

AGENDA

Raymore City Council Special Meeting
Centerview - 227 Municipal Circle, Raymore, MO 64083
Thursday, February 16, 2023
6:00 p.m.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. First Reading of Bill 3783

5. Opening of Public Hearing by Mayor Pro Tem

6. Mayor Kristofer Turnbow - Opening Remarks

7. Staff Reports

- A. Raymore City Manager Jim Feuerborn
- B. Raymore Special Counsel Stephen Jeffery
- C. John Bognar - Geologist

8. Final Staff Recommendation - Raymore City Manager Jim Feuerborn

9. Public Comment

- A. Public Officials Remarks
- B. All Other Stakeholders Remarks

Those wishing to make public comments will be asked to state their name and address for the record, fill out the communication card prior to speaking and return it to the City Clerk and keep their comments to TWO minutes or less.

10. Council Action - Invoke Missouri Statute 260.205(9)(emergency read)

11. Adjournment

BILL 3783

ORDINANCE

“AN ORDINANCE PURSUANT TO SECTION 260.205 RSMO OPPOSING THE APPROVAL OF ANY APPLICATION FOR THE DEVELOPMENT, CONSTRUCTION, AND OPERATION OF A SOLID WASTE LANDFILL, DEMOLITION MATERIAL LANDFILL, SOLID WASTE TRANSFER STATION, OR DEMOLITION MATERIAL TRANSFER STATION WITHIN ONE-HALF MILE OF THE CITY’S SHARED NORTHERN BORDER WITH THE CITY OF KANSAS CITY, MISSOURI.”

WHEREAS, Section 260.205(9) of the Revised Statutes of Missouri prohibits the Missouri Department of Natural Resources from issuing a permit for the operation of a solid waste disposal area designed to serve a city with a population of greater than four hundred thousand located in more than one county, if the site is located within one-half mile of an adjoining municipality, without the approval of the governing body of such municipality; and,

WHEREAS, Section 260.205(9) of the Revised Statutes of Missouri further provides the responsible governing body, in defense of the lives and livelihoods of the residents and business owners of Raymore, and their collective prosperity, shall conduct a public hearing within fifteen days of notice, shall publicize the hearing in one newspaper with general circulation in the municipality, and shall vote to approve or disapprove the land disposal facility within thirty days after the close of the hearing; and,

WHEREAS, the City has gathered and investigated credible, uncontroverted evidence between July of 2022 and the present, the City has exposed an orchestrated effort to covertly begin the development a pernicious landfill (identified as the “Flying H Landfill” by representatives of the developer) without consideration of the well-being of the children, homeowners, and businesses in its immediate proximity on land adjacent to the current northern border of Raymore, Missouri, bounded by 155th Street, 150 Highway, Horridge Road and Peterson Road, expanding the enormity of approximately 960 acres within the city limits of Kansas City, Missouri; and,

WHEREAS, in full compliance with Section 260.205(9) of the Revised Statutes of Missouri, the City Council has conducted a public hearing and has determined that the development, construction, and operation of the proposed landfill is not only immoral but would have an irrefutable, encumbering, and lasting affect, resulting in;

- (i) a devastating impact on the current and future residential development and growth of all surrounding developments both within and outside of Raymore, including stalled construction of new homes, plummeting property values, and increasing vacant properties, resulting in a devastating impact on our tax base and therefore our regional schools, police department, and fire response, in addition to,

(ii) ruinous environmental consequences for up to five (5) miles, including but not limited to; noxious odors, hazardous dust and dirt, leachate pollution into groundwater, increase in pest/vermin animals, and constant noise within close proximity to residences, schools, churches, recreational lakes and waterways, and

(iii) ignoring obvious and modern best practices of utilizing the small footprints and technical advantages of transfer stations within large populous regions and and the need for a regional approach to the location of landfills in non-populous, rural areas; and,

WHEREAS, the City has worked tirelessly in attempt to dissuade the reckless and unconscionable development, construction, and operation of a landfill through multiple avenues including legislation to expand the impacts of Section 260.205(9) to a full mile so as to further protect and defend the interest of families, business owners and the children of Raymore and promote a regional, cooperative approach to an important but volatile issue.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:

Section 1. Opposition. The City of Raymore opposes the development, operation, and construction of any solid waste landfill, demolition material landfill, solid waste transfer station, or demolition material transfer station on land adjacent to the current northern border of Raymore, Missouri, or within one-half mile of the northern border of Raymore, Missouri, bounded by 155th Street, 150 Highway, Horridge Road and Peterson Road, containing approximately 960 acres and located all within the city limits of Kansas City, Missouri.

Section 2. Authorization. The City Manager, Mayor, and staff are authorized to notify the authorized representatives of the Missouri Department of Natural Resources that the City has voted to oppose the solid waste landfill, demolition material landfill, solid waste transfer station, or demolition material transfer station, or application for the same at the locations identified herein pursuant to Section 260.205(9) of the Revised Statutes of Missouri, and to take all reasonable and appropriate steps to further object to any application for same.

Section 3. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Emergency Reading. Due to the need to affirm this action as soon as possible, the Mayor has authorized this as an Emergency Reading.

DULY READ THE FIRST TIME THIS 16TH DAY OF FEBRUARY, 2023.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 16TH DAY OF FEBRUARY, 2023, BY THE FOLLOWING VOTE:

Councilmember Abdelgawad
Councilmember Barber
Councilmember Berendzen
Councilmember Burke III
Councilmember Forster
Councilmember Holman
Councilmember Townsend
Councilmember Wills

ATTEST:

APPROVE:

Erica Hill, City Clerk

Reginald Townsend, Mayor Pro Tempore

Date of Signature