

## CITY COUNCIL MEETING OF JULY 10, 2023

A meeting of the Warrensburg City Council was held on July 10, 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, Uhler, Jones, Kushner. Absent: Bentley.

The City Council Regular Meeting Minutes of June 26, 2023 were considered. Osborne moved to approve the minutes. Yes: Osborne, Uhler, Jones, Kushner. No: none.

The adoption of the agenda was considered. City Manager Dulin requested the agenda be amended for a presentation of an Eagle Scout Project by Nathan Wilttrout of Boy Scout Troop 400. Osborne moved to adopt the amended agenda. Yes: Osborne, Uhler, Jones, Kushner. No: none.

Mayor Kushner read an Employee Recognition Proclamation for Gayle Carlyle to recognize her 32 years as a dedicated and valued employee of the City's Police Department in her role as Records Clerk. Gayle worked for four different Police Chiefs and transitioned and learned five different Records Management Systems. Gayle's last day of service is July 17, 2023. Gayle, and her family, were in attendance to hear the proclamation.

Mayor Kushner read a Proclamation for Parks and Recreation Month July 2023 to recognize the benefits derived from parks and recreation resources by promoting health and wellness, its positive impact on time spent in nature, and programming/educational activities for the community. The Parks Director and Parks staff were in attendance to hear the proclamation.

Nathan Wilttrout, Boy Scout Troop 400, said he had been working with City Manager Dulin and Assistant City Manager/Public Works Director Villegas on an Eagle Scout project for Floating Rain Gardens. The project had recently been presented to the Park Board who had approved it. The gardens are made from recyclable products and float on bodies of water. The gardens host water-loving plants and as the roots grow through the tarp, the roots help clean the water. Wilttrout said the plan is to build three gardens for Lion's Lake. A diagram was presented showing how a rain garden is constructed. Several questions were asked whether the design would work for both low or high levels of water, whether it was designed for winter and whether the plants would flower. Wilttrout said he was not sure what effect water level would have on the gardens but would research it. He confirmed that the gardens were designed for winter and planned to use Missouri native plants to fill the gardens, but it was unknown whether the plants would flower. Councilmember Jones said there may be anchors already in place from previous bobbers placed in the lake. Mayor Kushner said that Nathan Wilttrout was his grandson and thought it was a good project.

Mayor Kushner opened a Public Hearing on an Ordinance Amending Section 27-246 of the Code of City Ordinances of Warrensburg, Missouri regarding Marijuana-Related Uses. Community Development Director Carroll relayed that Missouri citizens approved Amendment 3 which allowed the recreational use and sale of marijuana in the Fall of 2022. As a result, discussions were held by city council and the planning and zoning commission on required changes to local ordinances. These amendments were adopted on February 13, 2023 to include existing definitions consistent with state law and recreational marijuana allowed in the same land use and zoning districts as medical marijuana land uses. There was discussion

want a marijuana business and the red circles indicated an ideal location for a dispensary. Griffith requested the changes as recommended by the Planning and Zoning Commission and, in addition, requested a reduction of the school/church/day care/public library 1,000 feet buffer to 100 feet so he may make application to the state and operate his business. Griffith pointed out other municipalities' buffer requirements that were under 1,000 feet and said he would be okay with any reduction under 1,000 feet. Griffith also listed reasons why the city would want this opportunity.

In lieu of a sign-in sheet, Mayor Kushner asked if anyone else was present to speak for the public hearing. Stephan B. Moody, 1105 Thompson Drive, Apt. 3, Warrensburg, said he was a Warrensburg resident off and on for forty years and did not like the idea of 100 feet. Moody explained that coming out of a church and seeing someone passed out on marijuana and drugs was not appropriate. Moody explained that it may have medical benefits but unfortunately some do not use it for medical reasons and take advantage of it to get high. Moody said that alcohol was just as bad or worse than marijuana. Moody did not want 100 feet buffer from a school either. Moody said a city block is 300 feet and okay if limited to two city blocks totaling 600 feet from a school, hospital, or church. Moody said if he cannot see something then out of sight and out of mind. Moody said that Griffith indicated that he was okay with anything less than 1000 feet and Moody thought that 600 feet was socially acceptable. Moody said he did not know Griffith, was not against the law of the land for marijuana and said to tax it.

Jill Purvis, 36 NW 400<sup>th</sup> Road, Warrensburg, asked for clarification, that the ordinance as written leaves the buffer at 1,000 feet from a school, church, or day care. Carroll confirmed that the proposed ordinance as written leaves the buffer at 1,000 feet. There were no additional questions or comments. Mayor Kushner closed the public hearing.

Bill No. 07-01-2023 being for an Ordinance Amending Section 27-246 of the Code of City Ordinances of Warrensburg, Missouri Regarding Marijuana Related Uses was read for a first time. There were 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, Uhler, Jones, Kushner. No: none. Said bill was duly adopted and given Ordinance No. 5805.

Bill No. 07-02-2023 being for an Ordinance Approving and Accepting the Minor Plat of Schnatz Park, Plat No. 1, a Subdivision in the City of Warrensburg, Missouri, Located at 715 E. Young Street and 729 PCA Road, was read for a first time. Community Development Director Carroll said the applicant has submitted a minor plat application for a lot consolidation of two existing lots into one large lot. Lot 715 E. Young Rd is undeveloped and 729 PCA Rd is developed with an existing day care that applicant would like to expand. On July 3, 2023, the Planning and Zoning Commission recommended approval with two labeling conditions incorporated into the ordinance. There were no questions. Jones 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, Uhler, Jones, Kushner. No: none. Said bill was duly adopted and given Ordinance No. 5806.

Bill No. 07-03-2023 being for an Ordinance Approving and Accepting the Minor Plat of Stella Place, a Subdivision in the City of Warrensburg, Missouri, Located at 709 S. Holden Street, was read for a first time. Community Development Director Carroll said the applicant has submitted a minor plat application for one existing parcel and re-establishes its property lines as a single platted lot. The proposed minor plat is in an R4 District and is being developed with a two-story duplex. On July 3, 2023, the Planning and Zoning Commission recommended approval with

parking spaces in front of storefronts for outside dining and retail areas. Villegas said parklets were typically used in warmer climates and more recently used in response to the COVID-19 pandemic but viewed now as effective tools for revitalizing downtowns by improving a streetscape, creating a sense of place, and generating foot traffic. Villegas presented a conceptual design. Jill Purvis from Warrensburg Main Street, and several business owners, were present to supplement any information. Villegas requested policy directives from the city council whether parklets were wanted, if the parklets would be owned by the city or owned and operated privately, and the type of parklet whether custom or generic. Councilmember Jones asked whether the parklets would be open year-round or removed during the winter. Villegas said some communities allow parklets permanently, and others require removal on a seasonal basis.

Jill Purvis said there had been parklet discussions with downtown business owners for a year. Purvis said last week there were 17 owners interested in this concept for downtown dining options. Purvis said that Main Street has opportunities to apply for grants on parklets. Councilmember Osborne asked about non-food businesses. Purvis said retail businesses would also use parklets and pull retail goods from the store. Osborne said that Brown Shoes would lose parking spots for its business. Purvis said there were over 500 parking spaces and did not believe parking was a problem. Purvis said folks will have to walk a little further and suggested posting additional Wayfinder signs. Jones was interested in the parklet design and asked about a construction standard, who pays for it and the ratio of parklets to parking spaces. Villegas provided photographs of several parklets constructed in the last ten years with varying specifications. The consensus of the city council was more information and recommendation from Villegas including a conceptual plan. Mayor Kushner asked about public safety as Holden Street was narrow and may impact response on the street. Chief Munsterman said it would not be an issue as other cities have adapted to the use of parklets. City Attorney Harris said liability issues would need to be considered as well. Dulin said it is the end of summer season and city staff will work diligently to bring back recommendations in time for next season.

Mayor Kushner read a Resolution Approving Stevenson Fund Donation Request by Teachers' Warehouse of Johnson County in the amount of \$500.00. City Clerk Schneider received an annual donation request made for teachers' classroom supplies for educational purposes and is eligible under the terms of the trust. The requested amount was verified by Finance Director McCoy as appropriate based on the available net balance of the income for such year for appropriations. There being no questions, Jones moved to adopt said resolution. Roll was called as follows: Yes: Osborne, Uhler, Jones, Kushner. No: none. Said resolution was duly adopted and given Resolution No. 2258.

Under Mayoral Appointments, Mayor Kushner recommended the following appointments, as listed below:

1. Appoint Travis Hume as Director for the Parks and Recreation Board to fill an expired vacancy for a three-year term through June 2026 (Bryan Jacobs)
2. Appoint Elizabeth Hargrave as member for the Diversity and Inclusion Commission to fill an expired vacancy for a three-year term through August 2026 (Suzy Latore)
3. Appoint Allison Roots as a Non-Voting Member for the Diversity and Inclusion Commission to fill an expired vacancy for a three-year term through August 2026

children and elderly. Gann said if this continues to be a problem and the unhoused people continue to be bussed down to a location where a bunch of kids are located, it is probably going to end horribly, and Gann did not want that to happen. Thank you.


Vicky Gibson, 99 SW 101 Rd, Warrensburg, said she was back again and quoted Proverbs 31:8 God says to speak out on behalf of the voiceless and for the rights of all who are vulnerable. Gibson said she is a Christian and will remain vigilant until something is done on the city level to protect our children from immoral performances. Gibson requested a city ordinance to protect the mental and physical health of children. Gibson said the city council does not have the right to steal the innocence of children, and it was alarming that the city council did not see the indoctrination of the abnormal desires of the movement. Gibson quoted Matthew 18:6.

There were no comments made by the city council under Miscellaneous Matters from the Mayor and City Council.


Under the City Manager's report, Dulin thanked the city council for their time both at 5:30 p.m. and 7:00 p.m. for the budget work session and regular meeting today. Dulin said that another work session was scheduled for July 24, 2023, at 5:30 p.m. for the remaining operational department budget presentations.

Under the Finance Report, Finance Director McCoy said the revenue report in the packet shows revenue receipts of property tax, sales tax and interest income meeting or exceeding budget. McCoy said that sales tax receipts had exceeded budget for March. The General Fund revenues reflect slightly over budget with about 49.25% remaining. The Capital Improvement ½ cent revenues are exceeding budget with just over 49% remaining.

As there was no further business, the meeting adjourned at 8:30 p.m.

  
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Jim Kushner, Mayor

Attest:

  
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Jodi L. Schneider, City Clerk

