

**THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION MONDAY, JANUARY 13, 2020 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, CITY ATTORNEY JONATHAN ZERR, AND CITY CLERK JEANIE WOERNER.**

- 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.**
- 5. Personal Appearances.**
- 6. Staff Reports.**

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet and introduced Katy Jardieu as the City's new Planner. He answered general questions from Council.

Chief of Police Jan Zimmerman provided comparable information on crime statistics from 2018 vs. 2019. She answered general questions from Council.

City Manager Jim Feuerborn announced no work session will be held on January 20 which is the Martin Luther King, Jr. holiday.

- 7. Committee Reports.**
- 8. Consent Agenda.**
  - A. City Council Minutes, December 23, 2019**
  - B. Resolution 20-01, Appointments and Affirmations of Membership to Incentive District Boards**
  - C. Resolution 20-02, 2019 Street Preservation Project - Acceptance and Final Payment**
  - D. Resolution 20-03, Appointing members to the Liquor Code Enforcement Agency**

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

**DISCUSSION:** None

<b>VOTE:</b>	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. Calling for the April 7, 2020 Regular Municipal Election**

**BILL 3511: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, CALLING FOR AND ESTABLISHING THE DATE OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 7, 2020."**

City Clerk Jeanie Woerner conducted the second reading of Bill 3511 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3511 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	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 3511 as **Raymore City Ordinance 2020-001.**

**B. Foxridge Business Park Final Plat**

**BILL 3517: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE FOXRIDGE BUSINESS PARK FINAL PLAT, LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 46N, RANGE 32W, RAYMORE, CASS COUNTY, MISSOURI."**

City Clerk Jeanie Woerner conducted the second reading of Bill 3517 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3517 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	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 3517 as **Raymore City Ordinance 2020-002.**

**10. New Business. First Readings.**

**A. Tax Increment Financing Plans and Redevelopment Projects - Progress Overview (public hearing)**

Mayor Turnbow opened the public hearing for the Tax Increment Financing Plans and Redevelopment Projects at 7:18 p.m. and asked for a staff report.

Economic Development Director David Gress stated, in accordance with Section 99.865 of the Revised Statutes of Missouri, the City Council shall determine if the tax increment financing (TIF) plans and their associated redevelopment projects are making satisfactory progress under the proposed time schedules contained within the approved plans for the completion of the projects. The presentation includes Foxwood Village Shops, Highway 58 West Extended Redevelopment, Good Ranch Redevelopment Area, and Highway 58 and Dean Avenue TIFs.

**Foxwood Village Shops TIF Plan**

Economic Development Director David Gress provided an overview of the progress on the Foxwood Village Shops TIF Plan as outlined in the staff report included in the Council packet. He answered general questions from Council.

**Highway 58 West Extended Redevelopment TIF Plan (Galleria)**

Economic Development Director David Gress provided an overview of the progress on the Raymore Galleria TIF Plans as outlined in the staff report included in the Council packet.

**Highway 58 & Dean Avenue TIF Plan (Raymore Marketplace)**

Economic Development Director David Gress provided an overview of the progress on the Highway 58 & Dean Avenue TIF Plan as outlined in the staff report included in the Council packet.

**Good Ranch Redevelopment Area TIF Plan**

Economic Development Director David Gress stated the Good Ranch Redevelopment area TIF Plan has been inactive and was terminated in 2019. Reporting for this plan will remain two years past termination.

Mayor Turnbow opened the floor for public comment and hearing none, he closed the public hearing for the Tax Increment Financing Plans and Redevelopment Projects at 7:28 p.m.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to accept the Tax Increments Plans and Redevelopment progress overview reports provided.

**DISCUSSION:** None

<b>VOTE:</b>	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

**B. Impact Fieldhouse Conditional Use Permit (public hearing)**

**BILL 3520: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING A CONDITIONAL USE PERMIT FOR OUTDOOR RECREATION ACTIVITIES ON PROPERTY LOCATED AT 500 S. LINCOLN AVENUE."**

City Clerk Jeanie Woerner conducted the first reading of Bill 3520 by title only.

Development Services Director Jim Cadoret announced the applicant would be providing a presentation.

Mayor Turnbow opened the public hearing at 7:30 p.m.

James Ryan representing himself and applicants, Mike Chick and Brian Smith, for Impact Field House, provided an overview of their strategic objectives, business plan, and uses for the outdoor area as well as the existing buildings. A visual presentation was presented to Council. He stated the Planning and Zoning Commission recommended approval without lighting, however, lighting is part of their business plan. If the lighting is approved by the Council, their plan would be to limit lighting to approximately 12 weeks per year

with a 9 p.m. lights off plan. He asked their partner and lighting engineering company to speak to Council.

Todd Miller, Luminous Vitality, 7922 Noland Road, Lenexa, Kansas, stated their custom lighting solution takes into consideration surrounding residents as well as lighting for players and visitors to the fields. He provided a visual presentation of the lighting proposal. They are addressing concerns of lighting containment to the fields, lighting not spilling onto adjacent areas and controlling output of light. The proposal is for 8' light poles on the fields, with a zero foot candle impact on the residents adjacent to the proposed site and the lights are proposed to be on remote timer access. He provided specific information on the lighting plan.

Councilmember Burke asked for a reference on other locations with these lighting facilities being proposed.

Councilmember Holman stated the original application was submitted without a lighting request and feels the current request is a substantial change from what was presented to the Planning and Zoning Commission. He asked if the application should be remanded back to the Commission for consideration.

City Attorney Zerr stated the Planning and Zoning Commission had considerable discussion regarding the proposed lighting and associated issues, however, did not have the detailed lighting information being presented tonight. Council has authority to accept the original conditions, impose their own conditions, accept the lighting proposal subject to any conditions the Council may choose to impose, or remand back to the Planning and Zoning Commission if it is felt the request is a substantial alteration from the original application.

Councilmember Berendzen stated his concern with the lumination affecting traffic on J Highway and Sunrise streets.

Mr. Miller stated there would be zero foot candles to one's eye on these streets.

Discussion ensued regarding the lighting proposal varying from the initial plan submitted by the applicants. Staff was asked if an official lighting plan has been submitted and reviewed.

Development Services Director Jim Cadoret stated staff is viewing the applicant's lighting proposal for the first time in their presentation. It is not enough information for staff to perform a complete analysis on the lighting proposal.

Councilmember Abdelgawad noted the December 17 Planning and Zoning minutes have a statement from Mayor Turnbow that the lighting plan could be presented to the Council and noted that may be the confusion from the applicant on procedures.

Discussion ensued.

Councilmember Berendzen asked what effect it would have on the applicant's business plan if Council approved the conditional use permit (CUP) as recommended by the Planning and Zoning Commission.

Mr. Ryan stated they are closing on the property soon and their business plan is based on approval of the lighting. Approval of the CUP as submitted would help. He asked what the process would be to get approval of the lighting at a later date.

Discussion ensued.

City Attorney Zerr provided options for Council moving forward. He recommended completing the public hearing and hear testimony from those in the audience who wish to speak. Given the new information on the lighting proposal, Council could table the public hearing to a later date giving staff time to analyze the lighting proposal.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. R and C Investment Properties, LLC and property owner Delores Russell are requesting approval of a conditional use permit to allow outdoor recreational activities on property located on the northwest corner of Lincoln Avenue (J Highway) and Sunrise Drive which is currently zoned M-1 light industrial. This public hearing was properly advertised in *The Journal* and he asked for the mailed notices to adjoining property owners, notice of publication, Unified Development Code (UDC), application, Growth Management Plan (GMP), staff report and site plan be entered into the record. This conditional use permit (CUP) is to allow outdoor recreational activities on the property. The indoor proposal is a permitted use of the areas. He provided information on surrounding zoning, use of the area, parking, screening and the conceptual site plan which was submitted. This CUP was presented to the Planning and Zoning Commission at their December 17, 2019 meeting with a recommendation of approval subject to eight conditions; the outdoor soccer/football area be fenced along the east, south and west sides of the field with a fence height between eight and twelve feet tall; mesh or similar material shall be attached to the fencing along the southern and eastern property line to create an opaque screen; no commercial signs or messaging is allowed on the fencing; no lighting of the outdoor recreation fields is allowed; additional off-street parking shall be provided as illustrated on the potential parking expansion plan submitted by the applicant; any time the outdoor recreation fields are in use, access must be provided to the restroom facilities on the site; no outdoor recreational activities shall occur until all of the conditions are complied with; and no overflow parking shall occur along J Highway (Lincoln Avenue). He reviewed actions at the December 17 Planning and Zoning meeting. The public hearing was opened and closed upon hearing no public comments. As is customary, the City Attorney asked the applicant if they were in agreement with the conditions submitted to the Commission. Mr. Smith stated his concern that the approval did not include lighting. That was the first time staff heard information on a lighting plan. Staff met with the applicant prior to the Commission meeting and discussion included that no lighting was to be recommended. The public hearing was reopened to hear comments from residents in the audience. He reviewed the discussion, motions, and vote outlined in the minutes of

the Planning and Zoning Commission. After consideration, the Planning and Zoning Commission voted 8-0 to accept the staff proposed findings of fact and forward to the City Council with a recommendation of approval subject to the conditions outlined. Staff feels very strongly about the condition of no lighting based on the belief that it will have an impact on surrounding properties and the proposed 8' poles are not allowed in City Code.

Mayor Turnbow opened the floor for public comment.

Todd Miller, Luminous Vitality, addressed the custom lighting solution they are proposing. As he stated before, the lighting fixtures in their plan will not spill into the residential area and are a zero foot candles lighting. He explained the difference in parking area lighting and the field lighting.

Councilmember Burke asked Mr. Miller if his work on the lighting solution began before the December meeting of the Planning and Zoning Commission. Mr. Miller answered no.

Tom Engret, President of Morningview Homeowners Association, 613 Sun Dr., spoke in favor of the original plan and stated he has concerns on the proposed lighting.

The following spoke in favor of the conditional use permit with the lighting:

Tyler Lambert, 606 Roanke Dr.

Mike Myers, 903 Wesley Cir.

Justin Unruh, 21616 S. Countryside Dr., Peculiar

Nicole Wobbe, 1119 Bristol Dr.

Brisa Boyer, 810 Cindy Ln.

Alex Nunez, 13704 Harvest Ln., Peculiar

Jacob Smith, 608 Roanke Dr.

Doug Garrison, 13810 Harvest Ln., Peculiar

Denise Scott, 206 Elissa Dr.

The following spoke against approval of the conditional use permit:

Carol Kabel, 525 Mars Ct.

Candy Engert, 613 Sun Dr.

Kay Sharp, Treasure of Morningview Homeowners Association, 516 Neptune Dr., stated if the lighting plan is as presented, she agrees with the project.

Bryan Smith, 608 Roanke Dr., founder and applicant of the CUP, stated this project is dependent on approval of lighting the fields. He feels they have met the concerns of the residents and the City.

Councilmember Abdelgawad stated a lighting plan is not part of the normal process in submitting an application for a CUP.

Mr. Cadoret stated it is not part of the CUP, however the plan was never mentioned when the application was originally submitted.

Mayor Turnbow asked Mr. Zerr for a recap of discussion at the Planning and Zoning Commission meeting with the applicant on the recommended conditions of the CUP.

Mr. Zerr stated after Commission discussion and the close of the public hearing, he asked Mr. Smith if they were agreeable to the conditions set forth and the answer was yes. Shortly following that, conversation was brought forth by Mr. Smith that they did have an issue with no lighting.

James Ryan clarified the lighting was not included in the original request for the CUP, it was an oversight.

Discussion ensued.

Mayor Turnbow opened the floor for public comment and hearing none further, he closed the public hearing at 8:56 p.m.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3520 by title only with the eight conditions as recommended by the Planning and Zoning Commission.

**DISCUSSION:** Councilmember Burke noted for the record, his issue is that the lighting plan was not submitted with the original plan and the proximity of the nearby retirement community is the reason he won't support the lighting plan.

Councilmember Abdelgawad stated she feels because the applicants are local residents and their proposal is needed in the community, Council should be open to giving consideration to approval including the lighting plan. She asked for guidance on a motion to alter the conditions of approval and give staff and Council time to review the lighting plan.

City Manager Jim Feuerborn stated the applicant has asked for approval of the CUP to finalize the pending contract and also stated that their business plan won't work without the lighting plan. If approved with the motion on the floor, the applicant could approach staff with additional information and the lighting plan that could be reviewed by staff and submitted to Council at second reading or based on their comments, the application could be withdrawn.

Discussion ensued.

<b>VOTE:</b>	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

**C. Amending the FY 2020 Budget**

**BILL 3521: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AMENDING THE FISCAL YEAR 2020 OPERATING AND INTERNAL SERVICES BUDGETS."**

City Clerk Jeanie Woerner conducted the first reading of Bill 3521 by title only.

City Manager Jim Feuerborn provided a review of the staff report included in the Council packet. Presented to Council at work session, were several recommendations for budget amendments in the Buildings and Grounds and Court Departments to improve building security; the Police Department to increase Administrative Assistant hours to allow for evening customer service; the Restricted Revenue Fund for the purchase of skates to be rented for the new ice rink; and amending a personnel section of the budget for the creation of a Public Works Worker III position. He reviewed specific dollar amounts affected by these proposed amendments.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3521 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

**MOTION:** By Councilmember Holman, second by Councilmember Barber to recess the regular meeting of the Raymore Council in order to conduct business of the Raymore Community Foundation.

**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 was recessed at 9:13 p.m.

**D. Annual meeting of the Raymore Community Foundation**

**1. Call to Order.**

Director Turnbow called the meeting to order at 9:13 p.m.

**2. Roll Call.**

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

**3. Approval of minutes.**

**a. July 8, 2019 meeting minutes**

**MOTION:** By Director Holman, second by Director Barber to approve the minutes of the July 8, 2019 meeting.

**DISCUSSION:** None

<b>VOTE:</b>	Director Abdelgawad	Aye
	Director Barber	Aye
	Director Berendzen	Aye
	Director Burke, III	Aye
	Director Circo	Aye
	Director Holman	Aye
	Director Jacobson	Aye
	Director Townsend	Aye
	Director Turnbow	Aye

**4. New Business**

**a. Election of Officers**

City Attorney Jonathan Zerr stated the by-laws of the Raymore Community Foundation require the board to meet annually in January to elect officers and conduct any other necessary business before the board. The officer positions are Vice-President, Secretary and Treasurer.

City Manager Jim Feuerborn stated historically the Mayor Pro Tem (Jay Holman) has filled the position of Vice President, Sonja Abdelgawad has filled the position of Secretary and the City's Finance Director (Elisa Williams) has filled the position of Treasurer. He asked the Board if that was acceptable or if nominations needed to be heard.

**MOTION:** By Director Holman, second by Director Barber to approve the slate of officers; Jay Holman Vice president, Sonja Abdelgawad Secretary, and Elisa Williams Treasurer.

**DISCUSSION:** None

<b>VOTE:</b>	Director Abdelgawad	Aye
	Director Barber	Aye
	Director Berendzen	Aye
	Director Burke, III	Aye
	Director Circo	Aye
	Director Holman	Aye
	Director Jacobson	Aye
	Director Townsend	Aye
	Director Turnbow	Aye

## 5. Adjourn.

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

**DISCUSSION:** None

<b>VOTE:</b>	Director Abdelgawad	Aye
	Director Barber	Aye
	Director Berendzen	Aye
	Director Burke, III	Aye
	Director Circo	Aye
	Director Holman	Aye
	Director Jacobson	Aye
	Director Townsend	Aye
	Director Turnbow	Aye

The meeting of the Board of Directors for Raymore Community Foundation adjourned at 9:17 p.m.

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

**DISCUSSION:** None

<b>VOTE:</b>	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.**

**12. Mayor/Council Communication.**

Mayor Turnbow and Councilmembers expressed appreciation to the Public Works crews for their work during the recent snow event, welcomed Katy Jardieu, thanked Chief of Police Jan Zimmerman for the report on crime statistic comparisons, and thanked the representatives from the field house for their presentation.

Councilmember Berendzen recalled the funeral procession Saturday for fallen Firefighter McCormick that traveled through Raymore and thanked staff and first responders involved to provide dignity to the family and friends.

Mayor Turnbow paid his respect to fallen Firefighter McCormick.

**13. Adjournment.**

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

**DISCUSSION:** None

<b>VOTE:</b>	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 9:32 p.m.

Respectfully submitted,

Jeanie Woerner  
City Clerk