

THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, JANUARY 23, 2017 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD*, BARBER*, BURKE, III, HOLMAN, HUBACH, KELLOGG, MOORHEAD, AND SEIMEARS, CITY MANAGER JIM FEUERBORN, CITY CLERK JEANIE WOERNER, AND CITY ATTORNEY JONATHAN ZERR.

- 1. Call To Order.** Mayor Turnbow called the meeting to order at 7:00 p.m.
- 2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business. *Councilmember Abdelgawad absent, joining the meeting at 7:25 p.m. Councilmember Barber absent, joining the meeting at 7:30 p.m.

3. Pledge of Allegiance.

4. Presentations/Awards.

Arts Commission Chair Sharon Parys provided information on the Art Exhibit artists displayed in Council Chambers.

5. Personal Appearances.

6. Staff Reports.

City Clerk Jeanie Woerner provided an update for Council with respect to Council's action on December 26 regarding the suspension and revocation of the liquor and occupational licenses of The Pit Grill & Bar. No documentation has been received from the business owner in order to meet the requirements of City Code. Council's action will be effective January 26 at 11:59 p.m. and the licenses will be considered as revoked.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. General questions of Council were answered.

Chief of Police Jan Zimmerman provided basic information on traffic accident statistics in Raymore. Detailed information will be provided to Council at the next regular meeting.

City Manager Jim Feuerborn reviewed items for the January 30 Council work session.

7. Committee Reports.

Derek Moorhead provided a review of the January 17 Charter Review meeting.

8. Consent Agenda.

A. City Council Meeting Minutes, January 9, 2017

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the Consent Agenda as presented.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Seimears	Aye

9. Unfinished Business. Second Readings.

A. Award of Contract-Johnston Drive Extension-Design

BILL 3231: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BARTLETT & WEST INC. FOR THE JOHNSTON DRIVE EXTENSION - DESIGN PROJECT, CITY PROJECT NUMBER 16-243-301, IN THE AMOUNT OF \$44,800 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3231 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the second reading of Bill 3231 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Seimears	Aye

Mayor Turnbow announced the motion carried and declared Bill 3231 as **Raymore City Ordinance 2017-001.**

B. Adopting LAGERS Benefit Program L-6

BILL 3230: "AN ORDINANCE OF THE CITY OF RAYMORE TO AMEND ITS BENEFIT PROGRAM UNDER THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM (LAGERS)."

City Clerk Jeanie Woerner conducted the second reading of Bill 3230 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the second reading of Bill 3230 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Seimears	Aye

Mayor Turnbow announced the motion carried and declared Bill 3230 as **Raymore City Ordinance 2017-002.**

10. New Business. First Readings.

A. Show Me Green Sales Tax Holiday

BILL 3233A: "AN ORDINANCE OF THE CITY OF RAYMORE MISSOURI, COMMITTING THE CITY OF RAYMORE TO PARTICIPATE IN THE SHOW ME GREEN SALES TAX HOLIDAY IN 2017 ONLY."

BILL 3233B: "AN ORDINANCE OF THE CITY OF RAYMORE MISSOURI, COMMITTING THE CITY OF RAYMORE TO PARTICIPATE IN THE SHOW ME GREEN SALES TAX HOLIDAY IN PERPETUITY."

City Clerk Jeanie Woerner conducted the first reading of Bill 3233A by title only.

City Clerk Jeanie Woerner stated Senate Bill 1181, enacted by the General Assembly in 2008, established the Show Me Green Sales Tax Holiday in Section 144.526, RSMo. The Show Me Green Sales Holiday exempts the sale of certain energy star

certified appliances from state tax and takes place annually April 19-25. Municipalities may choose to participate in the Holiday and allow City sales tax from the sale of these items to be exempted and for the City to participate, Council must pass an Ordinance. It may do so on a one year only basis or in perpetuity. Alternative Ordinances have been prepared for Council consideration accordingly. Since establishment of the Holiday in 2008, Council has elected to participate on a one year only basis.

MOTION: By Councilmember Moorhead, second by Councilmember Kellogg to approve the first reading of Bill 3233A by title only.

DISCUSSION: Councilmember Moorhead stated reasoning behind the one year participation is for Council to consider financial impact each year and to address any changes made by the State legislators.

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Seimears	Aye

B. 24th Amendment to the Unified Development Code (Public Hearing)

BILL 3232: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING VARIOUS SECTIONS OF THE UNIFIED DEVELOPMENT CODE OF THE RAYMORE CITY CODE."

City Clerk Jeanie Woerner conducted the first reading of Bill 3232 by title only.

Mayor Turnbow opened the public hearing at 7:21 p.m. and called for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. He asked for the Growth Management Plan, Unified Development Code (UDC), notice of publication in *The Raymore Journal* and staff report to be entered into the record. In June of 2016, the Planning and Zoning Commission completed the annual review of the UDC and identified eight minor amendments. The recommended eight amendments to the UDC are to provide clarification on the use of easements and the installation of ADA curb ramp on corner lots; remove language regarding payment of fees for street lights installed by a subdivider, modify the time allotted to correct an erosion and sediment control violation and the notification process utilized; establish a procedure for a replat of an existing subdivision area, grant authorization to the Community

Development Direct to approve a replat; establish a definition of replat and unnecessary hardship; and modify the penalty section of the UDC to comply with the recently passed Senate Bill (SB) 572. The Planning and Zoning Commission voted 8-0 at their January 3, 2017 meeting to forward the amendment to Council with a recommendation of approval.

Councilmember Kellogg asked if the changes in Section 480.030, Remedies and Enforcement Powers are a result of the recently enacted SB 572.

***Councilmember Abdelgawad joined the meeting at 7:25 p.m.

City Attorney Zerr stated the language is taken directly from the Senate Bill 572 which imposes the maximum penalties. Council does have discretion to establish penalties, however this proposed amendment is based on the recommendation of Raymore's Municipal Judge and Prosecutor. He explained that the wording allows fines from zero to a maximum \$200.

Discussion ensued.

Mayor Turnbow opened the floor for public comments and hearing none, closed the public hearing at 7:30 p.m.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the first reading of Bill 3232 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Seimears	Aye

** Councilmember Barber joined the meeting at 7:30 p.m.

C. Preliminary Plat Extension - Estates and Estate Villas of The Good Ranch

RESOLUTION 17-05: "A RESOLUTION OF THE RAYMORE CITY COUNCIL APPROVING THE EXTENSION OF THE PRELIMINARY PLAT FOR THE ESTATES AND ESTATE VILLAS OF THE GOOD RANCH, LOCATED IN PART OF THE NORTHEAST QUARTER OF SECTION 29 AND PART OF THE NORTH HALF OF SECTION 28, TOWNSHIP 46N, RANGE 32W, ALL IN RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Jeanie Woerner conducted the reading of Resolution 17-05 by title only.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. Randal Leimer, representing Great Plains Real Estate Developments LLC, is requesting a 2-year extension to the expiration date of the preliminary plat for The Estates and Estate Villas of The Good Ranch. The preliminary plat was originally approved on February 12, 2007 and in 2014, a Master Development Agreement was approved which extended the expiration of the preliminary plat until February 11, 2017. This developer continues pursuing development options for the property. If approved, this Resolution will extend the expiration to February 11, 2019.

Councilmember Moorhead noted this property is located in an area which has been in litigation between the City and a water district.

Randal Leimer, Great Plains Real Estate Developments, LLC stated they remain committed to the project and have made improvements to roadways. He feels commercial development around the North Cass Parkway interchange would help further the development of this area. He asked Council for approval.

MOTION: By Councilmember Moorhead, second by Councilmember Kellogg to approve the reading of Resolution 17-05 by title only.

DISCUSSION: Councilmember Moorhead stated although he is resistant to granting two year extensions, he feel the property is of significant size in this area and given the past litigation that stalled growth in this area, which is now settled, should allow for the development to move forward. He feels these reasons justify granting a two year extension.

Councilmember Abdelgawad stated she understands Councilmember Moorhead's reasons, however a two year extension varies from Council's past actions in only granting a one year extension.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Seimears	Aye

D. Preliminary Plat Extension - Raymore Galleria North

RESOLUTION 17-06: "A RESOLUTION OF THE RAYMORE CITY COUNCIL APPROVING THE EXTENSION OF THE PRELIMINARY PLAT FOR RAYMORE GALLERIA NORTH, LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 46N, RANGE 32W, ALL IN RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Jeanie Woerner conducted the reading of Resolution 17-06 by title only.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. Reuben Pate, representing North 58 Equity Partners, LLC, is requesting a 2-year extension to the expiration date of the preliminary plat for Raymore Galleria North. The preliminary plat was originally approved on June 28, 2010 and one year extensions were granted in 2014, 2015, and 2016. On February 13, 2012 a final plat application was approved on February 13, 2012 for Belfonte Car Wash to locate on Lot 2. The developer is currently making infrastructure improvements to serve the undeveloped land area that remains. If approved, the Resolution will extend the expiration to February 13, 2019.

MOTION: By Councilmember Moorhead, second by Councilmember Abdelgawad to approve the reading of Resolution 17-06 for a one year extension by title only.

DISCUSSION: Councilmember Hubach questioned the action on the previous agenda item for a two year extension and a one year extension on this request.

Councilmember Moorhead stated the circumstances surrounding the two requests are different and all requests are considered on an individual basis. This is a smaller area which could develop faster. This developer is currently making improvements and pursuing development. The applicant could apply for an extension after the one year expiration.

Councilmember Seimears asked if this plat includes phase 4.

Mr Cadoret answered yes and stated if a final plat application is submitted for the pad sites along 58 Highway, it automatically provides a two year extension from the date submitted.

Steve Shaffer, Block and Co. on behalf of the applicant, stated they would prefer a two year extension, but one year is sufficient.

Discussion ensued.

VOTE: Councilmember Abdelgawad Aye
Councilmember Barber Aye

Councilmember Burke, III	Aye
Councilmember Holman	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Seimears	Aye

E. Prohibiting Non-Local Commercial Construction Traffic on Creekmoor Drive

RESOLUTION 17-07: "A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI PROHIBITING NON-LOCAL COMMERCIAL CONSTRUCTION VEHICLES FROM TRAVELING ON CREEKMOOR DRIVE FROM NORTH FOXRIDGE DRIVE TO KETTERING LANE."

City Clerk Jeanie Woerner conducted the reading of Resolution 17-05 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. Section 340.320 of the Raymore City Code authorizes the City Traffic Engineer to determine and designate certain streets or parts of streets, that are located within residential developments where construction is occurring, to prohibit non-local commercial construction vehicles from such streets. The City Traffic Engineer is recommending that non-local commercial construction vehicles be prohibited from traveling on Creekmoor Drive from N. Foxridge Drive to Kettering Lane to reduce potential further deterioration to the road. He stated informational signage and mailings would be sent to developers. He answered general questions of Council.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the reading of Resolution 17-07 by title only.

DISCUSSION: Councilmembers Barber and Holman noted the damage done to roads by large commercial vehicles and their support for this action.

VOTE:

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Burke, III	Aye
Councilmember Holman	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Seimears	Aye

11. Public Comments.

12. Mayor/Council Communication.

Councilmember Holman welcomed those in attendance at the meeting and stated that Johnston Lake was recently stocked with trout by the Missouri Department of Conservation (MDC) and he noted citizens have been enjoying fishing at this location. He gave well wishes to the Raymore Police Officer recently injured and thanked him for his devotion to duty.

Councilmember Barber apologized for being late to this meeting as he was attending a graduation ceremony for his daughter from youth court. He thanked citizens in Ward 3 for supporting his position on Council. He recognized the City's successful efforts in providing good communication.

Councilmember Seimears spoke to the passing of Kansas City Royals' pitcher Yordano Ventura.

Councilmember Abdelgawad apologized for being late to this meeting as she was attending a graduation ceremony for her daughter from youth court. She spoke to the purpose of youth court how it benefits youth. She thanked the Planning and Zoning Commission for their work on the 24th amendment to the UDC and the Park Department for partnering with MDC.

Councilmember Burke thanked Ward 2 citizens for their support and provided information from the MML Westgate meeting he recently attended.

Mayor Turnbow thanked Councilmember Moorhead for his Mayor Pro Tem duties at the January 9 meeting in his absence.

13. Adjournment.

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

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Seimears	Aye

The regular meeting of the Raymore Council adjourned at 8:04 p.m.

Respectfully submitted,

Jeanie Woerner
City Clerk