

THE RAYMORE COUNCIL MET IN REGULAR SESSION MONDAY JULY 10, 2017 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS BARBER, BERENDZEN, HOLMAN, KELLOGG, MOORHEAD, TOWNSEND, CITY MANAGER JIM FEUERBORN, CITY CLERK JEANIE WOERNER AND CITY ATTORNEY JONATHAN ZERR.

- 1. Call To Order.** Mayor Turnbow called the regular meeting to order at 7:00 p.m.
- 2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business. Councilmembers Abdelgawad and Burke absent.
- 3. Pledge of Allegiance.**
- 4. Presentations/Awards.**

Mayor Turnbow recognized citizens Jacob Parker, Dillon Russell, Raymore Police Officer Terry Fedric and Raymore Parks Department employee Shawn Jonas. During the July 1st Spirit of America event, Parker and Russell noticed that an American flag had fallen to the ground near the event. They lifted the flag from the ground in patriotic respect, and waited until City personnel could display the flag properly. They were presented with Raymore challenge coins by the Mayor.

5. Personal Appearances.

6. Staff Reports.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet and agenda items for the upcoming Planning and Zoning Commission meetings.

Chief of Police Jan Zimmerman provided information on recovered property and evidence of the department. The department has recently implemented a policy and procedural manual to address proper disposal and categorizing such materials.

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

7. Committee Reports.

Derek Moorhead announced the final report of the Charter Review Commission was presented to and discussed by Council at the June 19 and July 3 City Council work sessions. The Commission will be meeting one final time on July 11 to discuss comments from the Mayor and City Council on the report.

8. Consent Agenda.

A. City Council Minutes, June 26, 2017

B. Resolution 17-41, Recreation Park Shade Structure Project-Acceptance and Final Payment

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

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

9. Unfinished Business. Second Readings.

A. Vacation of Cunningham at Creekmoor First Plat

BILL 3275: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, VACATING THE CUNNINGHAM AT CREEKMOOR FIRST PLAT, A SUBDIVISION IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Jeanie Woerner conducted the second reading of Bill 3275 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the second reading of Bill 3275 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3275 as **Raymore City Ordinance 2017-041**.

B. Cunningham at Creekmoor Second Plat

BILL 3269: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE FINAL PLAT FOR CUNNINGHAM AT CREEKMOOR SECOND PLAT LOTS 69 THROUGH 104 AND TRACTS E AND F, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 46N, RANGE 32W, RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Jeanie Woerner conducted the second reading of Bill 3269 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the second reading of Bill 3269 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3269 as **Raymore City Ordinance 2017-042**.

C. Amendment to Chapter 500: Building Code

BILL 3276: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING SECTION 500.090(A): ISSUANCE OF PERMITS, ADOPTED AS PART OF THE BUILDING REGULATIONS OF THE RAYMORE CITY CODE."

City Clerk Jeanie Woerner conducted the second reading of Bill 3276 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the second reading of Bill 3276 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye

Councilmember Berendzen	Aye
Councilmember Burke, III	Absent
Councilmember Holman	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3276 as **Raymore City Ordinance 2017-043**.

D. Award Of Contract - Residential Waste Collection

BILL 3280: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH JIM'S DISPOSAL SERVICE, LLC FOR THE PROVISION OF WASTE DISPOSAL SERVICES FOR THE CITY OF RAYMORE, IN ACCORDANCE WITH THE REQUEST FOR PROPOSAL SUBMITTED FOR RFP 17-002."

City Clerk Jeanie Woerner conducted the second reading of Bill 3280 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the second reading of Bill 3280 by title only.

DISCUSSION: Councilmember Kellogg asked staff to provide answers to questions he submitted.

City Manager Jim Feuerborn provided answers to:

- Why is the City partnering with Belton? By increasing the number of points of service realized by the contractor, yields better pricing and services.
- Explain the "no holiday clause"? Holidays are not recognized. Service will be provided on all holidays.
- What protections are in the contract for non performance? The contract contains fines for non performance and no cause cancellation provisions.
- Belton pickup days are scheduled for Monday and Tuesdays. What if trash pickup days are delayed in Belton which may delay the Wednesday and Thursday pickup in Raymore? Friday is the day for missed pickups. Contract provisions outline Wednesday and Thursday as regular pick up days for Raymore. If not, consequences can be applied.

Mr. Feuerborn answered further general questions.

Councilmember Moorhead disclosed casual communications with one of the bidders. He stated the City Attorney verified it would not create a conflict of interest for him to participate in discussion and vote.

It was noted that all of the Councilmembers had received premature contact from one of the competitive bidders. Mr. Feuerborn advised he did address this in the pre-bid meeting and will follow up with the bidder again.

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3280 as **Raymore City Ordinance 2017-044.**

E. Award of Contract - 2017 Street Preservation Project

BILL 3277: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SUPERIOR BOWEN ASPHALT COMPANY, LLC, FOR THE 2017 STREET PRESERVATION PROJECT, IN THE AMOUNT OF \$724,135.50 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3277 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the second reading of Bill 3277 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3277 as **Raymore City Ordinance 2017-045.**

F. Contract Amendment - SFS Architecture

BILL 3278: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH SFS ARCHITECTURE FOR THE RECREATION ACTIVITY CENTER PROJECT, IN THE AMOUNT OF \$22,437.00 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3278 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the second reading of Bill 3278 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3278 as **Raymore City Ordinance 2017-046**.

G. Memorandum of Understanding Guiding the Placement of Art in City Parks

BILL 3279: "APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND PARKS & RECREATION BOARD GUIDING THE PLACEMENT AND MAINTENANCE OF ART IN THE CITY'S PARKS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3279 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the second reading of Bill 3279 by title only.

DISCUSSION: Councilmember Holman asked why the Park Board voted 7-1 for this agreement.

Parks and Recreation Director Nathan Musteen explained the Park Board member voted nay because the approval is automatic each year. The member was not

dissatisfied with the MOU. He stated the MOU would be reviewed by staff each year.

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3279 as **Raymore City Ordinance 2017-047**.

10. New Business. First Readings.

A. Liquor License Application - Mahakali, LLC dba Cheap Smokes & Liquor located at 1236-1240 W. Foxwood Dr. (public hearing)

Mayor Turnbow opened the public hearing at 7:38 p.m. and asked for a staff report.

City Clerk Jeanie Woerner stated that new owner, Mahakali, LLC, dba Cheap Smokes & Liquor located at 1236-1240 W. Foxwood Drive, has filed an application for the 2017-2018 liquor license year. This public hearing has been properly advertised in *The Raymore Journal*. The applicant has submitted the necessary application and supporting documents as outlined by City Code. Approval of the City license is contingent on approval by the State of Missouri Division of Alcohol and Tobacco Control which has been received. Representative Prakashkumar Patel is in attendance should Council have questions. As outlined in City Code section 600.090, witnesses testifying will be administered an oath of truth.

Councilmember Kellogg asked if this new owner had any business interest in the existing corporation or with the owner of the current business.

City Clerk Jeanie Woerner advised the applicant/new owner is completely independent from the existing corporation.

City Clerk Jeanie Woerner administered an oath of truth to Prakashkumar Patel.

Prakashkumar Patel, Kansas City, Missouri, advised Council he has store locations in Excelsior Springs and Liberty. He assured Council they were committed to abiding with the laws regarding the sale of products to minors.

Mayor Turnbow asked for further public comment and hearing none, closed the public hearing at 7:42 p.m.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the 2017-2018 liquor license for Mahakali, LLC dba Cheap Smokes & Liquor located at 1236-1240 W. Foxwood Dr.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

B. Liquor License Application - Paceline KC, LLC dba MOD Pizza at 1937 W. Foxwood Dr. (public hearing)

Mayor Turnbow opened the public hearing at 7:43 p.m. and asked for a staff report.

City Clerk Jeanie Woerner stated that Paceline KC, LLC dba MOD Pizza located at 1937 W. Foxwood Drive, has filed an application for the 2017-2018 liquor license year. This public hearing has been properly advertised in *The Raymore Journal*. The applicant has submitted the necessary application and supporting documents as outlined by City Code. Approval of the City license is contingent on approval by the State of Missouri Division of Alcohol and Tobacco Control which has been received. Representative Jack Palmer is in attendance should Council have questions. As outlined in City Code section 600.090, witnesses testifying will be administered an oath of truth.

City Clerk Jeanie Woerner administered an oath of truth to Jack Palmer.

Jack Palmer, 1010 SE Willow Ridge Dr., Blue Springs, stated this is the fourth location for MOD Pizza and they are excited to be part of the community.

Mayor Turnbow asked for further public comment and hearing none, closed the public hearing at 7:45 p.m.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the 2017-2018 liquor license for Paceline KC, LLC, dba MOD Pizza located at 1937 W. Foxwood Dr.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

C. Award of Contract - 2017 Curb Project

BILL 3282: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TERRY SNELLING CONSTRUCTION INC. FOR THE 2017 CURB PROJECT, CITY PROJECT NUMBER 17-275-201, IN THE AMOUNT OF \$414,585.00 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the first reading of Bill 3282 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packets. This is a continuation of the City's long term curb replacement program which includes 10 areas throughout the City. Staff recommends award of contract to the low bidder Terry Snelling Construction.

MOTION: By Councilmember Moorhead, second by Councilmember Holman to approve the first reading of Bill 3282 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

11. Public Comments.

12. Mayor/Council Communication.

Mayor and Councilmembers recognized Jacob Parker, Dillon Russell, Terry Fedric and Shawn Jonas for their act of patriotism, gave compliments to staff of the Police Department and Park Department for their work on the Spirit of America Celebration event.

Councilmember Kellogg welcomed new business owners Cheap Smokes & Liquor and MOD Pizza.

Councilmember Townsend recognized staff for implementing new procedures in various departments.

Councilmember Berendzen noted the growth of the community and staff's work on the residential waste collection contract.

Councilmember Holman noted Council has approved nearly \$250,000 dollars on contracts for street and curb repair. He thanked staff for their professionalism.

Mayor Turnbow congratulated the Council and staff for a great working team.

13. Adjournment.

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

VOTE:	Councilmember Abdelgawad	Absent
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Absent
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Townsend	Aye

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

Respectfully submitted,

Jeanie Woerner
City Clerk