

CITY COUNCIL MEETING OF FEBRUARY 12, 2018

A meeting of the Warrensburg City Council was held on February 12, 2018, at 7:00 p.m., at the Municipal Center, 200 S. Holden, with Mayor Bryan Jacobs presiding. Roll was called as follows: Present were: Lund, Johnston, Watts, Allen, Jacobs. Absent: none.

Minutes of the January 22, 2018, minutes were considered. Watts moved to approve the minutes of the January 22, 2018, City Council meeting. Yes: Lund, Johnston, Watts, Allen, Jacobs. No: none.

The adoption of the agenda was considered. Watts moved to amend the agenda by moving Items 8.111, 8 1V, and 8V before Items 8.1 and 8.2. Watts also said Items 8.1 and 8.2 will be for first and second readings. Yes: Lund, Johnston, Watts, Allen, Jacobs. No: none.

Mayor Jacobs read a Proclamation for Black History Month. Suzy Latore, Chair of the Diversity and Inclusion Task Commission, accepted and thanked the Mayor for the Proclamation.

Mayor Jacobs read a Proclamation for American History Month. Virginia Campbell from the Daughters of the American Revolution accepted the Proclamation from the Mayor.

Finance Director Matthew Lue introduced Bob Cummings from KPM CPAS and Advisors from Springfield, Missouri, who performed the City's Fiscal Year 2016-2017 Annual Audit. He reviewed the firm's responsibilities as an auditing firm. Cummings said the City received the best possible result from the firm's audit. He explained several of the City's governmental funds and recent changes in the guidance of federal grants. Cummings said the City has had an active year financially, and many good things are happening.

Mayor Jacobs opened a Public Hearing on an Ordinance Approving a Conditional Use Permit for an Ambulance Service in a GB: General Business District Located at 500 E. Young Street in the City of Warrensburg, Missouri. Community Development Director Barbara Carroll said the Johnson County Ambulance District purchased property several years ago to operate an ambulance service at 500 E. Young Street. She said a Conditional Use Permit is required in all zoning districts in Warrensburg. Carroll said the Planning and Zoning Commission recommended preliminary approval. She said the width of the driveway is 60 feet wide and City Code states the maximum commercial driveway width is 40 feet wide. Carroll said there will need to be an increase in the size of the driveway.

Shane Lockard, Chief of the Johnson County Ambulance District, said the headquarters will serve as administrative headquarters, and a training facility will serve the northern portion of Warrensburg. He said two existing sites would be moved to this facility. Lockard said he believes response time can be improved at this location. Lockard said the ambulance district would like to expand public safety for Emergency Medical Service, and this location could eventually provide paramedic service and training in town.

Lockard said the Ambulance District is requesting an exception to the 60-foot driveway because of the size of the ambulances and to improve response time. Lockard said they are hoping to bring paramedic certification to Warrensburg. He said they are wanting to have this facility completed by May of 2019. As there was no further comment, the Public Hearing was closed.

Mayor Jacobs opened a Public Hearing on an Ordinance Amending Section 27-404 (g) and Establishing Section 27-405 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Residential Driveways. Carroll said discussions began last December after a change was made in this ordinance. She said this proposal is intended to explain the original intent of the ordinance adopted in May of 2016. Carroll said the Planning and Zoning Commission recommended approval of this proposed ordinance. As there was no further comment, the Public Hearing was closed.

Mayor Jacobs opened a Public Hearing on an Ordinance Annexing Certain Adjacent Territory into the City of Warrensburg, Missouri, Known as Missouri Route 13 Highway Right-of-Way North of Highway 50 and Approximately 1,850 Feet South of the Highway 13 and NE 200 Road/NE HH Highway Intersection. Carroll said the City has been working to get this highway right-of-way annexed. She said the City received information from the Missouri Department of Transportation (MoDOT) that the Department would voluntarily petition its right-of-way to the City. Carroll said this will be considered as an ordinance later in this meeting for first reading only. As there was no further comment, the Public Hearing was closed.

Mayor Jacobs opened a Public Hearing on an Ordinance Annexing Certain Adjacent Territory into the City of Warrensburg, Missouri, Located at the Southeast Corner of the Intersection of Missouri Route 13 Highway and the Extension of Veterans Road. Carroll said the City has received a voluntary annexation application from Oil Investments, LLC. She said this is around eight acres and annexation of the property has been requested.

Mark Farris, 1834 Veterans Road, said his family was interested in the Cayhill area because of its safety and beauty and the surrounding pasture land. Farris said he believes the gasoline station is in direct conflict with the established culture. He said he is concerned about safety and health hazards due to the proximity of the gasoline station. Farris said he is also concerned about the decline in property values and the increase in thefts. As there was no further discussion, the Public Hearing was closed.

Mayor Jacobs opened a Public Hearing on an Ordinance Annexing Certain Adjacent Territory into the City of Warrensburg, Missouri, Located at the Northeast Corner of the Intersection of Missouri Route 13 Highway and Highway 50. Carroll said this property is approximately 69 acres in Brady Commerce Park. She said this annexation petition will further the development of the Industrial Park. Weldon Brady, property owner and developer, said this will fulfill the commitment to the Dollar Tree Project and will allow Dollar Tree to annex into the City limits. As there was no further comment, the Public Hearing was closed.

Mayor Jacobs opened a Public Hearing on an Ordinance Amending Section 27-504 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Signs Requiring Permits. Carroll said this proposal amends the existing ordinance on sign regulations. She said this proposed ordinance would allow pole signs near highway interchanges. Carroll said this is at

the intersection of two federal and state highways and excludes business routes. She said there are performance standards that must be met that limit the number of tall signs at each interchange and the distance and impact on surrounding areas. Carroll said the signs are oriented to be read from the road and have illumination requirements.

Jay Burchfield, a developer who works for MFA Oil, Break Time Stores, said stores throughout the state of Missouri have been constructed. Burchfield congratulated the City on the selection of Warrensburg for the construction of the new Dollar Tree Distribution Center. Burchfield said he contacted property owner Weldon Brady about a new convenience store near the Dollar Tree site. He described the proposed site and said he has worked on several projects in Warrensburg over the years. Burchfield said MFA strives to be a good corporate citizen in all communities.

Burchfield said he discussed sign height with City staff and said the sign would need to be 80 to 90 feet. After discussions with City staff, Burchfield said he reported back to MFA the information he had received from the City. Burchfield said after discussions with MFA, they stated they would need at least 60 feet for signage, and that height was not ideal. Burchfield distributed several site reviews of the signage showing the limited visibility when traveling certain directions.

Council member Lund asked Burchfield what makes the signage so important. Burchfield explained how important identity and pricing is for the business. When asked why the sign should be 90 feet high, Burchfield said the height is needed because of hills, valleys, and trees in the area. City Manager Harold Stewart asked Burchfield to confirm that the height of the sign must be 60 feet or greater for MFA to build at this location in Warrensburg, and Burchfield confirmed that was true.

Burchfield said Break Time will hire 18 full-time employees and will bring a substantial amount of tax revenue to the City. He described the convenience store and said it will be very similar one that has been built on 291 South in Lee's Summit. Burchfield said this building is to be a "Neighborhood Market," which is a new concept meaning it is bigger with more fresh market options and prepared foods. He said there are similar sites in Lee's Summit, Moberly, and Clinton.

Anthony Bickerton, 1241 Vivian Drive, said he is representing a portion of Cayhill residents who have been opposed to the gasoline station this close to a residential area. He said many are concerned about the value of their homes decreasing. Bickerton said many are opposed to the 90-foot sign and said no one wants to see a sign so big. Joe Warren, 1235 Vivian Drive, said he has been in favor of the Dollar Tree Distribution Center and gasoline station coming to Warrensburg, but he is opposed to the 90-foot sign. He said no one wants to see a sign so big close to this neighborhood. Warren said he believes 60 feet is a fair compromise. Jarrod Fausett, 1227 Rich Boulevard, wonders who all will see the sign if it is higher than 60 feet. He believes this will mean more large signs in Warrensburg. Janea Donaldson, 1209 Holland Square, said she hopes the City Council will think of the Cayhill residents and Warrensburg before making a decision. As there was no further comment, the Public Hearing was closed.

An Ordinance Annexing Certain Adjacent Territory into the City of Warrensburg, Missouri, known as Missouri Route 13 Highway Right-of-Way North of Highway 50 and Approximately 1,850 feet South of the Highway 13 and NE 200 Road/NE HH Highway Intersection was read for the first time by title. Carroll said this is for first reading only.

An Ordinance Annexing Certain Adjacent Territory into the City of Warrensburg, Missouri, located at the Southeast Corner of the Intersection of Missouri Route 13 Highway and the Extension of Veterans Road was read for the first time by title. Carroll said this is for first reading only.

An Ordinance Annexing Certain Adjacent Territory into the City of Warrensburg, Missouri, Located at the Northeast Corner of the Intersection of Missouri Route 13 Highway & Highway 50 was read for the first time by title. Carroll said this is for first reading only. Stewart explained these three ordinances were for first reading only, and he said second reading and consideration for approval will be at the next City Council meeting. He said this allows the public time to comment on the proposed ordinance.

Bill No. 2-1-18 being for an Ordinance Approving a Conditional Use Permit for an Ambulance Service in a GB: General Business District Located at 500 E. Young Street in the City of Warrensburg, Missouri, was read for the first time by title. Carroll said there was a Public Hearing earlier concerning this property. She said there will need to be a voice vote concerning the 60-foot approach for the ambulance. Watts moved to approve the 60-foot approach for the ambulance. Yes: Lund, Johnston, Watts, Allen, Jacobs. No: none. Lund 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: Lund, Johnston, Watts, Allen, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5398.

Bill No. 2-2-18 being for an Ordinance Section 27-404 (g) and Establishing Section 27-405 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Residential Driveways. Watts 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: Lund, Johnston, Watts, Allen, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5399.

Bill No. 2-3-18 being for an Ordinance Amending Section 27-504 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Signs Requiring Permits was read for the first time by title. Council member Lund moved to amend the ordinance, (with discussion prior to voting) to adjust the setback between signs from 1400 to 2500 feet. Lund said this would limit the number of signs in the area. Yes: Lund, Johnston, Watts, Allen, Jacobs. No: none. Council member Allen said she would like to amend the ordinance to a height no higher than 60 feet. Council member Johnston said she lives in Cayhill and is surprised residents have not reached out to her. She said she is in favor of the gasoline station and since she has four kids knows this location will be convenient. Johnston said she has safety concerns for the children too; but as a business owner she knows the importance of signs. Johnston said she believes 60 feet is sufficient. Lund said he believes because of the grading of the land, 60 feet will not accomplish much from the north. Lund said he believes the 90-foot sign will help set the business up for success. Allen said she is a business owner and knows they will be successful,

and she will compromise with a 60-foot sign. Allen said her motion is to amend the ordinance to a 60-foot sign. Council member Watts said he has considered the jobs this company will bring to Warrensburg and the tax revenues that will be brought in, and it is his belief the City must offer MFA the best for future success. Roll was taken for Allen's proposal to amend the proposed ordinance from a 90-foot sign to a 60-foot sign. Yes: Johnston, Allen. No: Lund, Watts, Jacobs. Motion failed. Lund moved said amended 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: Lund, Watts, Jacobs. No: Johnston, Allen. Said bill was declared duly adopted and given Ordinance No. 5400.

Stewart said he wanted citizens to know their voices have been heard and this has not been an easy decision for the City Council or City staff. Stewart said he has appreciated hearing from citizens regarding this issue.

Bill No. 2-4-18 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Contract with Emery Sapp & Sons, Inc., for the Brady Commerce Park Veterans Road Extension Project Phase II, in the City of Warrensburg Missouri was read for the for the first time by title. Public Works Director Slim Coleman said City staff believes concrete will be a more durable street. Stewart added that the lifetime of concrete is much longer—up to 40 to 50 years. Watts 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: Lund, Johnston Watts, Allen, Jacobs. No: none. Said bill was declared duly adopted and given Ordinance No. 5401.

Bill No. 2-5-18 being for an Ordinance Approving a Contract for Pool Management Services Under the Council's Joint Resolution with the Warrensburg Park Board was read for the first time by title. Parks and Recreation Director Danielle Fesler said the contract to manage the pool has expired and after going out for bid, the Parks and Recreation Department would like to recommend Midwest Pool Management. She said the company was not the lowest bid, but was the best bid, and the City has contracted with Midwest Pool Management in the past. Johnston 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: Lund, Johnston, Watts, Allen, Jacobs. No: none. Carried unanimously and given Ordinance No. 5402.

In Other Business was Mayoral Appointments to Boards and Commissions. Mayor Jacobs said he would like to appoint the following people to the Tax Increment Financing (T.I.F.) Commission:

- Marshall Abney, City reappointment
- Daric Elwell, City reappointment
- Mark Reynolds, City new appointment
- George Wilson, City reappointment
- Scott Patrick, School appointment
- Andy Kohl, School appointment
- Drew Lewis, new City appointment
- Linda Schnakenberg, City appointment
- Shane Lockhart, Tax entities appointment

Lund moved to approve the appointments to the T.I.F. Commission. Yes: Lund, Johnston, Watts, Allen, Jacobs. No: none. Carried unanimously.

The Mayor would also like to appoint the following people to the Arts Commission:

Aerin Sentgeorge, new appointment
Cindy Bechtol, new appointment
Jay Linhardt, new appointment

Allen moved to approve the Arts Commission appointments. Yes: Lund, Johnston, Watts, Allen, Jacobs. No: none. Carried unanimously.


In the City Manager's Report, Stewart said he and Council member Watts will be attending the Missouri Municipal League Conference in Jefferson City all day on Tuesday and Wednesday, February 13, and February 14, 2018.

In the Director of Finance Report, Lue said revenues from taxes are coming in and the City is doing well.

Human Resources Director Greg McCullough said the City is beginning work with Austin-Peters on the Employee Compensation Plan.

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




Cindy Gabel, City Clerk


Bryan Jacobs, Mayor