

## CITY COUNCIL MEETING OF AUGUST 10, 2020

A meeting of the Warrensburg City Council was held on August 10, 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 July 13, 2020, and July 15, 2020, City Council meetings were considered. Lund moved to approve the minutes of the July 13, 2020, and July 15, 2020, City Council meetings. Yes: Brooks, Holmberg, Lund, Kushner, Jacobs. No: none.

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

Under Presentations, Amanda Bagwell, HDR, gave a presentation concerning the Fiscal Year 2021 Sewer Rates. Bagwell reviewed sewer rates in the past and made recommendations for the rate schedule in 2021.

Bagwell said in 2016, the City adopted a five-year plan and in 2019 some modifications to the plan were made. Bagwell said the fixed charged topped-out at \$11.50; however, in 2019 due to concerns about lower consumption amounts, the fixed rate was raised to \$13.00. She said an increase to the rate of an additional \$6.03 is recommended for residential users, and an increase of approximately \$.41 for an additional \$5.29 for commercial users.

Bagwell said there have been several goals set, and one goal was to start funding depreciation. She said this would be helpful for future capital projects, and it is best to implement if done slowly. Bagwell said this also helps with building reserves.

Bagwell said HDR looked at revenues collected and billed and said the City is on target with the number of bills. She said consumption was less than projected which means less was collected. Bagwell said this means \$160,000 less than the projected revenue was collected. She said COVID concerns and restrictions would also reduce consumption. Bagwell said revenues are around \$4.9 million for 2020 with a projected revenue in 2021 of over \$5 million.

Bagwell said in expenditures, there is about a 3 percent increase for 2020 with a total of around \$5.9 million for 2021. She said Operation and Expenses are around \$3.3 million with capital improvements and debt service on top of that figure. Bagwell said with funding depreciation, the totals would be \$7.3 million dollars annually.

Bagwell said when doing a Revenue Requirement Analysis, the annual deficient balance would be around (\$-980,000) in 2020, but there would still be a healthy cash fund balance. She said the net cash balance would be (\$-2,175,000) for 2020 and a deficit of (-\$854,900) in 2021. Bagwell said with funding depreciation, the totals would be around \$1.19 million in 2020 and \$339,000 in 2021.

Bagwell said the overall the recommendation is to continue with the rate schedule already adopted. She said the City should look at rates again and to continue to monitor consumptions, fund depreciation and look at capacity expansion.

Mayor Jacobs opened a Public Hearing on an Ordinance Approving a Conditional Use Permit for Land Use 9.400 Motor Vehicle Related Sales and Service Operation Motor Vehicle Painting and Body Work in a GB: General Business District Located at 812 E. Young Street in the City of Warrensburg, Missouri. Community Development Director Barbara Carroll said the applicants have purchased this property with the intent to move their business to 812 E. Young Street. She said there are no plans to make changes to the building, but a Conditional Use Permit is required for a body shop within the business district. Carroll said at last weeks Planning and Zoning Commission meeting, approval was recommended with the condition that City staff be allowed to approve the final site plan. She said no further changes to the plan are anticipated. Carroll said City staff has not received any additional concerns. As there was no further comment, the Public Hearing was closed.

Mayor Jacobs read an Ordinance Authorizing the City Manager and City Clerk to Execute an Agreement with Kansas City Power & Light Company to Participate in the Renewables Direct Program was read for the first time by title. Chairman Pro Tem Scott Holmberg said Phil Miller has been an advocate for clean energy, and the task force has looked at energy costs and costs of infrastructure. Holmberg said he believes this could save the City around \$17,000, and the task force recommends enrolling into a 5-year agreement.

Bill No. 8-1-20 being for an Ordinance Approving a Conditional Use Permit for Land Use 9.400 Motor Vehicle-Related Sales and Service Operation Motor Vehicle Painting and Body Work in a GB: General Business District Located at 812 E. Young Street in the City of Warrensburg, Missouri, 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. 5595.

Bill No. 8-2-20 being for an Ordinance Approving and Accepting the Minor Plat of Stella Rae Addition-Lots 1 thru 3, a Subdivision in the City of Warrensburg, Missouri, Located at 630 & 632 Allison Avenue and 715 Spring Ridge Road was read for the first time by title. Carroll said this request has come from Mike Rich of Rich Rentals. She said this property was recently located at Rhiannon Street, but this property name was changed at the last City Council meeting to Allison Avenue. Carroll said the plat has been revised and corrected with two additional requirements added. Holmberg moved to amend the agenda. Yes: Holmberg, Lund, Kushner, Jacobs. No: none. Absent: Brooks. Holmberg moved said bill be based 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: Holmberg, Lund, Kushner, Jacobs. No: none. Absent: Brooks. Said bill was declared duly adopted and given Ordinance No, 5596.

Bill No. 8-3-20 being for an Ordinance Authorizing Execution of a Letter Agreement with the National Railroad Passenger Corporation Regarding the Lease Between the Parties was read for the first time by title. City Manager Harold Stewart said he has spoken with Amtrak employees about remodeling at the Depot. He said the City will be reimbursed for some of the costs. 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: Holmberg, Lund, Kushner, Jacobs. No: none. Absent: Brooks. Said bill was declared duly adopted and given Ordinance No. 5597.

Bill No. 8-4-20 being for an Ordinance Adopting Section 2-1 To Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests of Certain Municipal Officials was read for the first time by title. City Clerk City Gabel said the Ethics Commission requires

the City to file a procedure to disclose possible conflicts of interest every two years. She said this was last filed two years ago and no changes have been filed since 2018. 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: Holmberg, Lund, Kushner, Jacobs. No: none. Absent: Brooks. Said bill was declared duly adopted and given Ordinance No. 5598.

In Other Business, was Discussion of the 2020 Midwest Pool Management Contract. Parks and Recreation Director Danielle Fesler said Midwest Pool Management is contracted to help with the indoor pool at the Community Center and Nassif pool. She said in March the indoor pool was closed due to COVID concerns. Fesler said the closure meant changes to the services provided by Midwest Pool Management. She said there will be some savings because of these changes. Fesler said discussions of the pool are on-going, and they are monitoring the attendance. Lund moved to approve the contract. Yes: Holmberg, Lund, Kushner, Jacobs. No: none. Absent: Brooks. Carried unanimously.

In Other Business was Discussion of a Preliminary Plat at the Pines at Hale Lake. Carroll said this item was on last month's agenda as a request for rezoning. She said this property was rezoned from GB District to R4 District. Carroll said a configuration of townhomes and 4-plexes are still in the planning stage. Carroll said a voice vote can approve this preliminary plat. Kushner moved to approve. Yes: Holmberg, Lund, Kushner, Jacobs. No: none. Absent: Brooks. Carried unanimously.

In Other Business was Discussion of City Commissions and Boards Residency Requirements. Stewart said the Diversity and Inclusion Commission and Energy and Sustainability Task Force have requested residency requirement changes for some board members. City Counselor Doug Harris said it is important to remember that boards created by state statute cannot be changed. Council member Lund suggested the boards created by the City allow members in the City of Warrensburg 64093 zip code. Lund also said allowing business owners outside the City limits should be considered if within the 64093-zip code. Harris will amend these ordinances for consideration at the next City Council meeting.

Marcella McCoy, Finance Director, gave a PowerPoint of the Fiscal Year 2020-2021 Proposed Budget. She said the Parks Fund Budget and Visitor's Fund Budgets are adopted separately. McCoy said the General Fund has a deficit of \$929,450 and this will be discussed again later in her presentation.

McCoy explained the Capital Improvement Transportation Fund and service fees collected from vehicles sales tax fees and service fees generate income for Cities. She said this money is used for street improvements and some general fund expenses. McCoy said the Capital Improvement ½ cent Sales Tax Fund is generated by the ½ cent sales tax which will expire in 2025. She said Capital Improvements are paid from this fund for equipment and computers.

McCoy said the General Obligations Bonds Fund was originally established when the General Obligation Funds were passed for some improvements. She said the debt service levy for this fund will need to be adopted at a future City Council meeting.

McCoy said the Neighborhood Improvement District and Tax Incremental Financing Fund of the Debt Service Fund are generated and held as debt service payments and money is transferred into the debt service fund and is paid out for the certificates of participation or any other lease payments. She said the Tax Increment Financing Fund is the Property Tax Revenue and

Keystone TIF is paid from this fund. This fund has the Hawthorne lot sales and the remaining debt of the Russell Street project and the Hawthorne Development.

McCoy said the Water Pollution Control (WPC), which was discussed earlier in the meeting, shows a deficient balance because of the depreciation.

McCoy said the Trust and Art Fund budgets consist of the Stevenson Trust, Brown Trust, Anderson Trust, Crissey Trust, Tricentennial, Children’s Memorial, and Arts Commission and Public Art Fund. She said there is primarily interest income generated from these funds, and the interest is paid out in donations. McCoy said she has not received a budget from the Arts Commission, and there is a Public Art Fund.

According to McCoy, the goal of the Self Insurance Fund, which is health insurance for employees, is to eventually be able to have a 100% funded program. She said at this time there is not a specific timeline to achieve this goal.

McCoy said the General Fund has a projected revenue of ten million dollars and expenditures of ten million nine hundred thousand dollars. She said the goal is to eliminate as much of the deficit as possible and to propose at least five hundred thousand in service cuts. She said other funding cuts and money from the CARES Act will help with the funding.

McCoy said four options are being proposed for consideration for reduction in the General Fund, and they are as follows:

**Option 1**  
Eliminate Animal Shelter Services  
Do not fund Public Information Officer position  
Reduce 1 to 2 General Fund positions  
Produces \$554,800 savings

**Option 2**  
Eliminate Animal Shelter Services  
Fund Public Information Officer  
Reduce 3 to 4 General Fund positions  
Produces \$541,000 savings

**Option 3**  
Keep Animal Shelter Services  
Reduce 7 General Fund positions  
Produces \$553,300 savings

**Option 4**  
Keep Animal Shelter Services  
Reduce 1 full-time position  
Keep Public information Officer  
Eliminate 7 General Fund Position  
Produces \$539,000 savings

Chairman Pro Tem Holmberg asked about funding reductions, and McCoy confirmed that any funding reduction would have to come from the General Fund because other funds are dedicated dollars. Mayor Jacobs said people that know him will realize his preferences are Option 3 and Option 4. The Mayor said he would like the Acting Shelter Manager to explain the responsibilities and goals of the Animal Shelter.

Under Appearances to the Council Not Listed on the Agenda, Kayla Frank, Acting Animal Shelter Manager, said she has been serving the community with animal care the last 15 years. She is here tonight to defend the animals and her position. Frank said she is driven to find an alternate solution.

Frank said with the proposal to eliminate the animal shelter and the home of “Man’s Best Friend.” She said where will these animals go? Frank said the shelter has been in existence for

over 43 years and at the current location for more than 30 years. She said they are available to help abandoned, surrendered, neglected, and rabies quarantined cases. Frank said many consider the existence of the animal shelter as a necessity.

Frank said for some, animals are more than pets, they are family members. She said they strive to educate the public on proper animal care. Frank said the shelter currently has the best reviews it has had in years. She asked if others have noticed all the community support for the animal shelter. Frank said there is a volunteer program to help defray costs. She said there will always be a demand for animal care. Frank said she has worked tirelessly to restore the faith in the shelter. She asked for the fighting opportunity to help with alternative solutions.

Dr. Means said he practiced in Warrensburg for 40 years. He said when he first came to Warrensburg, there was an animal shelter at his location. Means said after 13 years it got to be too much, and some days there were as many as 100 stray animals.

Means said he is concerned about public health. He said without an animal shelter, there is a chance of the spread of rabies, many dog bites, and scratches from cuts and other diseases. Means said when he had the shelter, he spent many hours after normal working time, caring for the animals. He said an individual must know how to care for animals, and the current individuals have had training and have made the shelter an incredible place.

Tim Stanfield, Animal Control Officer for Warrensburg since 2006, said dogs will be in the streets and possibly hit by cars. He said the Police Department will have to handle the problems because no one will be around to help. Stanfield said when he began working for the City, he was dealing with vicious dogs all the time. He said it took a long time to get everything under control. Stanfield said closing the Animal Shelter will be hard on the community.

John Hartigan said he has volunteered at the Animal Shelter the past two years. He said at this time it is being run the best. Hartigan said people come with family members to look for a dog or cat to adopt.

Megan Geiger said she would like to express her support for the Old Drum Animal Shelter and the Shelter Manager, Kayla Frank, and the support staff. She said these people have transformed the shelter into what it is today. Geiger said to please support this group, and if another way for funding is possible, please find it.

Council member Lund said he is amazed at the support for the animal shelter, and these are tough decisions to make. Lund said the economic vitality of Warrensburg must be considered when making decisions. He said possibly another organization could run the shelter privately with the help of volunteers. Lund said cutting some of the current positions would be hard for the City and would impact the services provided. Mayor Jacobs said many would miss the animal shelter and it would have a huge impact on the City. Council member Kushner said it is hard to choose dogs and cats over fire, police, and public works employees. Overall, everyone agreed it was not an easy decision.

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

Daniel Baldrige, Parks and Recreation Department  
Don Nimmer, Planning and Zoning Commission  
Dana Phelps, Warrensburg Convention and Tourism Board

**Paul Shaffer, reappointment, Tree Board**

Lund moved to approve the appointments. Yes: Holmberg, Lund, Kushner, Jacobs. No: none. Absent: Brooks. Carried unanimously.

Under Miscellaneous Matters from the Mayor and City Council, Chairman Pro Tem Holmberg said he saw a stranded vehicle during today's thunderstorm. He said two police officers jumped into action helping someone. Holmberg said it was good to see the City's officers in action and helping others in the community.

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

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

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Bryan Jacobs, Mayor

Attest:

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Cindy Gabel, City Clerk

SPECIAL CITY COUNCIL MEETING OF AUGUST 12, 2020

A special meeting of the Warrensburg City Council and was held on August 12, 2020, at the Community Recreation Center, at 445 E. Gay, in Multipurpose Rooms A, B, and C with Mayor Bryan Jacobs presiding at 6:00 p.m. Roll was called as follows, Present were: Holmberg, Lund, Kushner, Jacobs. Absent: Brooks.

The adoption of the agenda was considered. There was a motion to adopt the agenda. Yes: Holmberg, Lund, Kushner, Jacobs. No: None. Absent: Brooks. Carried unanimously.

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

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

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Bryan Jacobs, Mayor

Attest:

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Cindy Gabel, City Clerk