

THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION MONDAY, JUNE 24, 2019 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, 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.** City Clerk Jeanie Woerner called roll; quorum present to conduct business.
- 3. Pledge of Allegiance.**
- 4. Presentations/Awards.**

Mayor Turnbow presented a proclamation to Councilmember Barber and members of the Ray-Pec Optimist Club recognizing the 100th anniversary of the Optimist International.

5. Personal Appearances.

Julia Jackson, 206 Pointe Ln, Raymore, did not appear.

6. Staff Reports.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet and updated the progress of current projects.

Parks and Recreation Director Nathan Musteen provided an update of events of the Department and reviewed the staff report included in the Council packet. He thanked the Optimist Club for their partnership with the Park Department. He answered general questions from Council.

Assistant City Manager Mike Ekey provided information on upcoming events organized by the Performing Arts Committee and the Arts Commission. He also provided information on a drop off area for tree debris from recent storms. He answered general questions from Council.

City Manager Jim Feuerborn provided agenda items for the July 1 work session.

7. Committee Reports.

8. Consent Agenda.

- A. City Council Minutes, June 10, 2019**
- B. City Council Special Meeting Minutes, June 17, 2019**
- C. Resolution 19-25, Recreation Park Ball Field Lighting Project - Acceptance and Final Payment**

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	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

9. Unfinished Business. Second Readings.

A. Vacation of Easement - The Good Ranch

BILL 3456: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI VACATING ALL EASEMENT RIGHTS, INCLUDING A SEWER LINE EASEMENT, TWO LIFT STATION EASEMENTS, AND AN ACCESS ROAD EASEMENT ALL INDIVIDUALLY IDENTIFIED IN THE RIGHT-OF-WAY EASEMENT GRANTED BY BERTIE OWEN ON NOVEMBER 27, 1978, AND RECORDED IN THE CASS COUNTY RECORDER OF DEEDS AS DOCUMENT NO. 81367 IN BOOK 730 AT PAGE 178, ALL IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Jeanie Woerner conducted the second reading of Bill 3456 by title only.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3456 by title only.

DISCUSSION: None

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

Mayor Turnbow announced the motion carried and declared Bill 3456 as **Raymore City Ordinance 2019-041.**

B. FY 2019 Budget Amendment - Meter Conversion Project

BILL 3452: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2019 CAPITAL BUDGET TO PROVIDE ADDITIONAL FUNDING SUPPORT FOR THE METER CONVERSION PROJECT. "

City Clerk Jeanie Woerner conducted the second reading of Bill 3452 by title only.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3452 by title only.

DISCUSSION: City Manager Jim Feuerborn stated this amendment will move funding from the water connection fee fund to the dedicated water meter conversion project.

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

Mayor Turnbow announced the motion carried and declared Bill 3452 as **Raymore City Ordinance 2019-042.**

C. T.B. Hanna Station Improvements, Station House Renovation

BILL 3457: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR \$46,714 WITH R.L. PHILLIPS CONSTRUCTION, INC. FOR THE RENOVATION OF THE OLD POST OFFICE BUILDING AS PART OF THE T.B. HANNA STATION IMPROVEMENTS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3457 by title only.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3457 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye

Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3457 as **Raymore City Ordinance 2019-043.**

D. Agreement with Raymore-Peculiar School District for SRO Services

BILL 3460: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI ESTABLISHING AN INTERGOVERNMENTAL AGREEMENT WITH THE RAYMORE-PECULIAR SCHOOL DISTRICT TO PROVIDE SCHOOL RESOURCE OFFICER SERVICES FOR SCHOOLS IN RAYMORE AND THE EAST MIDDLE SCHOOL."

City Clerk Jeanie Woerner conducted the second reading of Bill 3460 by title only.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3460 by title only.

DISCUSSION: None

VOTE:

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

Mayor Turnbow announced the motion carried and declared Bill 3460 as **Raymore City Ordinance 2019-044.**

E. Award of Contract - Centerview AV Production System/Outdoor Speakers

BILL 3461: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KANSAS CITY AUDIO VISUAL FOR THE PURCHASE AND INSTALLATION OF AN A/V PRODUCTION SYSTEM AND OUTDOOR SPEAKERS FOR CENTERVIEW IN THE AMOUNT OF \$50,675.96 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3461 by title only.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3461 by title only.

DISCUSSION: None

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

Mayor Turnbow announced the motion carried and declared Bill 3461 as **Raymore City Ordinance 2019-045.**

F. Award of Contract-Residential Waste Collection

BILL 3465: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CONSTABLE SANITATION TO PROVIDE WASTE DISPOSAL SERVICES FOR THE CITY OF RAYMORE, IN ACCORDANCE WITH THE REQUEST FOR PROPOSAL SUBMITTED FOR RFP 19-006."

City Clerk Jeanie Woerner conducted the second reading of Bill 3465 by title only.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3465 by title only.

DISCUSSION: Councilmembers thanked staff and Constable Sanitation for the informational campaign that is underway.

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

Mayor Turnbow announced the motion carried and declared Bill 3465 as **Raymore City Ordinance 2019-046.**

10. New Business. First Readings.

A. 30th Amendment to the Unified Development Code - Keeping of Fowl (public hearing)

BILL 3458: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AMENDING THE UNIFIED DEVELOPMENT CODE."

Mayor Turnbow outlined the public hearing procedures. He asked that those making comments should verbally provide their name and address, write their name and address on the sign-in sheet, limit comments to 5 minutes or less, silence all electronic devices, show no public display, i.e., cheering, clapping, etc., show courtesy and respect, and those whose comments are repetitive, to please provide their name and address for the record.

City Clerk Jeanie Woerner conducted the first reading of Bill 3458 by title only.

Mayor Turnbow opened the public hearing at 7:26 p.m. and asked for a staff report.

Development Services Director Jim Cadoret provided a detailed review of the staff report included in the Council packet. The 30th amendment to the Unified Development Code (UDC) proposes to allow the keeping of fowl on property zoned RR (Rural Residential), R-1A (Single Family Residential) and R-1 (Single Family Residential). He asked for the Growth Management Plan (GMP), UDC, notice of publication, staff report, photographs submitted by Jeff Adams, resident comments included in the 2019 Citizen Survey, Citizen Survey results-backyard chickens, photographs submitted by Susan Dooley, comments submitted by Planning and Zoning Commissioner Melody Armstrong, and documents submitted during public testimony at the Planning and Zoning Commission on May 21, 2019 be entered into the record. He provided history of this topic over the last several years that has been before the Planning and Zoning Commission and the City Council. There are 220 current properties under the current zoning where the use is allowed. If this amendment is approved, there are still private land use restrictions by covenants and restrictions and Homeowners Association's rules. As part of this amendment, a companion Bill is the next agenda item that puts certain rules, restrictions, and processes in place. Staff does not support approval on this Bill without the approval of the companion Bill. The Planning and Zoning Commission, at its May 21, 2019 meeting, did not obtain the required number of votes for a binding recommendation on the 30th amendment to the UDC. No majority vote of the entire Commission was obtained as the vote was 4-3-0 on a motion for a recommendation of approval. Five votes constitutes a majority vote of the Commission. In accordance with Section 470.020(F)(2) of the UDC, this amendment is forwarded to the City Council with no recommendation.

Mayor Turnbow opened the floor for public comment at 7:35 p.m.

Jeff Adams, 521 N. Jefferson St., spoke in opposition of this amendment. He referenced a property in his neighborhood that has fowl that is in violation of the property maintenance code and feels the allowance of fowl will create further property maintenance issues.

Pam Hatcher, 1402 Young Circle, spoke in opposition.

Melody Woo, 801 S. Franklin, spoke on behalf of a citizen's group, Raymore Urban Chicken Coalition. She spoke in favor of these Bills, but still feels there are further enhancements that need to be made. The goal of the coalition is to help the City capture this opportunity. She asked the coalition members present to show support to provide their names and addresses for the record:

Sheryl Dunman, 404 N. Park
Sarah Locke, 404 S. Sunset Ln
Kenny Pfeiler, 806 N. Madison
Deborah Knight, 515 S. Poseidon Way
Crystal Slover, 604 Condor St.
Sara Gaston, 400 N. Park
Dorinda Leighter, 11505 E. 195th St. (outside of city limits)
Susan Dooley, 606 Condor
Evan Martinez, 1900 Sequoia Dr.
William Dooley, 606 Condor
Melody Armstrong, 1603 N. Madison

Mayor Turnbow opened the floor for public comment and hearing nothing further, closed the public hearing at 7:53 p.m.

AMENDED MOTION: By Councilmember Berendzen, second by Councilmember Abdelgawad to approve the first reading of Bill 3458 by title only; amending the definition of fowl to female chickens and female ducks only.

DISCUSSION: Councilmember Berendzen spoke in favor as he asked this to be brought forward. He owns chickens and does not feel the number (6) allowed will create the smell and nuisance issues spoken to. He highlighted the provisions contained in the companion Bill which amends the animal control portion of City Code.

Councilmember Abdelgawad thanked those who spoke to this issue. Although she supports this issue, she does feel future changes need to be made to the rules and regulations.

Councilmember Holman stated he feels the vast majority of the residents of Raymore are not supportive. He referenced the survey results that were 14-1 in opposition.

Councilmember Burke spoke to his experience in biology and the negative effects of animal waste on water quality and the possible negative effects on resale of neighboring homes that potentially could have chickens.

Councilmember Barber spoke to his disagreement with the regulations of having neighbor's permissions that it could cause problems. He does not agree with the granting of licenses in locations with HOA and POA restrictions as it could cause problems with violations of the HOA rules and regulations.

Councilmember Townsend stated he reached out to his HOA members to get their opinions on this matter. He found this could be a conflict and puts the HOA in a potential financial position to take the violation to court. He feels the past amendments to code to allow chickens in certain areas is sufficient.

Councilmember Circo spoke in opposition and reiterated those comments from Councilmembers with the same opinion.

Councilmember Jacobson stated he was on the Council when the legislation was passed to allow chickens on agricultural land of 3 acres. He acknowledged receipt of emails sent by the coalition.

Councilmember Abdelgawad stated the proposed consent of neighbors is in the companion bill and the definition is in this amendment to the UDC.

Discussion ensued.

Councilmember Holman suggested discussing a location supporting a community garden for chickens possibly in partnership with the Parks Department.

All Councilmembers thanked those speaking to this item.

AMENDED MOTION VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Nay
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Nay
	Councilmember Circo	Nay
	Councilmember Holman	Nay
	Councilmember Jacobson	Nay
	Councilmember Townsend	Nay

B. Amendment to Chapter 205: Animal Control (public hearing)

BILL 3459: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI ESTABLISHING SECTION 205.280 OF THE RAYMORE CITY CODE OF ORDINANCES TO ALLOW THE KEEPING OF FOWL."

This item was not considered given Bill 3458 failed.

C. Conway Place Rezoning (public hearing)

MOTION: By Councilmember Holman, second by Councilmember Barber to continue this item to the July 8, 2019 Council meeting.

DISCUSSION: None

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

D. Conway Place Preliminary Development Plan (public hearing)

MOTION: By Councilmember Holman, second by Councilmember Barber to continue this item to the July 8, 2019 Council meeting.

DISCUSSION: None

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

E. 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."

City Clerk Jeanie Woerner conducted the first reading of Bill 3467 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. This project involves the mill and overlay of certain streets outlined in the map provided. The contract includes additional streets based on favorable pricing. The

remaining portion of the \$1 million budget will be used for preventative maintenance and repairs throughout the City.

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

DISCUSSION: Councilmember Holman spoke favorably to the work of the Public Works Department.

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

11. Public Comments.

Sara Gaston, 400 N. Park, thanked the Mayor and Councilmembers for hearing their concerns and comments. She stated the coalition will return with this request.

12. Mayor/Council Communication.

Mayor Turnbow and Councilmembers thanked the citizens for their comments in support of and in opposition of allowing urban chickens, thanked staff for their contributions for the subject of urban chickens, recognized the contributions to the Ray-Pec Optimist Club has made to the community, voiced anticipation for the completion of improvements to Hawk Ridge Park, and encouraged attendance at the Spirit of America Festival.

Councilmember Abdelgawad stated her disappointment with the outcome of the urban chickens.

Councilmember Townsend read the Optimist’s creed.

Mayor Turnbow thanked the coalition for their professionalism in speaking to the Council. He spoke to his opposition to the urban chicken and his voice on the Planning and Zoning Commission.

MOTION: By Councilmember Holman, second by Councilmember Barber to adjourn to Executive Session to discuss litigation as authorized by §610.021 (1).

ROLL CALL VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye

Councilmember Burke, III	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Moorhead	Aye
Councilmember Townsend	Aye

The regular meeting of the Raymore City Council adjourned to Executive Session at 8:58 p.m.

13. Adjournment.

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

DISCUSSION: None

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

The regular meeting of the Raymore Council adjourned at 9:27 p.m.

Respectfully submitted,

Jeanie Woerner
City Clerk