Earth Crest Drive and the entrance to Phoenix Center. Public water and sewer exists on Earth Crest Drive. Road, Water, and Sewer will be extended to the end of lot 238 as part of this plat.

Both lots have adequate right-of-way frontage and appropriate utility easements meeting the minimum requirements of the City code.

City Code requires that street improvements are completed to the end of the property line. However, in this case, the City is already in a development agreement with the applicant to extend Fox Crest Drive to the West to Rabbit Trail, removing the requirement for a performance bond from the developer. In the past iteration of this plat, Staff made a recommendation that the street name were to remain Earth Crest Drive. After discussions with the applicant, we agreed that the name change to Fox Crest is acceptable under the condition that a 4-way stop be placed at Earth Crest, North Crest, and Fox Crest.

**Recommendation:**

Staff recommends approval of the Stonecrest Plat 18.







VER

60'

50'

NORTH DR  
FOX CREST DR

50'

50'

50'

86

CITY OF WASHINGTON, MISSOURI

Department of Planning and Engineering Services  
405 Jefferson Street • Washington, Missouri 63090  
636.390.1010 phone • 636.239.4649 fax

22-0203

FINAL PLAT APPLICATION

Date: 1-17-23

Applicant Information:

Name NATHAN PARMENTIER Phone 636-239-2028

Address 4923 SOUTH POINT RD

Do you own the subject property?  Yes  No

If not, please provide ownership information here:

Name CLOVER VALLEY PROPERTIES Phone 636-239-2028

Address 4923 SOUTH POINT RD

Name of Subdivision \_\_\_\_\_

Date of Preliminary Plat Approval \_\_\_\_\_

Number of Lots to be Recorded 3 Zoning District(s) \_\_\_\_\_

Are the Improvements Complete?  Yes  No

If yes, improvements must be inspected and approved by City Staff prior to recording.

If no, a copy of the guarantee agreement must be attached

*Two copies of the record plat must accompany this request*

APPLICANT'S SIGNATURE:



APPLICANT/COMPANY NAME (Printed):

KJV

LANDOWNER SIGNATURE(S):



LANDOWNER NAME (Printed):

\_\_\_\_\_

CITY OF WASHINGTON, MISSOURI  
Department of Planning and Engineering Services  
405 Jefferson Street • Washington, Missouri 63090  
636.390.1010 phone • 636.239.4649 fax

PRELIMINARY PLAT APPLICATION

Date: 1-17-23

Applicant Information:

Name: NATHAN PARMENTIER Phone: 636-239-2028

Address: 4923 SOUTH POINT RD

Do you own the subject property?  Yes  No

If not, please provide ownership information here:

Name: CLOVER VALLEY PROPERTIES Phone: 636-239-2028

Address: 4923 SOUTH POINT RD

Name of Proposed Subdivision: \_\_\_\_\_

Number of Lots Proposed: 3 Zoning District(s): \_\_\_\_\_

*Two copies of a detailed plat of the subject property must accompany this request.*

*Fee: Seventy-five dollars (\$75.00) for the first two lots, plus seven dollars (\$7.00) for each lot in excess of two. This fee must be paid to the City of Washington at the time this application is filed.*

APPLICANT'S SIGNATURE:



APPLICANT/COMPANY NAME (Printed):

KLU

LANDOWNER SIGNATURE(S):



LANDOWNER NAME (Printed):

\_\_\_\_\_



BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE FINAL PLAT OF STONE CREST PLAT 18 IN THE CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI

WHEREAS, the final plat of Stone Crest Plat 18 in the City of Washington, Franklin County, Missouri, has been submitted to the City for approval; and

WHEREAS, the City Council granted preliminary plat approval of this subdivision on Tuesday, February 21, 2023.

NOW, THEREFORE, be it ordained by the Council of the City of Washington, Missouri, as follows:

SECTION 1: The final plat of Stone Crest Plat 18 the City of Washington, Missouri, is hereby approved and the same is ordered recorded with the Franklin County, Missouri, Recorder of Deeds.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST: \_\_\_\_\_

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

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

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

**STONE CREST SUBDIVISION PLAT 18**  
 BEING A RESUBDIVISION OF LOT 231 OF STONE CREST SUBDIVISION - PLAT 17  
 & PART OF U.S. SURVEY 1912, TOWNSHIP 44 NORTH, RANGE 1 WEST OF THE  
 5TH P.M., IN THE CITY OF WASHINGTON, FRANKLIN COUNTY, MO.

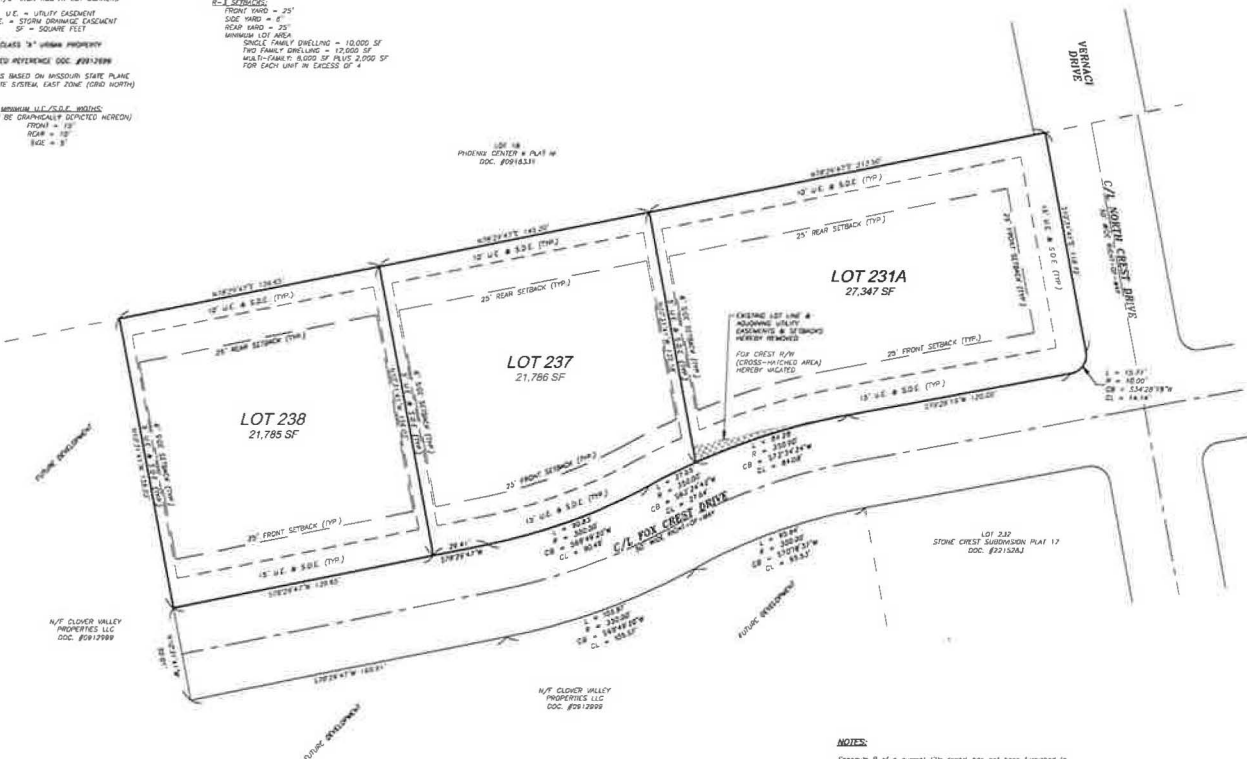


0 30 60 90  
 SCALE 1" = 30'

● = FOUND MONUMENT  
 SET 1/2" IRON ROD AT LOT CORNERS  
 U.E. = UTILITY EASEMENT  
 S.D.E. = STORM DRAINAGE EASEMENT  
 SF = SQUARE FEET  
 CLASS "A" UNIMPROVED PROPERTY  
 REED REFERENCE DOC. #2012299  
 EASEMENTS BASED ON MISSOURI STATE PLANK  
 COORDINATE SYSTEM, EAST ZONE (GDA NORTH)  
 MONUMENT U.E./S.D.E. BOUNDS  
 (NOT NECESSARILY DEPICTED HEREON)  
 FRONT = 15'  
 REAR = 15'  
 SIDE = 5'

**SECTION 231A**  
 FRONT YARD = 25'  
 SIDE YARD = 6'  
 REAR YARD = 25'  
 MINIMUM LOT AREA = 10,000 SF

**SECTION 231B**  
 FRONT YARD = 25'  
 SIDE YARD = 6'  
 REAR YARD = 25'  
 MINIMUM LOT AREA = 10,000 SF  
 SINGLE FAMILY DWELLING = 10,000 SF  
 TWO FAMILY DWELLING = 12,000 SF  
 MULTI-FAMILY BLDG. OF 10-2,000 SF  
 FOR EACH UNIT IN EXCESS OF 4



The undersigned owner of the tract of land shown herein have caused the same to be surveyed and resubdivided in the manner shown herein. Said subdivision shall be known as "STONE CREST SUBDIVISION PLAT 18".

The existing lot lines and existing utility easements and setbacks per plat of Stone Crest Subdivision Plat 17 as recorded in Document No. 2215263 in the Office of the Franklin County Recorder of Deeds are hereby removed as shown herein. The portion of Fox Creek Drive per said plat and as shown cross-hatched herein is hereby vacated.

The setbacks here are established as shown herein. The utility easements shown herein are hereby established as the City of Washington, P.C. Utilities, and their successors and assigns for the construction and maintenance of utilities. The utility easements shown herein are also hereby dedicated for the installation and maintenance of sewer, storm water, and other utility lines, shall be the lot to which it serves.

The owner of each lot within this subdivision shall maintain the storm water management system serving such lot in accordance with the storm water management system that has been accepted for maintenance by the City of Washington, Missouri. The maintenance costs shall be shared equally with each owner of any lot served by the storm water management system.

I, hereby dedicate Fox Creek Drive as shown herein to the City of Washington, Mo. for public use forever.

All lots in this subdivision are hereby subject to the Restrictions and Conditions set forth in an instrument recorded in Document No. 1500781 in the Office of the Recorder of Deeds.

The lots are subject to restrictions of record as they exist, or may be subsequently recorded or amended.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**GOLDER VALLEY PROPERTIES, LLC**  
 By: \_\_\_\_\_  
 Kurt Unsworth

STATE OF MISSOURI  
 COUNTY OF FRANKLIN  
 On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me appeared Kurt J. Unsworth to me known to be the person described in and who executed the foregoing instrument, and acknowledged said instrument to be the free act and deed of said limited liability company.

IN TESTAMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My term expires \_\_\_\_\_  
 Notary Public

I, Doug Trentmann, Collector of Revenue for Franklin County, Missouri, find being duly sworn deponent and that Kurt J. Unsworth is the true owner of the land belonging to Golder Valley Properties, LLC and subdivided as "STONE CREST SUBDIVISION PLAT 18" and further state that there are no delinquent tax assessments on the aforesaid land shown on this Plat.

Doug Trentmann  
 Collector of Revenue  
 Franklin County, MO

I, Sherri Williams, City Clerk for and within the City of Washington, Missouri, do hereby certify that the above plat of "STONE CREST SUBDIVISION PLAT 18" was approved by the City Council of Washington, Missouri, by Ordinance No. \_\_\_\_\_ passed and approved the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

IN TESTAMONY WHEREOF, I have hereunto set my hand and affixed my official seal of the City of Washington, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Sherri Williams  
 City Clerk, Washington, MO

**NOTES:**  
 Schedule B of a current title report has not been furnished to the Land Surveyor by the Client and no investigation has been conducted as to the present status of easements or other restrictive conditions affecting the subject land.  
 Fees for easements will not necessarily be shown.  
 Lots shown will not be prepared unless specifically requested.  
 Furthermore, without a current title report, the Land Surveyor makes no guarantee the owners as shown herein are correct.  
 Anything not visible from the surface is not certified to.  
 Compliance by deed shall follow restoration of part to original ownership.  
 The Land Surveyor makes no guarantee that access to the lots or other portions has been granted, notified, or received.  
 Existing street pavement, sanitary sewers, storm sewers and water mains have not been depicted herein.

I, Cameron Lyman, hereby certify to Kurt Unsworth that the survey was conducted under my direct supervision and to the best of my knowledge, information and professional judgment the results shown herein are correct and are made in compliance with the current regulations for property boundary surveys of the Missouri State of Missouri, (Professional Institutions and Professional Regulation 20-CR-2030-16.0) as set forth therein.

		<b>STONE CREST SUBDIVISION PLAT 18</b>	
		BEING A RESUBDIVISION OF LOT 231 OF STONE CREST SUBDIVISION - PLAT 17 & PART OF U.S. SURVEY 1912, TOWNSHIP 44 NORTH, RANGE 1 WEST OF THE 5TH P.M., IN THE CITY OF WASHINGTON, FRANKLIN COUNTY, MO	
Kurt Unsworth P.L.S. 200014249 a Professional Surveyor Franklin County, Missouri		DATE: 10/27/2023 SHEET NO.: 1 OF 1 PROJECT: STONE CREST SUBDIVISION PLAT 18	SHEET 1 OF 1

8c



February 13, 2023

Honorable Mayor & City Council  
405 Jefferson Street  
Washington, MO 63090

RE: File No. 23-0204-Preliminary Plat & Final Plat-Highland Meadows Plat 8

Dear Mayor and City Council Members:

At the regular meeting of the Planning & Zoning Commission, held on Monday, February 13, 2023, the Commission reviewed and recommends approval of the above mentioned Preliminary Plat and Final Plat.

Sincerely,

A handwritten signature in blue ink that reads "Thomas R. Holdmeier/sr".

Thomas R. Holdmeier  
Chairman  
Planning & Zoning Commission

Handwritten initials "Ed" in black ink.

To: Planning and Zoning Commission

From: Planning and Engineering Department Staff

Date: February 13, 2023

Re: File # 23-0204

Synopsis: The applicant is requesting approval of a preliminary plat for Highland Meadows Plat 8

Adjacent Land Use /Zoning Matrix		
	Existing Land Use	Existing Zoning
North	Commercial Property	C-2
South	Vacant Land	C-2
East	Commercial Property	C-2
West	Vacant Land	R-3 and C-2

**Analysis:**

The applicant is requesting approval for a preliminary plat to create two additional lots at Highland Meadows. Lots 9 (1 acre) and 10 (.5acres) are located on the each side of Don Avenue just west of Casey's General Store and the existing gym. Public water and sewer exists on the south side of Don Avenue. All infrastructure, including Don Avenue, will be required to be extended to the western end Lot.

Both lots have adequate right-of-way frontage and appropriate utility easements meeting the minimum requirements of the City code.

City Code requires that street improvements are completed to the end of the property line. Staff is recommending that this plat dedicate right-of-way and a performance bond be submitted for the extension of Don Avenue further west to the edge of the development. The Comp Plan and the Washington Terrace Plat propose Don Avenue as a outer road to Highway 100 that connect to Pottery Road. This section here in the last piece that is not platted.

**Recommendation:**

Staff recommends approval of the plat amendment for Highland Meadows Plat 8 under the following condition:

1. <sup>DON</sup> ~~Duncan~~ Avenue will need to be platted and a performance bond be placed for the extension through lot 5AA to the western edge of the development.

8d





8d

Maxar



23-0204

CITY OF WASHINGTON, MISSOURI  
Department of Planning and Engineering Services  
405 Jefferson Street • Washington, Missouri 63090  
636.390.1010 phone • 636.239.4649 fax

PRELIMINARY PLAT APPLICATION

Date: 1-26-23

Applicant Information:

Name: NATHAN PARMENTIER Phone: 636-239-2028

Address: 4923 SOUTH POINT RD

Do you own the subject property?  Yes  No

If not, please provide ownership information here:

Name: TRIG ELM LLC Phone: 636-239-2028

Address: 4923 SOUTH POINT RD

Name of Proposed Subdivision: HIGHLAND MEADOWS

Number of Lots Proposed: 2 Zoning District(s): G-2

*Two copies of a detailed plat of the subject property must accompany this request.*

Fee: Seventy-five dollars (\$75.00) for the first two lots, plus seven dollars (\$7.00) for each lot in excess of two. This fee must be paid to the City of Washington at the time this application is filed.

APPLICANT'S SIGNATURE:



APPLICANT/COMPANY NAME (Printed):

KJU

LANDOWNER SIGNATURE(S):



LANDOWNER NAME (Printed):

KURT UNNERSTALL

Ed



CITY OF WASHINGTON, MISSOURI

Department of Planning and Engineering Services  
405 Jefferson Street • Washington, Missouri 63090  
636.390.1010 phone • 636.239.4649 fax

FINAL PLAT APPLICATION

Date: 1-26-23

Applicant Information:

Name NATHAN PARMENTIER Phone 636-239-2028

Address 4923 SOUTH POINT RD

Do you own the subject property?  Yes  No

If not, please provide ownership information here:

Name BIG ELM LLC Phone 636-239-2028

Address 4923 SOUTH POINT RD

Name of Subdivision HIGHLAND MEADOWS

Date of Preliminary Plat Approval \_\_\_\_\_

Number of Lots to be Recorded 2 Zoning District(s) C-2

Are the Improvements Complete?  Yes  No

If yes, improvements must be inspected and approved by City Staff prior to recording.

If no, a copy of the guarantee agreement must be attached

*Two copies of the record plat must accompany this request*

APPLICANT'S SIGNATURE:



APPLICANT/COMPANY NAME (Printed):

KJU

LANDOWNER SIGNATURE(s):



LANDOWNER NAME (Printed):

KURT UNNERSTALL

BILL NO. \_\_\_\_\_ INTRODUCED BY \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE FINAL PLAT OF HIGHLAND MEADOWS PLAT 8 IN THE CITY OF WASHINGTON, FRANKLIN COUNTY, MISSOURI

WHEREAS, the final plat of Highland Meadows Plat 8 in the City of Washington, Franklin County, Missouri, has been submitted to the City for approval; and

WHEREAS, the City Council granted preliminary plat approval of this subdivision on Tuesday, February 21, 2023.

NOW, THEREFORE, be it ordained by the Council of the City of Washington, Missouri, as follows:

SECTION 1: The final plat of Highland Meadows Plat 8 in the City of Washington, Missouri, is hereby approved and the same is ordered recorded with the Franklin County, Missouri, Recorder of Deeds.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST: \_\_\_\_\_

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

Approved: \_\_\_\_\_

ATTEST: \_\_\_\_\_

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

# HIGHLAND MEADOWS PLAT 8 - PHASE 1

BEING A RESUBDIVISION OF LOT 5A OF RESUBDIVISION OF HIGHLAND MEADOWS PLAT 4 IN PART E 1/2 NE 1/4 SEC. 28, T44N, R1W OF THE 5TH P.M., IN THE CITY OF WASHINGTON, FRANKLIN COUNTY, MO.



**SCALE 1" = 60'**

■ = NON/PREVIOUSLY FOUND MONUMENT SET 1/2" IRON ROD AT LOT CORNERS  
 U.E. = UTILITY EASEMENT  
 S.E. = STORM SEWER EASEMENT  
 ACCURACY STANDARD = URBAN PROPERTY  
 DEED REFERENCE DOC #1503028  
 BEARINGS BASED ON WESTERN STATE PLANE COORDINATE SYSTEM, EAST ZONE (GARS MGRN)  
 TRACT IS CURRENTLY ZONED "C-2"  
 C-2 SETBACKS: FRONT 33', SIDE 6', REAR 15'  
 SUBDIVISION IS SUBJECT TO A STORMWATER DRAINAGE EASEMENT ACQUIRED AND RECORDED IN DOC #1314647

**NOTES:**

Schedule B of a current title report has not been furnished to the land surveyor by the Client and no investigation has been conducted as to the general status of encumbrances or other restrictive covenants affecting the subject lands.

Fence line encumbrances are not necessarily to be shown.

Line stakes will not be provided unless specifically requested.

Furthermore, without a current title report, the land surveyor makes no guarantee the corners are shown herein are correct.

Anything not visible from the surface is not certified to.

Conveyance by deed shall follow restoration of plat to change ownership.

The land surveyor makes no guarantee that access to the lands as shown herein has been granted, identified, or reserved.

Existing street pavement, sanitary sewers, storm sewers and water mains have not been depicted herein.

**CERTIFICATES**

I, the undersigned Member of Big Elm, LLC, owner of the tract of land shown herein have caused the same to be surveyed and mapped into lots in the manner shown herein.

The utility lines are established as shown herein.

The utility easements as shown herein are hereby dedicated for the installation and maintenance of public utilities.

The subdivision of this parcel (50 feet wide) as shown cross-hatched herein is hereby dedicated to the City of Washington for public use forever.

IN WITNESS WHEREOF, I have hereunto set my hands this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Big Elm, LLC

Full Unrecorded Number: \_\_\_\_\_

STATE OF MISSOURI  
COUNTY OF FRANKLIN

On this \_\_\_\_\_ day of \_\_\_\_\_ before me personally appeared Kurt Stoverland, Managing Member of Big Elm, LLC, known to me to be the person who executed the within Subdivision or Plat of Land and he acknowledged to me that he executed the same for the purposes therein stated and acknowledged that he executed the same to his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Shirley Patten

I, Doug Freestrom, Collector of Revenue for Franklin County, Missouri, first being duly sworn depose and say that I am familiar with the land shown on this plat and that the same is as shown on this plat and that there are no delinquent tax assessments on the aforesaid land shown due Franklin County.

Doug Freestrom  
Collector of Revenue  
Franklin County, Mo

I, Sherri Stephens, City Clerk for and within the City of Washington, Missouri, do hereby certify that the plat of Subdivision or Plat of Land was approved by the City Council of Washington, Missouri, by Ordinance No. \_\_\_\_\_ passed and approved the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal of the City of Washington, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Sherri Stephens  
City Clerk, Washington, MO

I, Cameron Lucken, hereby certify to Kurt Stoverland that this survey was completed under my direct supervision and to the best of my knowledge, information and professional judgment the results shown herein are correct and are made in compliance with the current standards for professional boundary surveys of the Missouri Dept. of Insurance, Financial Institutions and Professional Regulation (20-CFR 2000-16.0) or set forth therein.

30' UNION ELECTRIC CO. ESM#1  
REV. BY: 174, 10, 121

15' UNION ELECTRIC CO. ESM#1  
REV. BY: 819, 10, 327

EXTENSION OF 500V AIRLINE TO BE REDUCED TO THE CITY OF WASHINGTON (ENCLOSED HEREON)

100' W/4' SEC. 28  
DOC. #1503028

FOUND 4 3/4" IRON PIPE AND 4 3/4" IRON PIPE  
DOC. #1503028 & DOC. #1713883

PART W 1/2 NE 1/4  
1/16 SEC. 28

PART E 1/2 NE 1/4  
1/16 SEC. 28

100' W/4' SEC. 28  
DOC. #1503028

100' W/4' SEC. 28  
DOC. #1503028

100' W/4' SEC. 28  
DOC. #1503028

N87°32'22"W 853.28'  
H&B #2  
HIGHLAND MEADOWS PLAT #3  
DOC. #1313973



**WBE**  
WILLIAM B. ELLIOTT & ASSOCIATES  
SURVEYING & ENGINEERING INC.  
512 EAST MAIN STREET UNION, MO 65004  
(620) 242-4100  
MISSOURI STATE BOARD OF SURVEYORS  
CIVIL ENGINEER 00004  
LAND SURVEYING 000037

HIGHLAND MEADOWS PLAT 8 PHASE 1		SHCO
BEING A RESUBDIVISION OF LOT 5A OF RESUBDIVISION OF HIGHLAND MEADOWS PLAT 4 IN PART E 1/2 NE 1/4 SEC. 28, T44N, R1W OF THE 5TH P.M., IN THE CITY OF WASHINGTON, FRANKLIN COUNTY, MO.		
DATE: 10-10-2023	DATE: 10-10-2023	1 OF 1
SCALE: 1" = 60'	SCALE: 1" = 60'	
DATE: 10-10-2023	DATE: 10-10-2023	
DATE: 10-10-2023	DATE: 10-10-2023	

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