

**THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, MAY 9, 2022 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE III, FORSTER, HOLMAN, TOWNSEND, AND WILLS. ALSO PRESENT: CITY MANAGER JIM FEUERBORN, CITY ATTORNEY JONATHAN ZERR, AND CITY CLERK ERICA HILL.**

**1. Call to Order**

Mayor Turnbow called the meeting to order at 7:00 p.m.

**2. Roll Call**

City Clerk Erica Hill called roll; quorum present to conduct business.

**3. Pledge of Allegiance**

**4. Presentation/Awards**

Mayor Turnbow presented proclamations to Public Works Director Mike Krass for Public Works Week and to Chief Jan Zimmerman for National Police Week.

Bob Schmidt, owner of Aaron's Family Fun Center, presented a check to the Raymore Police Department from proceeds of an annual fundraising event they hosted.

**5. Personal Appearances**

**6. Staff Reports**

Development Services Director David Gress provided a review of the staff report included in the Council packet. He provided an update on current development projects and reviewed upcoming items coming before the Planning and Zoning Commission.

City Manager Jim Feuerborn reviewed items for the May 16 work session. He announced that Chief Jan Zimmerman was recently chosen as the Missouri Police Chief of the Year.

**7. Committee Reports**

**8. Consent Agenda**

**A. City Council Regular Meeting minutes, April 25, 2022**

**MOTION:** By Councilmember Townsend, second by Councilmember Holman 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 Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

**9. Unfinished Business**

**A. Intergovernmental Agreement with Department of Social Services (LIHWAP)**

**BILL 3717: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF SOCIAL SERVICES FAMILY SUPPORT DIVISION."**

City Clerk Erica Hill conducted the second reading of Bill 3717 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second reading of Bill 3717 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

Mayor Turnbow announced the motion carried and declared Bill 3717 as **Raymore City Ordinance 2022-036.**

**B. Award of Contract to Liddle Sports Shop - Screen Printing and Embroidery**

**BILL 3715: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LIDDLE SPORTS SHOP TO PROVIDE SCREEN-PRINTING AND EMBROIDERY SERVICES."**

City Clerk Erica Hill conducted the second reading of Bill 3715 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second reading of Bill 3715 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

Mayor Turnbow announced the motion carried and declared Bill 3715 as **Raymore City Ordinance 2022-037**.

**C. Award of Contract to Pepsi Beverages Company - Beverage Vending and Supply Services**

**BILL 3716: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PEPSI BEVERAGES COMPANY TO PROVIDE BEVERAGE VENDING AND SUPPLY SERVICES."**

City Clerk Erica Hill conducted the second reading of Bill 3716 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second reading of Bill 3716 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

Mayor Turnbow announced the motion carried and declared Bill 3716 as **Raymore City Ordinance 2022-038**.

**D. Contract for Real Estate Purchase - Firing Range Property**

**BILL 3720: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO PURCHASE 40 ACRES OF UNDEVELOPED PROPERTY LOCATED**

**WEST OF MO-291 HIGHWAY, AND SOUTH OF 225TH STREET IN CASS COUNTY, MISSOURI, IN THE AMOUNT OF \$350,000.”**

City Clerk Erica Hill conducted the second reading of Bill 3720 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second reading of Bill 3720 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

Mayor Turnbow announced the motion carried and declared Bill 3720 as **Raymore City Ordinance 2022-039.**

**E. Watermark at Raymore Chapter 100 Bond Issuance & Development Agreement**

**BILL 3711: “AN ORDINANCE AUTHORIZING THE TAXABLE INDUSTRIAL REVENUE BONDS (WATERMARK PROJECT), SERIES 2022 RELATED TO A COMMERCIAL DEVELOPMENT PROJECT IN THE CITY AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS.”**

City Clerk Erica Hill conducted the second reading of Bill 3711 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second reading of Bill 3711 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Nay |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

Mayor Turnbow announced the motion carried and declared Bill 3711 as **Raymore City Ordinance 2022-040.**

**10. New Business**

**A. Award of Contract to Sands Construction LLC - West Hawk Ridge Park Improvements**

**BILL 3713: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SANDS CONSTRUCTION LLC FOR THE WEST HAWK RIDGE PARK IMPROVEMENTS IN THE AMOUNT OF \$480,070.85."**

City Clerk Erica Hill conducted the first reading of Bill 3713 by title only.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. The 2020 General Obligation Bond Issue called for improvements on the west side of Hawk Ridge Park. In February, staff advertised a request for proposals for improvements that included a new parking lot, exercise trail around the soccer fields, permanent port-a-pot structure, water fountain and irrigation access. Sands Construction was the lowest and most responsive with a base bid of \$480,070.85.

Councilmember Holman confirmed if this is a bond project for Hawk Ridge Park. Mr. Musteen confirmed that it is one of two projects for Hawk Ridge Park approved with the GO Bond.

Councilmember Burke thanked staff for the level of detail in this contract.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3713 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

**B. Budget Amendment - West Hawk Ridge Park Improvements**

**BILL 3714: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2021 CAPITAL BUDGET."**

City Clerk Erica Hill conducted the first reading of Bill 3714 by title only.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. The 2020 General Obligation Bond Issue called for improvements on the west side of Hawk Ridge Park. The contract for construction services came in under our budget of \$500,000, other expenses that include project design, geotech services, construction documents and bidding services exceeded the budget. Staff is requesting a budget amendment of \$60,000 to fully finance the project and proceed with construction with an allowance for contingency. This amendment is requested from the Parks GO Bond funds; \$80,000 is currently unallocated toward specific projects and available to use for Parks GO Bond projects.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3714 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

**C. Award of Contract to Aquatic Control Inc. for Pond and Lake Management Services**

**BILL 3718: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AQUATIC CONTROL, INC TO PROVIDE POND AND LAKE MANAGEMENT SERVICES."**

City Clerk Erica Hill conducted the first reading of Bill 3718 by title only.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. This contract manages the chemical treatment at Recreation Park Pond and Johnston Lake, including the fountain maintenance at Recreation Park Pond and light trash maintenance at Johnston Lake. In addition, the selected vendor will work with the Missouri Department of Conservation on the biological well-being of the fish to ensure safe and free recreational fishing in the City and be the maintenance provider for the fountain at Johnston Lake. The current contract expires at the end of April 2022. In January, staff sent out a request for proposal for these services. The RFP offered a shortened contract with the option to renew for an additional two one-year terms. The shortened term will expire in December 2022, realigning the contract services to coincide with the dormant season and calendar year. The option for years two and three will be full twelve month contracts. Staff received two proposals and found Aquatic Control, Inc. to be the lowest, best bid. He answered questions from Council.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3718 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

**D. Award of Contract to McClure Engineering Company - Centerview Detention Area Design**

**BILL 3719: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MCCLURE ENGINEERING COMPANY FOR THE CENTERVIEW DETENTION AREA DESIGN PROJECT IN THE AMOUNT OF \$29,200."**

City Clerk Erica Hill conducted the first reading of Bill 3719 by title only.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. The 2020 General Obligation Bond Issue called for a phase two in order to complete the final improvements at Centerview. Part of the improvements included redesigning and enhancing the view of Raymore's premier event space, while improving the stormwater functions of the property. Staff is requesting Council to award a contract for design services to convert the stormwater detention areas behind Centerview into an adaptive area specifically designed to utilize native plantings that will assist in filtration of stormwater, serve as a pollinator garden attracting monarch butterflies and provide a plan for public education showcasing the benefits of the project while creating a beautiful space around Centerview. In accordance with the City's Purchasing Policy, staff issued a Request for Qualifications to Engineering firms. One firm submitted a response: McClure Engineering Company. Per the City's policy when a single bidder responds to a project, the company was vetted and interviewed to ensure compliance with comparable costs and services.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3719 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |

|                          |     |
|--------------------------|-----|
| Councilmember Burke, III | Aye |
| Councilmember Forster    | Aye |
| Councilmember Holman     | Aye |
| Councilmember Townsend   | Aye |
| Councilmember Wills      | Aye |

**E. Calling for the August 2, 2022 Online Use Tax Election**

**BILL 3722: "AN ORDINANCE AUTHORIZING AND DIRECTING SUBMISSION TO THE VOTERS OF THE CITY OF RAYMORE, MISSOURI AT THE ELECTION OF AUGUST 2, 2022, THE PROPOSAL TO AUTHORIZE THE IMPOSITION OF A USE TAX FOR GENERAL REVENUE PURPOSES AT A RATE EQUAL TO THE CURRENT SALES TAX RATE OF 2.50% IN THE CITY OF RAYMORE, MISSOURI."**

City Clerk Erica Hill conducted the first reading of Bill 3722 by title only.

Assistant City Manager Mike Ekey provided a review of the staff report included in the Council packet. Bill 3722 seeks to place a question on the August 2, 2022, ballot considering a local use tax on online and out-of-state retail sales. The use tax is already collected by the state and numerous surrounding municipalities. If the question is approved, the City of Raymore would begin collecting a use tax from sales made to Raymore buyers by online and out-of-state vendors that are not currently taxed. He noted the question marks in place of a title on the ballot language; noting the title would be decided before second reading.

Mayor Turnbow stated this has been called the Wayfair Tax for the last several years; it simply imposes a retail sales tax on online and out-of-state sales.

Councilmember Abdelgawad asked if this would impose a tax on construction materials. Mr. Feuerborn stated it would apply to out-of-state and online purchases.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3722 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

## **F. Ward Road Eminent Domain Property Acquisition Chapter 523**

**BILL 3721: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, DIRECTING THE CITY MANAGER TO INITIATE THE PROCEDURES REQUIRED PURSUANT TO CHAPTER 523 OF THE REVISED STATUTES OF MISSOURI FOR THE ACQUISITION OF ALL NECESSARY RIGHTS-OF-WAY, TEMPORARY EASEMENTS AND PERMANENT EASEMENTS TO COMPLETE THE WARD ROAD IMPROVEMENT PROJECT, PROJECT 360-201."**

City Clerk Erica Hill conducted the first reading of Bill 3721 by title only.

City Attorney Jonathan Zerr provided a review of the staff report included in the Council packet. On August 4, 2020, the citizens of Raymore, Missouri, voted to approve the issuance of general obligation bonds for street and park improvements including the complete reconstruction of Ward Road. The City has completed the necessary engineering work for the improvements which will include reconstructions and widening of the roadway, installation and improvement of storm sewer controls and installation of sidewalks and/or trails to improve the safety of both the pedestrians and motorists alike. The City has accepted a bid for the completion of the project. The project will require the acquisition of additional right-of-way, temporary easements and permanent easements and has been diligently working on negotiating for the purchase of the same since November 2021. City staff has had limited success in obtaining the necessary right-of-way and easements. In order to maintain the timely completion of the Project and to obtain the necessary right-of-way and easements in a fiscally responsible manner, City staff is seeking authorization to initiate the eminent domain procedures authorized by Chapter 523 of the Revised Statutes of Missouri. He noted there is a cooperative agreement with Cass County on this matter and that negotiations with property owners can continue as this process occurs.

Mayor Turnbow asked how many properties are involved. Public Works Director Mike Krass stated 12 properties are involved.

Councilmember Berendzen clarified that we are asking for an additional 10 feet of right-of-way for the purposes of expanding easements, and that no buildings or dwellings would be affected. Mr. Krass stated that is correct.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3721 by title only.

**DISCUSSION:** Councilmember Forster expressed concerns that part of this is in the County and would prefer to further negotiate before invoking eminent domain.

Councilmember Holman stated this project was voted on by the citizens by an overwhelming majority to make the road better and safer. This item is necessary to fulfill the promise to the voter.

Councilmember Barber stated citizens want to see the Council and City make improvements to transportation

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Nay |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

**G. Raymore Festival in the Park Memorandum of Understanding**

**RESOLUTION 22-15: "A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RAYMORE AND THE FESTIVAL IN THE PARK, INC COMMITTEE FOR THE 2022 FESTIVAL IN THE PARK EVENT."**

City Clerk Erica Hill conducted the reading of Resolution 22-15 by title only.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. The Raymore Festival in the Park is an annual event held in Raymore’s Memorial Park. The three-day event includes carnival rides, vendor booths and various activities for the benefit of the residents of Raymore and surrounding areas. The attached memorandum of understanding (MOU) outlines the partnership of services, materials and public land offered by the City as an in-kind contribution to the Festival in the Park. The MOU is reviewed and approved each year between the Parks and Recreation Board and the Festival Committee.

Councilmember Barber noted that the Raymore Festival in the Park is not affiliated with the City.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the reading of Resolution 22-15 by title only.

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

**11. Public Comment**

**12. Mayor/Council Communication**

Mayor Turnbow and Councilmembers thanked the Public Works and Police Departments for their service to the City, congratulated Chief Zimmerman on being chosen as the Missouri Police Chief of the Year, wished Mr. Ekey success as he moves on to a new opportunity, thanked Mr. Schmidt for the donation from Aaron's Family Fun Center, and expressed excitement for the improvements to Hawk Ridge Park and the progress at the Raymore Commerce Center.

Councilmember Berendzen noted his nay vote falls in line with the wishes of his constituents.

Councilmember Abdelgawad noted that Peace Officer Memorial Day is Sunday, May 15, 2022.

### **13. Adjournment**

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

**DISCUSSION:** None

|              |                          |     |
|--------------|--------------------------|-----|
| <b>VOTE:</b> | Councilmember Abdelgawad | Aye |
|              | Councilmember Barber     | Aye |
|              | Councilmember Berendzen  | Aye |
|              | Councilmember Burke, III | Aye |
|              | Councilmember Forster    | Aye |
|              | Councilmember Holman     | Aye |
|              | Councilmember Townsend   | Aye |
|              | Councilmember Wills      | Aye |

The regular meeting of the Raymore Council adjourned at 8:01 p.m.

Respectfully submitted,

Erica Hill  
City Clerk