

CITY COUNCIL MEETING AUGUST 26, 2019

A meeting of the Warrensburg City Council was held on August 26, 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 August 12, 2019, City Council meeting were considered. Jacobs moved to approve the minutes of the August 12, 2019, City Council meeting. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Absent: none.

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

Police Intern Lizzie Wrisinger presented a Police Communications Plan and Recruiting Brochure. Wrisinger explained the mission of the Police Department is to create and maintain a safe City with a vision statement of Warrensburg as one of the safest communities in the nation. She said communication and goals are very important. Police Chief Rich Lockhart thanked Wrisinger for all of her hard work and new ideas she has brought to the department.

Mayor Lund opened a Public Hearing on an Ordinance Enlarging a GB: General Business District by Rezoning Land Located at 309 E. Market Street from R1: Single Family Residence District in GB: General Business District and a Public Hearing on an Ordinance Enlarging a GB: General Business District by Rezoning Land Located at 310 E. Gay Street from R2: One and Two Family Residence District to GB: General Business District. Community Development Director Barbara Carroll said these applications were made by two different property owners. She said the applicants, Phillip Zou and Jing Sun, own the property at 309 E. Market Street, and James P. and Wanda Skelton, own the property at 310 E. Gay Street. Carroll said Casey's Marketing Company, in conjunction with the current property owners, have submitted a minor plat application for the development called Casey's Addition. She said the property on Market Street is zoned R-1 single family, and the property on Gay Street is zoned R-2 One and two-family dwelling district. Carroll said the Planning and Zoning Commission considered this at their last meeting, and there was a significant amount of public comment. She said copies of the concerns are included in the packet. Carroll said the Planning and Zoning Commission recommended approval of both rezoning's.

Mayor Lund asked a representative from Casey's to give an overview of the project. Jeff Lubach, a Civil Engineer consultant with Casey's, described the project and said there is an existing gasoline station that will be demolished in addition to the two houses. He said several of the entrances from Maguire will be closed, and he believes this will improve traffic in this area. Lubach said they have been speaking with the property owners at 312 E. Gay Street about the removal of trash and he said they can have the trash receptacles moved further from the area originally designated. He said Casey's will provide a buffer of over 30 feet adjacent to 311 E. Market Street and adjacent to 312 E. Gay Street most of that property will be used as a buffer. Lubach said this design of Casey's is a new prototype with two entrances. Carroll said this property is not part of a Conditional Use Permit so the City cannot hold them to a larger buffer, but the City can hold them firm to the 30-foot buffer.

Mayor Lund read the highlights of letters received by the City of Warrensburg concerning the Casey's project. Mayor Lund said the letter of support from Presiding Commissioner Bill Gabel

said the overall use of the land will continue as a gas station, the high visibility of this location on the main thoroughfare is one that incoming UCM students and visitors to our community drive by daily, this project will increase the commercial assessed valuation and sales tax, and there will be an overall improvement of the location with the new, upgraded store. He said Gabel encouraged council members to vote in favor of the project. Mayor Lund read comments made by David Sheehan that were in *The Daily Star Journal*, encouraging the new project and how it will improve this section of Warrensburg, increase property values, and create new jobs. Mayor Lund said Jim and Wanda Skelton, former owners of 312 and 314 E. Gay and 311 E. Market, support this project, and said the new Casey's would generate more tax revenue for the City than the existing store, will be more attractive, and will provide safer and more convenient egress and ingress to Maguire Street and Gay Street. Skelton said property values will increase and promote growth and development. He said Casey's has proven it is a well-respected company and currently has three other stores in Warrensburg. Charlie Kavanaugh, Western Commissioner, said the City has made great strides toward being mindful of business growth in recent years. He encouraged council members to vote in favor of the project.

Drew Lewis, President of the Johnson County Economic Development Corporation, read a letter of support the group had recently sent to the Mayor and City Council members. He said this group supports all of Johnson County and is headquartered in Warrensburg. He said this board met on August 22, 2019, and at that time took action to support the property owners who submitted a minor plat to consolidate eight lots into one lot.

Denny Hoskins, owner of property at 314 East Gay, said he is attending tonight's meeting with concerns of the proposed change in zoning from residential to commercial for this area. Hoskins said he believes the current owner of the property threatened to let the property deteriorate if Casey's was not allowed. He said there are concerns about the traffic as well as lighting. Hoskins said he appreciates Casey's meeting with homeowners and looks forward to seeing the revised site plan. City Manager Harold Stewart said Casey's will submit a different site plan that will move the trash receptacles. Council member Holmberg said he appreciates Casey's working with the homeowners on this project, and he believes the property owners concerns are valid.

Jim Sovada, an attorney for Casey's said he has nothing to add but is available for any questions. George Hout, 216 E. Gay, said he believes the by-pass was designed to help solve traffic problems. He said this project will only compound the current problem. As there was no further discussion, the two Public Hearings were closed.

Mayor Lund opened a Public Hearing on an Ordinance Establishing a GB: General Business District for Property Recently Annexed into the City of Warrensburg, Missouri, Located at the Southwest Corner of 141 NW 21 Road. Carroll said this is a triangular tract of land located at the southwest corner of 141 NW 21 Road and was inadvertently left out of the annexation process. She said Elvin Maloney, owner of this property, has asked that this also be annexed into the City limits. As there was no further comment, the Public Hearing was closed.

Mayor Lund opened a Public Hearing on an Ordinance Establishing a GB: General Business District for Property Recently Annexed into the City of Warrensburg, Missouri, Known as Right-of-Way for a Portion of NW 21 Road (Holden Street) Carroll said this right-of-way is owned by the Johnson County Commission, and they have asked the City to take over as owner of this property. She said this property has been annexed into the City limits. As there was no further comment, the Public Hearing was closed.

Mayor Lund read an Ordinance Suspending the Provisions of Section 3-14 for certain Special Events September 27 and September 28, Pursuant to Section 3-14(b) of the Code of Ordinances was read for the first time by title. Police Chief Rich Lockhart explained Main Street has submitted their annual request for Burg Fest. He said two separate applications and plans have been submitted. Lockhart said the first request is similar to what has been used in the past. He said alcohol would be sold behind the Johnson County Courthouse and only allowed within the fenced area. Lockhart said the second plan is for the entire Burg Fest area as an open container area which would be like the concerts on Pine Street. He said on Saturday there would be an extension of the area to include where the car show will be held. City Manager Harold Stewart said this agenda item was inadvertently put under public hearings. Chairman Pro Tem Jacobs moved to amend the agenda and move this item under ordinances, first and second readings. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: None. Carried unanimously.

Mayor Lund opened a Public Hearing on an Ordinance Fixing the Annual Rate of Levy for Taxes by the City of Warrensburg, County of Johnson, Missouri, for General Revenue Fund Purposes for the year 2019 and Levying Said Taxes. Mayor Lund opened a Public Hearing on an Ordinance Fixing the Annual Rate of Levy for Taxes by the City of Warrensburg, County of Johnson, Missouri, for Park Fund Purposes for the year 2019 and Levying Said Taxes. Mayor Lund opened a Public Hearing on an Ordinance Fixing the Annual Rate of Levy for Taxes by the City of Warrensburg, County of Johnson, Missouri, for Debt Service Purposes for the Year 2019 and Levying Said Taxes. As there was no public comment on any of the Public Hearings concerning the Annual Rate of Levy for Taxes, the Public Hearings were closed.

Bill No. 8-3-19 being for an Ordinance to Enable the City of Warrensburg, Missouri, to join Show Me PACE pursuant to Sections {67.2800 to {67.2835, RSMO, the "Property Assessment Clean Energy Act," and stating the terms under which the City will conduct activities as a member of such District was read for the second time by title. Stewart said this enables commercial properties to participate in the PACE Program. He said this does exclude residential properties in the City at this time. He said for the City to participate in the residential area again, the City would have to take specific action with an ordinance. Jacobs moved to approve the bill. 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. 5531.

Bill No. 8-4-19 being for an Ordinance Establishing Sewer Rate Base Charges for the FY20 Budget Year in the City of Warrensburg, Missouri, was read for the second time by title. Finance Director Matthew Lue said this will increase the volume charge portion of the sewer bills. He said the residential charge will increase from \$5.11 to \$5.60, and the commercial rate will increase from \$4.56 to \$5.60. Lue said those customers using less than 2 cubic feet will have no increase in charges. Holmberg moved to approve the bill. Roll was called for the adoption or rejection of said bill as follows: Yes: Brooks, Jacobs, Holmberg, Allen, Lund. Said bill was declared duly adopted and given Ordinance No. 5532.

Bill No. 8-5-19 being for an Ordinance Suspending the Provisions of Section 3-14 For Certain Special Events September 27, 2019, and September 28, 2019, Pursuant to Section 3-14(b) of the Code of Ordinances was read for the first time by title. Chairman Pro Tem Jacobs said he is supportive of Plan B because he has seen other communities that allow walking with alcohol within the designated areas. Council member Allen said she is concerned about alcohol sales beginning at 10:00 a.m., but otherwise supports Plan B. Council member Holmberg said he prefers Plan A because this is a family event, and Council member Allen says the Warrensburg Police Department watches this area closely. Council member Brooks agreed to support Plan

B, and Mayor Lund said he recently attended an event at the Lake of the Ozarks where open containers of alcohol were allowed for the first time, and there were some lines of people waiting, but overall it was well-received. Allen moved to approve Plan B for the upcoming Burg Festival. 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. 5533.

Bill No. 8-6-19 being for an Ordinance Enlarging a GB: General Business District by Rezoning Land Located at 309 E. Market from R1: Single Family Residence District to GB: General Business District was read for the first time by title. Chairman Pro Tem Jacobs said he would like to thank Casey's for talking with the property owners in the surrounding area. Council member Holmberg agreed and said it was important that Casey's honors their commitment. Chairman Pro Tem Jacobs said he is concerned about the traffic, and Carroll said there will be a traffic study in the area. 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. 5534.

Bill No. 8-7-19 being for an Ordinance Enlarging a GB: General Business District by Rezoning Land Located at 310 E. Gay from R2: One and Two Family Residence District to GB: General Business District was read for the first time by title. 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. 5535.

Bill No. 8-8-19 being for an Ordinance Establishing a GB: General Business District for Property Recently Annexed into the City of Warrensburg, Missouri, Located at the Southwest Corner of 141 NW 21 Road in Warrensburg, Missouri, was read for the first time by title. 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. 5536.

Bill No. 8-9-19 being for an Ordinance Establishing a GB: General Business District for Property recently Annexed into the City of Warrensburg, Missouri, Known as Right-of-Way for a Portion of NW 21 Road (Holden Street) 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. 5537.

Bill No.8-10-19 being for an Ordinance Accepting Transfer of Real Estate for a portion of the Right-of-Way for NW 21 Road was read for the first time by title. Carroll said now that this property has been annexed, it is appropriate to transfer and accept the Right-of-Way. 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. Carried unanimously and given Ordinance No. 5538.

Bill No 8-11-19 being for an Ordinance Fixing the Annual Rate of Levy for Taxes by the City of Warrensburg, County of Johnson, Missouri, for Debt Service Purposes for the Year 2019 and

Levying Said Taxes was read for the first time by title. Lue said a Public Hearing must be held each year to allow the public to make comments. Brooks 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. 5539.

Bill No. 8-12-19 being for an Ordinance Fixing the Annual Rate of Levy for Taxes by the City of Warrensburg, County of Johnson, Missouri, for General Revenue Fund Purposes for the Year 2019 and Levying Said Taxes was read for the first time by title. 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. 5540.

Bill No. 8-13-19 being for an Ordinance Fixing the Annual Rate of Levy for Taxes by the City of Warrensburg, County of Johnson, Missouri, for Park Fund Purposes for the Year 2019 and Levying Said Taxes, 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. 5541.

Bill No. 8-14-19 being for an Ordinance Authorizing Execution of an Agreement Between the City of Warrensburg, and the Secretary of the Air Force for Mutual Aid for Fire Services. Interim Fire Chief Doyle Oxley said this is a mutual aid agreement between the City and Whiteman Air Force Base. 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. 5542.

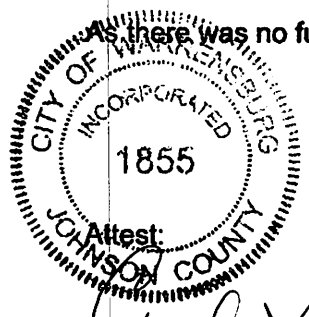
In Other Business was a request for a Letter of Support from the Missouri Community Reinvestment Grant Program. Stewart said this is an emphasis on military housing needs and he has been working with Pioneer Trails Planning Commission on a housing study. Stewart said he believes it will have an impact on Warrensburg. He said the Whiteman Area Leadership Council is also partnering with Pioneer Trails to submit an application. Stewart said if this is approved, he believes it will give the City access to other Reinvestment Grant Programs. Allen moved to approve the Letter of Support. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Carried unanimously.

In Other Business was a request for a Letter of Support for Whiteman Air Leadership Council (WALC). Stewart said this is like the other program but is for funding for WALC for a permanent full-time staff member. Allen moved to approve. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Carried unanimously.

In Mayoral Appointments, Mayor Lund said he would like to appoint Steve Westhead and Shari Bax to the Planning and Zoning Commissions; and Joe Eccleton to the Warrensburg Convention and Visitor's Bureau. Jacobs moved to approve. Yes: Brooks, Jacobs, Holmberg, Allen, Lund. No: none. Carried unanimously.

In the City Manager Report, Stewart said Bob Shaw has been hired as the new Fire Chief for the City of Warrensburg and will begin his duties after Labor Day. Mayor Lund and Council member Brooks will be going to the International Center of Shopping Center's Conference in Chicago on Wednesday and Thursday, October 16-17, 2019.

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



Attest:

Cindy Gabel
Cindy Gabel, City Clerk

Casey Lund
Casey Lund, Mayor