

THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION MONDAY, JULY 8, 2019 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, CIRCO, HOLMAN, JACOBSON, AND TOWNSEND, CITY MANAGER JIM FEUERBORN, AND CITY STAFF MEMBERS.

- 1. Call To Order.** Mayor Turnbow called the regular meeting to order at 7:00 p.m.
- 2. Roll Call.** Deputy City Clerk Erica Hill called roll; quorum present to conduct business. Councilmember Burke absent.
- 3. Pledge of Allegiance.**
- 4. Presentations/Awards.**

Mayor Turnbow presented the Parks and Recreation department a proclamation for Parks and Recreation Month.

5. Personal Appearances.

6. Staff Reports.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet and reviewed upcoming items of the Board of Adjustment and Planning and Zoning Commission.

Chief of Police Jan Zimmerman introduced Animal Control Officers Jamie Hasenyager and Bailey Romi, who shared a presentation on activities and programs within the department.

City Manager Jim Feuerborn provided agenda items for the July 15 work session.

7. Committee Reports.

8. Consent Agenda.

A. City Council Minutes, June 24, 2019

B. Resolution 19-37, Appointments to the License Tax Review Committee

C. Resolution 19-39, Appointment of Calvin Acklin to the Ward 4 Planning and Zoning Commission seat

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the Consent Agenda as presented.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye
Councilmember Barber Aye

Councilmember Berendzen	Aye
Councilmember Burke, III	Absent
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

9. Unfinished Business. Second Readings.

A. Award of Contract - 2019 Street Preservation

BILL 3467: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SUPERIOR BOWEN ASPHALT CO., LLC FOR THE 2019 STREET PRESERVATION PROJECT, CITY PROJECT NUMBER 19-333-201, IN THE AMOUNT OF \$806,488.79 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

Deputy City Clerk Erica Hill conducted the second reading of Bill 3467 by title only.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3467 by title only.

DISCUSSION: None

VOTE:

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Berendzen	Aye
Councilmember Burke, III	Absent
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3467 as **Raymore City Ordinance 2019-047.**

10. New Business. First Readings.

A. 31st Amendment to the Unified Development Code - Medical Marijuana Facilities (public hearing)

BILL 3468: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AMENDING THE UNIFIED DEVELOPMENT CODE."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3468 by title only.

Mayor Turnbow opened the public hearing at 7:27 p.m. and asked for a staff report.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. The 31st amendment to the Unified Development Code (UDC) establishes where medical marijuana facilities may locate in the City and creates separation distances between facilities and sensitive land uses, such as schools, religious assemblies, daycare centers and residential structures. He asked for the Growth Management Plan (GMP), UDC, notice of publication, and staff report be entered into the record. He reviewed the passage of Amendment 2 to the Missouri Constitution in November of 2018 establishing a right to access medical marijuana and allowing for the limited production, distribution, sale and purchase of marijuana for medical use. The Missouri Department of Health and Senior Services was tasked with establishing rules for the Missouri Medical Marijuana Program. The published rules provide cities with authorization to establish reasonable time, place and manner restrictions on facilities. At its July 2, 2019 meeting, the Planning and Zoning Commission voted 9-0 to accept the staff proposed findings of fact and forward to the City Council with a recommendation of approval. He answered questions of clarification from the Council regarding limits on the number of facilities, inspection processes, and signage requirements.

Mayor Turnbow opened the floor for public comment at 7:47 p.m.

Aubry Gann-Redmon, attorney at law, 305 E. Walnut St., stated she has clients that will be applying for licenses and thanked the Council for being proactive.

Mayor Turnbow opened the floor for public comment and hearing nothing further, closed the public hearing at 7:51 p.m.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3468 by title only.

DISCUSSION: Councilmembers spoke to being prepared and complying with State requirements.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

B. Establishing Chapter 660: Medical Marijuana Facilities

BILL 3469: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE RAYMORE CITY CODE OF ORDINANCES REGULATING MEDICAL MARIJUANA FACILITIES."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3469 by title only.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. Bill 3469 is a companion Bill to the previous item and establishes City Code Chapter 660: Regulation on Medical Marijuana. This Chapter creates minimum local regulations regarding facilities located in the City. The Missouri Department of Health and Senior Services was tasked with establishing rules for the Missouri Medical Marijuana Program. The published rules provide cities with authorization to establish reasonable time, place and manner restrictions on facilities, including limits on hours of operation and local licensing of facilities.

Councilmember Townsend inquired if home cultivation licenses will be recorded with the City. Mr. Cadoret stated those license holders will be required to register with the City.

Councilmember Holman asked City Attorney Jonathan Zerr if there may be issues with the State regarding licensing and inspections. He stated inspections and licensing will be enforced at the State level through the Department of Health and Senior Services. The process has yet to be determined.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3469 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

C. HyVee Conditional Use Permit - Fueling Station (public hearing)

BILL 3470: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING A CONDITIONAL USE PERMIT FOR A FUELING STATION TO BE LOCATED AS PART OF THE HYVEE FAST AND FRESH STORE PROPOSED FOR THE SOUTHWEST CORNER OF 58 HIGHWAY AND FOX RIDGE DRIVE."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3470 by title only.

Mayor Turnbow opened the public hearing at 8:00 p.m. and asked for a staff report.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. Hy-Vee, Inc. is requesting a conditional use permit to allow the operation of a fueling station as part of its Fast and Fresh store proposed for the southwest corner of 58 Highway and Fox Ridge Drive. The fueling pumps will be located under a canopy in front of the store along 58 Highway. He asked for the Growth Management Plan (GMP), UDC, notice of publication, staff report, and the submitted application be entered into the record. The Planning and Zoning Commission, at its July 2, 2019 meeting, voted 9-0 to accept the staff proposed findings of fact and forward to the City Council with a recommendation of approval, subject to the condition of appropriate traffic control measures being incorporated into the site plan to prevent left-hand turning movements onto northbound Fox Ridge from the proposed access drive. He answered questions of clarification from Council.

Brad Sonner, Olsson and Associates, 7301 W 133rd St., Overland Park, Kansas, discussed possible fuel truck patterns through the site and intersection. He also noted that the condition of the median on Fox Ridge is acceptable to the applicant.

Mayor Turnbow opened the floor for public comment and hearing nothing further, closed the public hearing at 8:11 p.m.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3470 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

D. Award of Contract - 2019 Inflow and Infiltration Project

BILL 3466: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BREIT CONSTRUCTION FOR THE INFLOW AND INFILTRATION REDUCTION PROJECT, CITY PROJECT NUMBER 19-321-201, IN THE AMOUNT OF \$118,922 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3466 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. This contract provides for the continuation of the City's Inflow and Infiltration abatement program which reduces clean water from entering the City's sanitary sewer system. Staff recommends approval of Bill 3466 awarding contract to Breit Construction LLC for the 2019 Inflow and Infiltration Reduction Project.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3466 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

E. Award of Contract - Hawk Ridge Park Lighting

BILL 3474: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BLACK & MCDONALD FOR THE HAWK RIDGE PARK LIGHT INSTALLATION PROJECT, IN THE AMOUNT OF \$87,678.36 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3474 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. This project will provide for the installation of lights along the boardwalk at Hawk Ridge Park. The City currently utilizes Black & McDonald for streetlight maintenance and repairs throughout the City. This contract includes the installation of street lights on a case-by-case basis. Staff requested a proposal for this work and received a quote in the amount of \$87,678.36. Staff recommends award of this work to Black & McDonald under our current contract.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3474 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye

Councilmember Berendzen	Aye
Councilmember Burke, III	Absent
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

F. Award of Contract - Custom Ice Inc. - T.B. Hanna Improvements

BILL 3471: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR \$74,937 WITH CUSTOM ICE INC. FOR THE PURCHASE AND INSTALLATION OF AN ICE RINK AT THE DEPOT AS PART OF THE T.B. HANNA STATION IMPROVEMENTS."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3471 by title only.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. An outdoor ice skating rink was included as part of the voter-approved GO Bond improvement project at T.B. Hanna Station. In May, staff posted a request for proposals for an outdoor skate rink accepting both synthetic skate rink bids and a real ice rink bids. One bid was returned for a synthetic rink and three bids were submitted for a real ice rink. After staff discussions with other Parks and Recreation Departments with similar facilities in Kansas City area, a synthetic rink is not recommended. After review of the proposals and budgetary impacts, staff is recommending to purchase and install the real ice rink and is recommending the award of contract to Custom Ice Inc. in the amount of \$74,937. He answered questions of clarification from Council and expanded on the choice between a synthetic rink and a real ice rink.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3471 by title only.

DISCUSSION: None

VOTE:

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Berendzen	Aye
Councilmember Burke, III	Absent
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

G. Budget Amendment - Parks and Recreation Trails

BILL 3473: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2019 CAPITAL BUDGET."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3473 by title only.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. The Recreation Park Bridge Replacement project along the trail that connects Recreation Park and Moon Valley Park was an approved FY19 capital project. Portions of the old trail were unsafe and contractors were instructed to replace the unsafe areas. The Hawk Ridge Park Improvement project calls for a loop trail around Johnston Lake. Staff instructed contractors to install additional base rock under the asphalt trail to allow Parks maintenance trucks to use the trail for access to all areas of the park. The FY19 Capital Improvement Plan includes a project in the amount of \$26,000 for the replacement of the trail lights in the Arboretum at Memorial Park, which will be postponed in order to complete the previous projects. Staff is requesting a budget amendment to transfer that \$26,000 to offset the costs associated with the trail improvements.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3473 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

H. Agreement with Cass County for Tax Collection Services

BILL 3472: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, ESTABLISHING AN INTERGOVERNMENTAL AGREEMENT WITH CASS COUNTY FOR THE COLLECTION OF ANNUAL TAXES FOR AND ON BEHALF OF THE CITY."

Deputy City Clerk Erica Hill conducted the first reading of Bill 3472 by title only.

City Manager Jim Feuerborn provided a review of the staff report included in the Council packet. The current agreement with Cass County for the collection of annual taxes was effective on November 1, 2009. The new Collector of Revenue, Chris Molendorp, is requesting an updated agreement.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3472 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

MOTION: By Councilmember Holman, second by Councilmember Barber to recess the regular City Council meeting and conduct the business meeting of the Raymore Community Foundation at 8:30 p.m.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

I. Meeting of the Raymore Community Foundation

1. Call to Order.

Director Turnbow called the meeting to order at 8:30 p.m.

2. Roll Call.

Directors in attendance: Sonja Abdelgawad, Kevin Barber, John Berendzen, Tom Circo, Jay Holman, Dale Jacobson, Reginald Townsend and Kristofer Turnbow. Joseph Burke absent.

3. Approval of minutes.

A. May 14, 2018 meeting minutes

MOTION: By Director Holman, second by Director Barber to approve the minutes of the May 14, 2018 meeting.

DISCUSSION: None

VOTE:	Director Abdelgawad	Aye
	Director Barber	Aye
	Director Berendzen	Aye
	Director Burke, III	Absent
	Director Circo	Aye
	Director Holman	Aye
	Director Jacobson	Aye
	Director Townsend	Aye
	Director Turnbow	Abstain

4. New Business

A. Resolution 19-01 Acceptance of Donation with Conditions

RESOLUTION 19-01: "A RESOLUTION OF THE RAYMORE COMMUNITY FOUNDATION ACCEPTING A DONATION FROM THE RAYMORE PARK FOUNDATION FOR VARIOUS PROJECTS."

Recording Secretary Erica Hill conducted the reading of Resolution 19-01 by title only.

Assistant City Manager Mike Ekey stated per the Raymore Community Foundation's policy, the Board of Directors must formally accept any donation that comes with conditions or requests. The Parks and Recreation Foundation voted to dissolve and transfer its remaining funds (\$31,689) to the Raymore Community Foundation with the stipulation that the donated funds will still be allocated to the projects supported by the former Foundation.

MOTION: By Director Holman, second by Director Barber to approve Resolution 19-01 by title only.

DISCUSSION: Director Holman recognized the work of the Parks and Recreation Foundation.

Director Abdelgawad thanked the Parks and Recreation Foundation and reviewed the projects included in this donation.

VOTE:	Director Abdelgawad	Aye
	Director Barber	Aye
	Director Berendzen	Aye
	Director Burke, III	Absent
	Director Circo	Aye
	Director Holman	Aye
	Director Jacobson	Aye
	Director Townsend	Aye
	Director Turnbow	Abstain

5. Adjourn.

MOTION: By Director Holman, second by Director Barber to adjourn the meeting of the Raymore Community Foundation.

DISCUSSION: None

VOTE:	Director Abdelgawad	Aye
	Director Barber	Aye
	Director Berendzen	Aye
	Director Burke, III	Absent
	Director Circo	Aye
	Director Holman	Aye
	Director Jacobson	Aye
	Director Townsend	Aye
	Director Turnbow	Abstain

The meeting of the Board of Directors for Raymore Community Foundation adjourned at 8:36 p.m.

MOTION: By Councilmember Holman, second by Councilmember Barber to reconvene the regular meeting of the City Council.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

The regular meeting of the City Council reconvened at 8:37 p.m.

11. Public Comments.

12. Mayor/Council Communication.

Mayor Turnbow and Councilmembers thanked Animal Control Officers for the presentation, thanked volunteers for their support of the animal shelter, commended staff on their preparation for the medical marijuana item, congratulated the Parks Department on the proclamation and thanked them for their hard work, thanked the various groups in the audience, and recognized Mr. Acklin for his appointment to the Planning and Zoning Commission.

Councilmember Townsend noted a meeting MoDOT is holding regarding an I-49 project slated for 2050.

Councilmember Jacobson asked for an update on trash services. Assistant City Manager Mike Ekey provided an update on the removal of carts and the start of service with the new contractor.

Councilmember Holman thanked Councilmember Townsend for his involvement with the MARC Transportation Council.

Councilmember Barber recognized former Councilmember Jeffrey Stevens on the idea for the ice rink.

Councilmember Berendzen noted the positive aspects for patients regarding the medical marijuana issue.

13. Adjournment.

MOTION: By Councilmember Holman, second by Councilmember Barber to adjourn.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

The regular meeting of the Raymore Council adjourned at 8:55 p.m.

Respectfully submitted,

Erica Hill
Deputy City Clerk