

## CITY COUNCIL MEETING OF APRIL 12, 2021

A meeting of the Warrensburg City Council was held on April 12, 2021, at 7:00 p.m., at 200 S. Holden and via Zoom, with Mayor Bryan Jacobs presiding. Roll was called as follows, Present were: Brooks, Holmberg, Kushner, Jacobs. Absent: Lund.

The minutes of the City Council meeting of March 22, 2021, City Council meeting were considered for approval. Holmberg moved to approve the minutes of the March 22, 2021, City Council meeting. Yes: Brooks, Holmberg, Kushner, Jacobs. Absent: Lund. No: none. The minutes of the Study Session of March 22, 2021, City Council meeting were considered. Kushner moved to approve the minutes of the March 22, 2021, City Council Study Session. Yes: Brooks, Holmberg, Kushner, Jacobs. Absent: Lund. No: none.

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

Mayor Jacobs read a Proclamation honoring Young Children for the University of Central Missouri Early Childhood Program.

Mayor Jacobs read a Proclamation in honor of Autism Awareness Month which is recognized during the month of April.

Under Presentations, Parks and Recreation Director Danielle Fesler explained many of the unique features available at the Inclusive Park. Fesler said three years ago the City did not have an Inclusive Park and is grateful the City now has one.

Fesler highlighted many of the important skills the park can offer, and said this Inclusive Park is for everyone. She said it can build self-esteem, problem-solving skills, monitor stress and can help to grow relationships and confidence. Fesler showed pictures of kids during splash and play at Nassif Pool and the Camp kids playing at Grover Park.

Fesler said there are different skills involved with play which help growth. She said visual skills are important as well as audio skills because these skills show what is comprehended and that helps with learning and growth. She said body awareness is important along with sensory skills because what we touch is so important. Fesler said motor skills are important because of hand movement and agility. She explained some of the equipment helps motor skills and agility with movements that also can build the cardiovascular system. Fesler said with this coordination is built, along with strength for the upper and lower body.

Fesler said cognitive skills are also important for language and literacy. She said this can be from speaking your native language to sign language for communication. Fesler said social skills development is also important.

Fesler explained the safety surfaces at the Inclusive Park. She said there are rubber tiles and cushioning for safety should someone fall. She said mulch is used in other parks except Hawthorne and Cave Hollow.

Fesler said the modified equipment allows transfer from a mobility device onto the playground. She said they also see each other which is good for socialization. Fesler said the zip-line options are intended for different size individuals with a transfer station. She said with the

swings, parents and children can interact with each other. Chairman Pro Tem Holmberg thanked Fesler for her excellent presentation.

Bill No. 4-1-21 being for an Ordinance Amending Section 13-2 (3) of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Nuisances was read for the second time by title. Community Development Director Barbara Carroll said there was a work session then a first reading of this ordinance several weeks ago. She said this is a general nuisance ordinance and City staff has amended it by adding sections 16, 17, 18, and 13-2(3). Kushner moved to approve the ordinance. Roll was called for the adoption or rejection of said bill as follows: Yes: Brooks, Holmberg, Kushner, Jacobs. Absent: Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5642.

Bill No. 4-2-21 being for an Ordinance Amending Chapter 25 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Vegetation was read for the second time by title. Carroll said this ordinance was also discussed several weeks ago. She said these are nuisances caused by vegetation on property. She said the overgrowth can cause hazards on sidewalks or right-of-way. Kushner moved to approve the ordinance. Roll was called for the adoption or rejection of said bill as follows: Yes: Brooks, Holmberg, Kushner, Jacobs. Absent: Lund. No: none. Said Bill was declared duly adopted and given Ordinance NO. 5643.

Bill No. 4-3-21 being for an Ordinance Declaring the Results of One Council Member for a Three-Year Term was read for the first time by title. City Clerk Cindy Gabel said there was an election on April 6, 2021, and Tarl Bentley was elected. 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, Kushner, Jacobs. Absent: Lund. No: none. Said bill was declared duly adopted and given Ordinance 5644.

Bill No. 4-4-21 being for an Ordinance Declaring the Results of the Election Held in the City of Warrensburg, Missouri, Election Held on April 6, 2021 was read for the first time by title. Gabel said the General Obligation Bond issue was passed by the City of Warrensburg voters on Tuesday, April 6, 2021, Yes: 1090 No: 292. 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, Kushner, Jacobs. Absent: Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5645.

Under Mayoral Appointments, Mayor Jacobs said he would like to make the following appointments: Diane Thompson to the Convention and Visitors Bureau to fill the unexpired term of Mason Wirsig; Travis Hume and Jeremiah Robison to the Energy and Sustainability Task Force, with Hume as a non-voting member and Robison as a voting member. Yes: Brooks, Holmberg, Kushner, Jacobs. Absent: Lund. No: none. Carried unanimously.

Chairman Pro Tem Holmberg presented Mayor Jacobs with a plaque and said he has set an incredible example with his community involvement. Holmberg said he has been an inspiration because of all the community events he has attended. He said he has appreciated all the different interviews he has conducted on Facebook. Gabel presented Jacobs with six framed dollar bills and thanked him for all of his hard work for the City and the City residents.

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

Gabel swore in newly-elected Council member Tarl Bentley for a three-year term to which he was elected on April 6, 2021.

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Cindy Gabel, City Clerk

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Chairman Pro Tem called the meeting to order. Roll was called as follows: Present were: Brooks, Kushner, Bentley, and Holmberg. Absent: Lund.

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

The Election of the Mayor was considered. Council member Kushner moved to nominate Scott Holmberg as Mayor. Mayor Holmberg moved to nominate Council member Kushner as Chairman Pro Tem. Both were elected unanimously.

Mayor Holmberg opened a Public Hearing on An Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Shooting Archery, or Weapons Ranges. Carroll said last year this ordinance was amended to include a new definition and land use category for a shooting or archery range. She said this new definition would allow axe-throwing which was not allowed with the previous ordinance. Carroll said projectile weapons would be included as a target. She said there would be no change in the location or parking requirements. Carroll said City staff has not received any comment on this proposed ordinance. As there was no further discussion, the public hearing was closed.

Mayor Holmberg opened a Public Hearing on an Ordinance Repealing and Replacing Section 27-203 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Home Occupations in Residential District. Carroll said City staff routinely reviews the zoning ordinances to see if any updates are needed. She said this proposed ordinance updates changes in home occupations, includes an exemption for telecommuting workers where a business is at another location, and off-street parking requirements. As there was no further business, the public hearing was closed.

Mayor Holmberg opened a Public Hearing on an Ordinance Approving a Conditional Use Permit at 201 N. Maguire Street for a Fraternity Use (Land Use 1.520) Without Correcting the Non-Conforming Situations That are not Reasonably Possible to Eliminate. Carroll said Sheehan Properties has applied for the Conditional Use Permit (CUP) for use by a fraternity. She said it is currently occupied by several individuals with leases that belong to the same fraternity. Carroll said they have been working on how that fraternity could hold the lease in the fraternity's name.

Carroll said they have applied for a CUP and the use would be conforming. Carroll said the non-conforming use is the distance between two existing buildings from the property line on Maguire Street that should be 40 feet, but it is currently 32 feet. She said this exemption can be allowed when applying for and granted the CUP.

Carroll said there has been an issue with parking spaces and Auto Zone has more parking spaces than required by the City. She said Auto Zone has offered additional parking and granted an easement which would give them an additional 12 parking spaces, and this is within

100 feet of the property.

Carroll said the Planning and Zoning Commission had a lengthy conversation about this request and recommended approval and City staff does as well.

David Sheehan, 70 SW 100 Road in Warrensburg said he has owned this property for 5-6 years after purchasing from Nancy Knight who had an insurance office downstairs and rented the upstairs as an apartment. Sheehan explained all the remodeling he has done and the step-by-step process he has followed for fraternity use.

Sheehan explained the parking situation and said most of the parking can be provided on site, but Auto Zone has offered additional parking. He also explained the non-conforming parking closer to the property will be used more than the parking in the Auto Zone parking lot.

Sheehan said he is proud of the remodeled apartment and this project. He believes with the fraternity there will be additional rules. Sheehan said he wants this property to be taken care of, he is not going to let anyone run it down.

Sheehan said this property was build in 1908 and is very important to him. He said there are not a whole lot of properties like this still in Warrensburg.

Colby Crowder, 114 South Street, said once this is approved there will be additional regulatory bodies will become involved. He said this will ensure that the property is kept up to required standards set by the City. He said this will be good for the University of Central Missouri and the Warrensburg community. As there was no further business, the public hearing was closed.

Mayor Holmberg read an Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Shooting, Archery, or Weapons Ranges for the first time by title. This will be considered again at the next meeting.

Mayor Holmberg read an Ordinance Repealing and Replacing Section 27-203 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Home Occupations in Residential Districts was read for the first time by title. This will be considered again at the next meeting.

Mayor Holmberg read an Ordinance Approving a Conditional Use Permit at 201 N. Maguire Street for a Fraternity Use (Land Use 1.520) Without Correcting the Non-Conforming Situations That are Not Reasonably Possible to Eliminate. This will be considered again at the next meeting.

Mayor Holmberg read an Ordinance Establishing a Stop Sign on Northbound Maple Street At Oak Street, in the City of Warrensburg, Missouri, for the first time by title. Police Chief Rich Lockhart said at the last Traffic Commission meeting there were several complaints of "near misses" in this area. He said this intersection is dangerous and a stop sign would help avoid accidents. This will be considered again at the next meeting.

Bill No. 4-5-21 being for an Ordinance Accepting the Public Improvements Including Sanitary Sewer Associated with Rural Housing of Warrensburg, LP, Garden Walk for Maintenance by the City of Warrensburg, Missouri, was read for the first time by title. Interim City Manager Danielle Dulin said this is property located at Cooper Avenue and Thompson Boulevard. She said the sanitary sewer main has been accepted and it needs to be approved so the

development can continue. Brooks 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, Kushner, Bentley, Holmberg. Absent: Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5646.

Bill No. 4-6-21 being for an Ordinance Accepting Permanent Easement from BesaMe Wellness, LLC at 219 West Young Street, Warrensburg, Missouri, was read for the first time by title. Dulin said this is for the development of BesaMe Wellness, a medical marijuana facility, located at the corner of Shotwell and Young. She said the necessary parking requirements have been met. Dulin said a permanent easement needs to be established for the southern 10 feet of the 20 feet for stormwater and utilities that are already existing. Brooks 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 or said bill as follows: Yes: Brooks, Kushner, Bentley, Holmberg. Absent: Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5647.

In Other Business, A Resolution of the City of Warrensburg Amending Resolution 2092 Concerning the Personnel Policies of the City was read by title. Human Resources Director Greg McCullough said the City's policies have been updated in recent years, but overall, all the polices had not been reviewed for some time. He said former City Manager Harold Stewart and Danielle suggested Management Fellow Mason Floyd take on this project. McCullough thanked Floyd for all his hard work with this project.

Floyd said this has been a long process as he has read this entire document, some individual policies several times. He said this document has been reviewed by many different employee groups and he has received input from these different groups. Bentley moved to approve the Resolution. Yes: Brooks, Kushner, Bentley, Holmberg. Absent: Lund. No: none. Carried unanimously and given Resolution No. 2193.

In Other Business, A Resolution Authorizing a three (3%) salary increase for all full-time staff as of October 1, 2020, effective with pay period ending April 18, 2021, was read by title. Finance Director Marcella McCoy said the City ended the 2020 fiscal year on a positive note. She said City staff has cut expenses by almost a million dollars and furloughed two and three weeks. McCoy said because of all the employee sacrifices and Cares Act Money, she would like to recommend a 3 percent increase for employees effective with the April 12, 2021 payroll. She said this will include those that are at the top of their pay scale. McCoy said after the Strategic Plan discussion she knows the employees are the backbone of our organization and they need to be taken care of. The Mayor and City Council members thanked City employees. Kushner moved to approve the Resolution. Yes: Brooks, Kushner, Bentley, Holmberg. Absent: Lund. No: none. Carried unanimously and given Resolution No. 2194.

In the Director of Finance Report, McCoy said she did not have anything more to add to her report.

In the City Manager's Report, Dulin said she appreciates the Mayor and City Council's approval of the 3% pay increase. She also thanked Marcella and her team for all the hard work putting the numbers together.

Dulin said MHDC has a high rate of rental assistance programs for renters and landlords. She said they would like the City to get the word out for those that might be eligible or in need. Dulin said since Warrensburg has a high rental rate, the City is trying to get the word out to those interested.

Dulin also said budget discussions will be continuing soon. She said budget tours will be held this year and she would like to know if April 29<sup>th</sup> or April 30<sup>th</sup> would work for the Mayor and City Council members. After a short discussion, the budget tours will be held on April 29, 2021.

Kushner 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. Yes: Brooks, Kushner, Bentley, Holmberg. No: none. Absent: Lund.

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

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Bryan Jacobs, Mayor

Attest:

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Cindy Gabel, City Clerk