

CITY COUNCIL STUDY SESSION

TO: Mayor and City Council
FROM: Mari E. Macomber, City Manager
SESSION DATE: July 21, 2014
TIME: 4:30 pm
PLACE: Second Floor Conference Room of City Hall

AGENDA:

- **FIRE DEPARTMENT**
- **PROPOSED ORDINANCE CHANGES**
- **REVIEW CITY COUNCIL AGENDA**
- **REVIEW NEWSLETTER – July 2 and 16**
- **COMMITTEE REPORTS**

FIRE DEPARTMENT

On Monday, the City Council will have the opportunity to visit with another department to learn more about the operations and to ask questions. Fire Chief Tom Collins will be in attendance. Tom began his duties as Fire Chief on February 3 of this year.

Mr. Collins came to Kirksville after serving the City of Independence for 30 years with the last four years of service as the Assistant Fire Chief. We had planned to bring in other members of the department, but with the recent retirement announcement of Deputy Fire Chief Singleton, and previous retirement of Rick Anderson, the department is in the process of filling several leadership positions including one captain and one battalion chief position.

PROPOSED ORDINANCE CHANGES

The City Council did not have an opportunity to review and discuss these proposed ordinance changes and several requested more time to review them before the Council actually discussed them as a body.

Clarification: The ordinances are separated into two (2) groups only because one (1) group requires a public hearing before the City Council can consider approving any changes and the other group does not require a public hearing. The recommendation was not to remove the public hearing requirements from the process but a way to separate out the various ordinances.

As previously written, one of the things that we need to do periodically is review our codes of ordinances. Our review is completed by code section. The Codes and Planning Department has been reviewing a number of the Codes that their office is

responsible for enforcing and administering. We would like to discuss several ordinance changes with the Council and have broken them into two sections. The first section are those code changes that do not require a public hearing in order for the Council to make changes and the second group are those that do require a public hearing before the City Council can consider the changes.

Group 1 consists of the following areas:

1. Contractor Testing Exemptions
2. Failure to Renew Contractor Licenses and Testing Deadlines
3. Size of Address Numbers
4. Use of Right of Way
 - (a) Maintenance of Mailboxes located on city streets and curbs
 - (b) Right-of-Way Obstructions
5. Definition of Rubbish
6. Debris on City Streets

Group 2 consists of the following areas:

1. Sea Container Restrictions
2. Sidewalk Construction in New Subdivisions
3. Fire & Explosive Hazards
4. C-P Zoning Districts
5. Secondary Driveway Entrances
6. Board of Adjustment Parking Variances
7. Corridor Zone Amendment
8. Used Auto Dealership Parking
9. Cul-de-sac Maintenance
10. Subdivision Monuments

REVIEW COUNCIL AGENDA

REVIEW COUNCIL NEWSLETTER – July 2 and 16

COMMITTEE REPORTS - *Commission Meetings held from June 18 to July 3 include the following:*

ATC
Board of Adjustment
LPRC – cancelled
Friends of Forest-Llewellyn
Historic Preservation
K-REDI
South 63 CID

Attachments

Fire Department Report
Ordinance Change Staff Reports

KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT

SUBJECT: Report from Fire Department/Emergency Management

STUDY SESSION MEETING DATE: July 21, 2014

CITY DEPARTMENT: Fire Department

PREPARED BY: Tom Collins, Fire Chief/EMD

Kirksville Fire Department consists of one station, housing 6 pieces of equipment and 18 personnel on 3 shifts. We have one Fire Chief, one Deputy Chief and one Administrative Assistant. Each Shift has a Battalion chief, a Captain and 4 fire fighters. Additionally we have a mobile command vehicle, a haz mat trailer and a rescue trailer that are all stored outside.

The Administrative Assistant is responsible for most of the record keeping, scheduling requests for service such as public demo's, ordering equipment throughout the year, answering the phones, etc.

As the Fire Chief, my duties are split between Fire Department management and Emergency Management Director for the City of Kirksville.

Management of the fire department consists of budgetary, major equipment purchases as well as overall management issues.

Emergency Management consists of interfacing with SEMA (State Emergency Management Agency) as well as other agencies before, during and after any event that could over tax our local resources. This position is also responsible for helping to prepare the citizens to survive and recover from disasters.

The Deputy Fire Chief, Randy Singleton oversees day to day fire department operations, personnel management and discipline issues. On a side note, DC Singleton is retiring August 1st after 38 years of service to the citizens of Kirksville.

Each shift has a Battalion Chief, who is responsible for Incident Command at most emergency scenes, staffing management, assigning inspections, making sure maintenance is completed, making sure training is done, generally running each shift.

Each shift also has a Captain. This is the first line supervisor, who is responsible for conducting training, assigning tasks for each day, and first level of discipline.

There are 4 firefighters assigned to each shift (on average). This men are responsible for response to a multitude of calls (724 as of last week, just under 4 calls per day average) such as structure fires car fires, natural cover fires, respond with personnel at the airport for Aircraft fires, and medical calls. All types of rescue calls, odor investigations, haz mat calls and automatic alarms. They also respond to other calls for service that are not in the book. Calls that require them to rub their chins and figure out how to get the person out of the situation they are in. These firefighters spend their

days doing routine things, like commercial inspections throughout the city, fire safety demonstrations at schools, or civic groups and numerous small tasks that keep the equipment running. What the general population does not recognize is the lives that are saved by them doing this. Everyone sees on the news when a firefighter pulls someone from a burning building. What they do not see is the fire that did not start because the child had attended the safety presentation and did not play with the matches. The fire that did not start because a company was made to replace a frayed electrical cord after an inspection. The fire that was put out by the business owner with a fire extinguisher while the firefighters responded.

And the only reason the extinguisher was there was that the firefighters had written the company up that they did not have enough or they were out of date.

The reason I mention all these things is that we hear a lot of complaints about why we (the Fire department) are making some company spend money to do these things. For every fire we prevent or fire we stop while small, the Fire Department for the City of Kirksville saves our city countless dollars. Would the fire put a company completely out of business? Costing jobs, revenue tax dollars, money spent by employees who can no longer live here? Would the fire spread to an adjoining business and effect even more people?

These are some of the services that your Fire Department provides.

Due to retirements, we are currently going through a promotion process for a Battalion Chief and possibly a Captains position. We are taking our time and trying to make a good decision on something that will affect the future of the Kirksville Fire Department.

With the upcoming retirement of DC Singleton, there will be another process to fill that position in the near future.

KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT

SUBJECT: Ordinance Amendments #1

STUDY SESSION MEETING DATE: July 7, 2014

CITY DEPARTMENT: Codes & Planning Department

PREPARED BY: Brad Selby

The ordinance amendments below are needed to improve their respective areas and to fix several problems. These amendments do not require a public hearing. They are:

1. Contractor Testing Exemptions
2. Failure to Renew Contractor Licenses and Testing Deadlines
3. Size of Address Numbers
4. (a) Maintenance of Mailboxes located on city streets and curbs
(b) Right-of-Way Obstructions
5. Definition of Rubbish
6. Debris on City Streets

1. Contractor Testing Exemptions – The Contractor Testing currently in place works well for anyone newly starting out as a business. Companies that come to Kirksville that are well-established and have credentials and training for their employees should not have to take the Contractors test. At this time, our ordinance does not allow this exemption. I asked for more flexibility for these situations when the ordinance was approved, but it was not allowed at that time. The Codes & Planning Director should have the flexibility to exempt companies that we can determine are legitimately in business in another area in which we feel we can reciprocate their business license. This exemption from testing should include successful testing from other states and from the Block Testing programs that are used across the United States. Many companies provide us this evidence but currently it cannot be accepted. We need this flexibility. A new paragraph would be added to Sec. 14-33 (f) (4):

- “c. The Codes & Planning Director or his designee may exempt from the testing any company applying for a contractor license that can provide evidence of:
1. Current licensing in other cities with a population of 5,000 or more, or a county business license.
 2. Certificates from other states showing that contractor testing has been passed and is still current.
 3. Certificates from the Block Testing program showing the passing of contractor tests.
 4. Certificate showing that testing was taken and passed for rating of Master Electrician.
 5. Other documentation that the company is in business and competent to perform the work permitted by the license applied for.

Contractors vetted through the City of Kirksville's request for bid process shall be exempt from Contractor Testing requirements, but shall be required to maintain a City Business License for the duration of the contract. Any work done by these contractors for others in the City would require the testing to be completed unless qualifying for an exemption."

Also, the existing Section 14-33 (f) (4) a. should be amended to include the word "union" after the phrase "state or national".

2. Failure to renew Contractor Licenses & Testing Deadlines– Contractors who do not renew their business license prior to April 1 of each calendar year will lose all testing results from the previous business license year. The existing ordinance has been questioned by the City Attorney, that it may not be winnable in Court. I would propose a new Section 14-33 (f):

"(5) The failure of any Contractor to renew his contractor's license by April 1 requires the contractor to start the application for a brand new business license, which would include any required testing. To receive a Contractor, Electrician, or Plumber's license, the contractor has to pass their respective test(s), unless they qualify for an exemption to the testing which might be in effect at that time."

Also, some Contractors who fail their test and have to wait 2 weeks to take them again, sometimes, they never come back to retest. We would add a new Section 14-33 (f):

"(6) Contractors who fail to come in and take their required contractor tests within thirty (30) days after the application date will have their application denied, and the paperwork returned to the Finance Department. No refunds will be given for a denied application. Once the application is returned to the Finance Department, the application process must start over, including fees."

3. Size of Address Numbers – The International Property Maintenance Code in Sec. 304.3 has a requirement for the numbers for premises identification as a minimum height of 4 inches. We have used this number in the past and continue to use it for enforcement requirements. Two sections of existing municipal code need to be changed to correspond with this number. Municipal Code Sec. 21-74 concerning all addresses needs to change from "two and one-half (2 ½)" to "four (4)". Municipal Code Sec. 13-42 f. concerning manufactured homes needs to change from "(2 ½)" to "(4)".

4. Amendments to Sec. 21-3. Obstruction of streets and sidewalks
(Current wording to be retained and then two paragraphs added, marked (a) and (b)):

Mailbox Damage & Replacement – The City has a policy regarding damage to mailboxes that occur during street clearing operations in the winter time. Some property owners have constructed brick mailboxes that are essentially structures right behind the curb in some subdivisions in the City. These mailboxes are highly susceptible to

damage either from the weight of snow being pushed towards them, or from actual contact with a snow blade during clearing operations. The City Policy needs to be enacted as ordinance, so property owners will be aware of what compensation will be provided if damages of this type occur. The current policy is: "The City will inspect the mailbox after receiving the snowplow damage request. If it is determined that the mailbox was physically hit by a snow plow, the City staff will install a standard wooden post and metal box. If the resident has a custom mailbox and it cannot be repaired, the City will reimburse the resident \$50.00. If the damage was caused by windrow, wet, or heavy snow, etc., the City will not compensate the resident for the damage."

(a) Maintenance of mailboxes located on city streets and curbs. Citizens who erect custom mailboxes or who construct brick structures around mailboxes as an enclosure that are located in the city right-of-way along a street accept the responsibility for maintenance of the structure. Any damage done to a custom mailbox that is determined to be from a city vehicle striking the mailbox will be compensated at the rate of fifty dollars (\$50) to the property owner, with the property owner providing any needed repairs or replacement. Any standard mailbox mounted on a post that is determined to have been damaged by a city vehicle will have the mailbox replaced by city employees to meet minimum postal service requirements. Damage to mailboxes that occurs due to heavy, wet, or windrowed snow will not be compensated for by the City of Kirksville."

If this ordinance is approved, codes employees will survey the city and write a letter to the owners of all custom mailboxes that can be located, to notify them of the new ordinance.

Obstructions on Right-of-Way – Occasionally there are obstructions placed in the right-of-way on city streets that could interfere with snow plowing operations and with access to public water and sewer lines. The mailboxes have been addressed as above. Other materials placed in these areas include large rocks, railroad ties, landscaping timbers, paving bricks, and etc. The City does not want the liability and the inconvenience of having to deal with these things in the right-of-way. This does not prevent the planting of shrubs and trees if they are done in accordance with the City's Tree Ordinance Rules and Regulations, Sec. 13.5-21 to 13.5-45. Trees and shrubs and the use of mulch for root protection are allowed. Other things that people use to enhance the planting areas would be a violation of this proposed ordinance. They include: any type of timbers or wood to make "boxes" to surround the planting area, the use of paver bricks to make these types of "boxes", the use of large rocks above the size of 3/4" gravel, and other types of landscaping stones or pottery. The ordinance would be:

(b) Right-of-Way Obstructions – No objects or materials other than trees, shrubs, mulch, or small gravel may be placed in the city's right-of-ways. This includes railroad ties, boards, landscape timbers, pottery, barrel planters, rocks larger than 3/4" size, landscaping bricks and stone, and like items. These items interfere with the city's use of the area when required for utility work and road clearing operations.

5. Definition of Rubbish – The definition of rubbish, as defined in the 2009 International Property Maintenance Code does not include all items that we consider rubbish. We would like to delete the current definition of Rubbish in the 2009 International Property Maintenance Code and replace it with the following. This would be listed in our local Code of Ordinances, Chapter 6, Article X, Sec. 6-162 Amendments (j) Section 202. (Delete the current definition of Rubbish and insert):

“Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, **automotive and other vehicle and mechanical parts, tires, bicycle parts, stripped down or non-working lawn mowers, construction materials when no building permit is in effect, boards**, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, **recycled materials not in approved recycling containers**, glass, crockery, dust, and other similar materials.”

(The added terms and materials above are shown in bold letters.)

6. Debris on City Streets – The term “debris” is hereby defined to include leaves and grass clippings from lawn mowers. Leaves are sometimes raked up in piles and left in the street gutters. Grass clippings are sometimes deposited on city streets in piles, mounds, or clumps. These can and do get washed down into the city’s storm drain sewers, and can plug or severely limit the water flow going through them. This can lead to localized flooding of streets and other property. This proposed ordinance would be an additional paragraph to Sec. 21-4. Depositing mud, dirt or debris on streets and sidewalks. The additional paragraph will be:

“(c) The term “debris” is hereby defined to include leaves and grass clippings from lawn mowers and other rotary mowers. These leaves and/or grass clippings may not be deposited in piles, mounds, or clumps upon any city street or in the curb and gutter area of a street. The discharge of a lawn mower onto the street area is discouraged but is not an ordinance violation as long as the grass being mowed is not of a heavy and overgrown grass area. Large amounts of grass discharged into the curb and gutter area, of an amount determined to be enough to plug city storm water inlets, will be prosecuted as an ordinance violation.”

KIRKSVILLE CITY COUNCIL STUDY SESSION ATTACHMENT

SUBJECT: Ordinance Amendments #2

STUDY SESSION MEETING DATE: July 7, 2014

CITY DEPARTMENT: Codes & Planning Department

PREPARED BY: Brad Selby

The ordinance amendments below are needed to improve their respective areas and to fix several problems. These amendments require a public hearing before the Planning and Zoning Commission before going to the City Council for approval.

They are:

1. Sea Container Restrictions
2. Sidewalk Construction in New Subdivisions
3. Fire & Explosive Hazards
4. C-P Zoning Districts
5. Secondary Driveway Entrances
6. Board of Adjustment Parking Variances
7. Corridor Zone Amendment
8. Used Auto Dealership Parking
9. Cul-de-sac Maintenance
10. Subdivision Monuments

1. Sea Container Restrictions – At this time, our building ordinance allows the metal-box type sea going containers to be used as accessory buildings. We have a few of these in residential areas, and I feel they are an eye sore. They often have advertising like “Han-Jin” or “Lin-Ming” or a picture of a galloping camel on them. I believe these should be banned in any residential-zoned property as an accessory structure. We would allow them for up to 30 days for temporary uses. We recently had a resident who used one to store his goods on his property when his driveway and garage floor were being torn out and replaced. The Zoning Ordinance, Appendix A, Article VI, Sec. 25-50 (e) would be amended to include:

“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 of no longer than 30 days. For this temporary use, the owner or tenant must have a remodeling or other type permit from the City.”

The Zoning Ordinance, Appendix A, Article XIV, Sec. 25-81 (b) will have a new subset added:

“(7) For any commercial or industrial property, 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. The structures may be located in any commercial area for a temporary use for storage of materials during a remodeling 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.”

The Zoning Ordinance, Appendix A, Article I, Sec. 25-1 Definitions will be amended to include:

“*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.”

2. Sidewalk Construction in New Subdivisions – Sidewalks are required to be installed in all new City Subdivisions. For the past 3 new Subdivisions, the Developer has asked for a delay in installing the sidewalks until after each house is built. Many times, the access for construction of a new house is through the front of the property only from a new or existing street. Concrete trucks and cranes can and often do damage any new sidewalk because the concrete is only required to be 4” thick. This delay in sidewalk construction has been approved by the Planning & Zoning Commission in the past and also by City Council, to be completed within one year after the Final Occupancy Permit has been approved for a new house. This is good, except that Subdivisions in Kirksville are built a house or two at a time. Sometimes, the Subdivisions in western states may have 200 houses in them and all the houses are built in one or two years. Our houses are built over the course of 10-30 years. It would not be uncommon to find open lots on a subdivision that are 20 years old and not yet developed. This leaves our subdivisions with an incomplete sidewalk system. This delay of sidewalk construction should be enacted into ordinance to help developers but should have a sunset time. If houses are not constructed by a certain date, the Developer will be required to complete all of the required sidewalks. A sidewalk constructed in front of an undeveloped lot could be poured at a 6” or 8” depth that could resist damage from heavy vehicles. I propose that an additional paragraph would be added to Chapter 22, Subdivision Regulations, Article III, Sec. 22-27:

“(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.”

3. Fire & Explosive Hazards – The current city ordinance concerning Fire and Explosive Hazards, Sec. 25-29, Article III of the Zoning Ordinances has a table that references flammable materials stored aboveground and underground, with temperatures for combustion and flammability, locations from lot lines, etc., that also references standard temperatures and pressures for these gases. The Codes Department does not have the background or knowledge to be able to determine

answers to codes questions based on this technical information. The table and accompanying paragraph (c) of the section should be removed and the City of Kirksville will follow Missouri State Statutes for issues that pertain to this subject. Missouri officials have to inspect facilities of this type and have the expertise to know what should be allowed or not. We propose to eliminate Paragraph (c) of this Section, which would include the table, leaving paragraphs (a) and (b) in place.

4. C-P Zoning Districts – Planned Commercial Zoning Districts (C-P) were removed from city ordinances with Ordinance No. 10349 in the late 1970's. Several references to this zoning district remain in the current zoning ordinance. These should be removed. I will propose an ordinance to remove any reference to C-P zoning districts, except for the Article XVIII section of the zoning code, which references the repeal of the C-P district:

“The reference to district C-P should be removed in the Zoning Ordinance at Sections 25-2 (d), 25-48 (a), and 25-85 (a).”

5. Secondary Driveway Entrances – Required parking and driveways for new construction, both commercial and residential, are required to be hard surfaced. Additional driveways or parking areas can be surfaced with rock, according to current parking ordinances. Our issue is that the gravel that spills out into the street is both a maintenance and safety concern. Loose rock on our streets is a concern for bicyclists, plus our street sweeper ends up picking up the loose rock. We would propose a new ordinance that would require just the approach for secondary drives to be of hard surface materials (concrete or asphalt) from the edge of the street to the property line (usually to the back side of the sidewalk). This would keep rock from coming out onto our city streets. The remainder of any secondary driveways and parking areas could continue to be surfaced with rock. Appendix A, Zoning Ordinance, Article IV, Sec. 25-31 (c) would be amended to:

“All **required** parking and driveway areas are ~~required~~ to be hard-surfaced with concrete or asphalt paving. **Any 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.**”

6. Board of Adjustment Parking Variance – Historically, the Board of Adjustment has heard requests for variance for parking requirements for apartment complexes and for commercial developments. The Zoning Ordinances concerning the Board of Adjustment duties (Article II, Sec. 25-18 (b)) state that the board has the authority to permit variances on 9 different issues. It goes on to say that the variances “may be granted in the following instances only and in no others”. The determination of parking is a gray area that is not stated specifically, but has been determined to fit these requirements over the years. I believe the ordinance should be amended to specifically approve these appeals as they have frequently been a subject in the past. The Zoning Ordinance, Appendix A, Article II, Sec. 25-18 (b) would then be amended to include the paragraph:

“(10) To permit a reduction in the minimum parking spaces required for residential or commercial developments as required in Article IV Off-Street Parking and Loading, of the Zoning Ordinances.”

7. Corridor Zone Amendment – The listing of the current areas in the City of Kirksville that are zoned as High, Medium, and Low Density Corridor Zones does not list all of the areas currently zoned this way. Appendix A, Zoning Ordinance, Article XXIII, Sec. 25-116 should be amended to include a new paragraph:

“(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.”

8. Used Auto Dealership Parking – Several years ago, an effort was made to ensure that all dealerships selling automobiles were required to offer these vehicles while they were parked on hard surface parking areas. Some smaller dealerships in the past 5-6 years have not been required to do this. Some are parking vehicles on grass, some on rock, and some on hard surface. Some dealers have inquired why it was a requirement for some and not for others. This is not spelled out in city ordinance at this time as a requirement, though it was used as a requirement for development in Planned zoning areas. I would propose that this be made an amendment to the Off-Street Parking Requirements. I propose that additional wording be applied to Appendix A, Zoning Ordinance, Article IV, Sec. 25-31 Required parking, (j) Retail establishments:

“For used car dealerships, in addition to or in conjunction with the employee and building square footage hard surface parking requirements, all new or used vehicles offered for sale must be parked on a hard surface connected with a hard surfaced driveway that connects to a city street. As of the effective date of this ordinance, any used vehicle dealerships currently in business will be allowed one year to provide hard surface parking for their vehicles offered for sale. They would not be required to provide the hard surface drive. A new business selling new or used vehicles starting after the date of this ordinance must be in compliance with the hard surface vehicle parking and the hard surface driveway connecting the parking to the street, before the business license can be approved. Special displays of vehicles temporarily parked on grass or other surfaces for aesthetic purposes is not considered a violation of this ordinance.”

9. Cul-de-Sac Maintenance – Some cul-de-sacs in the city are constructed so that the center of the circle has grass or sometimes flowers or bushes inside an inner circle. These areas are usually maintained by one person. When that person moves away or passes away, these areas are sometimes not maintained. Or, larger vehicles will have their rear wheels go through the dirt area, leaving ruts, and then city employees are asked to repair the ruts in the right of way. We would like to amend a section of the city ordinances concerning cul-de-sacs, to not allow these areas on future cul-de-sacs. The last several subdivisions approved by the city have had all concrete cul-de-sacs, which we believe should be continued. The city ordinance to be changed: Chapter 22 Subdivision Regulations, Article III, Sec. 22-22 (10), should be amended to include:

“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.”

10. Subdivision Monuments – Subdivision signs and monuments are currently allowed for new subdivisions. Maintenance of these in older subdivisions has fallen to the City to take care of in the past as the developers passed away and either the property owner did not want to maintain the sign, or the sign would be on city right of way property, and we would be required to fix or remove the sign/monument. This maintenance should not become a city liability in the future. The current ordinance regarding this should be modified as shown. *Deletions to the current section are shown with strikeouts. Additions are in bold letters.* Chapter 22 Subdivision Regulations, Article II Procedures, Sec. 22-11 Contents of the preliminary plat, (c) (1) f.

“*Subdivision signs, monuments; their location, **fees, insurance**, type of construction, and a statement of the owner’s 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 if 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 costs 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.**”