

CITY COUNCIL MEETING OF JULY 13, 2020

A meeting of the Warrensburg City Council was held on July 13, 2020, at 200 S. Holden and via Zoom, with Mayor Bryan Jacobs presiding. Roll was called as follows, Present were: Brooks, Holmberg, Lund, Kushner, Jacobs. Absent: none.

The minutes of the June 22, 2020, City Council meeting were considered. Holmberg moved to approve the minutes of the June 22, 2020, City Council meeting. Yes: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none.

The adoption of the agenda was considered. Lund moved to amend the agenda (for social distancing purposes) and move the item concerning the Parks Department to proceed the two Public Hearings. Yes: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none.

Mayor Jacobs read a Resolution of the Council of the City of Warrensburg Declaring an Intention to Withdraw from the Joint Resolution Number 2116 with the Warrensburg Park and Recreation Board. City Manager Harold Stewart said there has been an approved Resolution with the Parks Department in the past concerning services provided by the City of Warrensburg to the department. He said this includes Human Resources services, financial services, IT consulting, and project management services for Public Works projects. Stewart said the City has had issues and concerns and would like to give a one-year notice that after that time the City will no longer provide these services.

Council member Lund said the City does believe in the Parks Department and its mission and realizes how important it is to the community. He said with the City's financial commitment to the Parks, the City would like the department to follow the City's policies and not get the City in any legal trouble.

Barbara Rhodes of the Parks and Recreation Board said they were unaware the problems had risen to this level of concern until the meeting on July 1, 2020. She said City Manager Harold Stewart met with the Parks and Recreation Director, Danielle Fesler, and the former Parks Board President, Marcy Bryant. Rhodes said the Parks and Recreation Board held an emergency closed session at which time they discussed having a meeting with the Mayor and City Council members. She said since some City Council members were out of town, the meeting was delayed. Rhodes said the board shared their concerns in writing with a letter to the Mayor and City Council members.

Erica Collins, President of the Parks and Recreation Board, read the letter submitted by the Parks and Recreation Board members to the Mayor and City Council members on July 7, 2020. Collins said the board would like to request a joint meeting to discuss the City's concerns. She said they are hoping for a clear and positive solution by both parties.

Rhodes said she believes both the Parks and Recreation Board and Mayor and City Council would like to serve the community in the best possible way. She said the board would like to know what the City is trying to accomplish and would like to ask the following questions:

1. What does the City Council hope to accomplish with this Resolution?

2. What benefits are there to the City and its population by ending this cooperative agreement?
3. Where do we go from here?

Council member Lund said there have been prior discussions, but it was not clear which board members were present. Council member Lund said it is disturbing that the Parks Board is not aware of these complaints. After further discussion, Parks Board President Erica Collins said she looks forward to continuing this conversation with the City Council.

A joint meeting of the City Council and Parks and Recreation Board will be held on Wednesday, July 15, 2020, at 6:00 p.m. at the Warrensburg Community Center. Lund moved to approve the Resolution. Yes: Brooks, Lund, Kushner, Jacobs. No: Holmberg. Absent: None. Motion carried.

Mayor Jacobs opened a Public Hearing on an Ordinance Enlarging an R4: Medium-Density Multi-Family Residence District by Rezoning Land Located at 1610 E. Hale Lake Road from GB: General Business District to R4: Medium-Density Multi-Family Residence District. Community Development Director Barbara Carroll said the applicant is MFM Capital, LLC, represented by member Rachel and Jeff Terry. She said the intent is to add a road and develop twelve lots in the area that would be townhomes and four-plex's. Carroll said the applicants would like to request the zoning be changed from GB: General Business District to R4: Medium Density Multi-Family Residence District. Carroll said this request was approved by the Planning & Zoning Commission. She said there were several concerns expressed about noise that would be created, but those concerns have been resolved. As there was no further comment, the Public Hearing was closed.

Mayor Jacobs opened a Public Hearing on an Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Shooting Ranges. Carroll said there was a recent request of where privately-owned shooting ranges could be in Warrensburg. She said after checking with other communities, City staff proposed an ordinance creating a Land Use category for shooting ranges and parking requirements for the new use. Carroll said these ordinances address both firearm and archery type ranges and creates two new Land Use categories, Land Use 6.150 for indoor ranges, and 6.270 for a shooting range with an outdoor element. She said the indoor ranges would be allowed by right in GB: General Business and LI: Light Industrial Districts and as a Conditional Use Permit in the CB: Central Business District Outdoor ranges would be allowed only by Conditional Use Permit in the GB: General Business and LI: Light Industrial Districts. Carroll said the parking requirements are the same for both indoor and outdoor ranges. She said the Planning and Zoning Commission considered this at the last meeting, and recommended approval.

Mayor Jacobs said Steve Andrew from Quarry City Saving and Loan had called about his concerns about the location, and Stewart said he spoke with Steve about his concerns. As there was no further discussion, the Public Hearing was closed.

Bill No. 7-1-20 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Memorandum of Understanding with the Warrensburg R-VI School District for the School Resource Officer Program for the 2020-2021 School Year was read for the first time by title. Police Chief Rich Lockhart said this is the renewal of the annual school SRO Program. Lockhart said there is an increase in the reimbursement amount. He said it is a great program for the students and officers. 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: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5586

Bill No. 7-2-20 being for an Ordinance Enlarging an R4: Medium-Density Multi-Family Residence District by Rezoning Land Located at 1610 E. Hale Lake Road from GB: General Business District to R4: Medium-Density Multi-Family Residence District was read for the first time by title. Holmberg moved said bill be passed to second reading by title. Carried unanimously. Said bill was read second time. Roll was called for the adoption or rejection of said bill as follows: Yes: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5587.

Bill No. 7-3-20 being for an Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Shooting Ranges was read for the first time by title. 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: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5588.

Bill No. 7-4-20 being for an Ordinance Amending Section 14-119, Discharge of Firearms and Projectile Weapons Prohibited, of the Code of Ordinances of the City of Warrensburg, Missouri, was read for the first time by title. Stewart said this ordinance clarifies where a weapon can be discharged. He said the firearm must be inside a licensed area. Kushner 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: Brooks, Jacobs, Holmberg, Kushner, Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5589.

Bill No. 7-5-20 being for an Ordinance Enacting Section 22-80, Additional Requirements, Shooting and Archery Ranges of the Code of Ordinances of the City of Warrensburg, Missouri, was read for the first time by title. Stewart said this is for the business licensing portion. He said safety issues were considered including the design that would need to be certified by City staff. He said noise was also considered to ensure there would be no noise problems. Holmberg 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: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5590.

Bill No. 7-6-20 being for an Ordinance Authorizing the City Manager to Enter Into a Sewer Extension Reimbursement Agreement with 906 Property, LLC (Culver's—906 North Simpson Drive) in the City of Warrensburg, Missouri, was read for the first time by title. Assistant City Manager Danielle Dulin said in October of 2019, the City Council approved an ordinance allowing for sewer extension reimbursement agreements. She said these agreements provide a mechanism for developers to recover a portion of their costs to extend the sewer main by subsequent developers utilizing the improvement. Dulin said 906 Property, LLC, extended an 8-inch sewer main over 1000 feet to connect the Culver's building at 906 North Simpson Drive to the sanitary sewer system. She said the cost for this agreement was \$181,986. Dulin said the developer would like to participate in the reimbursement program to recuperate costs from future subsequent developers making connections to the new main. Dulin said the reimbursement would be approximately \$135,000. She said this fee is in addition to other connection fees. Dulin said the City will retain a 10 percent administrative fee. 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: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said will was declared duly adopted and given Ordinance No. 5591.

Bill No. 7-7-20 being for an Ordinance Changing the Name of Rhiannon Street to Allison Avenue in the City of Warrensburg, Missouri, was read for the first time by title. Dulin said the City received an application to subdivide the property currently addressed as 715 Spring Ridge Road into three single-family lots. She said the property is located at the Southeast corner of Rhiannon Street and Spring Ridge Road. Dulin said in addition, the property owner asked to change the name of the street from Rhiannon Street to Allison Avenue. Dulin said there is currently no formal process for changing the name of a street. She said there have been several instances where the City had changed street names. Dulin said the Police, Fire, and Community Development departments have reviewed this information and no one has any concerns about the proposed street name change. 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: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5592.

Bill No. 7-8-20 being for an Ordinance of the City of Warrensburg Modifying the Declaration of Emergency of the City Manager Dated May 29, 2020, Modifying Regulations Adopted Thereunder was read for the first time by title. Finance Director Marcella McCoy said because of COVID, businesses were allowed an additional 60 days after the expiration date of the Emergency Order. She said the Emergency Order has been extended to December 30, 2020. McCoy said the City would like to recognize this revenue during this fiscal year, and therefore, are requesting the date be changed to the end of September. She said a follow-up letter will be sent to those businesses that have not renewed. Kushner 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: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5593.

In Other Business was Council discussion of the Budget. Council member Lund said this is a continuation of discussions after the City Council Retreat. He said the annual contractual agreements total \$169,245. Council member Lund said at the retreat it was agreed to cut a minimum of 25 percent of these agreement amounts requested. He said after discussions with Chairman Pro Tem Scott Holmberg, they were able to find \$45,000 in savings. Holmberg said additionally, \$4,000 from the Historic Preservation Commission will be removed and included under the City Council's budget. Finance Director Marcella McCoy noted that the Historic Preservation Commission's request will be reorganized like other boards and commission funding requests. She further explained the other boards and commissions will be under the City Council budget expenditures.

Council member Lund and Chairman Pro Tem Holmberg would like to recommend the following cuts:

Big Brothers Big Sisters	\$ 5,000
Burg Fest	\$ 5,000 (FY20-21-not included in total)
Depot Renovation	\$ 5,000
J.C.E.D.C.	\$18,000
Main Street	<u>\$13,000</u>
Total	\$41,000

Council member Lund noted that the community partners were notified of possible funding cuts.

Stewart said the CARES Act Funding was approved for the amount the City requested. He said there will be two more phases of the money available. Stewart said he is hoping some of the money can be carried over until next year. He said in the future some tough decisions are going to need to be made to balance the budget.

There was discussion of contributions and important investments in the community. Council member Kushner expressed the need to look at needed improvements in other areas in Warrensburg. Council member Kushner pointed to improving the appearance and retail businesses in the southern section of the City. He said possibly Main Street could help with new ideas from prior expenses.

In Other Business was Discussion of Mayoral Appointments, and Mayor Jacobs said he would like to make the following recommendations:

Jim Kushner, City Council Representative; Traffic Commission
Sarah Chamberlain; Arts Commission
Suzy Latare, Reappointment; Diversity and Inclusion Commission
Beth Rutt, Reappointment; Energy and Sustainability Task Force

Lund moved to approve. Yes: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Carried unanimously. Additional appointments will be discussed at a future meeting.

In the City Manager's Report, Stewart said there will not be a City Council meeting on July 27, 2020, because he will be out of the office. He said for the City to receive the funding from the CARES Act, the City Council will need to approve an ordinance for the funding. Stewart said he will have this information available at the Joint meeting with the City Council and Parks Board on Wednesday, July 15, 2020.

Lund moved to close pursuant to Section 610.021 of the Revised Statutes 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 relate 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.

Yes: Brooks, Jacobs, Holmberg, Kushner, Lund. No: none. Carried unanimously.

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

Bryan Jacobs, Mayor

Attest:

Cindy Gabel, City Clerk

SPECIAL CITY COUNCIL MEETING OF JULY 15, 2020

A special meeting of the Warrensburg City Council and was held on July 15, 2020, at the Community Recreation Center, at 445 E. Gay, in Multipurpose Rooms A, B, and C with Mayor Bryan Jacobs presiding. Roll was called as follows, Present were: Brooks, Holmberg, Lund, Kushner, Jacobs. Absent: none.

The adoption of the agenda was considered. Holmberg moved to approve the agenda. Yes: Brooks, Holmberg, Lund, Kushner, Jacobs. No: None. Carried unanimously.

Bill No. 7-9-20 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Contract with the County of Johnson for CARES Act Funding was read for the first time by title. City Manager Harold Stewart said the City has applied for reimbursements from Johnson County through the CARES ACT because of the COVID Pandemic. He said to receive the funding, there must be an agreement between the City and the County. Stewart said the City is recommending approval of this request to receive funding. 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: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5594.

Jacobs moved to close part of this meeting pursuant to Section 610.021 of the Revised Statutes 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.
- (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.

Yes: Brooks, Holmberg, Lund, Kushner, Jacobs. No: None.

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

Bryan Jacobs, Mayor

Attest:

Cindy Gabel, City Clerk