

**FESTUS CITY COUNCIL
PUBLIC HEARING MINUTES
Rezoning 1403 N. Truman Blvd. B-2 to B-4
July 25, 2022
5:50 p.m.**

**FESTUS CITY COUNCIL
PUBLIC HEARING MINUTES
Amend Zoning Code Section 405.545 - Signs
July 25, 2022
6:00 p.m.**

Two public hearings were held at 5:50 p.m. and 6:00 p.m. on July 25, 2022 in the Council Chambers at Festus City Hall for the rezoning of 1403 N. Truman Blvd. from B-2 to B4 and for the Amendment of Section 405.545 of the Festus Zoning Code regarding signs.

Present in the Council chambers: Mayor Richards, City Administrator Greg Camp, City Clerk Kerry Patek and City Attorney Brian Malone. Councilmembers Dave Boyer, Jim Collier, Brian Wehner, Mike Cook, Jim Tinnin, Bobby Venz, Staci Templeton. Councilmembers present via Zoom Kevin Dennis.

Rezoning of 1403 N. Truman Blvd.

Tenants of 1405 N. Truman wish to operate a small automotive dealership. Property is currently zoned B-2 (community retail) in which motor vehicle sales are not a conditional use. Motor vehicle sales are allowed in B-4 zone. On July 21, 2022 the Festus Planning and Zoning Commission rejected recommendation of this zone change and a conditional use permit. Owner of the property Michele Kaido Schwent addressed Council stating she was opposed to a zone change and to the proposed use and that there is not sufficient parking of proposed use on this property. Ramis Gheith, applicant, addressed Council stating that he would only be using a portion of the parking spaces which he felt would be sufficient for his proposed use. Mrs. Schwent addressed Council in response to Mr. Gheith's statement disagreeing with it.

Being no further comments, Mayor Richards closed the hearing.

Amend Section 405.545 Festus Zoning Code

City Attorney Brian Malone addressed Council explaining that by amending Section 405.545 of the Festus Zoning Code it would provide updated regulations regarding signs in right of ways.

Being no further comments, Mayor Richards closed the hearing.

**FESTUS CITY COUNCIL
MEETING MINUTES
July 25, 2022
6:00 p.m.**

The City Council of the City of Festus, Missouri met in regular session on July 25, 2022 at 6:00 p.m. The following Council members were present for roll call in the Council chambers: Boyer, Collier, Wehner, Templeton, Venz, Cook and Tinnin. Councilman Dennis was present via Zoom. Absent: None. Mayor Richards presided over the meeting. Also present in the Council chambers were Finance Director Stephanie Cunningham, City Clerk Kerry Patek, Parks Director Josh Whaley, Fire Chief Travis Wood, Police Chief Tim Lewis, Tourism Director Barb Lowry, Treasurer Lori Eisenbeis, City Administrator Greg Camp and City Attorney Brian Malone.

Council, staff, etc. then said the Pledge of Allegiance.

Approval of Consent Agenda

Mayor Richards announced the bills were in the amount of \$295,466.98. Motion to approve the bills, minutes of the Council Meeting of July 11, 2022 was made by Councilman Wehner, seconded by Councilman Boyer and approved by the following votes: Ayes – Boyer, Collier, Dennis, Wehner, Templeton, Venz, Tinnin and Cook; Nays – none.

Correspondence - None

Visitors - None

Bids

Park Department – Skid Loader

Parks Director Josh Whaley requested permission to purchase a John Deere 317G Tracked Skid Loader. Josh stated the bid from McCoy Construction and Forestry was \$63,994.00 which is \$994.00 over budget. Josh stated that the park department received \$3,000 in proceeds from the sale of equipment on Purple Wave and that it could be used to cover the overage. Josh requested to purchase attachments for the new skid loader not to exceed \$6,500.00 and that he would bring bids back to Council at the next meeting for approval. Councilman Cook asked about purchasing a trailer for this skid loader. Josh and Greg Camp stated that public works had several trailers available for use if needed by the parks department. **Councilman Dennis made a motion to approve this purchase, seconded by Councilman Collier. Motion was approved by the following votes: Ayes – Collier, Boyer, Wehner, Templeton, Dennis, Venz, Cook and Collier. Nays – none.**

Fire Department – Thermal Imaging Camera

Chief Wood stated he received three bids for a new thermal imaging camera as follows: Leo M. Ellebracht Company \$5,378.00; Banner Fire Equipment \$5,352.17; and Sentinel Emergency Solutions \$7,905 or \$5,905.00 with trade-in. After staff review they made a recommendation to purchase from Sentinel as it was the only bid that met our requirements. **Councilwoman Templeton made a motion to approve this purchase, seconded by Councilman Collier. Motion was approved by the following votes: Ayes – Boyer, Collier, Dennis, Wehner, Templeton, Venz, Cook and Tinnin; Nays – None.**

Ordinances and Resolutions

Bill No. 4688 – An Ordinance of the City Council of the City of Festus, Missouri; Amending the Zoning Map of said City as established by the Planning and Zoning Ordinances of the City of Festus, Missouri; and establishing an effective date. **Clerk Patek read Bill No. 4688 for the first time. Mayor Richards called for discussion. City Administrator Camp stated this was the request for rezoning for 1403 N. Truman Blvd. from B-2 to B-4 and that the Planning and Zoning Commission had denied the rezoning for approval. A public hearing was held prior to the Council meeting regarding this request. Councilman Cook made a motion to suspend the rules and read Bill No. 4688 for the second time, motion seconded by Councilman Boyer. Bill No. 4688 Failed by the following votes: Ayes – None; Nays – Boyer, Collier, Wehner, Templeton, Dennis, Venz, Cook and Tinnin. Mayor Richards declared Bill No. 4688 FAILED.**

Bill No 4689 - An Ordinance of the City Council of the City of Festus, Missouri; Amending Section 405.545 of the Code of Ordinances of the City of Festus regarding signs in right of ways; repealing all Ordinances or parts of Ordinances in conflict herewith; and establishing an effective date. **Clerk Patek read Bill No. 4689 for the first time. Mayor Richards called for discussion. City Attorney Brian Malone gave a staff report. Councilman Collier made a motion to suspend the rules and read Bill No. 4689 for the second time, motion seconded by Councilman Venz. Motion carried unanimously. Clerk Patek read Bill No. 4689 for the second time. Bill No. 4689 was approved by the following votes: Ayes – Boyer, Collier, Templeton, Wehner, Venz, Dennis, Cook and Tinnin; Nays – none. Mayor Richards declared Ordinance No. 4689 passed.**

New Business

Appointments

City Administrator Camp stated that the City needed to appoint three Council members to serve on a personnel committee in response to a request by Festus Police Department staff to join Fraternal Order of Police 15. Council unanimously agreed to appoint Council members Templeton, Boyer and Cook to the Personnel Committee. Mr. Camp stated this committee must meet within 14 days and that he will get this set up.

Mayor Richards stated that there was more one opening on the Park Board and that he would like to appoint Steve Vaughn. Council approved unanimously.

Old Business - None

Reports

Councilman Cook – Asked if someone could look at the backyard dirt bike track at 704 Tanglewood due to the complaints he has been receiving and see what can be done. Thanked Brian Malone for updating the city code regarding signs. Wished Mark Harris a speedy recovery.

Councilman Dennis – Wished Mark Harris a speedy recovery. Commended all the City workers who have been working out in this heat.

Councilman Wehner – Thanked Barb Lowry for getting the word out on the city calendar about upcoming events, etc.

Councilman Boyer – Wished Mark Harris a speedy recovery. Also commended Barb Lowry on the calendar and commented that a lot of people look at it.

Councilman Collier – Wished Mark Harris a speedy recovery. Thanked all the department heads for keeping their crews safe and hydrated while working in the extreme heat.

Adjournment

Councilman Cook made a motion to adjourn, seconded by Councilman Collier. On a call by the chair the motion carried unanimously. Meeting adjourn.