

## CITY COUNCIL MEETING OF JANUARY 9, 2023

A meeting of the Warrensburg City Council was held on January 9, 2023 at 7:00 p.m., at 200 S. Holden and via Zoom, with Mayor Kushner presiding. Mayor Kushner called the meeting to order and led in the Pledge of Allegiance. Roll was called as follows, Present: Osborne, Bentley, Lund, Uhler, Kushner. Absent: none.

The minutes of the December 12, 2022 meeting were considered. Bentley moved to approve the minutes. Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none.

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

Police Chief Munsterman, along with Detective Denise Sawyer and Cpl. Stephanie Prindle, presented a Life-Saving Award for Tressa Coe, Utility Worker for Black & McDonald. On December 12, 2022, Ms. Coe had been working in the 200 block of Johnson Drive when she saw an infant in the backyard of a residence dressed in only a diaper. Ms. Coe called emergency dispatch and assisted the officers to the baby's location and wrapped the baby in a blanket. The infant was taken to the hospital showing signs of hypothermia, purple hands and appeared lethargic due to the cold temperature. Without the intervention of Ms. Coe, it was unknown how long the infant would have remained outside and potentially suffered life threatening conditions. Ms. Coe received a standing ovation. Cpl. Prindle said the baby was doing well.

Mayor Kushner read An Ordinance imposing a sales tax at the rate of three percent on all tangible personal property retail sales of adult use marijuana sold within the City of Warrensburg, Missouri subject to the approval by the voters at the general municipal election to be held on April 4, 2023, for a first time by title only. City Manager Dulin said Missouri voters approved Amendment 3 to the Missouri Constitution enacting Section 2 of Article XIV legalizing marijuana on November 8, 2022. Section 2.6(5) of Article XIV authorizes municipalities to impose up to a 3% sales tax on all tangible personal property retail sales. It is estimated that the average comprehensive dispensary grosses \$427,000 in sales per month and a 3% sales tax will generate \$12,800 per month or \$154,000 annually. Dulin said there is one medical dispensary inside city limits and it is anticipated that this dispensary will convert to a comprehensive dispensary later this year. A second reading of this proposed ordinance will be brought at city council's next meeting on January 23<sup>rd</sup>.

Mayor Kushner read An Ordinance calling an election to authorize an increase to its general sales tax in the City of Warrensburg, Missouri, for a first time by title only. City Manager Dulin said during budget development the last several years, discussions were had on the increasing budget pressures to the general fund. While the city has seen reasonable growth in the general fund revenues, general fund expenditures necessary to meet the service expectations of the community have outpaced those revenues. Dulin gave a detailed breakdown of the \$11.9 million general fund expenditures by department and category. Dulin said 70% of general fund expenditures were personnel costs yet the city struggled to maintain wage parity making it difficult to retain and recruit key positions across all departments but particularly in fire, police and public works. Dulin pointed out approximately \$500,000 of general fund reserves were budgeted as one-time expenses in FY23 for operational needs such as a backhoe replacement and community visioning process but this was unsustainable going forward.

Dulin said the proposed ordinance will place the question to the voters for approval of increasing the general sales tax by one percent, or one cent per dollar, with one-half collected to be used for public safety and one-half to be used for general purposes. Dulin said an additional 1-cent general sales tax is expected to generate \$4.7 million for general fund. Dulin offered charts to demonstrate the fiscal impact this additional revenue will have on city operations including infrastructure, capital improvements, additional staffing, compensation increases, and benefits for employees. Dulin explored the estimated impact of the 1-cent sales tax on household budgets. The monthly impact on a family of four was \$10.95, single female was \$6.50, single male was \$5.30, and single 65+ was \$5.00 per month. The additional 1-cent sales tax will raise the overall city sales tax to 9.975% (and 10.475% in the Hawthorne Transportation Development District set to expire in 2025). A second reading of this proposed ordinance will be brought at city council's next meeting on January 23<sup>rd</sup>.

Bill No. 01-01-2023 being for an Ordinance Declaring the Results of the Canvass of Statements of Candidacy and Establishing a General Election to be Held on April 4, 2023, was read for a first time by title. City Clerk Schneider said the filing deadline had passed and two declarations of candidacy were received. Those candidates were Jim Kushner and Jan Jones. Council Member Osborne asked the procedure for a write-in candidate after the deadline passed. City Attorney Harris said the State statutes would need to be followed for a write-in candidate after the deadline. There being no further questions, Lund moved said bill be passed to a 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: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5769.

Bill No. 01-02-2023 being for an Ordinance Amending Ordinance 5330 and Authorizing the City Manager and City Clerk to execute an Amended and Restated Intergovernmental Cooperative Agreement between the City of Warrensburg, Missouri, and Hawthorne Development Transportation Development District (TDD), was read for a first time by title. Finance Director McCoy said the City, in cooperation with the TDD, has determined that it is in the best interests of the City and the TDD to provide additional TDD sales tax revenue to assist in the funding of another portion of the project to be undertaken by the City to include improvements to Cooper Boulevard and its extension to Hawthorne Boulevard ("New Project"). McCoy said the TDD sales tax is expected to expire on December 31, 2025. Mayor Kushner asked if it would be an arterial connection and it was answered that it would be a major collector connection. There being no further questions, Osborne moved said bill be passed to a 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: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5770.

There were no Appearances to the Council Not Listed on the Agenda.

Mayor Kushner thanked employees during this busy time as he was recovering from surgery at home and watched as public works crews pushed snow from his window. Mayor Kushner wanted to thank and recognize the Warrensburg Police Department for National Law Enforcement Appreciation Day. Council Member Uhler offered congratulations to Andrew Munsterman for his recent promotion to Police Chief. Council Member Bentley had attended the ribbon cutting for the pool re-opening and said the facility looked good and he wanted to thank both Parks & Recreation and Public Works for getting the aquatic center up and running again. Council Member Bentley thanked Assistant City Manager/Public Works Director Villegas and City Manager Dulin for staying on top of the fiber optic installations throughout the city.

Under City Manager Report, Finance Director McCoy said revenues for December, along with the recently received January revenue report, reflected an upward trend. McCoy said that property tax due by the end of December should be received in the next several months. McCoy invited city council to attend the retirement celebration of Utility Billing Specialist, Vickie Wright, on Wednesday, January 11<sup>th</sup>. McCoy said the retirement leaves a vacancy with transitions by the staff up-front to change procedures while absorbing additional responsibilities. McCoy said one procedural change is an automated pay-by-phone for utility payments. McCoy said the staff had been cross-training to prepare for the vacancy and offered kudos for their dedication.

Assistant City Manager-Public Works Director Villegas said several months ago, a citizen requested lighting along the Spirit Trail on Highway DD. Villegas said the trail was a day-use trail and located on a MoDOT right-of-way. Villegas contacted an engineer at MoDOT and the engineer said the intent was for the trail to be closed at night but if there was a project in the right-of-way at some point then consideration may be given for lighting.

Villegas said a public-facing GIS map showing public works activity had been discussed at a previous city council meeting as the sidewalk improvement program. It appears that may not be a possibility as it could be tampered with but staff continues to search for ways to mitigate tampering.

Villegas said a recent request has been made to use permeable pavement for a driveway. This is a new request from the original request by a developer that spurred a work session held on the topic a few months ago. Villegas said the city's codes do not allow for permeable pavement but welcomed city council's feedback on this new request. Mayor Kushner said at the work session it was discussed to use a city project for permeable pavement to satisfy questions that remain on its use. Villegas had not yet identified a city project.

Villegas had evaluated the snow and ice control after this first-of-the-season event and discovered the vehicles were not equipped with a liquid applicator for calcium chloride, sodium chloride, calcium magnesium or beet juice applications. Street Superintendent McGowan relayed to the council that an effective technique known as liquid pre-wetting through applicator tanks reduced salt loss, allowed the material to stick on the pavement, allowed better snow/ice penetration and sped up the process of melting ice and snow. McGowan said that an applicator would be safer than their current equipment which forces the driver to climb onto the bed of the truck to refill the 55-gallon drum in snow and ice conditions. McGowan said the cost to upgrade the truck in the second quarter of 2023 was \$7,200 and to retrofit the tandem truck was \$9,200 along with the cost of a storage containment. Villegas said it would be paid by delaying one or two of the budgeted polymer or asphalt-overlay streets. Villegas would pursue a budget amendment.

Tourism Director Barnhart said pictures have been posted on social media as the renovation construction has begun for 205 N. Holden. Barnhart introduced Meliyah Venerable, a reporter for The Star Journal.

Community Development Director Carroll said that gravel driveways can be considered as permeable pavement in reference to the previous discussion. Carroll said a residential gravel driveway inventory began in 2022 with Zone 1 and staff has started to inventory Zone 2. There are five zones in total for the inventory. The information collected from the inventory enables staff to identify grandfathered status driveways since 1992 and maintenance-vs-new status as gravel driveways tend to widen or disappear by overgrown grass and property owners restore

the driveway with new gravel. Carroll said liquor licenses were due January 1<sup>st</sup> and it appears a recent shift to this time of year has been working better considering eight inspections occurred already and all have passed. The inspections are free through March. Carroll provided three maps on marijuana zoning. The three maps showed the State's regulation, city regulations and city regulations if liquor by the drink were removed and asked if there were any questions. Council Member Bentley said he had questions and wanted to look at options if some of the current regulations were repealed. Carroll said that any city council changes would need to be brought to her by January 23<sup>rd</sup>.

Police Chief Munsterman thanked City Manager Dulin, City Council and Department Directors for the appointment as Police Chief and the opportunity and support this past year as Interim Police Chief. Munsterman will be participating as a panelist this Thursday on "Understanding the Unhoused Panel Discussion" by the UCM Lifelong Learning Board. City Manager Dulin said Police Chief Munsterman's badge pinning ceremony will be January 27<sup>th</sup> at 1:00 p.m.

Parks Director Deal said thank you to all who attended the 25<sup>th</sup> Anniversary Celebration and Pool reopening at the Parks and Recreation Community Center last Thursday. Deal reported that one of the pool heaters malfunctioned over the weekend but was now repaired. Council Member Uhler thanked Street Superintendent McGown for public works' help in getting the aquatic center facility reopened.

As there was no further business, the meeting adjourned at 8:10 p.m.

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Jim Kushner, Mayor

Attest:

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Jodi L. Schneider, City Clerk