

THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, OCTOBER 10, 2022 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE III, FORSTER, HOLMAN, 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. Councilmember Townsend was absent.

3. Pledge of Allegiance

4. Presentation/Awards

5. Personal Appearances

6. Staff Reports

Development Services Director David Gress reviewed the staff report included in the packet. He announced items coming before the Planning and Zoning Commission. He noted the opening of Whataburger has been delayed until the end of October.

Emergency Management Director Tim Baldwin reviewed the staff report included in the packet. He reviewed his activities since his employment began with the City. He answered questions from Council.

City Manager Jim Feuerborn announced items for the October 17 work session.

7. Committee Reports

8. Consent Agenda

- A. City Council Regular Meeting minutes, September 26, 2022**
- B. Resolution 22-27: Appointment of Anne Hoover to the Park Board**
- C. Resolution 22-28: Reappointment Daniel Mapes to the Park Board**
- D. Resolution 22-29: Reappointment William Manson to the Park Board**
- E. Resolution 22-30: Reappointment Patrick Clark to the Park Board**

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 Forster	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Absent
	Councilmember Wills	Aye

9. Unfinished Business

10. New Business

A. Adoption of the FY 2023 City Budget (public hearing)

BILL 3750: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE FISCAL YEAR 2023 BUDGET."

City Clerk Erica Hill conducted the first reading of Bill 3750 by title only.

Mayor Turnbow opened the public hearing at 7:08 p.m. and called for a staff report.

City Manager Jim Feuerborn provided a review of the staff report included in the packet. He transmitted the proposed Budget and Capital Improvement Program (CIP) to the City Council on August 15, 2022. The Council had the opportunity to discuss the FY 2023 Budget and CIP at each Council work session following the presentation. Additionally, two items have been added to the budget including a capital program involving streets and curbs and a capital program involving the trail systems.

Mayor Turnbow opened the floor for public comment. Hearing no comments, he closed the public hearing at 7:09 p.m.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3750 by title only with the following amendments:

Amendment 1: Transfer of \$1,000,000 from the General Fund available fund balance into the Restricted Revenue Fund to be dispersed into the Transportation Fund in the amount of \$200,000 in each of the next five years, with that \$200,000 split \$100,000 for the curb program and \$100,000 for the street preservation program.

Amendment 2: The Capital Improvement Sales Tax Fund be amended to include a transfer of \$200,000 into the Transportation Fund in each of the next 5 years, with that \$200,000 split \$100,000 for the curb program and \$100,000 for the street preservation program.

Amendment 3: The Excise Tax Fund be amended to include a transfer of \$100,000 into the Transportation Fund in each of the next 5 years, with that \$100,000 split \$50,000 for the curb program and \$50,000 for the street preservation program.

Amendment 4: The Capital Improvement Sales Tax Fund also be amended to include a transfer into the Park Sales Tax Fund of \$150,000 per year in each of the next five years to be used for a trails maintenance program.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke III	Aye
	Councilmember Forster	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Absent
	Councilmember Wills	Aye

B. 35th Amendment to the Unified Development Code (public hearing)

BILL 3749: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE UNIFIED DEVELOPMENT CODE."

City Clerk Erica Hill conducted the first reading of Bill 3749 by title only.

Mayor Turnbow opened the public hearing at 7:12 p.m. and called for a staff report.

Development Services Director David Gress provided a review of the staff report included in the packet. In September, the Planning and Zoning Commission completed the annual review of the Unified Development Code (UDC) and directed staff to prepare the 35th amendment to the UDC, incorporating the code changes as recommended by staff. Four sections of the UDC are proposed to be amended in order to provide clarity in the code language and to provide consistency of language within the UDC, including requirements for above ground utility box screening, swimming pool gates, yard-tree requirements, and proposed language regarding the keeping of bees on residential properties. This public hearing was properly advertised in *The Times and Tribune* and he asked for the notice of publication, Growth Management Plan, Unified Development Code, and staff report, to be entered into the record. At its September 20, 2022 meeting, the Planning and Zoning Commission voted 8-0 to recommend approval of the 35th amendment to the Unified Development Code.

Mayor Turnbow opened the floor for public comment. Hearing no comments, he closed the public hearing at 7:14 p.m.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3749 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	Absent
Councilmember Wills	Aye

C. Rezoning 1296-1298 W. Foxwood Drive: PO to C-2 (public hearing)(emergency reading)

BILL 3753: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM "PO" PROFESSIONAL OFFICE DISTRICT TO "C-2" GENERAL COMMERCIAL DISTRICT, A 0.86 ACRE TRACT OF LAND LOCATED IN THE WILLOWIND SHOPPING CENTER, IN RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Erica Hill conducted the first reading of Bill 3753 by title only.

Mayor Turnbow opened the public hearing at 7:15 p.m. and called for a staff report.

Development Services Director David Gress provided a review of the staff report included in the packet. Willowind LLC, property owner of the Willowind Shopping Center, as well as City staff, have requested the rezoning of approximately 0.86 acres of land at the northwest corner of the Willowind Shopping Center from its current "PO" Professional Office designation to a "C-2" General Commercial designation. In September 2022, staff was approached by a local boutique owner who had been looking to secure a tenant space within the Willowind Shopping Center, located within the existing building at 1296-1298 W. Foxwood Drive. The property is currently zoned as "PO" Professional Office, thus retail sales are not permitted, and staff indicated that a business license could not be issued by the City until the property was appropriately zoned. The requested rezoning would bring consistency to the shopping center, and allow for limited retail operations to occur with the existing building on the property. This public hearing was properly advertised in *The Times and Tribune* and he asked for the mailed notices to adjoining property owners, notice of publication, Unified Development Code, application, Growth Management Plan, staff report, letter of support from the current property owner, and June 2, 2009 Planning and Zoning Commission minutes to be entered into the record. He provided a detailed history of the property. The Planning and Zoning Commission, at its October 4, 2022 meeting, voted 7-1 to recommend approval of the request. He answered questions from Council.

Mayor Turnbow noted that the dissenting vote was due to a Commissioner not being aware that the owner was not required to be in attendance as the City was a joint applicant.

Mayor Turnbow opened the floor for public comment. Hearing no comments, he closed the public hearing at 7:23 p.m.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3753 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	Absent
	Councilmember Wills	Aye

Mayor Turnbow declared Bill 3753 as an emergency and called for the second reading in its entirety.

City Clerk Erica Hill conducted the second reading of Bill 3753 in its entirety.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3753 in its entirety.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke III	Aye
	Councilmember Forster	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Absent
	Councilmember Wills	Aye

Mayor Turnbow announced the motion carried and declared Bill 3753 as **Raymore City Ordinance 2022-073**.

D. Budget Amendment: FY 2022 Operating Adjustments

BILL 3752: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE FISCAL YEAR 2022 OPERATING BUDGET."

City Clerk Erica Hill conducted the first reading of Bill 3752 by title only.

Finance Director Elisa Williams provided a review of the staff report included in the packet. During Fiscal Year 2022, a number of operating transactions occurred that require budget amendments. Finance staff has accumulated these items to be addressed as a single budget amendment. The amendments are as follows:

1. The Administration Department had additional expenditures associated with the use tax election and worker's compensation insurance. \$13,415

2. The Development Services Department had additional expenditures associated with code enforcement and legal services. \$7,000
3. The Street Department had additional expenditures associated with the purchase of salt. \$30,000
4. The Buildings & Grounds Department had additional expenditures related to natural gas utility. \$3,000
5. The Court Department had additional expenditures related to the Show-Me Court conversion required by the State of Missouri. \$2,658
6. The Finance Department had additional expenditures related to credit card fees for utility payments. \$37,000
7. The Communications Department had additional expenditures related to the Question P Use Tax election as well as additional personnel expenses, and is moving capital outlay for amphitheater sound system to the Restricted Fund. \$6,810
8. During 2021, the American Rescue Plan Act was passed by the Fed Govt to provide additional funding to local governments. The remaining funds were received in FY22 and deposited to the Restricted Revenue Fund (04). \$2,282,369
9. During 2022, Restricted Revenue Funds were transferred to General Fund for Show-Me Court conversion, citizen survey, balances in the restricted fund for court interest, staffing study, body and dash cameras, employee in-service day, and development priming initiative; and to the Excise Tax Fund (37) for the completion of a comprehensive traffic study. \$155,442
10. During 2022, Enterprise Funds were transferred to the General Fund for credit card fees for utility payments. \$37,000
11. During 2022, the Recreation Department of the Park Fund had additional expenditures associated with credit card processing and additional fees associated with programs due to increased participation. \$30,305

Councilmember Forster asked if there is a detailed list of these transactions. Mr. Feuerborn stated that the details can be provided.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3752 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	Absent
	Councilmember Wills	Aye

11. Public Comment

12. Mayor/Council Communication

Mayor Turnbow and Councilmembers thanked the Park Board volunteers for their service.

Councilmember Barber noted he spoke with residents of Foxwood Springs and passed along their compliments.

Councilmember Burke passed along a comment from a constituent thanking staff for the swift work on Bristol Drive.

MOTION: By Councilmember Holman, second by Councilmember Barber to adjourn to Executive Session to discuss real estate acquisition matters and personnel matters as authorized by §610.021 (2)(3).

ROLL CALL VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke III	Aye
	Councilmember Forster	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Absent
	Councilmember Wills	Aye

The regular meeting of the Raymore City Council adjourned to Executive Session at 7:38 p.m.

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	Aye
	Councilmember Forster	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Absent
	Councilmember Wills	Aye

The regular meeting of the Raymore Council adjourned at 7:53 p.m.

Respectfully submitted,

Erica Hill
City Clerk