

COUNCIL & STAFF PRESENT:

| | |
|-------------------|------------------------|
| Richard Detweiler | Mayor |
| Phillip Biston | Councilmember |
| Jerry Mills | Councilmember |
| Glen Moritz | Councilmember |
| Rick Steele | Councilmember |
| Howard Hickman | City Attorney |
| Mari E. Macomber | City Manager |
| Vickie Brumbaugh | City Clerk |
| Ashley Young | Assistant City Manager |
| Brad Selby | Codes Administrator |
| Glenn Balliew | Public Works Director |
| Jim Hughes | Police Chief |
| Lacy King | Finance Director |
| Len Kollars | City Engineer |

The City Council of the City of Kirksville, Missouri, met in a Regular Session on Monday, April 20, 2015, at 6:00 p.m. in the City Hall Council Chambers.

INVOCATION and PLEDGE

Deacon Dave of the Mary Immaculate Catholic Church provided the Invocation. The Mayor and Council led the Pledge of Allegiance.

MINUTES

Councilmember Steele moved to approve the minutes of the special session of April 10, 2015; seconded by Councilmember Biston. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills and Steele. Noes – 0. Abstention: Councilmember Moritz.

ORDER OF AGENDA

City Manager Macomber asked that a motion to appoint Phillip Biston to the LPRC, and Jerry Mills to the Historic Preservation Commission be added to the agenda as Item #13. Councilmember Mills moved to approve the Order of the Agenda as amended; seconded by Councilmember Steele. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

INFORMATION PRESENTATIONS & PUBLIC HEARING

Mayor Detweiler opened the Public Hearing at 6:05 pm to hear citizen comments regarding subdivision regulation changes.

Brad Selby explained the recommended changes: Installation of sidewalks in new subdivisions would be allowed up to one year after each house is built, and all sidewalks are to be constructed within five years after the final plat is approved for a new subdivision.

Some cul de sacs were constructed with a grass or planting circle. The change would be to require that all cul de sacs be concrete or hard surface over the whole area in order not to become a maintenance problem.

Subdivision monuments/signs are currently allowed in new subdivisions. The City has had to maintain some older monuments/signs. The change requires a fee to maintain the monument if it is on city right-of-way, and a developer fails to maintain the monument.

Lot split amendment has new requirements so that lots cannot be split multiple times.

There being no other comments, Mayor Detweiler closed the Public Hearing at 6:13 pm.

Mayor Detweiler announced the proclaiming of April 24, 2015 as Arbor Day in Kirksville.

CITIZEN PARTICIPATION

None.

UNFINISHED BUSINESS

None.

ACTION PRESENTATIONS

BILL NO. 2015-22

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1207 HILDRETH STREET IN KIRKSVILLE, MISSOURI.

Councilmember Mills moved to approve Bill No. 2015-22 on first reading seconded by Councilmember Biston.

Property owned by Daniel and LaDonna Williams is approximately 3.9 acres, running from Hildreth on the north to LaHarpe Street. They wish to split off one acre on the south end to sell for a building site. All requirements for street frontage and public utility access have been met.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

BILL NO. 2015-23

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 22 – SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KIRKSVILLE, MISSOURI.

Councilmember Mills moved to approve Bill No. 2015-23 on first reading; seconded by Councilmember Biston.

The amendments were explained in the Public Hearing. Planning and Zoning Commission recommends the changes.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

BILL NO. 2015-24

AN ORDINANCE AMENDING CERTAIN SECTIONS OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF KIRKSVILLE, MISSOURI.

Councilmember Mills moved to approve Bill No. 2015-24 on first reading; seconded by Councilmember Biston.

Brad Selby explained the recommended changes as approved by the Planning and Zoning Commission. No opposition was expressed during the Public Hearing. Sea containers are an eyesore in residential areas and should be banned except for temporary use up to 30 days. They will be allowed permanently on commercial zoned property under certain conditions and temporary conditions with a permit. Fire and explosive hazards section of the Ordinance has a table referencing flammable materials, and the Codes Department cannot determine answers to questions based on this information. It is recommended that the City follow Missouri Statutes. Reference to C-P zoning should be removed since we no longer have these districts. Secondary driveway entrances – current ordinance states that additional driveways or parking areas can be surfaced with rock. The gravel spills into the street which is a maintenance and safety concern. It is proposed to require a hard surface material, concrete or asphalt, from the edge of the street to the property line. Corridor zone listing does not include all areas currently zoned this way. An amendment will include all of them.

Councilmember Steele pointed out that gravel from alleys and berms also goes into the street.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston and Mills. Noes – Councilmember Moritz and Steele.

CIPP (Cured in Place Pipe Lining Program)

Councilmember Mills moved to authorize the City Manager to enter into an agreement and to approve change orders with Insituform Technologies USA, LLC for construction of the 2015 Cured in Place Pipe Lining Program; seconded by Councilmember Steele.

Len Kollars explained the sewer pipe is sound, but does have cracks. This project will reline the interior of the pipes. Insituform Technologies was the low bidder out of four at \$161,789.70.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Bid – Service Truck

Councilmember Biston moved to approve the purchase of a 2016 F450 four-wheel drive service truck outfitted with Knapheide equipment from Lovegreen Ford; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Bid – Beverage Supplier

Councilmember Mills moved to approve Memphis Bottling Company for a five-year contract as the beverage supplier for the Parks and Recreation Division's concession stands and special events; seconded by Councilmember Biston.

One bid received, and it is estimated the City will spend \$8,000. The company has also pledged \$1,000 towards a new press box for the Orange Field.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills and Steele. Noes – Councilmember Moritz.

Bid – Concession Supplies

Councilmember Steele moved to approve the purchase of concession supplies from Hightower Wholesale and Kohl Wholesale; seconded by Councilmember Mills.

This is for the North Park Complex and the Aquatic Center.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Council Policy #2 – Purchasing Amendments

Councilmember Mills moved to approve an amendment to Council Policy #2 – Purchasing; seconded by Councilmember Biston.

Amendments define Bids and Quotes – Purchases under \$15,000 are Quotes; purchases over \$15,000 are Bids. The amount for quotes is increased from \$500 to \$1,000, requiring three quotes with the Department Head and Finance Department approval. The City Manager will still approve purchases from \$1,000 - \$14,999.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Council Policy #7 – Special Events Amendments

Councilmember Mills moved to approve changes to the Special Events policy that would allow for the hanging of small banners along Franklin Street, eliminating banners over this same street; seconded by Councilmember Biston.

The City has allowed the hanging of banners across Franklin Street by attaching them to buildings which were damaged over time. The Tourism Office will purchase brackets to be placed on the pedestrian street lights. Organizations can request smaller banners in increments of two or more up to 12 for a period of 30 days. During periods when there are no special events, Tourism banners will be on display. City Public Works will put up and take down the banners. The shelter rental rate in the Policy #7 was also updated to \$35.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Historic Preservation Commission Appoint Bill Castles

Councilmember Mills moved to approve the appointment of Bill Castles to the Historic Preservation Commission to fill an unexpired term; seconded by Councilmember Moritz.

A position on the Commission was made available after Phillip Biston, a citizen representative, was recently elected to the City Council. Bill Castles had expressed interested to serve in this position.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Battle of Kirksville – Rotary Park Use

Councilmember Steele moved to allow the Parks and Recreation Director (on a case-by-basis) to permit participants in the City sponsored special event (Battle of Kirksville) to deviate from specific park regulations contained in municipal ordinance; seconded by Councilmember Mills.

This event will be held August 7, 8 and 9.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Wooden Nickel Request for Parking Lot Use

Councilmember Mills moved to approve a request for the closing of a section of the city parking lot located on Main Street on June 27, 2015 from 3 pm to midnight; seconded by Councilmember Biston. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Council Representatives on LPRC & Historic Preservation Commission

Councilmember Mills moved to appoint Phillip Biston as Council representative on the Lakes, Parks & Recreation Commission; and to appoint Jerry Mills as Council representative on the Historic Preservation Commission; seconded by Councilmember Biston.

Committee appointments were approved at the Council's Special Session on April 10, 2015, with Phillip Biston serving on the Historic Preservation Commission and Jerry Mills serving on the Lakes, Parks and Recreation Commission as Council representatives. Since that meeting, Phillip and Jerry expressed interested to switch committees.

Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Second Reading

BILL NO. 2015-22

ORDINANCE NO. 12155

AN ORDINANCE OF THE CITY OF KIRKSVILLE, MISSOURI, APPROVING A LOT SPLIT WHICH IS PART OF A TRACT OF LAND LOCATED AT 1207 HILDRETH STREET IN KIRKSVILLE, MISSOURI.

WHEREAS, a tract of land that is situated in the Northeast Fourth of the Northeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri, has been split into two different lots; and

WHEREAS, the survey has been regularly certified by Mark W. Robertson, licensed surveyor number P.L.S. 2008016665; and

WHEREAS, the tracts of land are more particularly described as follows:

Description Tract 1: A portion of Outlot 5 situated in the Northeast Fourth of the Northeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Beginning at an iron rod found at the Southwest corner of a plat found in surveyors record Book 4, Page 89, at the Adair County Recorder's office; thence along the West line of said survey, North 02 degrees 09 minutes 39 seconds East a distance of 256.24 feet to an iron rod set; thence leaving said survey, North 89 degrees 32 minutes 11 seconds East a distance of 169.94 feet to an iron rod set on the East line of said survey; thence along said survey as follows: South 02 degrees 08 minutes 59 seconds West a distance of 256.24 feet to an iron rod found; thence South 89 degrees 32 minutes 11 seconds West a distance of 169.99 feet to the Point of Beginning. The above tract of land contains 1.00 acres more or less, subject to easements and restrictions of record, or not of record, if any.

Description Tract 2: A portion of Outlot 5 situated in the Northeast Fourth of the Northeast Quarter of Section 17, Township 62 North, Range 15 West, Adair County, Missouri and being more particularly described as follows:

Commencing at an iron rod set at the Southwest corner of a plat found in surveyors record Book 4, Page 89, at the Adair County Recorder's Office; thence along the West line of said survey, North 02 degrees 09 minutes 39 seconds East a distance of 256.24 feet to an iron rod set at the Point of Beginning of the description herein, to wit: thence continue along said survey as follows, North 02 degrees 09 minutes 39 seconds East a distance of 739.60 feet to an iron rod found; thence North 89 degrees 25 minutes 28 seconds East a distance of 169.82 feet to an iron rod found; thence South 02 degrees 08 minutes 59 seconds West a distance of 739.93 feet to an iron rod set; thence leaving said survey, South 89 degrees 32 minutes 11 seconds West a distance of 169.94 feet to the Point of Beginning. The above tract of land contains 2.88 acres more or less, subject to easements and restrictions of record, or not of record, if any; and

WHEREAS, the "Plat" shall be recorded in the Recorder's Office of Adair County, Missouri, showing the complete plat of land created by the Lot Split.

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

That the lot split for the tract of land located as described above at 1207 Hildreth Street be hereby approved, and the same is made an addition to the City of Kirksville, Missouri, and the portions thereof dedicated to the public are hereby accepted.

This ordinance shall be effective from and after the date of its passage.

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 22 – SUBDIVISION REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KIRKSVILLE, MISSOURI.

WHEREAS, amendments and additions to the Subdivision Regulations are needed to address sidewalk construction in new subdivisions, cul-de-sac maintenance, subdivision monuments, and lot split procedures; and

WHEREAS, these amendments and additions are necessary for the correct interpretation and use of the said codes and are for the benefit and safety of the citizens of the City of Kirksville; and

WHEREAS, the Planning and Zoning Commission voted on the amendments listed below for Subdivision Regulations, they approved those changes, and they are forwarding their recommendation to City Council; and

WHEREAS, a public hearing was duly advertised and held on April 20 by the Kirksville City Council to hear from citizens on the proposed Subdivision Regulation changes.

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

Amendments and additions for Chapter 22 Subdivision Regulations referred to in this ordinance shall be approved and incorporated into the Code of Ordinances of the City of Kirksville, Missouri.

The Code changes required are shown below with strikeouts for deleted sections. The additions are printed in bold letters. All Sections refer to Chapter 22 Subdivision Regulations.

Section 1. To amend Article II, Procedures, as follows:

Article II – Procedures

Division 2. Major Subdivisions

Sec. 22-11 (c) (1)

f. *Subdivision signs, monuments; their location, **fees, insurance, type of construction, and a statement of the owners intent to maintain:*** Subdivisions shall be permitted to be identified by means of monuments, statues, signs, etc. They may be located on ~~public~~ ~~or private land~~ **or can be on public land is approved by City Council.** The location of said symbols shall be shown on the **preliminary plat and on the final plat.** **The one-time fee for a monument or sign of any type is \$5,000 if approved for the public right-of-way. This fee is intended to recover the city's cost if repairs or maintenance of the monument/sign is not performed in the future and it must be removed from the public right-of-way and the developers/owners of the subdivision are deceased or cannot be located. The fee is due and payable once City Council approves the Final Plat for a new subdivision. The fee for a monument or sign placed on private property is \$2,500. Any sign placed on private property must be on a full size residential lot meeting minimum size by city ordinance. All costs of erection and maintenance of the sign or monument**

shall be borne by the developers/owners **if in the right of way, or the owner of the property if placed on private property.** The city shall have the right to remove said monuments in the case of disrepair, need for public improvements, etc. Any costs incurred for said removal **of a monument or sign** shall be at the cost of the developer/owner **if they are living and can be located.** **Monuments/signs may show only the name of the Subdivision or area and cannot show information for advertising.** All wording for the monument/sign must be approved by the city Codes & Planning Director.

Section 2. To amend Article II, Procedures, as follows:

Article II – Procedures

Division 5. Lot Splits.

Sec. 22-21. Approval of survey.

(a) The subdivider shall submit the field survey to the plat officer.

- (1) **Any property that has been split after May 20, 1985, will not be able to be split again except by using the Minor Subdivision process. See Division 4 of Article II of Chapter 22 in the Code of Ordinances.**
- (2) **Water and sewer mains must run adjacent to some part of the parent lot and the newly created lot to qualify for a lot split. Adjacent is defined in this ordinance as: on the same side of the street, across the street, in the street, or no farther than 250 feet from the nearest lot line of both the parent lot or the newly created lot, unless the newly created lot is to be included as a Lot Combination with a lot that currently has these services.**
- (3) **Any new lot created and zoned as commercial or industrial must be located no farther than three hundred (300) feet from an existing fire hydrant.**
- (4) **Any new lot created and zoned as residential must be located no farther than six hundred (600) feet from an existing fire hydrant.**
- (5) **Part of each lot must front upon a city street, unless the split off portion will be legally combined with an adjacent lot that has street frontage.**

Section 3. To amend Article III, Design Standards, as follows:

Article III – Design Standards

Sec. 22-22. Streets.

(10) All streets which are designated as permanent dead end shall be terminated by a cul-de-sac having a street line radius of sixty (60) feet and pavement radius of forty-nine (49) feet, unless permitted by the city's planning and zoning commission and the city council. In R-1 residential zones, cul-de-sac length should be limited to twenty (20) houses. In all other zones, cul-de-sac length shall be limited to five hundred (500) feet. **All new cul-de-sacs must be designed to provide only hard surfaces on the inside of the curbed area. No grass, dirt, or landscaped areas will be allowed.** Street stubs shall be platted and paved at intervals along the boundaries of the subdivision in order that vehicle and pedestrian access will be provided to future subdivisions adjacent. The spacing and location of the street stubs shall be determined by topography, maximum block length requirement of Section 22-104, the logical future street patterns of the adjacent property and the street and lot pattern of the subject subdivision.

Section 4. To amend Article III, Design Standards, as follows:

Article III – Design Standards

Sec. 22-27. Sidewalks.

(d) Any required public sidewalk on each lot in new city subdivisions can be delayed for construction up to one year after the Final Occupancy Permit is issued for a completed house. However, all of the required public sidewalks in the Subdivision must be completed within 5 years from the date the City Council approved the Final Plat for the new Subdivision.

Section 5. This ordinance shall be of full force and effect on the day of passage.

Councilmember Mills moved to approve Bill No. 2015-22 and 2015-23 on second reading; seconded by Councilmember Biston. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

BILL NO. 2015-24

ORDINANCE NO. 12157

AN ORDINANCE AMENDING CERTAIN SECTIONS OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF KIRKSVILLE, MISSOURI.

WHEREAS, amendments and additions to the zoning ordinance are needed to address sea container restrictions, fire and explosive hazards, C-P zoning districts, secondary driveway entrances, and corridor zone amendments; and

WHEREAS, these amendments and additions are necessary for the correct interpretation and use of the said codes and are for the benefit and safety of the citizens of the City of Kirksville; and

WHEREAS, a public hearing was duly advertised and held before the Planning and Zoning Commission on April 8, 2015 to receive citizens comments. No citizens spoke in opposition to the amendments listed below. The Planning and Zoning Commission voted and recommends approval of these changes.

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

Amendments and additions to the Code of Ordinances for Appendix A – Zoning referred to in this ordinance shall be approved and incorporated into the Code of Ordinances of the City of Kirksville, Missouri.

The Code changes required are shown below with strikeouts for deleted sections. The additions are printed in bold letters. All Sections refer to Appendix A – Zoning.

Section 1. To amend Article I, In General, as follows:

Article I – In General

Sec. 25-1. Definitions.

“Sea Going Container. Also known as Sea Container, Sea Cargo Container, or Sea Storage Container, this is a rectangular metal container primarily used on ocean-going ships that contain freight or goods and provides protection from the elements. Has a large door or doors at one end of the container. Many times has advertising on the sides with the company name of the original owner.”

Section 2. To amend Article I, In General, as follows:

Article I – In General

Sec. 25-2. Compliance with chapter.

(d) A driveway or walk to provide access to any premises in districts O-1P, C-1, CBD, C-3, ~~C-P~~, M-1 and M-2 shall not be permitted in districts R-1, R-2, R-2-S, R-3, R-3-S, R-4, R-4-S, and RP-5.

Section 3. To amend Article III, Nuisance and Hazard Regulations, as follows:

Article III – Nuisance and Hazard Regulations

Sec. 25-29. Fire and explosive hazards.

~~(c) The storage, use or manufacture of flammable liquids or materials which produce flammable or explosive vapors or gases shall be permitted in accordance with the following table. The following table shall be exclusive of storage of finished products in original sealed containers, which shall be unrestricted. Each aboveground storage tank containing over twenty thousand (20,000) gallons shall be surrounded by earth dikes high enough to contain the total volume of each tank.~~

[Table located here and all wording in the table to be removed.]

~~When flammable gases are stored, used or manufactured and measured in cubic feet, in quantity in cubic feet of standard temperature and pressure permitted shall not exceed three hundred (300) times the quantities as listed above where the factor three hundred (300) is the volume in cubic feet occupied by one (1) gallon of most liquids.~~

Any questions or conflicts with this section will be resolved by applying current Missouri state law.

Section 4. To amend Article IV, Off-Street Parking and Loading, as follows:

Article IV – Off-Street parking and Loading

Sec. 25-31. Required parking.

(c) Minimum off-street parking requirements are:

All **required** parking and driveway areas are ~~required~~ to be hard-surfaced with concrete or asphalt paving. **Any new secondary drive onto the property must be hard-surfaced from the edge of the street to the property line. If the distance from the edge of the street to the property line is less than six (6) feet, a minimum of six (6) feet of the drive must be hard-surfaced, starting at the street edge.**

Single-family residential: Two (2) parking spaces per residence.

Duplex (two-family) residential: Two (2) parking spaces per unit, totaling four (4) parking spaces per duplex.

Multi-family residential: One (1) parking space per bedroom.

Section 5. To amend Article V, Height, Area and Yard Regulations Generally, as follows:

Article V – Height, Area and Yard Regulations Generally

Sec. 25-48. Same – Rear yards.

(a) No rear yard shall be required in districts C-1, CBD, C-3, ~~C-P~~, M-1 and M-2 on any lot used for business or industrial purposes, the rear line of which adjoins a railway right-of-way or which has a rear railway track connection.

Section 6. To amend Article VI, District R-1, Single-Family Residential District, as follows:

Article VI – District R-1, Single-Family Residential District

Sec. 25-50. Accessory uses.

(e) *Detached buildings generally.* A detached accessory building shall not be allowed in the front yard. A detached accessory building shall not be located less than three (3) feet of [from] any side, rear, or alley lines. A detached accessory building not exceeding twenty-four (24) feet or two (2) stories in height, or in any case not higher than the main building, may occupy not more than thirty (30) percent of a rear yard. If such building is not more than one (1) story or sixteen (16) feet high, it may occupy forty (40) percent of a rear yard. A detached accessory building may be connected with the main building by a lightly constructed, covered passage, open on each side, not more than twelve (12) feet high and six (6) feet wide inside, and which is not an extension of the roof of the main building. Any accessory building not attached to the main building must be a minimum of ten (10) feet from the main building, measured at the closest point, not including eaves or overhangs. **No metal sea going container may be used as an accessory building in any residentially zoned property or on any property used only for residential use, unless for a temporary use no longer than 30 days, unless an extension of time is approved by the Codes & Planning Director of the City of Kirksville. For this temporary use, the owner or tenant must have a remodeling or other type permit from the City. Existing containers in place on the date of passage of the ordinance will have one year to be removed from the site.**

Section 7. To amend Article XIV, District O-1P, Office District Planned, as follows:

Article XIV – District O-1P, Office District Planned

Sec. 25-81 (b). Uses permitted.

(7) For any commercial or industrial property with a business license, sea going containers may be used for a permanent building only in the rear of the main commercial structure, or may be located at the side of the structure if placed behind privacy fencing that screens the container from view from the front of the property. The structures may be located in any commercial area for a temporary use for storage of materials during a remodeling or other project if the use is no longer than 60 days. For the temporary use of these buildings, the owner or tenant must have a remodeling or other type permit from the City. Existing containers in place on the date of passage of the ordinance, that do not comply with the ordinance, will have one year to comply with the fencing requirement or to be removed from the site. A business that rents or sells sea going containers

that is located in an M-2 industrial zone is not required to comply with the location or fencing requirements.

Section 8. To amend Article XV, District C-1, Local Business District, as follows:

Article XV – District C-1, Local Business District

Sec. 25-85. Height and area.

(a) *Height.* Buildings or structures shall not exceed thirty-five (35) feet and shall not exceed two and one-half stories; except, that where a district C-1 joins districts R-3, R-3-S, R-4, R-4-S, R-P, O-1P, CBD, C-3, ~~C-P~~, M-1 or M-2 within the same block, the height shall be increased to forty-five (45) feet or three (3) stories within that block.

Section 9. To amend Article XXIII, Corridor Zoning

Article XXIII – Corridor Zoning

Sec. 25-116. Corridor streets

(6) North New Street and Rosewood Drive locations: All of that land enclosed within the triangle of Baltimore Street, North New Street, and Rosewood Drive is a combination of Low, Medium, and High Density Corridor Zone properties.

Section 10. This ordinance shall be of full force and effect on the day of passage.

Councilmember Mills moved to approve Bill No. 2015-24 on second reading; seconded by Councilmember Biston. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston and Mills.. Noes – Councilmember Moritz and Steele.

Council Comments

None.

Adjournment

There being no further business to come before the Council, Councilmember Moritz moved to adjourn; seconded by Councilmember Mills. Motion carried: Ayes – Mayor Detweiler; Councilmember Biston, Mills, Moritz and Steele. Noes – 0.

Mayor Detweiler adjourned the meeting at 7:03 p.m.

Vickie Brumbaugh, CMC MRCC
CityClerk