

## CITY COUNCIL MEETING OF JULY 9, 2018

A meeting of the Warrensburg City Council was held on July 9, 2018, at 7:00 p.m., at the Municipal Center, 200 S. Holden, with Mayor Danielle Johnston presiding. Roll was called as follows: Present were: Jacobs, Lund, Watts, Allen, Johnston. Absent: none.

Minutes of the June 25, 2018, meeting were considered. Allen moved to approve the minutes of the June 25, 2018, City Council meeting. Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none.

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

Under Presentations was the Presentation of the Inclusive Playground Matching Funds to the Johnson County Board of Services. Scott Holmberg, Executive Director, thanked everyone in the room who helped to contribute to this success. Holmberg said that includes many individuals. Mayor Johnston said this project has been incredible and she said the community has helped put this project together. The Mayor said she is honored to make this presentation on behalf of the City Council. Holmberg thanked everyone and said he would like to designate this as the "Purple Park."

Mayor Johnston presented a Proclamation Recognizing Parks and Recreation during the Month of July to Parks and Recreation Director Danielle Fester.

Mayor Johnston opened a Public Hearing on an Ordinance Approving a Conditional Use Permit for Land Use 1.111 Site Built, Single-Family Detached Dwelling in a CB: Central Business District Located at 118 E. Gay Street in the City of Warrensburg, Missouri. Community Development Director Barbara Carroll said the Planning and Zoning Commission met earlier this evening, and she distributed the findings and recommendations of the group. Carroll explained the request and said this house is in the Central Business District. She said this is a request for a Conditional Use Permit because of changes adopted in an ordinance in 1992. Carroll said currently the property owner wants to sell the house, and the buyer wants to finance the house with a VA Loan but the VA is requiring a rebuild letter from the City. She said the rebuild letter would be used if the house was destroyed. Carroll said the request for the Conditional Use Permit is being requested now for possible future needs. Carroll said City staff does not recommend this letter because it is not known what the appearance of the neighborhood would be at that time. Carroll said this is not keeping with the 2018 Future Land Use Map for Mixed Use, nor the intent of Chapter 27 of the Code of Ordinances. City Counselor Doug Harris said this is an unusual request from VA, and City Council member Jacobs said this request sounds more like it is from a lender. Council member Watts said he is concerned because the letter is legally binding if it is the same property owner. As there was no further comment, the Public Hearing was closed.

Mayor Johnston opened a Public Hearing on an Ordinance Approving a Conditional Use Permit for Land Use 1.320 Multi-Family Townhouse, Rowhouses: Land Use 1.330 Multi-Family

Apartments, Street Level: and Land Use 1.340 Multi-Family Attached Units, Street Level in CB: Central Missouri District Located at 146 W. Pine Street in the City of Warrensburg, Missouri. Carroll distributed findings from the Planning and Zoning Commission meeting prior to tonight's meeting. Carroll said this is a request for street-level residential use. She said no site plans for the project have been submitted, so she is not sure of the land use category. Carroll said the proposal submitted is for three two story condo-style story units with a second floor space, and that would be a land use as multi-family townhouse, rowhouse with street level. She said the apartments north of the property were permitted because the ordinances at that time allowed apartments as principal uses on lots by right in the Central Business District. Carroll said no Conditional Use Permit was required at that time. Carroll said following the 2007 Comprehensive Plan and the 2008 DREAM Initiative, the City code changed in 2011 to require a Conditional Use Permit and a Public Hearing. She said City staff does not recommend this because it is not in keeping with the intent of the Central Business District regulations, the general trend of the development in that area, nor the 2017 Future Land Use Map for Mixed Use. Carroll said there was a lot of public comment about this project prior to the Planning and Zoning Commission meeting, and Carroll summarized those findings.

Rhonda Gelbach said she appreciates the property owner wanting to make this investment in our community, but she believes it is wrong to take away from retail businesses on the first level. She said the retail area must be walkable and this will also promote more sales tax. Randy Suhr said he has seen a lot of changes on Pine Street over the years. He said at one time it was quiet with not much activity. Suhr said the downtown is now vibrant and we should keep retail on the main level. Ann Papisifakis said the downtown works as it is now and these property owners proposing this change of use do not care about the downtown. As there was no further comment, the Public Hearing was closed.

Mayor Johnston 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 Veterans Road. Carroll said there have been many annexations into the City around this area, and Dollar Tree site is now contiguous to the City and can be annexed into the City limits. As there was no further comment, the Public Hearing was closed.

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 Veterans Road was read for the first time by title. Carroll said this is for first reading only and will be considered at the next meeting.

An Ordinance Approving a Conditional Use Permit for Land Use 1.111 Site Built, Single-Family Detached Dwelling in a CB: Central Business District Located at 118 W. Gay Street in the City of Warrensburg, Missouri, was read for the first time by title. Carroll said City staff recommends not approving this ordinance. 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: Johnston. No: Jacobs, Lund, Watts, Allen. Motion failed.

An Ordinance Approving a Conditional Use Permit for Land Use 1.320 Multi-Family Townhouse, Rowhouses: Land Use 1.330 Multi-Family Apartments, Street Level: and Land

Use 1.340 Multi-Family Attached Units, Street Level in a CB: Central Business District Located at 146 W. Pine Street in the City of Warrensburg, Missouri, was read for the first time by title. Carroll said the City does not recommend approval of this ordinance. 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: none. No: Jacobs, Lund, Watts, Allen, Johnston. Motion failed.

Bill No. 7-1-18 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Contract with Mega Industries Corporation for the Downtown Revitalization Project Phase IV in the City of Warrensburg, Missouri, was read for the first time by title. Public Works Director Slim Coleman described the location of the project and said three bids were received. He said two of the bids were rejected as being nonresponsive. The project was awarded to Mega Industries in the amount of \$561,593.40. He said MoDOT funding available for this project is \$229,397.75. 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: Jacobs, Lund, Watts, Allen, Johnston. No: none. Said bill was declared duly adopted and given Ordinance No. 5439.

7-2-18 being for an Ordinance Authorizing the City Manager and City Clerk to Execute a Memorandum of Understanding with the Warrensburg R-VI School District for the School Resource Officer Program for the 2018-2019 School Year was read for the first time by title. Police Chief Rich Lockhart said this is an annual request for funding. City Counselor Doug Harris noted several cities are familiar with Warrensburg's success with the school's program, and are beginning this program at their schools. 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: Jacobs, Lund, Watts, Allen, Johnston. No: none. Said bill was declared duly adopted and given Ordinance No.5440.

In Other Business was a Request for Funding from the Stevenson Fund for the Teachers Warehouse. City Clerk Cindy Gabel said this is an annual request for funding from the Stevenson Fund for the Teachers Warehouse. Gabel said this is an annual request for \$500 from the Teachers Warehouse for school supplies for teachers. Allen moved to approve the request. Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Carried unanimously.

In Mayoral Appointments to Boards and Commissions, Mayor Johnston said she would like to recommend Dewayne Jackson as the Chairman of the Traffic Commission. Watts moved to approve the appointment. Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none. Carried unanimously.

Jacobs moved to close 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.

(2) Leasing, purchase or sale of real estate where public knowledge might adversely affect the amount paid in the transaction.

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded.


(12) Documents or any documents related to a negotiated contract until a contract is executed or all proposals are rejected.

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.

Yes: Jacobs, Lund, Watts, Allen, Johnston. No: none.

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



  
Danielle Johnston, Mayor

  
Cindy Gabel, City Clerk