

**THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, MAY 23, 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 RECORDING SECRETARY EMILY JORDAN.**

### **1. Call to Order**

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

### **2. Roll Call**

Recording Secretary Emily Jordan called roll; quorum present to conduct business.

Mayor Turnbow asked for a moment of silence in honor of Patrick Melville who recently passed away unexpectedly. Mr. Melville was a longtime employee with the Public Works Department.

### **3. Pledge of Allegiance**

### **4. Presentation/Awards**

Mayor Turnbow presented proclamations to the Mid America Regional Council for their 50-Forward event and to Parks and Recreation Director Nathan Musteen for Arbor Day.

### **5. Personal Appearances**

### **6. Staff Reports**

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. He reviewed training opportunities in which the department is participating.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. He answered questions from the Council.

Communications Manager Melissa Harmer reviewed upcoming events including the MARC Household Hazardous Waste Collection event in Belton on June 4, E-waste Recycling event at City Hall on June 25, and Summer Scene on June 11 at T.B. Hanna Station.

City Planner Dylan Eppert demonstrated the interactive map for citizen review and collecting comments on the Comprehensive Plan Land Use map. He answered questions from the Council.

City Manager Jim Feuerborn noted that there will be no meeting on Monday, May 30 in observance of Memorial Day. He announced items for the June 6 work session.

**7. Committee Reports**

**8. Consent Agenda**

**A. City Council Regular Meeting minutes, May 9, 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. 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."**

Recording Secretary Emily Jordan conducted the second reading of Bill 3713 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second 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

Mayor Turnbow announced the motion carried and declared Bill 3713 as **Raymore City Ordinance 2022-041.**

**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."**

Recording Secretary Emily Jordan conducted the second reading of Bill 3714 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second 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

Mayor Turnbow announced the motion carried and declared Bill 3714 as **Raymore City Ordinance 2022-042.**

**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."**

Recording Secretary Emily Jordan conducted the second reading of Bill 3718 by title only.

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

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
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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 3718 as **Raymore City Ordinance 2022-043.**

**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."**

Recording Secretary Emily Jordan conducted the second reading of Bill 3719 by title only.

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

**DISCUSSION:** None

**VOTE:**

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 3719 as **Raymore City Ordinance 2022-044.**

**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."**

Recording Secretary Emily Jordan conducted the second reading of Bill 3722 by title only.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the second 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

Mayor Turnbow announced the motion carried and declared Bill 3722 as **Raymore City Ordinance 2022-045.**

**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."**

Recording Secretary Emily Jordan conducted the second reading of Bill 3721 by title only.

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

**DISCUSSION:** None

<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

Mayor Turnbow announced the motion carried and declared Bill 3721 as **Raymore City Ordinance 2022-046.**

**10. New Business**

**A. Utility Easement Vacation - 813 Bridgshire Drive**

Development Services Director David Gress announced that an application was filed by the homeowner of 813 Bridgshire Drive to vacate an existing 25’ utility easement. Upon further review, it was determined the vacation occurred as part of the home construction process. The applicant has withdrawn their request, however, staff had already advertised the public hearing for the May 23, 2022 meeting.

Mayor Turnbow opened the public hearing at 7:26 p.m. and opened the floor for public comment. Hearing none, he closed the public hearing at 7:26 p.m.

**B. Raymore Commerce Center South PUD & Preliminary Plan**

**BILL 3725: “AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM ‘BP’ BUSINESS PARK DISTRICT TO ‘PUD’ PLANNED UNIT DEVELOPMENT DISTRICT, AND APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR RAYMORE COMMERCE CENTER SOUTH, A 262.09 ACRE TRACT OF LAND LOCATED SOUTH OF 195TH STREET, EAST OF INTERSTATE 49, IN RAYMORE, CASS COUNTY, MISSOURI.”**

Recording Secretary Emily Jordan conducted the first reading of Bill 3725 by title only.

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

Development Services Director David Gress provided a review of the staff report included in the Council packet. Grant Harrison, representing VanTrust Real Estate LLC and property owner Double G Properties, LP, is requesting to reclassify the zoning of 262.09 acres located south of 195th Street and east of Interstate 49, from BP "Business Park District" to PUD "Planned Unit Development District." The rezoning will allow for a proposed light-industrial development as represented on the Preliminary Development Plan. The Growth Management Plan identifies this property as appropriate for business park type development and classifies Dean Avenue and 195th Street as minor arterial roadways. 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, application, Growth Management Plan, staff report, applicant’s preliminary development plan, and the draft Memorandum of Understanding (MOU) to be entered into the record. He reviewed the history of the property from annexation to the current proposal. A Good Neighbor meeting was held on April 27, 2022, with four residents in attendance. A summary of their questions and the answers provided by staff and the developers are included in the staff report. He reviewed the requirements of the current BP zoning and the proposed PUD zoning districts, as outlined in the staff

report. At its May 17, 2022 meeting, the Planning and Zoning Commission voted 8-0 to recommend approval of the rezoning and preliminary plan.

Councilmember Townsend asked about the traffic plan included in the conceptual plan that would have traffic moving directly into the property from Dean Avenue and noted there were property ownership limitations causing that change. Mr. Gress stated yes, that is correct, and the roadway was reconfigured to hug I-49 as closely as possible to accommodate that property.

Councilmember Forster asked about the lighting plan for the property. Mr. Gress stated the lighting plan would be submitted with the final building plan and must be compliant with code and the UDC.

Karl Ley, VanTrust Real Estate, 4900 Main Street, Kansas City, MO, provided a detailed analysis of the project. He explained the limitations on the property due to elevation, bedrock, and natural gas pipelines. He stated there would be 5 buildings totalling just over 3 million square feet. He reviewed the projected flow of traffic to and from I-49 into the complex, noting the placement of no right-turning (eastbound) truck traffic leaving the site.

Councilmember Townsend asked if there was a driving force to have 5 buildings in this project. Mr. Ley stated they are looking to provide half- to three quarter-million square feet for the current market, but that isn't necessarily how it will end up as some potential businesses may want different configurations and have square footage requirements.

Councilmember Townsend noted the bays on the east buildings face east and that the existing trees on that side are on different property. Mr. Ley said they are locked into that location on the east side as there is a gas line hampering grading and construction on the east side of the property.

Councilmember Townsend asked what considerations are being done for sound and lights from trucks utilizing those bays. Mr. Ley stated the existing trees and planned landscaping would help conceal headlights and that site lighting would aim down so as not to produce a glare but a glow from a distance. Councilmember Townsend expressed his wish to include a highway wall or barrier to help reduce noise and light pollution for the residential development to the east and feels the current plan doesn't alleviate the concerns of that neighborhood.

Councilmember Holman suggested an 8' vinyl fence along the eastern border of the property. Mr. Ley stated fencing can be considered with no objections.

Councilmember Abdelgawad called for a point of order. She stated this is a time for questions for staff and the applicant, not for comments.

Grant Harrison, VanTrust Real Estate, stated they will explore every option on the east side of the property such as berming, landscaping, wood fence, and vinyl

fence. He explained that the buffers could increase, nothing is set in stone at this point.

Councilmember Berendzen asked how much space is between the east side of the parking lot and the property line and whether it could accommodate a berm and fence. Mr. Harrison stated there is 100' and confirmed the possibility of a berm with a fence on top.

Mayor Turnbow opened the floor for public comment.

Zuban Talib, 19126 S. Ranch Road, Raymore, listed objections to the project, citing traffic on 195th Street, the need for a comprehensive landscape plan to hide the development, and the need for a set of guidelines to find suitable businesses for the area. He noted a Change.org petition to keep traffic off of 195th Street received 147 signatures, 76 of which are from Raymore.

Gary Stupp, 918 Kodiak Street, stated that daily school bus traffic runs through the intersection that would be at 195th Street and Dean Avenue twice a day and discussed stop times and distances for different vehicles.

Kara Sims, 918 Coyote Drive, stated that truck drivers not familiar with the area may be driving past the development towards the residential developments and noted the developer stated the PUD would allow them benefits but not necessarily the community.

Fred Storck, 8410 Spring Valley Road, Belton, asked if an interchange had been considered at I-49 and 195th Street. Mayor Turnbow stated that this is an opportunity for comments, not questions.

Anthony Civetate, 1718 Archer Drive, noted drivers may be directed to alternative routes, the backup of vehicles during school drop off and pick up times, asked who will maintain the public access road within the development, and UDC Section 440.010 should be applied during the PUD process.

Sarah King, 909 Doe Drive, Raymore, presented questions for consideration: what costs will the City be responsible for and how will it be paid for, what revenue will the warehouses bring to the City and why do we want them here, will the City vet potential tenants of the buildings, will there be blasting and who will pay for damage to homes.

Kerry King, 909 Doe Drive, Raymore, expressed concerns with the ability of the first responders to effectively control a situation in a 1 million square foot building. He played a recording of traffic noise from I-49.

Mayor Turnbow closed the public hearing at 8:30 p.m.

Councilmember Burke asked if the rezoning was not approved, could an applicant put metal buildings in the current BP zoning. Mr. Gress stated yes and gave a

background on BP and PUD zoning, noting that warehousing and wholesaling would be a conditional use under BP zoning. Without the rezoning, they would have to meet the minimum standards of the BP zoning. He listed possible permitted uses in the current zoning.

Councilmember Burke asked Chief Zimmerman if the road is still being blocked by drivers on 195th Street during after-school pick up at Bridleridge Elementary, as it has been for years. She answered yes.

Councilmember Forster asked about site lines at the proposed intersection of 195th Street and Dean Avenue. Mr. Krass stated there are difficult site lines in the area, but the realignment of Dean Avenue and the developer's proposal addresses the site line and topography issues.

Councilmember Forster asked if a landscape plan can be included in the MOU and asked about limiting the type of businesses allowed in the development. Mr. Gress stated that it is cross-referenced in the MOU to the requirements in the UDC. The MOU requirements are in addition to the requirements of the UDC. The MOU is reassigned to new owners and would apply to tenants and there are already requirements on types of uses outlined in the UDC.

Councilmember Townsend asked if traffic movement on 195th Street could be limited by law to restrict commercial traffic. Mr. Feuerborn stated that yes, there could be legislation proposed to make an east turn from the development illegal and there could be size and weight limitations set to particular roads.

Councilmember Abdelgawad stated that enforcing laws prohibiting trucks on narrow streets would be just as dangerous and that the businesses receiving these trucks would help direct them to the appropriate directions into the development.

Councilmember Holman stated that the zoning request seems to be a better zoning than the current BP district and that the issues seem to be the noise pollution and light pollution which isn't part of the rezoning request. He asked Mr. Gress what the next steps would be after rezoning. Mr. Gress stated staff would review final building plans and can approve if they adhere to the requirements presented in the preliminary site plan. The final plat would be approved by Council.

Councilmember Abdelgawad asked about other locations in Raymore with truck traffic and the distance between homes. Mr. Gress stated the Raymore Galleria has deliveries by trucks at businesses with about 100' between them. The proposed development is set back 300' from 195th Street and 1,800' from residences to the east.

Discussion ensued.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to table Bill 3725 to permit staff and the developer to address council concerns relative to traffic mitigation and berming and landscaping and to provide 15 day notice to the

public of the date when Bill 3725 would be removed from the table and reconsidered by the Council to reopen the public hearing to allow for public input on the amended plan as provided.

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

**C. Raymore Commerce Center 2nd Final Plat - Lots 2-3**

**BILL 3724: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE RAYMORE COMMERCE CENTER SECOND FINAL PLAT, LOTS 2 AND 3."**

Recording Secretary Emily Jordan conducted the first reading of Bill 3724 by title only.

Development Services Director David Gress provided a review of the staff report included in the Council packet. Grant Harrison, representing VanTrust Real Estate LLC and KCI Raymore Phase 2 LLC, is requesting Final Plat approval for Lots 2 and 3 of the Raymore Commerce Center. Building 3 is approaching substantial completion and construction on Building 2 is imminent. The request would allow the remaining land to be split into two separate lots. At its May 17, 2022 meeting, the Planning and Zoning Commission voted 7-0-1 to recommend approval of the request as part of the Consent Agenda.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3724 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 - 2022 Fire Hydrant Replacement Project**

**BILL 3726: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HETTINGER EXCAVATING LLC FOR THE 2022 FIRE HYDRANT REPLACEMENT PROJECT, CITY PROJECT NUMBER 22-407-501, FOR THE NEGOTIATED AMOUNT OF \$135,725 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."**

Recording Secretary Emily Jordan conducted the first reading of Bill 3726 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. This project includes removal and replacement of 21 fire hydrants in the City of Raymore. Bids for the Fire Hydrant Replacement Project were received from eight vendors on May 4, 2022. Hettinger Excavating LLC was determined to be the lowest and best bidder. A negotiated amount of \$135,725 reflects a change in the original RFP and a reduction of two hydrants in the project in order to bring this contract under the budgeted amount. Staff recommends the contract to be awarded to Hettinger Excavating LLC.

**MOTION:** By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3726 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 expressed condolences to the Melville family and the Public Works Department, reminded citizens of the opening of the splash park and the start of the Farmers Market, and the partnership with Creekside Market for the fundraiser for Hawk’s Nest Playground.

**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 9:17 p.m.

Respectfully submitted,

Emily Jordan  
Recording Secretary