

CITY COUNCIL MEETING JULY 8, 2019

A meeting of the Warrensburg City Council was held on July 8, 2019, at 7:00 p.m., at the Municipal Center, 200 S. Holden, with Mayor Casey Lund presiding. Roll was called as follows: Present were: Brooks, Jacobs, Holmberg, Allen, Lund. Absent: none.

Minutes of the June 24, 2019, City Council meeting were considered. Jacobs moved to approve the minutes of the June 24, 2019, City Council meeting. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none.

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

Mayor Lund opened a Public Hearing on an Ordinance Repealing and Replacing Ordinance Number 5494 of the City of Warrensburg, Missouri, Regarding Marijuana Related Uses. Community Development Director Barbara Carroll said in January of 2019, the City Council adopted an ordinance which established zoning regulations for medical marijuana uses in the City of Warrensburg. She said the state has now finalized their medical marijuana rules, and the City will need to make a few changes to be consistent with the state's rules. Carroll said this proposed ordinance amends the method of measuring the buffer distances which is the shortest path between the two points that a pedestrian can lawfully travel by foot. She said this method has been discussed previously, and this is included in the proposed ordinance. Carroll said a Medical Transportation Facility has also been added because it was added by the state, as well as parking requirements. She said it has it's own measurement section.

Mayor Lund said there are a lot of charts and diagrams from the Planning and Zoning Commission meeting. Council member Allen asked about marijuana use in apartments. City Counselor Doug Harris said this ordinance focuses on the supply of the product. He said because of the odor of marijuana existing ordinances would prohibit the use.

Mayor Lund said no one has signed up to speak regarding medical marijuana. He said if someone wishes to speak now, please come forward and state your name. Ronda Davis, a Public Nurse from Johnson County Community Health, said she is concerned about the distance from churches, schools, day care centers, and libraries. Davis said she is concerned about the Red Cross Pharmacy building as a location for the sale of medical marijuana. As there were no additional comments, the Public Hearing was closed.

Bill No. 7-1-19 being for an Ordinance Suspending the Provisions of Section 3-14 for Certain Special Events August 2, 2019, Pursuant to Section 3-14(B) of the Code of Ordinances was read for the first time by title. Police Chief Rich Lockhart said Main Street has outlined their plan for the Outdoor Summer Concert on Pine Street. He said they are requesting suspension of the open container ordinance between the hours of 6:00 p.m. through 11:30 p.m. on August 2, 2019. Lockhart said volunteers will monitor pedestrian traffic in and out of the area to be sure they are complying with the City's liquor laws. Jacobs 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: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5523.

Bill No. 7-2-19 being for an Ordinance Repealing and Replacing Ordinance 5494 of the City of Warrensburg, Missouri, Regarding Marijuana Related Uses was read for the first time by title.

Holmberg 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: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5524.

Bill No. 7-3-19 being for an Ordinance Approving the Final Plat of Cayhill, Lots 188-194, a Subdivision in the City of Warrensburg, Missouri, Located on the North Side of Veterans Road, was read for the first time by title. Carroll said this is approximately 10.4 acres of an area which is being subdivided into seven single-family lots. She said this includes replatting Tract 0 from the fourth phase of Cayhill. She said the developers are proposing to terminate Estates Drive into a cul-de-sac and create Owen Lane to the west line for future development of the area to the west. Carroll said the Planning and Zoning Commission recommended approval with seven conditions that are included in the proposed ordinance. Allen 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: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5525.

Bill No. 7-4-19 being for an Ordinance Approving and Accepting the Minor Plat of Culver's Addition, a Subdivision in the City of Warrensburg, Missouri, Located at 906 and 906A N. Simpson Drive was read for the first time by title. Carroll said this property is in the northeast corner of Maguire Street and Simpson Drive. She explained this property was owned by the Myers family, and some of Jim Myers artwork is still on the property. Carroll said the existing lot would be split into two lots. She said with this change, right-of-way improvements would be triggered which would also include widening curb, gutter, storm drainage and adding a sidewalk at the time of development. Carroll said at the Planning and Zoning Commission meeting there was discussion of the Simpson Drive right-of-way across Lot 2 of the Plat and whether or not the City could require that right-of-way be dedicated to extend the street 130 feet to the east as part of the Culver's Addition Plat. She said the Planning and Zoning Commission recommended approval of the plat with the six conditions and added a seventh condition that planning staff meet with the Myers and see what opportunities there are to extend Simpson Drive to Hawthorne Boulevard and report back to the Planning and Zoning Commission in August.

City Manager Harold Stewart said he believes when MoDOT was making improvements they tried to work with the property owners, but they did not cooperate about the frontage road. He said this necessitated the addition of Cooper Street. Stewart said it could be redundant to have Cooper and a frontage road. He said this could be discussed as the property develops. Stewart said if the City makes this requirement, it can complicate development of the property. Stewart believes it would be best to develop Cooper back into Simpson and allow Cooper to be the east-west connector through that area. Stewart would like to request the seventh condition not be required. Brooks moved to eliminate requirement number seven from this proposed ordinance. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Carried unanimously. Brooks moved to pass the amended bill 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: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Said bill was declared duly adopted and given Ordinance No. 5526.

In Other Business was Discussion of Neighborhood Concerns about the Construction of the Holiday Inn Express. David Ewing, 1224 Walnut Lane, thanked his neighbors for attending tonight's meeting. He also said he appreciated Council member Holmberg coming to the hotel

site located behind his home.

Ewing said he needed to correct a statement he had made concerning delivery of a letter to the owner of the hotel. He later learned it was undeliverable, not denied. Ewing said he did not want to communicate the wrong information.

Ewing summarized his concerns about the Holiday Inn Express Hotel as follows:

1. Communication-he is concerned about the information and conditions that have been communicated about the hotel.
2. Berm-the present one has been causing problems continually.
3. Passage of the current berm system was not passed properly, and the residents were not notified.
4. Attitude-he said passed remarks have shown no concern.

Ewing reviewed the architect's plan which he stated was a negotiated compromise. He said this is a four-story hotel and the berm does not go across the entire property. Ewing referenced an August 2016 meeting concerning lighting, pine trees, the berm, a fence, buffers to prevent loud noises, and setbacks. He said these were intended to help protect the neighborhood and believes this is part of the communication problem. Ewing said he thought this was the plan and even felt like four stories would work because of the berm.

Council member Holmberg asked if the current berm is according to the plan. Carroll said the berm is according to the plan adopted on March of 2017. She said the Conditional Use Permit was amended and plan sheets were attached to the City staff report, and City Ordinance Number 5254 was approved by the City Council. Ewing said he did not know about this change since a family member had been in the hospital for an extended period of time.

Stewart said what has been built is according to the plan that was approved by ordinance by the City Council. He said the City can only require what the City Code of Ordinances require for building standards. Stewart said the City approved the Conditional Use Permit, and once the changes are approved, it is difficult to make changes.

Mayor Lund read a Resolution of the City of Warrensburg, Missouri, Supporting and Encouraging the Efforts of HRM Services to Redevelop Fifty-Six (56) Units of Family Affordable Housing to be Known as Greenridge Estates. Carroll said Pete Ramsel from HRM Services has made application with the Missouri Housing Development Commission for tax credits for low-income housing. She said this is a competitive cycle throughout the state for two types of housing. Carroll said Warrensburg has been successful with several projects being developed in this area.

Carroll said this project is different because it is an existing property and is a rehabilitation request, and the ownership of the property would transfer. Ramsel explained this area is an eye-sore and said he knows the former owner and is disappointed in what has happened to the property. He said this has been a bad situation for neighbors and tenants. Ramsel said the goal is to completely rehab the area and replace siding, windows, roofs, and fixtures inside. He said because of his work background, he is familiar with these projects. Jacobs moved to approve the Resolution. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Carried unanimously and given Resolution No. 2176.

There was discussion of the 2019 Annual Sewer Rate Review for the City of Warrensburg, Missouri. Finance Director Matthew Lue said HDR has been contracted to review the City's current sewer rate schedule and any rate changes that may be necessary. He said last year there was a modification to the schedule due to revenue shortfalls. Lue said the City increased the fixed portion for the FY19 budget, and another similar change in FY19 that would lower the rate increases for the final years of the schedule. He said he would like to recommend the City move forward with the current rate schedule.

Stewart said the City would like to be able to set money aside for future Capital Improvement Projects. After discussion, the Mayor and City Council members agreed to consider the rate change.

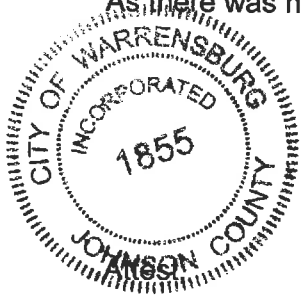
In Other Business was the Approval of the Warrensburg Economic Coalition Partnership Plan. Stewart said this group began as the Economic Coordinating Board to help with communication. He said during the past year, it has been redefined as the Warrensburg Economic Coalition. Stewart said the group consists of major community leaders who would like to create one voice for the community. He said it was decided to go back to those partnering with these efforts for their approval. Stewart said these groups are hoping for positive effects from these efforts. Mayor Lund agreed with Stewart's remarks, and said this effort is for the community. Holmberg moved to approve. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Carried unanimously.


In the City Manager's Report, Stewart said work is beginning on the budget, and he would like the Mayor and City Council members to begin thinking about who will be attending the two International Conference of Shopping Centers Conferences in Chicago and Fort Worth, Texas. Stewart said last year several members flew up and back the same day to save hotel costs.

Stewart encouraged everyone to stop by the new Warrensburg Convention and Visitor's Center. He said Marcy Bryant, the Tourism Director, has done an excellent job of putting everything together.

In the Finance Director's Report, Lue said combined sales and use tax revenue was up 20 per cent for the month of June. He said currently the City is at what has been budgeted.

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




Cindy Gabel, City Clerk


Casey Lund, Mayor