

## CITY COUNCIL MEETING OF JULY 11, 2022

A meeting of the Warrensburg City Council was held on July 11, 2022, at 7:00 p.m., at 200 S. Holden and via Zoom, with Mayor Jim 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 June 27, 2022 meeting were considered. Bentley moved to approve. Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none.

The work session minutes of the June 27, 2022 meeting were considered. Lund moved to approve. 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.

Mayor Kushner thanked the Parks Department for its dedication to the Warrensburg community and asked Parks Director Foster, Park Board Chairperson Collins and staff from the Parks Department to come forward and for the reading of the Parks and Recreation Proclamation for the month of July, 2022.

Bill No. 07-01-2022 being for An Ordinance Approving and Accepting the Final Plat of Cayhill, a Replat of Lots 190 & 191, a Subdivision in the City of Warrensburg, Missouri, Located at 1302 and 1304 Estates Drive, was read a first time by title. Community Development Director Carroll said a lot line adjustment was submitted between the lots moving 132.79 ft of the shared lot line to the south to create a larger yard for 1304 Estates Drive. The Planning & Zoning Commission considered the plat on July 5, 2022 and recommended approval as presented. There being no 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. 5732.

Bill No. 07-02-2022 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Depository Contract and Pledge Agreement with Equity Bank was read a first time by title. Finance Director McCoy had requested bid proposals for a depository of city funds as required by RSMo 95.280 every two years. As a result, two bids were received by Equity Bank and Central Bank. McCoy and the City's financial advisor reviewed both submittals and recommended Equity Bank who offered a 2% interest guaranty and reduced banking fees. The proposed contract was a two-year term with an option for two additional years. Council member Osborne asked about pledge agreements and McCoy answered that a pledge agreement was required by state statute to safeguard city fund balances at 100% over the \$250,000 FDIC limit. There being no further questions, Bentley moved said bill be passed to a second reading by title. Carried unanimously. Said bill was read a second time. Roll was called for 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. 5733.

Mayor Kushner read a Resolution to Award Children's Memorial Fund Grant Application in the amount of \$750.00 as recommended by The Nancy Anderson Park & The Children's Memorial Gardens Advisory Board pursuant to Chapter 2, Article VI, Division 4, Sections 2-560(a) and

2-562(b) of the Code of Ordinances. City Clerk Schneider said the grant application was approved by the advisory board to help pay for the applicant's child's burial headstone. Although the funds were available for this request, the funds were unbudgeted for the grant application program due to its recent adoption and required city council's authorization. Funds will be allocated specifically for this program beginning in fiscal year 2023 and applications will then be considered by the advisory board. Osborne moved to approve said resolution. Roll was called for adoption as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said resolution was declared duly adopted and given Resolution No. 2221.

John Chaille, 827 Laurel Dr., Warrensburg, stated that his trash, nor many of his neighbors' trash, had been picked up for twenty-four days. There were multiple telephone calls and emails to the trash company's local and corporate offices and many promises to pick-up were received but the trash containers and bags piled up at the curb. Mr. Chaille asked what can be done to address this type of service from Republic Waste who had a business license but no contract with the City. Community Development Director Carroll said that she and City Manager Dulin met with the general manager of Republic Waste Services last Tuesday and discussed the unreliable service issues of Republic Waste. In response, the general manager said that Republic Waste had changed its territories from Kansas City to Jefferson City because those drivers were used to rural routes and gravel roads. Republic Waste still had labor and hiring issues. Carroll alerted Mr. Chaille that citizens were able to contract with any trash hauler permitted to do business in the city limits since there were no franchise agreements in place.

Further, Carroll said in February of this year, the City gave a two-year notice, as required by state statute, to trash haulers doing business in the city of its intent to take over the utility. There was a request for proposal soliciting consultant services for a solid waste study currently on the City's website. The consultant would provide a feasibility study for solid waste management including bulk items, yard waste, food waste, composting, recycling, household hazardous waste and develop a Solid Waste Plan. The timeline for this project's completion is March of 2024. Mr. Chaille would like Republic Waste held accountable like citizens are held accountable. City Attorney Harris said there is no regulatory authority at the present time and the City will have to wait the two years.

Sally Zellers, 827 Laurel Dr., Warrensburg, thanked Community Development Director Carroll for this information. Ms. Zellers voiced concern that she was violating city ordinances by leaving trash cans at the curb for longer than twelve hours due to the lack of pick-up. Carroll relayed that the city's enforcement officer was aware of the trash issues and had not issued warning letters for almost a year. Carroll said to leave the trash cans at the curb until picked up until the service becomes more reliable. Ms. Zellers then asked about recycling and will it be part of the consultant's study offer and Carroll said that it would be part of the study. Ms. Zellers said that the yard waste drop-off site was overflowing and if there would be any chance before the study was completed for more opportunity to put out yard waste. Ms. Zellers said that due to the many trees on her property, she was willing to pay for yard waste services. Carroll would look into it and get her some contact information.

Mayor Kushner made a couple of statements about the recent participation by police, fire and other city staff on Friday's threat at the hospital. Mayor Kushner thought it was handled very well and had received six phone calls in support by citizens. It was a major response to a major threat, and it went well. Interim Chief Munsterman called the right amount of people in the right amount of time (as practiced in previous drills with the hospital), the radio systems worked great, entered the hospital to investigate, nobody got hurt and coordinated with all responding agencies who came to help by mutual aid. Mayor Kushner said Assistant City Manager/Public

Works Director Villegas kept the city council informed as the incident unfolded. Mayor Kushner said it happened again with the fire department responding to a large duplex fire on Sunday night. All but one fire truck responded to the call and thirty-five firefighters arrived on scene by mutual aid from the fire district and fire auxiliary to help. Mayor Kushner wanted to thank the public safety guys and people at city hall to get through these trying, couple of days.

Chairman Pro Tem Bentley thanked Parks Director Danielle Foster and Park & Recreation Board President Erica Jones-Collins for responding to citizen concerns about park situations. Danielle and Erica pulled together a community informational meeting. At the meeting, citizens shared their concerns and worked on solving problems by creating an action plan. Chairman Pro Tem Bentley commended their speedy efforts to get it together and hear and address those concerns.

Finance Director McCoy summarized the finance report stating the revenue stream was exceeding last year's budget receipts; sales tax revenue in July continued to show improvement; and use tax receipts were down but that was anticipated and at budget. Gasoline tax receipts are being watched closely with the high cost of gas but apparently gas tax is calculated by population and has not shown reduction in consumption as the City still continues to receive increased gas tax receipts. The 2.5% gas tax increase goes into effect on July 1<sup>st</sup> and will be reflected in September financials.

Finance Director McCoy said during budget work sessions, a proposed initiative for a 1% sales tax was discussed and City Manager Dulin wanted to ask council if there were specific priorities that council would like to see to focused on as a priority outside of what was discussed at the work sessions. McCoy also requested council's priorities for the FY2023 budget and said the budget draft would be presented at the August work session. Further, McCoy received notice from the State today on the annual property tax rate calculations. The state tax commission certified the consumer price index as 7.0% but the state statutes only allowed a 5% increase so the City may need to rollback its levy.

Assistant City Manager/Public Works Director Villegas had nothing further to add to his report.

Interim Police Chief Munsterman reported on the threat incident that developed last Friday morning at the medical center and said there would be a debrief this Wednesday for EMS, fire and police agencies. Villegas added that Munsterman served as the officer in command over the incident and his efforts were appreciated.

Fire Chief Jennings reported on the large duplex fire on Sunday night and said the addition of four firefighters last January made a difference in the amount of drivers and response to the fire. Jennings added his appreciation for the community support of water, ice and areas to cool off during the fire.

Human Resources Director McCullough said it was his last meeting before retirement and it had been a great experience for the past six years and he will miss everyone.

Mayor Kushner recommended to Reappoint Sarah Burton, Member, Children's Memorial Fund Advisory Board to a three-year term expiring in June 2025. Lund moved to approve the recommendation. Roll was called for adoption as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none.

Mayor Kushner recommended to Appoint Bryan Jacobs, Director, Parks and Recreation Board to an unexpired term through June 2023. Bentley moved to approve the recommendation. Roll was called for adoption as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none.

Mayor Kushner requested a motion to go into closed session 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;

(18) Operational guidelines, policies and specific response plans developed, adopted or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or public health; and

(21) Records that identify the configuration of components or the operation of a computer, computer system, computer network or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body.

Bentley moved to close this part of the meeting. Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none.

As there was no further business, the meeting adjourned at 8:19 p.m.

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Jim Kushner, Mayor

Attest:

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Jodi L. Schneider, City Clerk