

THE RAYMORE COUNCIL MET IN SPECIAL SESSION MONDAY, APRIL 9, 2018 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, CIRCO, HOLMAN, KELLOGG, AND 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 7:45 p.m.
- 2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business.
- 3. Pledge of Allegiance.**
- 4. Presentations/Awards.**

Mayor Turnbow presented a proclamation recognizing National Public Safety Telecommunicators Week to telecommunicators of the Raymore Police Department.

5. Personal Appearances.

6. Staff Reports.

Community Development Director Jim Cadoret announced upcoming Planning and Zoning Commission agenda items.

Chief of Police Jan Zimmerman recognized telecommunicators of the Raymore Police Department.

Emergency Management Director Ryan Murdock provided information on a plan being created by staff to address and identify flooding areas in the City which occur during periods of heavy rains. He answered general questions of Council.

City Manager Jim Feuerborn provided agenda items for the April 16 Council work session.

7. Committee Reports.

8. Consent Agenda.

A. City Council Minutes, March 12, 2018

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

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye

Councilmember Burke, III	Aye
Councilmember Circo	Abstain
Councilmember Holman	Aye
Councilmember Kellogg	Aye
Councilmember Townsend	Aye

9. Unfinished Business. Second Readings.

A. Agreement with *The Raymore Journal* for Advertising/Notifications

BILL 3347: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE RAYMORE JOURNAL DESIGNATING THE NEWSPAPER AS THE OFFICIAL NEWSPAPER OF RECORD AND ESTABLISHING A FIXED RATE FOR ADVERTISING."

City Clerk Jeanie Woerner conducted the second reading of Bill 3347 by title only.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the second reading of Bill 3347 by title only.

DISCUSSION: None

VOTE:

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Berendzen	Aye
Councilmember Burke, III	Aye
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Kellogg	Aye
Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3347 as **Raymore City Ordinance 2018-027.**

B. Award of Contract - Tandem Paving Company, Inc.

BILL 3348: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH TANDEM PAVING COMPANY, INC., PROJECT NUMBER 18-291, IN THE AMOUNT OF \$98,564 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3348 by title only.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the second reading of Bill 3348 by title only.

DISCUSSION: None

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

Mayor Turnbow announced the motion carried and declared Bill 3348 as **Raymore City Ordinance 2018-028.**

C. Administrative Policy Revision

BILL 3349: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI CREATING SECTIONS 100-400 TO REPLACE APPLICABLE SECTIONS OF THE CURRENT RAYMORE ADMINISTRATIVE POLICY MANUAL."

City Clerk Jeanie Woerner conducted the second reading of Bill 3349 by title only.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the second reading of Bill 3349 by title only.

DISCUSSION: None

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

Mayor Turnbow announced the motion carried and declared Bill 3349 as **Raymore City Ordinance 2018-029.**

10. New Business. First Readings.

A. Delinquent Occupational Licenses (Hearing)

Mayor Turnbow opened the hearing at 8:00 p.m. and called for a staff report.

City Clerk Jeanie Woerner stated this item before Council is to consider certain actions pertaining to delinquent occupational licenses of business located within the City. Requirements for occupational licenses, which expire December 31 of each year, are outlined Chapter 605 of the Raymore City Code. Notice of the original hearing on March

26 was sent to each business owner by regular and certified mail as provided for in City Code Section 605.040 (B)(2)(b). With the cancellation of the March 26 Council meeting, phone calls were made to each business owner notifying them the hearing was rescheduled for this meeting.

This hearing provides an opportunity for business owners to address the City Council and provide defense or evidence as to why penalty sanctions should not be imposed. Since publication of the Council materials, LaserEquip, located at 208 Sunrise Dr., has been removed as a subject of this hearing.

Those businesses who are delinquent are:

Freedom Stop, 503 E. Walnut St.
Homebridge Financial Services, 1116 C Remington Plaza
Perkins Automotive Service, 217 N. Madison St.
Prime Sleep, 2007 W. Foxwood Dr.
Polymer Systems, 106A Evans
Professional Travel, 212 Sunrise
The Pit Grill & Bar, 1242-46 W. Foxwood Dr.

Home-based business who are delinquent are:

Helping Hands Home Care, 128 N. Highland Dr.
Revamp & Revive, 715 Old Paint Rd.

Staff recommends that any business deemed by the Council after this hearing to be found in violation of City Code Chapter 605, to authorize the City Clerk to send a letter giving the businesses ten (10) business days to comply with Chapter 605, and advise the business owner that if compliance does not occur within that time frame, a misdemeanor citation will be issued through Raymore Municipal Court and the City Attorney may seek action in the Circuit Court to restrain, correct or abate continued operation of the business as provided for in City Code Section 605.040. General questions of Council were answered.

Lori O'Malley, owner of Freedom Stop, 503 E. Walnut stated her sales tax license encompasses both the convenience store and restaurant located at 501 E. Walnut. She wrongfully submitted tax information to the Missouri Department of Revenue for two locations. Ms. O'Malley requested an extension to April 23, 2018 before sending the 10 day letter.

Jeanette Singleton, owner of The Pit Grill and Bar, 1242-46 W. Foxwood Dr., explained her difficulty in obtaining the letter of No Tax Due due to auto pay issues with the state. She has hired a tax company to intervene with the state, but they are waiting on the state to approve the power of attorney for the tax company. Ms. Singleton requested an extension to April 23, 2018 before sending the 10 day letter.

Councilmembers asked questions regarding procedure and options of City Manager Jim Feuerborn and City Attorney Jonathan Zerr.

Mike Horn, owner of Polymer Systems at 106 Evans Ave, stated they are a newer business and ran into personal property and real estate tax issues, and other financial difficulties. They have secured funding to pay the taxes and have made arrangements to avoid these issues in the future. Mr. Horn requested an extension to April 23, 2018 before sending the 10 day letter.

Mayor Turnbow asked for further testimony and hearing none, closed the hearing at 8:28 p.m.

MOTION: By Councilmember Abdelgawad, second by Councilmember Berendzen to authorize the City Clerk to provide the ten (10) day notice to the delinquent business owners and if compliance is not met, direct the issuance of a citation through Raymore Municipal Court, and to wait for 2 weeks before providing the ten (10) day notice to Freedom Stop, The Pit Grill and Bar, and Polymer Systems.

DISCUSSION: Councilmember Holman spoke against a delay in issuing the 10 day notice to any of the businesses. He noted that the license should have been taken care of by December 31, 2017.

Councilmember Kellogg noted that the businesses would be able to request an appearance before Council at the next meeting if they are not able to rectify the situation.

Councilmember Townsend stated the timeline of reminders of renewal should have initiated the process, then the businesses had a reprieve due to the cancellation of the March 26 Council meeting. He stated he would not support an extension.

Councilmember Abdelgawad said that 10 extra days for these businesses is not an unreasonable way to support them. She expressed gratitude for the businesses that are able to obtain their licenses on time.

Councilmembers Burke and Circo spoke against allowing an additional 10 days.

Discussion ensued.

MOTION TO AMEND: By Councilmember Barber, second by Councilmember Kellogg to authorize the City Clerk to issue the ten (10) day notice to the delinquent business owners and if compliance is not met, direct the issuance of a citation through Raymore Municipal Court, and to place Freedom Stop, The Pit Grill and Bar, and Polymer Systems on the April 23 Council Agenda should they need additional time.

Councilmember Holman stated he can support the amendment to allow the businesses a last chance to complete the process.

Councilmember Circo urged businesses to be more proactive in the future to avoid these issues.

Vote on the motion to amend:

VOTE:	Councilmember Abdelgawad	Nay
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Townsend	Aye

Vote on the motion as amended:

VOTE:	Councilmember Abdelgawad	Nay
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Kellogg	Aye
	Councilmember Townsend	Aye

B. Morningview Infrastructure Acquisition

BILL 3356: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ASSET ACQUISITION AGREEMENT WITH THE MORNINGVIEW HOMEOWNERS ASSOCIATION, INC., FOR THE ACCEPTANCE OF PRIVATE INFRASTRUCTURE SUBJECT TO CERTAIN CONDITIONS."

City Clerk Jeanie Woerner conducted the first reading of Bill 3356 by title only.

City Attorney Jonathan Zerr provided a review of the staff report included in the Council packet. The City Council and City staff have been meeting with representatives of the Morningview Subdivision and homeowners association (HOA). The subdivision has requested that the City assume ownership and maintenance of their private streets, curbs, and street lights. The HOA is requesting the City finance the work which needs to be completed to bring the curbs up to City standards. The agreement with the HOA provides that reimbursement for the costs will be made in an initial payment of \$65,000 and the remaining costs will be paid to the City over an annual period of 10 years. If approved, this Bill authorizes execution of the agreements necessary for the City to acquire this infrastructure.

MOTION: By Councilmember Abdelgawad, second by Councilmember Berendzen to approve the first reading of Bill 3356 by title only.

DISCUSSION: Councilmembers Abdelgawad, Barber and Berendzen thanked staff and the Morningview HOA and residents for coming to this agreement.

MOTION TO AMEND: By Councilmember Berendzen, second by Councilmember Abdelgawad to include that the City pay a maximum of 50% of cost overages of up to 10% contingency of the project cost.

Councilmember Abdelgawad accepted the amendment to her original motion.

Councilmember Townsend inquired about possibility of changes to the approximate costs.

Mr. Feuerborn stated the lineal footage costs have been reviewed by staff based on comparable projects and staff feels comfortable with the estimated costs which include a 10% contingency.

Discussion ensued.

Vote on motion as amended:

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

C. Administrative Policy Revision

BILL 3351: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI CREATING SECTIONS 500-600 TO REPLACE APPLICABLE SECTIONS OF THE CURRENT RAYMORE ADMINISTRATIVE POLICY MANUAL."

City Clerk Jeanie Woerner conducted the first reading of Bill 3351 by title only.

Chief of Police Jan Zimmerman provided a review of the staff report included in the Council packet. Sections 500 and 600 of the Administrative Policy Manual were presented to Council at the March 19 work session and are now presented for Council approval. An amendment suggested by Councilmember Townsend has been incorporated into this Bill.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the first reading of Bill 3351 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye

Councilmember Holman	Aye
Councilmember Kellogg	Aye
Councilmember Townsend	Aye

D. MARC Aerial Photography Project

BILL 3352: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MID-AMERICA REGIONAL COUNCIL FOR THE ACQUISITION OF AERIAL PHOTOGRAPHY FOR THE CITY OF RAYMORE, MISSOURI."

City Clerk Jeanie Woerner conducted the first reading of Bill 3352 by title only.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. Mid-America Regional Council (MARC) has contracted with Surdex Corporation to complete an aerial photography project for the Kansas City Metropolitan Region. The project will provide Raymore with aerial photography and property elevation data to be utilized in the City GIS program.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the first reading of Bill 3352 by title only.

DISCUSSION: None

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

E. Award of Contract FY-2018 Street Preservation Project

BILL 3350: "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 2018 STREET PRESERVATION PROJECT, CITY PROJECT NUMBER 18-296-201, IN THE AMOUNT OF \$357,257.75."

City Clerk Jeanie Woerner conducted the first reading of Bill 3350 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. For several years, the City of Raymore participated in a joint bidding process of street maintenance projects with several Cass County cities. The responsibility of coordinating the bidding process has rotated among the cities since 2015 starting with the City of Belton. For the 2017 project, the City of Peculiar assumed the responsibility of

soliciting bids and awarding a contract on behalf of the group of cities to Superior Bowen, LLC. Staff recommends approval.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the first reading of Bill 3350 by title only.

DISCUSSION: None

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

F. Award of Contract FY- 2018 Curb Replacement Project

BILL 3354: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TERRY SNELLING CONSTRUCTION, INC. FOR THE 2018 CURB PROJECT, CITY PROJECT NUMBER 18-294-201, IN THE AMOUNT OF \$294,863."

City Clerk Jeanie Woerner conducted the first reading of Bill 3351 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. This project is a continuation of the City's long term curb replacement program. He reviewed the neighborhoods and bids received for this project. Staff recommends award of contract to the low bidder, Terry Snelling Construction, Inc.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the first reading of Bill 3354 by title only.

DISCUSSION: None

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

G. Johnston Lake Community Assistance Program - Agreement

BILL 3355: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AMENDING THE 2016 COMMUNITY ASSISTANCE PROGRAM AT JOHNSTON LAKE LOCATED IN HAWK RIDGE PARK BETWEEN THE CITY OF RAYMORE AND THE MISSOURI DEPARTMENT OF CONSERVATION."

City Clerk Jeanie Woerner conducted the first reading of Bill 3355 by title only.

Park and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. The Community Assistance Program (CAP) between the City of Raymore and the Missouri Department of Conservation (MDC) establishes guidelines for Johnston Lake at Hawk Ridge Park. This Bill is an amendment allowing for alternate bids to projects associated with improvements scheduled for 2018. He answered general questions of Council.

MOTION: By Councilmember Abdelgawad, second by Councilmember Holman to approve the first reading of Bill 3355 by title only.

DISCUSSION: None

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

11. Public Comments.

12. Mayor/Council Communication.

Mayor Turnbow and Councilmembers recognized Raymore telecommunicators and welcomed returning Councilmembers and new Councilmember Thomas Circo. Outgoing Councilmember Derek Moorhead was recognized for his service to the City.

Councilmember Kellogg noted the "Cranking into Spring" bicycle event was successful.

Councilmember Townsend clarified his comments regarding those delinquent business on the agenda this evening. He noted the importance of keeping all these businesses and other businesses successful for economic development.

Councilmember Burke noted a constituent has asked for consideration of a policy addressing the release of bundles of balloons because of the effect on the environment from the latex/rubber materials.

Councilmember Circo provided a brief bio of himself and his intentions as Councilmember.

Councilmember Berendzen thanked Parks and Recreation Director Nathan Musteen for his recent presentation to students at Bridleridge Elementary and thanked residents of Morningview for attending this meeting.

Councilmember Abdelgawad encouraged those candidates who were not successful in the recent election to be involved with the City and thanked residents of Morningview for attending this meeting.

Councilmember Holman thanked staff for bringing forth the award of contracts on the agenda.

Mayor Turnbow recognized returning Councilmembers and new Councilmember Circo, thanked Mr. Murdock for bringing forth the emergency flood plan and making improvements to the Emergency Management Department and thanked the Parks and Recreation Department for a successful Easter Egg Festival.

13. Adjournment.

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

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

The regular meeting of the Raymore Council adjourned at 9:42 p.m.

Respectfully submitted,

Jeanie Woerner
City Clerk

***these minutes transcribed by Deputy City Clerk Erica Hill*

