

CITY COUNCIL MEETING OF MAY 10, 2021

A meeting of the Warrensburg City Council was held on May 10, 2021, at 7:00 p.m., at 200 S. Holden and via Zoom, with Mayor Scott Holmberg presiding. Roll was called as follows, Present were: Brooks, Kushner, Lund, Bentley, Holmberg. Absent: none.

The minutes of the City Council meeting of April 26, 2021, City Council meeting were considered for approval. Lund moved to approve the minutes of the April 26, 2021, City Council meeting. Yes: Brooks, Kushner, Lund, Bentley, Holmberg. No: none.

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

Mayor Holmberg read a Proclamation recognizing Building Safety Month in the City of Warrensburg. Brett Penrose, Building Official; Justin Wyne, Building Inspector; and Joe Clifford, Property Maintenance Code Inspector; accepted the proclamation.

Mayor Holmberg read a Proclamation recognizing National Police Week during the week of May 9 through May 15. Police Chief Rich Lockhart accepted the proclamation on behalf of the Police Department.

Mayor Holmberg read a Proclamation for National Public Works Week during the week of May 16 through May 23. The Mayor said this department is involved in many community events and appreciation should be expressed to these City staff members.

Under Presentations, Police Chief Rich Lockhart said he was asked to explain police use of force in the community. He said this force can include verbal, physical, chemical, impact, electronics and firearms. Lockhart explained the different types of resistance: passive compliance, passive resistance, active resistance, and active resistance that is assaultive.

Lockhart said police must use force to establish control of a situation so they can protect others. He said handcuffing is considered a use of force. Lockhart said guidelines have been established in Graham versus Connor which observes the officer according to the situation. He said the force must be objectively reasonable. Lockhart said the severity of the crime is another issue. He said if the subject is a threat that could cause a higher level of force. Lockhart said a death occurs in one out of 67,000 contacts.

Lockhart said the use of force options also include the following: officer presence, verbal commands, open hand techniques, the baton on the legs or arms, chemical spray, conductive electronic weapon, firearms, handguns, shotguns and controlled rifles.

Lockhart explained the draft use of force policy the department began before the pandemic. He said this policy is created with the Commission on Accreditation for Law Enforcement Agencies (CALEA). He said the Warrensburg Police Department values and their intent is to preserve human life. Lockhart said the officers want to protect the safety of others. He said their goal is to only use the force necessary to gain control of the subject.

Lockhart said the officers have been training on de-escalation the last five years. He said what they have learned is reinforced regularly. Lockhart said warning shots had been part of the department's policy, but he had it taken out. He is concerned about where the shots will go.

Lockhart said chokeholds have never been authorized; however, the lateral vascular neck restraint have been used but will no longer be allowed because it looks like a chokehold. He said the Police Department is staying completely away from the neck of individuals.

Mayor Holmberg read an Ordinance Approving and Accepting the Final Plat of Cayhill, Lots 195 Thru 219, a Subdivision in the City of Warrensburg, Missouri, Located on Larson Avenue North of Veterans Road was read for the first time by title. Community Development Director Barbara Carroll said this is the sixth phase of the Cayhill Subdivision. She said this is located north of Veterans Road, and this area includes 25 lots. Carroll said the property owners have submitted a rezoning application for this portion of the submitted plat to rezone into R1 Single-family Residence District and R4 Medium-Density Residence District. Carroll said the Planning and Zoning Commission recommended approval with a list of conditions that have been included in the ordinance.

Mayor Holmberg read an Ordinance Authorizing the City Manager and City Clerk to Execute a Contract for Municipal Advisor Services Between the City of Warrensburg, Missouri, and Piper Sandler & Company was read for the first time by title. Finance Director Marcella McCoy said this original contract was entered into in 2016 with Piper Jaffray & Company for Municipal Advisor services. She said Piper Jaffray has transitioned into a different company name, Piper Sandler & Company and the City is requesting this contract name be changed to the new company name. McCoy said there have been no changes in the terms of the contract.

Mayor Holmberg read an Ordinance Amending Ordinance 5607 Adopting the Annual Operating Budget Beginning October 1, 2020, for the City of Warrensburg, Missouri, for the first time by title. McCoy said this revised financial plan is for consideration for Fiscal Year 2021. She said this will help with the development of the budget for Fiscal Year 2022.

Under Miscellaneous Matters from the Mayor and/or City Council, Notes from Park Board Resolution Working Group, Mayor Holmberg said he asked City staff to put together notes concerning the Park Board/City Council meeting. He sent this information to City Council members and said he feels it is important to share this information.

Council member Brooks said he is concerned about the number of homeless individuals in this area. He said he has also been approached by individuals concerned about this problem. Dulin said she has heard there is an increase in the number and conversations have begun concerning this serious problem. Mayor Holmberg said he knows there are community groups doing an excellent job that have created services for the homeless. He knows it is a unique problem and many are coming here from other locations. Working with community leaders is very important because of this serious problem.

Under Mayoral Appointments, Mayor Holmberg said he would like to make the following appointments: Tarl Bentley, Council Liaison, Diversity and Inclusion Commission. Lund moved to approve the appointment. Yes: Brooks, Kushner, Lund, Bentley, Holmberg. No: none. Carried unanimously.

In the City Manager's report, Dulin said HDR will be coming to the Study Session to discuss the RAISE Grant Application. She has scheduled the meeting earlier because of the length of the presentation.

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

Scott Holmberg, Mayor

Attest:

Cindy Gabel, City Clerk