

CITY COUNCIL MEETING OF SEPTEMBER 10, 2018

A meeting of the Warrensburg City Council was held on September 10, 2018, at approximately 7:00 p.m., at the Municipal Center, 200 S. Holden, with Mayor Danielle Johnston presiding. Roll was called as follows: Present were: Jacobs, Lund, Watts, Allen, Johnston. Absent: none.

Minutes of the August 27, 2018, meeting were considered. Allen moved to approve the minutes of the August 27, 2018, City Council meeting. Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none.

The adoption of the agenda was considered. Lund moved to approve the agenda. Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none.

Mayor Johnston read a Proclamation Recognizing Constitution Week September 18 through September 24, 2018, in Warrensburg. The Proclamation was accepted by several members of the Daughters of the American Revolution.

Bill No. 9-1-18 being for an Ordinance Amending Section 24-39.1, Sewer Service and Volume Charges, of the Code of Ordinances of the City of Warrensburg was read for the second time by title. Finance Director Matthew Lue said this is the ordinance that was discussed last month for customers outside the City limits. He said they will be charged an average (800 cubic feet) unless the customer reports their usage to City staff. Allen moved to approve the ordinance. Roll was called for the adoption or rejection of said bill as follows: Yes: Jacobs, Lund, Watts, Allen, Johnston. No: None. Absent: none. Said bill was declared duly adopted and given Ordinance No. 5464.

Bill No. 9-2-18 being for an Ordinance Amending Article VI of Chapter 23 Concerning Parades, Processions and Festivals of the Code of Ordinances of the City of Warrensburg was read for the first time by title. Police Chief Rich Lockhart said there have been discussions of carrying liability insurance for special events, such as parades and festivals. He said the times of street closures has also been added. Jacobs moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time. Roll was called for the adoption or rejection of said bill as follows: Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Absent: none. Said bill was declared duly adopted and given Ordinance No. 5465.

Bill No. 9-3-18 being for an Ordinance Suspending the Provisions of Section 3-14 for Certain Special Events September 28 and 29, 2018, Pursuant to Section 3-14(b) of the Code of Ordinances was read for the first time by title. Lockhart said this is a suspension of open container ordinance for Burg Fest for a beer garden. He said the beer garden will be in the parking lot of the Johnson County Justice Center, 101 S. Market Street, and on Maynard Street between West Market and West Gay Streets. Lund moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time. Roll was called for the adoption or rejection of said bill as follows: Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Said bill was declared duly adopted and given Ordinance No. 5466.

Bill No 9-4-18 being for an Ordinance Amending Ordinance 5365 Concerning the Adopted FY18 Annual Budget or the General Fund was read for the first time by title. Lockhart said there was not any money allocated this year for police cars. He said the department has had trouble with several vehicles and a lot of money has been spent on the repairs. Lockhart said the demand

on these vehicle is much more than normal vehicle use. He also learned these vehicles are going to need new transmissions soon.

Lockhart said the Missouri Highway Patrol has a program in which they sell their used vehicles with around 50,000 miles. He said these are mainly highway miles, and he believes these vehicles are in good shape and can be purchase for a reasonable amount. Lund moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time. Roll was called for the adoption or rejection of said bill as follows: Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Said bill was declared duly adopted and given Ordinance No. 5467.

Bill No. 9-5-18 being for an Ordinance Approving and Accepting the Broadview Addition Replat of Lots 11 & 12, Block 10, A Subdivision in the City of Warrensburg, Missouri, Located at 409 and 411 South 8th Street was read for the first time by title. Community Development Director Barbara Carroll said this is a replat of two lots. She said this moves the lot line between the two lots to the south from the original lot line. Watts moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time. Roll was called for the adoption or rejection of said bill as follows: Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Said bill was declared duly adopted and given Ordinance No. 5468.

Bill No. 9-6-18 being for an Ordinance Approving and Accepting the Final Plat of Cayhill, Lots 158 thru 187 and Tract O, a Subdivision in the City of Warrensburg, Missouri, Located on the North Side of Veterans Road was read for the first time by title. Carroll said this is the 4th phase of Cayhill Subdivision. Carroll said this includes 30 single family homes in one tract, Tract O, which is located on the north side of the project near the north central area. She said this is the first plat since the preliminary plat which was approved in 2006. Carroll said the City was contacted by the Homeowners Association, and they objected to comment Number 4 on the plat which would grant them ownership. She said the developer, Baldrich, LLC, will continue to own that property. Carroll said City staff would like to make an amendment to the ordinance and add Number 7 which will refer to the ownership continuing to be Baldrich, LLC. Lund moved to amend said bill. Carried unanimously. Allen moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time. Roll was called for the adoption or rejection of said bill as follows: Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Said bill was declared duly adopted and given Ordinance No. 5469.

Bill No. 9-7-18 being for an Ordinance Section 24-41, Sewer Charges, Commercial Usage of the Code of Ordinances of the City of Warrensburg was read for the first time by title. Lue said this proposed ordinance is similar to the previous ordinance on the agenda, but is for commercial users. Watts moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time. Roll was called for the adoption or rejection of said bill as follows: Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Said bill was declared duly adopted and given Ordinance No. 5470.

Under Other Business was Discussion of the Trap, Neuter and Release (TNR) Proposal. Megan Geiger gave a PowerPoint presentation explaining the benefits of this proposal. Geiger said TNR provides humane population control and less suffering and death. She said this program can help with the shelter population and allows more time and space for adoptable cats. Geiger said those who work with animals know what some kittens often endure. She said this plan is to prevent cats from suffering and is intended to promote positive changes.

Geiger described the current process and said nothing is done unless a nuisance call is placed. She said the complaint is taken and there is no further action. She said cats are currently at risk when allowed to roam outside unattended. Geiger said the TNR Program also helps with microchipping and can help place friendly cats in homes. She said this eliminates fighting and when the cats are returned no new cats will locate.

Geiger provided sample ordinances that have been used in other cities. She said these ordinances do not allow feral cats. She said City's larger and smaller than Warrensburg are participating. She also described Washington D.C.'s "Pilot Program" and its success in a short period of time.

Geiger discussed the various grant programs available for those using the TNR Program. She said Sedalia does their fundraising separately by their volunteers, and the TNR is run separately. Geiger mentioned the TNR success stories throughout the different areas of the United States. She said the population is reduced, and the cats are socialized and protected. Council member Watts asked how the grants are administered. Geiger said they are for those using TNR and she believes the state has dates available for applications in January and February of each year.

Michelle Amos said she has taken four cats to be fixed out of town. She said that was not convenient, and this would be a good solution. Janis Russell said she moved here from Florida, and she has lived in a community where this process worked. Russell said there will be a lot of volunteers who will be able to help. Sarah Bailey said she has taken feral cats and she doesn't mind, but she knows it is a problem because of all the cats dropped off. Bailey said this program sounds good and offered to help with writing the grants.

Council member Jacobs said he believes the current ordinances need to be changed to allow this program. Chairman Pro Tem Lund said there are different ways of drafting the ordinance, and the decision should be which will be best for Warrensburg. Council member Watts said he has talked to some people for and others against this TNR program. He said if the cats are returned, he has no way of knowing if the program works. Lund said he has heard it deters other cats.

There was further discussion of the TNR Program, and City Counselor Doug Harris suggested the City identify the process and develop several ordinances and determine who will monitor the enforcement. Harris said how rigorously the ordinance is regulated and how much involvement the City will have in the whole process will need to be considered. He said this will also mean a budgetary commitment. Mayor Johnston asked Harris if he could work on the model ordinance, and Harris said he could, but he had not seen the latest information. Stewart said he obtained information about this program in several communities in the state, and he does believe making this program will require additional revenue to enforce. If Harris is able to obtain all needed information concerning the TNR Programs, this will be discussed again at the Monday, October 8, 2018, meeting.

In Other Business was a Resolution of the City Council of Warrensburg, Missouri, Establishing a Schedule of Fees for the Fire Service and Establishing Policies for the Implementation of the Fee Schedule was read for the first time by title. Fire Chief Jim Kushner said this resolution has been cleaned-up since it was adopted during the time the City took on the ambulance service. He said it eliminates the fees previously charged and updates information concerning state statutes. Jacobs moved to approve the Resolution. Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Carried unanimously and given Resolution No. 2169.

Mayor Johnston read a Resolution of the Council of the City of Warrensburg, Missouri, Setting the Fees for the Old Drum and Friends Animal Shelter as Shown on the Attached List as Exhibit "A" by title. Lockhart said the shelter fees have not been updated in years. He said this new fee schedule will begin in October. Lockhart said adoption specials will continue and the same programs will continue to be offered. Jacobs moved to approve the Resolution. Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Carried unanimously and given Resolution No. 2170.

The next item was approval of a contract with Retail Coach for Economic Development Data Analysis and Retail Recruitment Services. Stewart said City staff is recommending extending this contract for one year. He said the City has been happy with the work done by Retail Coach. Allen moved to approve the contract. Yes: Jacobs, Lund, Watts, Allen Johnston. No: none. Carried unanimously.

There was discussion of placing a lodging tax increase on the ballot when the regular Municipal Election is held in April of 2019. Tourism Director Marcy Bryant said the Warrensburg Convention and Visitor's Bureau (W.C.V.B.) will discuss this at their upcoming meeting. Council member Allen asked about cost-sharing of the election costs, and there was a brief discussion. Bryant said Warrensburg has the lower lodging tax rate in the state at 2.5 per cent. Mayor Johnston said she would like to hear the board's recommendation and Bryant will report back to the City Council. Bryant said she knows the public will need to be educated on the reason for requesting an increase and who pays the lodging tax fee.

Under Appearances Not listed on the Agenda, Jay Ravelle, a member of Warrensburg Tree Board, said the Tree Board is asking for a budget amendment. He said the board recently heard of a program through Davey Resources Company that will take current data and put the information in a format that is helpful for those on the committee. Ravelle said the cost is \$2500 for one year. He said after the year, the program will be evaluated. Lue said will be added for discussion at the next City Council meeting.

Watts moved to close pursuant to Section 610.021 of the Revised Statute of Missouri, relating to:

- 1) Legal actions, causes of action or litigation involving the City and any confidential or privileged communication between the City and its representatives and its attorneys.
- 2) Leasing, purchase or sale of real estate where public knowledge might adversely affect the amount paid in the transaction.
- 3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.
- 12) Documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected.
- 13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.

As there was no further business, the meeting was adjourned to the closed meeting.

Danielle Johnston, Mayor

Attest:

Cindy Gabel, City Clerk