

THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, MARCH 25, 2024, IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BAKER, BARBER, BURKE III, ENGERT, FORSTER, 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.

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 Council packet. He announced Ward Road project will begin April 1; updates can be found at www.raymore.com/wardroad.

Parks and Recreation Director Nathan Musteen reviewed the staff report included in the Council packet. He reviewed upcoming activities and events of the department.

Communications Manager Melissa Harmer reviewed the upcoming Arts Commission Power of Perspective art competition and reviewed information regarding the Use Tax ballot issue, such as operational costs included in the annual budget.

City Manager Jim Feuerborn added that almost 90% of the budget consists of costs to provide necessary services of the city.

City Clerk Erica Hill announced the Financial Disclosure Statements that are required to be filed by the City have been completed and are on file and available for inspection in the office of the City Clerk.

City Manager Jim Feuerborn announced items for the April 1 City Council work session.

Mayor Turnbow stated there would be an Open House for Use Tax information on Wednesday, March 27.

7. Committee Reports

8. Consent Agenda

A. City Council Meeting minutes, March 11, 2024

MOTION: By Councilmember Holman, second by Councilmember Barber 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	Abstain
	Councilmember Forster	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Aye

9. Unfinished Business

10. New Business

A. Award of Contract - Centerview Detention Landscaping

BILL 3881: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEGAKC CORPORATION FOR THE CENTERVIEW DETENTION LANDSCAPING PROJECT, CITY PROJECT NUMBER 23-372-203, IN THE AMOUNT OF \$396,979.00 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Erica Hill conducted the first reading of Bill 3881 by title only.

Parks and Recreation Director Nathan Musteen reviewed the information included in the Council packet. The Centerview Detention Landscaping Project redesigns the detention basins behind Centerview to include adaptive landscaping and rock formations to improve stormwater runoff from the Municipal Circle development. The project will provide year-round color, educational components, and a beautiful backdrop for Centerview. One bid was received for the Centerview Detention Landscaping project on October 4, 2023. MegaKC Corporation is the lowest and best bidder in the negotiated amount of \$396,979.00.

Mayor Turnbow asked about downstream runoff issues for which we've received complaints.

Public Works Director Mike Krass explained how this project could help alleviate the issue.

MOTION: By Councilmember Abdelgawad, second by Councilmember Townsend to approve the first reading of Bill 3881 by title only.

DISCUSSION: Councilmember Burke noted the list of references associated with this contractor is impressive.

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

B. Award of Contract - Outdoor Pickleball and Basketball Court

BILL 3883: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MCCONNELL AND ASSOCIATES FOR THE HAWK RIDGE PARK BASKETBALL COURT AND RECREATION PARK PICKLEBALL COURT PROJECT, CITY PROJECT NUMBER 24-443-201/202, IN THE AMOUNT OF \$286,151.51 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Erica Hill conducted the first reading of Bill 3883 by title only.

Parks and Recreation Director Nathan Musteen reviewed the information included in the Council packet. This project includes the construction of three pickleball courts with fencing and court lighting at Recreation Park replacing the old skate park near the Public Works Facility. A grant has been submitted to fund picnic tables with shade and offset costs associated with court lighting. It also included the construction of a new full size outdoor basketball court at Hawk Ridge Park on the west side. The project will also include sidewalk and trail connection. Three bids were received for the Hawk Ridge Park Basketball Court and Recreation Park Pickleball Court project on January 10, 2024. McConnell & Associates is the lowest, best, and most responsive bidder with a negotiated amount of \$286,151.51. He answered questions from Council.

MOTION: By Councilmember Abdelgawad, second by Councilmember Townsend to approve the first reading of Bill 3883 by title only.

DISCUSSION: None

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

C. Chick-Fil-A Sales Tax Contribution Agreement

BILL 3886: "AN ORDINANCE APPROVING A SALES TAX CONTRIBUTION AGREEMENT BETWEEN CHICK-FIL-A, INC. AND THE CITY OF RAYMORE, MISSOURI."

City Clerk Erica Hill conducted the first reading of Bill 3886 by title only.

Economic Development Director Jordan Lea reviewed the information included in the Council packet. Chick-Fil-A is requesting financial assistance in the form of sales tax contribution to make the construction of a new restaurant financially feasible. The restaurant will be located at the corner of 58 Highway and Kentucky Road. This site is not located in an existing TIF boundary. The City conducted a formal blight study on the proposed site, which was accepted by the City Council on November 27, 2023.

Sarah Granath, Gilmore & Bell, stated the blight study allows the City to enter into the sales tax contribution agreement with Chick-Fil-A. The sales tax contribution agreement allows Chick-Fil-A to be reimbursed for infrastructure costs associated with the construction of a new restaurant. The reimbursement is funded by the City's portion (2.50%) of the sales tax generated by the restaurant. The reimbursement is set on a percentage scale over the next ten years or \$750,000, whichever happens first. The sales taxes would be paid annually.

Councilmember Holman asked if the funds would be held by the City then reimbursed to Chick-Fil-A. City Manager Jim Feuerborn stated yes.

Hillyer Bentley, Chick-Fil-A tax accountant, thanked staff for their assistance in bringing this project to the fruition. He reviewed the project and anticipates construction to begin in summer 2024 with a potential opening in winter 2025.

MOTION: By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3886 by title only.

DISCUSSION: None

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

**D. 163rd Street Design and Construction Reimbursement Agreement
(emergency reading)**

BILL 3880: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TRIANGLE 2, LLC AND TRIANGLE 4, LLC FOR REIMBURSEMENT OF CERTAIN DESIGN AND CONSTRUCTION IMPROVEMENTS EXTENDING 163RD STREET, AND DECLARING THIS BILL AS AN EMERGENCY."

City Clerk Erica Hill conducted the first reading of Bill 3880 by title only.

City Attorney Jonathan Zerr reviewed the information included in the Council packet. Bill 3880 authorizes a reimbursement agreement with Triangle 2, LLC and Triangle 4, LLC, the developer of the Park Side residential subdivision, to complete the design and construction of certain improvements as part of their development process. The reimbursements would include fifty percent of the design and construction costs of extending 163rd Street, and fifty percent of the design and construction costs of extending a 16" water main along 163rd Street. Reimbursement for the extension of 163rd Street will be paid from available fund balance within the Excise Tax Fund. Reimbursement for the extension of the water main will be paid from available fund balance within the Water Connection Fee Fund. The agreement contemplates payment by the City to the developer of one hundred percent of the design and construction costs for the 163rd Street extension and the water main extension. The grand total anticipated cost of the project is \$1,310,113, of which 50% is the City's obligation. Upon submission of an application to the City for approval of the final plat for complete development of the Park Side subdivision, the developer will return to the city an amount equal to fifty percent of the actual construction costs paid for the 163rd Street extension and the water main extension.

City Manager Jim Feuerborn added that the vital east west route extending 163rd Street to Madison will be able to be completed sooner and allows for the development of the dog park.

MOTION: By Councilmember Abdelgawad, second by Councilmember Townsend to approve the first reading of Bill 3880 by title only.

DISCUSSION: Councilmember Barber noted the requests for more access through Creekmoor beginning during his initial term as a councilmember.

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

Mayor Turnbow declared Bill 3880 as an emergency and called for the second reading in its entirety.

City Clerk Erica Hill conducted the second reading of Bill 3880 in its entirety.

MOTION: By Councilmember Abdelgawad, second by Councilmember Townsend to approve the second reading of Bill 3880 in its entirety.

DISCUSSION: None

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

Mayor Turnbow announced the motion carried and declared Bill 3880 as **Raymore City Ordinance 2024-015.**

E. Award of Contract - City Prosecutor

BILL 3888: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RAYMORE APPOINTING WILLIAM N. MARSHALL III AS THE CITY PROSECUTOR FOR THE CITY OF RAYMORE, MISSOURI, AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR SERVICES."

City Clerk Erica Hill conducted the first reading of Bill 3888 by title only.

City Attorney Jonathan Zerr reviewed the information included in the Council packet. The City Charter provides for the appointment of a City Prosecutor. Mr. William N. Marshall III has been serving as the City Prosecutor for several contract terms. The Council recently requested that a Request for Qualifications be issued and the process undertaken to review potential candidates as a matter of constant review, and to maintain the high quality of service for the position. Mr. Marshall was the only applicant to submit for the position during the most

recent Request for Qualifications process. In late-February of this year, the Council reviewed Mr. Marshall's service and expressed their desire to have a formal contract brought before them for re-appointment of Mr. Marshall as City Prosecutor for the one-year period from February 1, 2024 through January 31, 2025. In negotiating the new contract terms, the Council requested slight alterations including a change to a one-year term, the requirement for a review conference with the City Manager after six months, and a potential review conference with the City Council thereafter. Mr. Marshall's fee schedule has been adjusted in the new contract to reflect a total negotiated flat monthly bill of \$2,250.00 for court appearances, an hourly rate of \$250.00 for appeals to the Western District Court of Appeals, and \$150.00 per hour for all jury trials at the Cass County Circuit Court.

MOTION: By Councilmember Abdelgawad, second by Councilmember Townsend to approve the first reading of Bill 3888 by title only.

DISCUSSION: None

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

F. Approval of Amended and Restated Employment Agreement - City Manager

BILL 3887: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE MAYOR TO ENTER INTO AN EMPLOYMENT AGREEMENT WITH JIM FEUERBORN FOR THE SERVICES OF A CITY MANAGER, AUTHORIZING APPROVAL OF THIS ORDINANCE AND EXECUTION OF THE CONTRACT HEREIN FOR THE ORDERLY ADMINISTRATION OF THE LEGAL, ADMINISTRATIVE, AND CONTRACTUAL MATTERS OF THE CITY."

City Clerk Erica Hill conducted the first reading of Bill 3887 by title only.

City Attorney Jonathan Zerr reviewed the information included in the Council packet. This Bill approves the amended and restated employment contract with Jim Feuerborn to continue serving as the City Manager. The only changes from the contract as amended and extended from last year include base salary increased by 7% to \$199,017.00 pursuant to Council instruction, all applicable dates for effectiveness and execution have been updated to cover the September 1, 2023 to September 1, 2024 contract year, and the term of the contract has been extended to September 1, 2024.

MOTION: By Councilmember Abdelgawad, second by Councilmember Townsend to approve the first reading of Bill 3887 by title only.

DISCUSSION: Councilmember Abdelgawad stated we are fortunate to have Mr. Feuerborn on our team.

Mayor Turnbow thanked Mr. Feuerborn for his continued service to the City of Raymore.

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

11. Public Comment

12. Mayor/Council Communication

Mayor Turnbow and Councilmembers thanked City Manager Jim Feuerborn for his service to the City of Raymore, noted the many projects occurring and amenities being added to the City in the near future.

Mayor Turnbow discussed the reduction in revenue sources received by the City.

MOTION: By Councilmember Abdelgawad, second by Councilmember Townsend to adjourn to Executive Session to discuss litigation matters as authorized by §610.021(1).

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

The regular meeting of the Raymore City Council adjourned to Executive Session at 7:05 p.m.

13. Adjournment

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

DISCUSSION: None

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

The regular meeting of the Raymore Council adjourned at 7:29 p.m.

Respectfully submitted,

Erica Hill
City Clerk