

CITY COUNCIL MEETING OF APRIL 14, 2014

A meeting of the Warrensburg City Council was held on April 14, 2014, at 7:00 p.m., at the Municipal Center, 200 S. Holden, with Mayor Charlie Rutt presiding. Roll was called as follows: Present were: Dyer, Brock, DeFrain, Butterfield, Rutt. Absent: none.

Minutes of the March 24, 2014, City Council meeting were considered. Dyer moved to approve the minutes of the March 24, 2014, City Council meeting. Yes: Dyer, Brock, DeFrain, Butterfield, Rutt. Absent: none. No: none. Minutes of the April 2, 2014, City Council meeting were considered. Brock moved to approve the minutes of the April 2, 2014. Yes: Brock, DeFrain, Butterfield, Rutt. Abstained: Dyer. No: none.

In the City Manager's report, City Manager Paula Hertwig Hopkins thanked Dr. Curt Dyer and Don Butterfield for their service on the City Council and said they have been a pleasure to work for the past three years. She said the Comprehensive Sewer Rate Study will be discussed during the May meeting, and the Budget Retreat is set for May 1, 2014. Hertwig Hopkins said several projects are underway and will be discussed at a later date. She said the appraisers for the Hawthorne property will be making a presentation at the April 28, 2014, City Council meeting.

In the Director of Finance Report, Finance Director Kelvin Shaw said City staff is working on putting the budget retreat together. He said he has been working with the Warrensburg Convention and Visitors' Bureau on their tax exempt status, and they have decided on a 501C-6 tax exemption designation. Shaw said City Counselor Doug Harris has prepared the necessary amendments.

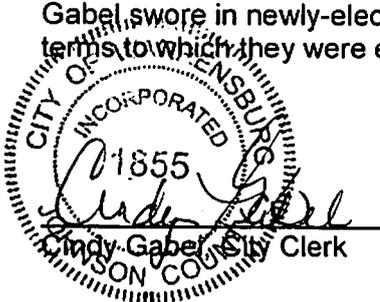
The adoption of the agenda was considered. Brock moved to adopt the agenda. Yes: Dyer, Brock, DeFrain, Butterfield, Rutt. No: none.

Bill No. 4-2-14 being for an Ordinance Declaring the Election of Two Council Members for a Three-Year Term at the General Election Held on Tuesday, April 8, 2014, was read for the first time by title. City Clerk Cindy Gabel said four candidates filed for the two available positions on the City Council. She said Casey Renfrow and Robin Allen were the two successful candidates. DeFrain moved said bill be passed to second reading by title. Carried unanimously. Roll was called for the adoption or rejection of said bill as follows: Yes: Dyer, Brock, DeFrain, Butterfield, Rutt. No: none. Said bill was declared duly adopted and given Ordinance No. 4937.

Under Presentations, Gabel presented a desk plaque to outgoing City Council members Curt Dyer and Don Butterfield and thanked them for their years of service.

As there was no further business, the Council Sine and Die.

Gabel swore in newly-elected Council Members Casey Renfrow and Robin Allen for three-year terms to which they were elected on April 8, 2014.



Charlie Rutt, Mayor

Mayor Rutt called the meeting to order. Roll was called as follows: Present were: Allen, Brock, DeFrain, Renfrow, Rutt. Absent: none.

The adoption of the new agenda was considered. Brock moved to accept the agenda. Yes: Allen, Brock, DeFrain, Renfrow, Rutt. No: none.

Under new business Mayor Rutt moved to nominate Donna DeFrain for Mayor. Yes: Rutt, Brock, Renfrow, Allen, DeFrain. No: none. Also under new business was the election of a Chairman Pro Tem. Allen nominated Renfrow for Chairman Pro Tem. Rutt nominated Brock for Chairman Pro Tem. Renfrow said this is a perfect opportunity for the new City Council to show the citizens of this City that it is business-friendly and trying to make this the best City and move forward with growth in mind. Roll was called as follows for the election of a Chairman Pro Tem: Rutt: Brock; Brock: Brock; Renfrow: Renfrow; Allen: Renfrow; and DeFrain: Brock. Brock will serve as Chairman Pro Tem.

Bill No. 4-3-14 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Rental Agreement with the Matthews-Crawford Post 131 was read for the first time by title. Hertwig Hopkins said to honor military families in the community, it was agreed during last year's budget process, to set aside money for a breakfast for military families to show our support. She said she has been working with Sam Yancey with the American Legion on this rental agreement, and there may be a need for an increase in the funding if there is a large turnout for this event. Rutt 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: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4938.

Bill No. 4-4-14 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Sales Tax Sharing Development Agreement with Warrensburg Chrysler, Cliff Harris Ford and Glasscock Plaza, LLC, for Storm Water Improvements was read for the first time by title. City Counselor Doug Harris said the piping system running into Glasscock Jewelry and Warrensburg Chrysler is beginning to fail, and upgrading of the storm drainage is necessary to properly drain the right-of-way and alleviate erosion. He said there have been many discussions regarding the responsibility of the discharge and how to move forward with improving the situation. Harris said a variety of solutions was discussed, and a Sales Tax Sharing Agreement seemed to be the best solution for everyone. He said the developed agreement has been prepared between the City, Cliff Harris, owner of Warrensburg Chrysler, and Barry Glasscock, owner of Glasscock Jewelry. He said from the 1-cent sales tax generated in the area, ½ cent of that money would be pledged back through the development agreement to defray the expense for the business owners for the next ten years. Public Works Director Slim Coleman said the City received an estimated cost of \$302,528.60 for this project and said the City's portion would be around \$76,000. Harris said supporting this improvement will honor two of the City's goals to enable the City to comply with its goal of encouraging existing businesses and improving the storm water flow and environmental concerns. Rutt 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: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4939.

Bill No.4-5-14 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a

Contract with BC Mowing and Tilling, LLC, for the 2014 City Mowing Program in the City of Warrensburg, Missouri, was read for the first time by title. Coleman said this service provides mowing for 23 properties. He said BC Mowing and Tilling, LLC, was the low bidder and has provided this service satisfactorily in the past. Rutt moved said bill be passed to second reading by title. Said bill was read a second time. Roll was called for the adoption or rejection of said bill as follows: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4940.

Bill No. 4-6-14 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Contract with Heartland Waste for the Spring 2014 City-Wide Bulky Waste Cleanup, in the City of Warrensburg, Missouri, was read for the first time by title. Coleman said there was only one bid in the amount of \$17,000 for this program. Brock 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: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4941.

Bill No. 4-7-14 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Contract with Heartland Waste for the Spring 2014 City-Wide Brush and Limb Cleanup, in the City of Warrensburg, Missouri. Rutt 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: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4942.

Bill No. 4-8-14 being for an Ordinance Authorizing the City Manager and City Clerk to Execute an Agreement with Ochsner Hare & Hare, LLC, for Design Services for the Community Signage and Bridge Beautification Project in the City of Warrensburg, Missouri. Carroll said this has been an ongoing project since 2003 when the City began installing wayfinding signs around the community to assist visitors to the community. She said over the years there have been discussions, and in January of last year the City and the Chamber of Commerce held a joint meeting and invited interested individuals. Carroll said \$60,000 was included in the FY14 budget for the design and installation of two entrance signs. She said a Request for Proposal (RFP) was developed, and the City received five responses to the RFP. Carroll said a selection committee was formed, and the group was impressed with Ochsner Hare & Hare, LLC. Brock moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time by title. Roll was called for the adoption or rejection of said bill as follows: Yes: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4943.

Bill No. 4-9-14 being for an Ordinance Amending Ordinance 4487, Concerning the Adopted Annual Budget for Fiscal Year 2013-2014 was read for the first time by title. Coleman said an extra \$1,000 is needed in the budget for the spring clean-up. Brock moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time by title. Roll was called for the adoption or rejection of said bill as follows: Yes: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4944.

Bill No. 4-10-14 being for an Ordinance Amending Ordinance 4487, Concerning the Adopted Annual Budget for Fiscal Year 2013-2014 was read for the first time by title. Coleman said this is for staff training to develop efficiencies within his department. He said a company called New Directions was selected for \$2,800. Brock moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time by title. Roll was called for the adoption or rejection of said bill as follows: Yes: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4945.

An Ordinance Amending Ordinance 4487, Concerning the Adopted Annual Budget for Fiscal Year 2013-2014 was read for the first time by title. Coleman said this is for \$8,500 for downtown banners because there has been a request for the banners to advertise downtown. Renfrow said he believes this is a great way to advertise, but said several weeks ago a gentleman came to a City Council meeting with options about signs at entrances which would also include civic organizations. He said he does not want to take anything away from downtown or Main Street, but he believes there needs to be a broader vision of what is being done in this town. Renfrow said the vision to attract visitors should not just be for downtown but for the entire community. After further discussion, Rutt moved said bill be passed to second reading by title. Yes: Allen, Brock, Rutt, DeFrain. No: Renfrow. Motion failed. This item will be discussed again at a future meeting.

Bill No. 4-11-14 being for an Ordinance Amending 4487, Concerning the Adopted Annual Budget for Fiscal Year 2013-2014 was read for the first time by title. Coleman said this is for the Young Street project discussed earlier for an estimated cost of \$75,000. Rutt moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time by title. Roll was called for the adoption or rejection of said bill as follows: Yes: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4946.

Bill No. 4-12-14 being for an Ordinance Amending Section 6-58 of the Code of City Ordinances Pertaining to the Ban of the Use of Lead Materials in the Public Drinking Water System and Private Plumbing Connected to the Public Drinking Water System was read for the first time by title. Carroll said this request was received from Missouri American Water Company recently. She said they were examined by the Department of Natural Resources, and this type of ordinance must be on file because they are operating in Warrensburg. Carroll said this has been on file since 1999, but the model ordinance has been changed. She said the proposed model ordinance has been reviewed by City staff, and it will have no physical impact on the existing ordinance or the community. Brock moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time by title. Roll was called for the adoption or rejection of said bill as follows: Yes: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4947.

Bill No. 4-13-14 being for an Ordinance Authorizing Change Order No. 1 and Final Payment to J.C. Myers Construction Company, and Accepting the Pine Street Building Demolition Project, in the City of Warrensburg, Missouri, was read for the first time by title. Coleman said there is a change order in this project because of the need to satisfy a requirement of the Department of Natural Resources. Rutt moved said bill be passed to second reading by title. Carried unanimously. Said bill was read a second time by title. Roll was called for the adoption or rejection of said bill as follows: Yes: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Said bill was declared duly adopted and given Ordinance No. 4948.

Under Other Business Appearances, Hertwig Hopkins said she has completed a draft of the budget retreat and would like to confirm the date, time, and place for the retreat. She said she also wanted the new City Council members to be familiar with the process. Hertwig Hopkins briefly described the process, and it was confirmed it will be held on Thursday, May 1, 2014, at 2:00 p.m. at the Municipal Center.

In his City staff report, Coleman said there has been a need for glass recycling and a recycling area in the downtown area. He said the City received a grant for \$9,000 for containers. Coleman described the changes made around the area and said he would like to stress the City is not competing with the Johnson County Sheltered Workshop and their recycling program.

Carroll gave a summary of the City's ADA Transition Plan that began in 2012. She said the Public Works Department and the Parks Department have the bulk of this work and have made great strides in this area. Carroll said the costs are figured into the budget each year, and this work will continue and she will keep everyone updated.

In his City staff report, Fire Chief Jim Kushner updated everyone on the damage after the recent storm. He said it rained heavily very quickly which caused some flooding. Kushner said there was considerable damage to the City parks and many safety concerns.

Gabel said the Warrensburg High School Class of 2014 has requested a \$1,000 contribution from the Stevenson Fund for Project Graduation. She said to approve this funding request, there must be approval by the City Council. Harris reviewed the Stevenson, Crissey, and Brown funds for the new City Council members. Brock moved to approve the contribution. Yes: Allen, Brock, Renfrow, Rutt, DeFrain. No: none. Carried unanimously.

Hertwig Hopkins said an orientation for the new City Council members will be held this Thursday.

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




Cindy Gabel, City Clerk


Donna DeFrain, Mayor

RESOLUTION NO. 2088

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WARRENSBURG,
MISSOURI, ACCEPTING THE TREE MANAGEMENT PLAN**

WHEREAS, the City of Warrensburg and the Warrensburg Parks and Recreation Board were awarded a Tree Resource Improvement and Maintenance (TRIM) Grant in 2013 for the completion of the Parks Tree Inventory and a Tree Management Plan; and

WHEREAS, the Warrensburg Parks and Recreation Board's Fiscal Year 2014 budget included funds for and the board entered into a contract for service with Davey Resource Group; and

WHEREAS, the Davey Resource Group has completed the inventory and plan and the Tree Board has reviewed both and recommends acceptance of the plan with corrections; and

WHEREAS, the Tree Management Plan discusses and makes recommendations for street trees along public streets and rights-of-way in the City of Warrensburg and park trees in the local parks; and

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
WARRENSBURG, MISSOURI, AS FOLLOWS:**

Section 1. The City Council accepts the Tree Management Plan with the following corrections noted:

- a. correct the Latin spelling of *Cercis Canadensis* on page ii
- b. Explain that RP means Routine Pruning and YTT means Young Tree Training on page iii
- c. Include the Tree Removal-Sever Risk 9 trees and Pruning-Sever Risk 1 tree on page iii in FY2014 (Year 1) on page 34
- d. On page 34, label the tabs as Year 1, Year 2, Year 3, Year 4, and Year 5 instead of by Fiscal Years.

Section 2. This resolution shall be in full force and effect from and after the date of its passage.

Passed in open session this 28th day of April, 2014.



Donna DeFrain
Donna DeFrain, Mayor

Cindy Gabel
Cindy Gabel, City Clerk