THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION MONDAY, MAY 14, 2018 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, CIRCO, HOLMAN, 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 7:00 p.m.
- **2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business. Councilmember Kellogg absent.
- 3. Pledge of Allegiance.

4. Presentations/Awards.

Mayor Turnbow presented proclamations to Monique Lewis recognizing her as a recipient of Missouri Lt. Governor's Senior Service Award; Raymore Public Works Department recognizing Public Works Week; and to Raymore Police Department recognizing National Peace Officers Memorial Week.

5. Personal Appearances.

Jack Hopkins, 309 Johnston Dr., spoke in opposition to Missouri's Tobacco 21 initiative that raises the age from 18 to 21 for the purchase of tobacco products. He asked the Council not to approve this type of measure.

6. Staff Reports.

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

Chief of Police Jan Zimmerman provided information on the department's bicycle patrol program. Raymore officer Jesse Walkingstick spoke further to the Council on the program.

City Manager Jim Feuerborn provided agenda items for the May 21 Council work session.

- 7. Committee Reports.
- 8. Consent Agenda.
- A. City Council Minutes, April 23, 2018
- B. Resolution 18-27, 2017 Concrete Projects Acceptance and Final Payment
- C. Resolution 18-28, Acceptance of Public Improvements Edgewater at Creekmoor 6th Plat
- D. Resolution 18-29, Acceptance of Public Improvements Brookside 10th Lots 400-414

MOTION: By Councilmember Barber, 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 Aye
Councilmember Holman Aye
Councilmember Kellogg Absent
Councilmember Townsend Aye

9. Unfinished Business. Second Readings.

A. Administrative Policy Revision

BILL 3359: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, CREATING SECTIONS 700-800 TO REPLACE APPLICABLE SECTIONS OF THE CURRENT RAYMORE ADMINISTRATIVE POLICY MANUAL."

City Clerk Jeanie Woerner conducted the second reading of Bill 3359 by title only.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the second reading of Bill 3359 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 Absent
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3359 as **Raymore City Ordinance 2018-036.**

B. Award of Contract FY-2018 Micro Surface Project

BILL 3357: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH VANCE BROTHERS INC. FOR THE 2018 MICRO SURFACE PROJECT, CITY PROJECT NUMBER 18-296-202, IN THE AMOUNT OF \$485,171.80."

City Clerk Jeanie Woerner conducted the second reading of Bill 3357 by title only.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the second reading of Bill 3357 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 Absent
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3357 as **Raymore City Ordinance 2018-037.**

C. Award of Contract 155th Street Culvert Project

BILL 3358: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TASCO, LLC FOR THE 155TH STREET CULVERT PROJECT, CITY PROJECT NUMBER 18-260-202, IN THE AMOUNT OF \$248,759.00."

City Clerk Jeanie Woerner conducted the second reading of Bill 3358 by title only.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the second reading of Bill 3358 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 Absent
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3358 as **Raymore City Ordinance 2018-038.**

10. New Business. First Readings.

A. <u>Liquor License Renewals</u> (public hearing)

Mayor Turnbow opened the public hearing at 7:34 p.m. and asked for a staff report.

City Clerk Jeanie Woerner stated applications for renewal of liquor licenses are required to be filed with the City Clerk on or before May 1 as provided for in City Code Section 600.050(E). The following applications have been received and were advertised for this public hearing for the 2018-2019 license year running July 1-June 30:

Affordable Elegance/Gregory's-401-407 Pine St.

Bobbie's Place-422 W. Pine St.

Casey's General Store-234 N. Madison St.

Casey's General Store-901 E. Walnut

Cheap Smokes & Liquor-1236-40 W. Foxwood Dr.

Creekmoor Property Owners Association-1112 E 163rd St.

CVS-1215 W. Foxwood Dr.

Dollar General Store-220 N. Madison St.

Eat American Bistro-1500 W. Foxwood Dr.

El Dorado, III-404 W. Pine St.

Fraternal Order of Eagles-314 S. Washington St.

Freedom Plaza-501-505 E. Walnut

Gulf Express-715 W. Foxwood Dr.

Harmon's Convenience Store-101 S. Madison St.

Mexico Viejo, LLC-1276 W. Foxwood Dr.

Minsky's Pizza-812 W. Foxwood Dr.

Mod Pizza-1937 W. Foxwood Dr.

Cosentino's Price Chopper-900 W. Foxwood Dr.

Qdoba Mexican Eats Store-1931 W. Foxwood Dr.

Sam's Club-141 N. Dean Ave.

The Pit Grill & Bar-1242-46 W. Foxwood Dr.

Walgreen's-1214 W. Foxwood Dr.

Walmart-2015 W. Foxwood Dr.

These businesses have met City Code requirements and approval by a majority of the City Council is required. Approval to obtain a license from the City of Raymore is contingent on approval of the liquor license from the State of Missouri. Representatives of the businesses are in attendance should Council have questions. As outlined in City Code section 600.090(C), any person providing testimony pertaining to the liquor license applications will be sworn to tell the truth by the City Clerk and such testimony will be entered into the record.

Mayor Turnbow opened the floor for public comment and hearing none, closed the public hearing at 7:37 p.m.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the renewal of the liquor licenses submitted for the 2018-2019 license year.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye

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

B. Liquor License Application -J L Huang, LLC dba/China Star (public hearing)

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

City Clerk Jeanie Woerner stated Jin Le Huang, owner of J L Huang dba China Star located at 1918 W. Foxwood Dr., has filed a new application for the remaining portion of the 2017-2018 liquor license year. The applicant has submitted the necessary application and supporting documents as required by City Code. If approved by the City Council, further approval to obtain a license from the City of Raymore is subject to State licensing. The applicant is in attendance should Council have questions. In accordance with City Code Section 600.090(C) any person providing testimony pertaining to the liquor license application will be sworn to tell the truth by the City Clerk and such testimony will be entered into the record.

Mayor Turnbow opened the floor for public comments and hearing none, closed the public hearing at 7:39 p.m.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the liquor license for China Star.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye

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

C. <u>Bush Industrial Park Easement Vacation</u> (public hearing)

BILL 3361: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI VACATING A TWENTY-FOOT DRIVEWAY EASEMENT, BEING PART OF LOT 3 AND TRACT A OF WINDSOR COMMONS, ALSO BEING PART OF LOT A, REPLAT OF TRACT 4 OF BUSH INDUSTRIAL PARK, ALL IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Jeanie Woerner conducted the first reading of Bill 3361 by title only.

Mayor Turnbow opened the public hearing at 7:40 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. Jenny Winkler, representing Winkler-Llosa Development, LLC, owner of 1.8 acres described as Lot A of Tract 4 of Bush Industrial Park, is requesting to vacate an unused twenty-foot (20') driveway easement that exists between Lot A and Tract A and Lot 3 in Windsor Commons. He asked for the notice of publication in *The Raymore Journal*, notices sent to adjoining property owners, the application, Unified Development Code, the Growth Management Plan, and staff report be entered into the record. This vacation will allow Brightside Daycare to build an additional facility immediate adjacent and to the west of the current facility at 861 E. Walnut St. No objections were heard from the adjoining property owners. He answered general questions of Council.

Mayor Turnbow opened the floor for public comments and hearing none, closed the public hearing at 7:43 p.m.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the first reading of Bill 3361 by title only.

DISCUSSION: None

VOTE:

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

D. <u>27th Amendment to the Unified Development Code</u> (public hearing)

BILL 3330: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING SECTION 405.020(H), SECTION 420.050(E) AND SECTION 485.010 OF THE UNIFIED DEVELOPMENT CODE OF THE RAYMORE CITY CODE."

City Clerk Jeanie Woerner conducted the first reading of Bill 3330 by title only.

Mayor Turnbow opened the public hearing at 7:44 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. The Planning and Zoning Commission proposes the 27th amendment to the Unified Development Code (UDC) to allow accessory dwelling units in certain residential zoning districts and establishing design standards for the units. He asked for the notice of publication in *The Raymore Journal*, Unified Development Code, the Growth Management Plan, and staff report be entered into the record. At the January 8, 2018 Council meeting, this item was deferred to the February 5, 2018 work session for further discussion. At that work session, the amendments to the UDC were re-submitted to the Planning and Zoning Commission for consideration. At the Planning and Zoning Commission meeting held on March 20, 2018, a recommendation was provided for the UDC be amended to; establish definitions of attached and detached accessory dwelling units; establish in which zoning districts accessory dwelling units would be allowed; and establish design guidelines regarding future construction of accessory dwelling units. These amendments have been incorporated within Bill 3330. He answered general questions of Council.

Mayor Turnbow opened the floor for public comments and hearing none, closed the public hearing at 7:48 p.m.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the first reading of Bill 3330 by title only.

DISCUSSION: Councilmembers Holman, Abdelgawad, and Burke thanked the Planning and Zoning Commission and staff for bringing this amendment forward for consideration.

VOTE: Councilmember Abdelgawad Aye

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

E. 2018 Sidewalk Project (public hearing)

RESOLUTION 18-26: "A RESOLUTION OF THE RAYMORE CITY COUNCIL APPROVING DESIGN CONCEPTS FOR THE 2018 SIDEWALK PROJECT."

City Clerk Jeanie Woerner conducted the reading of Resolution 18-26 by title only.

Mayor Turnbow opened the public hearing at 7:52 p.m. and asked for a staff report.

Assistant Public Works Director Greg Rokos provided a review of the staff report included in the Council packet. At its meeting on November 12, 2013, the City Council approved

Resolution 13-71 which defined the 2014-2018 and beyond Sidewalk Program. Sidewalk segments for this year's program are:

N. Park Dr. Walnut to Maple W. Maple St. N. Park to S. Woodson Park Court-Olive to Memorial Park entrance

The City notified homeowners regarding this project and the placement of sidewalks on their property and met with residents on site. The notification invited residents to attend tonight's public hearing. He answered general questions from Council.

Mayor Turnbow opened the floor for public comments and hearing none, closed the public hearing at 7:55 p.m.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the reading of Resolution 18-26 by title only.

DISCUSSION: Councilmember Abdelgawad noted there were fewer sidewalk segments based on prior year's programs.

Public Works Director Mike Krass stated they had concerns with rising construction costs. This year's program is based on staff's engineering estimates.

VOTE: Councilmember Abdelgawad Aye

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

F. <u>Award of Contract - Audio/Visual System Raymore Activity Center</u> (emergency reading)

BILL 3360: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KANSAS CITY AUDIO-VISUAL FOR THE PURCHASE AND INSTALLATION OF AN AUDIO/VISUAL SYSTEM FOR THE RAYMORE ACTIVITY CENTER IN THE AMOUNT OF \$17,771.95 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS AND DECLARING THIS BILL AS AN EMERGENCY."

City Clerk Jeanie Woerner conducted the first reading of Bill 3360 by title only.

IT Systems Manager Jim Mayberry provided a review of the staff report included in the Council packet. Staff is recommending that the City Council award the contract to Kansas

City Audio-Visual for purchase and installation of the audio/video system for the Raymore Activity Center. Due to the construction schedule of the building, staff has requested an emergency reading of this Bill. He answered general questions of Council.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the first reading of Bill 3360 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 Absent
Councilmember Townsend Aye

Mayor Turnbow declared Bill 3360 as an emergency and called for the second reading in its entirety. City Clerk Jeanie Woerner conducted the second reading of Bill 3360 in its entirety.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the second reading of Bill 3360 in its entirety.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye

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

Mayor Turnbow announced the motion carried and declared Bill 3360 as **Raymore City Ordinance 2018-039.**

G. Award of Contract - City Hall Front Entry Modifications - Design

BILL 3363: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HTK ARCHITECTS FOR THE CITY HALL FRONT ENTRY MODIFICATIONS DESIGN PROJECT, CITY PROJECT NUMBER 18-264-301, IN THE AMOUNT OF \$23,929 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the first reading of Bill 3363 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. This contract involves design services for the City Hall front entry and lobby modifications in an effort to provide updates, address leaking areas and redesign the customer service windows. Staff recommends award of the project to HTK Architects. He answered general questions of Council.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the first reading of Bill 3363 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 Absent
Councilmember Townsend Aye

H. Cellular Site Lease Agreement

BILL 3362: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH SELECTIVE SITE DEVELOPMENT, INC., A KANSAS CORPORATION FOR THE PROPERTY LOCATED AT 105 E. ELM STREET, RAYMORE, MISSOURI."

City Clerk Jeanie Woerner conducted the first reading of Bill 3362 by title only.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. This agreement calls for the demolition of the existing Elm Street water tower and reservoir and the installation of a cellular communications tower. The existing water tower has been out of service since 2004 and currently has T-Mobile and MARC 911 equipment located on it. Comments from surrounding property owners were heard during a good neighbor meeting have been incorporated into the agreement. The new tower will be constructed as a monopole tower. He answered general questions from Council.

MOTION: By Councilmember Barber, second by Councilmember Holman to approve the first reading of Bill 3362 by title only.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Ave

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

MOTION: By Councilmember Barber, second by Councilmember Holman to recess the regular City Council meeting and conduct the business meeting of the Raymore Community Foundation at 8:09 p.m.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye

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

Meeting of the Raymore Community Foundation Board

1. Call to Order.

Director Turnbow called the meeting to order at 8:10 p.m.

2. Roll Call.

Directors in attendance: Sonja Abdelgawad, Kevin Barber, John Berendzen, Joseph Burke, III, Tom Circo, Jay Holman, Reginald Townsend and Kristofer Turnbow. Director Kevin Kellogg absent.

3. Approval of minutes.

A. January 8, 2018 meeting minutes

MOTION: By Director Barber, second by Director Holman to approve the minutes of January 8, 2018.

DISCUSSION: None

VOTE: Director Abdelgawad Aye

Director Barber Aye
Director Berendzen Aye
Director Burke, III Aye
Director Circo Aye
Director Holman Aye

Director Kellogg Absent
Director Townsend Aye
Director Turnbow Aye

4. New Business

A. Resolution 18-06 Adopting a Confidentiality and Conflict of Interest Policy

City Attorney Jonathan Zerr stated as part of the Raymore Community Foundation's IRS tax exempt status application, the Board of Directors is required to adopt a confidentiality and conflict of interest policy. Resolution 18-06 proposes the adoption of the policy. He answered general questions from the Board. He noted a correction to Section (B)(7) of the policy, which should read "this policy" and not "these bylaws".

MOTION: By Director Barber, second by Director Holman to approve Resolution 18-06 with the amended language in paragraph (B)(7) of the policy.

DISCUSSION: None

VOTE: Director Abdelgawad Aye

Director Barber Aye Director Berendzen Aye Director Burke, III Aye Director Circo Aye Director Holman Ave Director Kelloga Absent Director Townsend Aye Director Turnbow Aye

5. Adjourn.

MOTION: By Director Barber, second by Director Holman to adjourn the meeting of the Raymore Community Foundation.

DISCUSSION: None

VOTE: Director Abdelgawad Aye

Director Barber Aye Director Berendzen Aye Director Burke, III Aye Director Circo Aye Director Holman Aye Director Kelloga Absent Director Townsend Aye **Director Turnbow** Aye

The meeting of the Board of Directors for Raymore Community Foundation adjourned at 8:16 p.m.

MOTION: By Councilmember Barber, second by Councilmember Holman to reconvene the regular meeting of the City Council.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye

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

The regular meeting of the City Council reconvened at 8:17 p.m.

11. Public Comments.

12. Mayor/Council Communication.

Mayor Turnbow and Councilmembers recognized recipients of the proclamations, members of the Police Department and bicycle patrol officers.

Councilmember Burke thanked the Planning and Zoning Commission and staff for their work on the 27th amendment to the UDC.

Councilmember Abdelgawad encouraged citizens and residents to voice appreciation to members of the Police Department.

Mayor Turnbow provided information on a recent tour of Raymore and other Cass County cities provided to government members from the country of Nepal.

MOTION: By Councilmember Barber, second by Councilmember Holman to adjourn to Executive Session to discuss litigation and land acquisition matters as authorized by §610.021 (1) and (2).

ROLL CALL VOTE: Councilmember Abdelgawad Aye

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

The regular meeting of the Raymore City Council adjourned to Executive Session at 8:26 p.m.

13. Adjournment.

MOTION: By Councilmember Burke, second by Councilmember Barber to adjourn.

VOTE: Councilmember Abdelgawad Aye

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

The regular meeting of the Raymore Council adjourned at 9:11 p.m.

Respectfully submitted,

Jeanie Woerner City Clerk