

THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, APRIL 24, 2023 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BAKER, BARBER, BURKE III, ENGERT, HOLMAN, AND TOWNSEND. 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 6:00 p.m.

2. Roll Call

City Clerk Erica Hill called roll; quorum present to conduct business. Councilmember Forster was absent.

3. Pledge of Allegiance

4. Presentation/Awards

5. Personal Appearances

6. Staff Reports

Public Works Director Mike Krass reviewed the staff report included in the packet. He noted that Justin Paith and Mike Donahoe attended the APWA Snow Conference in Omaha.

Parks and Recreation Director Nathan Musteen reviewed the staff report included in the packet. He congratulated Jeff Schmill for 25 years of service. He noted the ribbon-cutting ceremony for Hawks Nest playground will be May 1. He answered questions from Council.

City Manager Jim Feuerborn announced items for the May 1 work session and noted that HB 909 is on the Senate calendar and could be heard at any time. He answered questions from Council.

7. Committee Reports

8. Consent Agenda

- A. City Council Regular Meeting minutes, April 10, 2023**
- B. City Council Special Meeting minutes, April 10, 2023**
- C. Resolution 23-18: Acceptance of Public Improvements - Eastbrooke 3rd, Edgewater 8th & 9th**

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

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Baker	Aye
	Councilmember Barber	Aye
	Councilmember Burke III	Aye
	Councilmember Engert	Aye
	Councilmember Forster	Absent
	Councilmember Holman	Aye
	Councilmember Townsend	Aye

9. Unfinished Business

10. New Business

A. Selection of Mayor Pro Tempore

Mayor Turnbow stated Section 3.4 of the City Charter, Mayor Pro Tempore, provides that the Council shall elect annually from among its members a Mayor Pro Tempore. The Mayor Pro Tempore shall assume the powers and duties of the Mayor during the absence or disability of the Mayor or if a vacancy occurs. While assuming the powers and duties of the Mayor during the physical absence in person or disability of the Mayor (until and if the seat is declared vacant), the Mayor Pro Tempore shall retain his/her vote as a Councilmember, but shall not possess the additional mayoral voting power provided by Section 4.4(a), and shall not possess the mayoral veto power provided by Section 4.4(c). While assuming the powers and duties of the Mayor following a vacancy, the Mayor Pro Tempore shall possess the Mayoral veto power provided by Section 4.4(c) and the Mayoral voting power provided by Section 4.4(a), but shall not retain his/her vote as a Councilmember.

Mayor Turnbow asked for nominations for Mayor Pro Tempore.

Councilmember Townsend nominated Councilmember Abdelgawad.

Councilmember Holman nominated Councilmember Barber. Councilmember Barber declined the nomination.

MOTION: By Councilmember Townsend, second by Councilmember Barber to accept Councilmember Abdelgawad as Mayor Pro Tempore by acclamation.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Baker	Aye
	Councilmember Barber	Aye
	Councilmember Burke III	Aye
	Councilmember Engert	Aye

Councilmember Forster	Absent
Councilmember Holman	Nay
Councilmember Townsend	Aye

Mayor Turnbow announced Councilmember Abdelgawad has been selected to serve as Mayor Pro Tempore.

B. Governing Body Members on Planning and Zoning Commission

Section 465.020 (B) (4) of the Unified Development Code of the City Code provides that the Council shall designate whether or not it shall have a member serve on the Planning and Zoning Commission and the Mayor shall designate if they choose to be a member of the Commission and any such member shall serve for a one year term. Councilmember Holman recommended continuing with Mayor Turnbow serving on the Planning and Zoning Commission. Mayor Turnbow stated he would continue to serve on the Planning and Zoning Commission.

C. Timber Trails Mixed Use PUD Rezoning & Preliminary Plan (public hearing)

BILL 3802: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM "R-3AP" MULTIPLE-FAMILY RESIDENTIAL PLANNED DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT DISTRICT, AND APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR THE TIMBER TRAILS MIXED USE DEVELOPMENT, A 22.31 ACRE TRACT OF LAND LOCATED NORTH OF JOHNSTON DRIVE AND WEST OF DEAN AVENUE, IN RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Erica Hill conducted the first reading of Bill 3802 by title only.

Mayor Turbow opened the public hearing at 6:10 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. Jake Loveless, representing Griffin Riley Property Group, is requesting the Planned Unit Development (PUD) rezoning and Preliminary Plan approval for the Timber Trails Mixed Use development, a 22.31 acre site containing a proposed hotel, retail strip center, and 299 apartment units within four buildings of varying heights, located west of Dean Avenue and north of Johnston Drive/Benton House. As this is a public hearing, he noted that this public hearing was properly advertised in the March 22, 2023 North Cass Herald newspaper and requested the following documents be entered into the record: mailed notices to property owners, notice of publication, Unified Development Code, application, Growth Management Plan, staff report, preliminary development plan, and memorandum of understanding. He reviewed the history of the property, noting the site was originally platted and zoned in 2004 as part of the overall Timber Trails Development and was originally approved for the development of 336 attached single family units (townhomes), of which 68 have been constructed to date, leaving 268 townhomes unbuilt for the approved plan for this site. The final plat of

the first phase approved in 2005 included the 17 buildings that are built today, which includes the 68 townhome units. A Good Neighbor Meeting was held on March 8, 2023, with no residents in attendance. Mr. Gress reviewed the zoning table for the request. A PUD allows for the application to define standards they would like to follow for the property, those are then reviewed by staff. Four deviations were requested by the applicant as part of the PUD: decrease in the minimum lot area from per dwelling unit from 2000 square feet to 1000 square feet, increase in the maximum building height for Lot 2 from 50 feet to 70 feet to accommodate a residential building, increase in the maximum building height for Lots 3 and 5 from 50 feet to 60 feet, and a minor decrease in the side yard setback at the northeast corner to accommodate the proposed residential building due to an odd property line. Five amenities were proposed as part of the PUD request and were included in the packet. He noted the comparative table showing the proposed density of this project compared to other residential projects in Raymore. Provisions of a PUD provides the Planning and Zoning Commission and City Council the ability to have more input on how the property develops, so within the MOU staff included a proposed phasing schedule for the three different components. At its March 21, 2023 meeting the Planning and Zoning Commission voted 7-1 to recommend approval of the rezoning request, subject to the conditions proposed by City staff.

Councilmember Townsend asked if there were concerns about the density. Mr. Gress stated that because there are other components of the development, it caused the density to jump higher in this project, such as the hotel and retail components, that take away from residential opportunities.

Councilmember Townsend asked if the traffic impact study recommendation from staff is a condition of development. Mr. Gress stated that should this item be approved, the next step in the process is for the applicant to file a final plan for each of the three components of the project. Staff's concerns have to do with access to Dean Avenue and that there wasn't enough information to approve or deny the access.

Councilmember Townsend asked what happens if the study came back as inadequate. Public Works Director Mike Krass stated that staff would continue to recommend that direct access to Dean Avenue not be provided. Councilmember Townsend noted they would have the access on Johnston Drive.

Councilmember Townsend inquired about access to the outer road. Mr. Krass stated the outer road is under MODOT jurisdiction and they would have to approve access to the outer road.

Mayor Turnbow pointed out two access points onto the outer road, noting that MODOT would have to approve both.

Councilmember Holman asked if there are other options for entry onto Dean Avenue should it not be approved, such as acceleration/deceleration lanes, traffic signal, etc. Mr. Gress stated yes, there are other options.

Councilmember Holman asked about the dissenting vote from the Planning and Zoning Commission action. Mr. Gress stated the dissenting vote was due to access to Dean Avenue and felt that regardless of a traffic study, access should not be allowed.

Councilmember Burke asked about emergency access between this project and the existing townhomes. Mr. Gress stated there won't be a connecting road, but there could possibly be permeable pavers to allow access for emergency vehicles.

Matt Tapp, representative of Griffin Riley Property Group, provided a detailed review of the development project. He reviewed the history of the company and similar projects they have developed. He discussed their request for the primary street running through the project to be public versus private and their request to have access onto Dean Avenue.

Mayor Turnbow commented on the access to Dean Avenue.

Councilmember Holman asked Mr. Tapp about the business model regarding ownership of their properties. Mr. Tapp stated that the intent of the company is to build and hold the property.

Councilmember Townsend asked about access to Dean Avenue and if it is identified as a future need as development occurs along the corridor. Mr. Krass stated that a traffic study was completed and staff is currently looking at options along the Dean Avenue corridor, and that each access point impacts traffic. He noted that the access point to Dean Avenue that is being requested is only a couple hundred feet from Johnston Drive, which is the appropriate access for this property.

Councilmember Baker asked what types of businesses have previously been in the retail component of their projects. Mr. Tapp stated restaurants and service type businesses are the common business types.

Mayor Turnbow opened the floor for public comments. Hearing none, he closed the public hearing at 6:39 p.m.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3802 by title only subject to the conditions outlined by staff recommendations.

DISCUSSION: Councilmember Abdelgawad stated this is a good first step to continue conversations surrounding this project.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Baker	Aye
	Councilmember Barber	Aye
	Councilmember Burke III	Aye
	Councilmember Engert	Aye
	Councilmember Forster	Absent

Councilmember Holman Aye
Councilmember Townsend Aye

D. Budget Amendment - Cul-de-sac and Hubach Hill Road Mill and Overlay

BILL 3800: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2023 CAPITAL BUDGET TO PROVIDE ADDITIONAL FUNDING FOR THE FY 2023 STREET PRESERVATION PROJECT."

City Clerk Erica Hill conducted the first reading of Bill 3800 by title only.

Public Works Director Mike Krass reviewed the staff report included in the packet. He stated staff is requesting additional funding in the amount of \$194,121 to mill and overlay certain cul-de-sacs in the Stonegate neighborhood. In addition, \$25,000 of the requested amount is dedicated to repair Hubach Hill Road east of School Road.

Councilmember Abdelgawad asked if Hubach Hill is a county road. Mr. Krass stated there is a maintenance agreement with the county that includes a portion of Hubach Hill Road that is in the county.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3800 by title only.

DISCUSSION: None

VOTE:

Councilmember Abdelgawad	Aye
Councilmember Baker	Aye
Councilmember Barber	Aye
Councilmember Burke III	Aye
Councilmember Engert	Aye
Councilmember Forster	Absent
Councilmember Holman	Aye
Councilmember Townsend	Aye

E. Budget Amendment - Mazuma Force Main

BILL 3801: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2023 CAPITAL BUDGET TO PROVIDE ADDITIONAL FUNDING FOR THE MAZUMA FORCE MAIN PROJECT."

City Clerk Erica Hill conducted the first reading of Bill 3801 by title only.

Public Works Director Mike Krass reviewed the staff report included in the packet. He stated staff is requesting additional funds to cover unforeseen costs associated with the Mazuma Force Main Replacement Project. During the installation of the

force main in the vicinity of Conway Drive, conflicts were discovered between AT&T facilities that made it impossible to install the new main in the existing location. The force main was re-routed to avoid the conflicts. In doing so, a considerable amount of rock was encountered which resulted in increased construction costs exceeding the budget by \$15,560.60. Relocating the force main avoided the removal of two mature trees on the Credit Union site and the existing force main was left in service which eliminated the need to provide by-pass pumping during a heavy rain event.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3801 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Baker	Aye
	Councilmember Barber	Aye
	Councilmember Burke III	Aye
	Councilmember Engert	Aye
	Councilmember Forster	Absent
	Councilmember Holman	Aye
	Councilmember Townsend	Aye

11. Public Comment

12. Mayor/Council Communication

Mayor Turnbow and Councilmembers congratulated Jeff Schmill on his 25 years of service, noted the opening of the Hawks Nest playground, and congratulated Councilmember Abdelgawad on being chosen as Mayor Pro Tem.

Mayor Turnbow stated HB 909 was not brought up today in the Senate but could be soon.

13. Adjournment

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

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Baker	Aye
	Councilmember Barber	Aye
	Councilmember Burke III	Aye
	Councilmember Engert	Aye
	Councilmember Forster	Absent
	Councilmember Holman	Aye
	Councilmember Townsend	Aye

The regular meeting of the Raymore Council adjourned at 6:49 p.m.

Respectfully submitted,

Erica Hill
City Clerk