

CITY COUNCIL MEETING OF MARCH 13, 2023

A meeting of the Warrensburg City Council was held on March 13, 2023 at 7:00 p.m., at 200 S. Holden and via Zoom, with Mayor Kushner presiding. Mayor Kushner called the meeting to order and Girl Scout Troop 1048 and BSA Troop 7513 led in the Pledge of Allegiance. Roll was called as follows, Present: Osborne, Lund, Uhler, Kushner. Absent: Bentley.

The minutes of the February 27, 2023 meeting were considered. Osborne moved to approve the minutes. Yes: Osborne, Lund, Uhler, Kushner. No: none.

The adoption of the agenda was considered. Lund moved to adopt the agenda. Yes: Osborne, Lund, Uhler, Kushner. No: none.

Mayor Kushner invited Melissa Frey and community members to come forward for the proclamation reading of the Developmental Disabilities Awareness Month for March 2023. The proclamation urged those in our community to seek opportunities to embrace the richness of America's diversity by considering the talents and efforts of all members of the community with different abilities.

Mayor Kushner invited community members, Girl Scout Troop 1048 and BSA Troop 7513 to come forward for the proclamation reading of Women's History Month for March 2023. The proclamation recognized that fundamental freedoms are interconnected and when opportunities for women are withheld, we all suffer; and when women's lives are improved, we all gain.

Mayor Kushner invited Terry Hawks, Water Pollution Control Utility Inspector for the City of Warrensburg, to come forward for the reading of the Terry Hawks Employee Recognition Proclamation. The proclamation recognized Mr. Hawk's proactive contributions in response to unprecedented construction activity within the public rights-of-way by leading bi-weekly safety meetings to which all utilities performing work within the rights-of-way are required to attend. The meetings resulted in a decrease of utility hits by one-half since August 2022 and statewide recognition of the rights-of-way management touted as a model plan by the Missouri 811 agency.

Mayor Kushner invited Brett Penrose, Building Official for the City of Warrensburg, to come forward for the reading of the Brett Penrose Employee Recognition Proclamation. The proclamation recognized his exemplary knowledge of building codes, including local amendments in the City's codes and serving as the A.D.A. Coordinator. This knowledge was used to mentor and guide a local eagle scout project in the construction of new stairs for the Warrensburg church community.

Mayor Kushner opened a public hearing to consider sewer rate volume charges for the City of Warrensburg, Missouri. Finance Director McCoy said city council heard two options at the February 13, 2023 work session to increase sewer rates as a result of a comprehensive rate study by Raftelis. City staff recommended the second option of raising rates April 1, 2023, and not again until October 1, 2024. The rate increases will generate \$20.3 million dollars for improvements in the two wastewater treatment plants for Sequencing Batch Reactors and associated upgrades to meet regulatory requirements. McCoy explained the residential base rate is set at \$15.28 per month plus volume charge A of \$3.20 for each of the first 2 CCFs used plus volume charge B \$7.68 for each CCF used over 2 CCFs. McCoy explained the proposed

rate for commercial accounts was base rate (set according to meter size) plus volume charge C times actual CCF usage. There was no public comment. Mayor Kushner closed the public hearing.

Bill No. 03-01-2023 being for an Ordinance Establishing Sewer Base Rate Charges effective April 1, 2023, for Fiscal Year 2023 Budget in the City of Warrensburg, Missouri, was read for a first time by title. Upon conclusion of the public hearing and council's consideration of staff's recommended sewer base rate charge option, Finance Director McCoy said adopting legislation would begin with April readings in Zone 1 utility bills dated April 17, 2023 with the updated volume charges. There being no questions, Osborne 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, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5782.

Bill No. 03-02-2023 being for an Ordinance Authorizing the City Manager or their Designee to create and implement a new Stormwater Mitigation Program, was read for a first time by title. Assistant City Manager/Public Works Director Villegas said the proposed program aids in reducing unnecessary and unwanted stormwater inflow and infiltration (I/I) into the sanitary sewer collections system. The program offers residential property owners an incentive to disconnect sump pump discharge pipe, driveway or foundation drain illegally connected to the sanitary sewer system, including uncapped or broken residential sanitary sewer clean-outs. 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 adoption or rejection of said bill as follows: Yes: Osborne, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5783.

Bill No. 03-03-2023 being for an Ordinance Authorizing the City Manager and City Clerk to Approve Empire Electric Services & Technologies Change Order No. 3 for the East and West Wastewater Treatment Plants SCADA Upgrade Project, was read for a first time by title. Plant Operations Manager Adlich said Change Order 3 would allow changes in programming to add monitoring between SCADA and new ORP probes, installation of new suitable instrument cables to replace existing from each control panel and provide an alarm notification system replicating current Win-911 system. There being no questions, Osborne 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, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5784.

Bill No. 03-04-2023 being for an Ordinance Authorizing the City Manager and the City Clerk to Approve Addendum No. 2 to the Anderson Engineering, Inc. proposal for the design of the Cooper Street Extension project under the terms and conditions of the Engineer Services Agreement, was read for a first time by title. Assistant City Manager/Public Works Director Villegas said a determination was made as a result of coring data that the intersection of Cooper Street and Thompson Street would need to be redesigned and reconstructed in order for the connection of the proposed Cooper Street extension to operate as a through street presented as Addendum 2. Villegas said there was an oversight by staff during conception that formal action should have come from council before proceeding with the project because it was unbudgeted. Villegas said this project will be completely funded through the Transportation Development District (TDD) sales tax. Staff will be seeking reimbursement for project costs to date. 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 adoption or

rejection of said bill as follows: Yes: Osborne, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5785.

Mayor Kushner read a Resolution of the City Council of the City of Warrensburg, Missouri, Allowing Credit Toward Building Permit Fees for Attending Educational Classes. Community Development Director Carroll said minimum building permit fees have increased from \$30 in 2014 to \$75 in 2021 since this program's inception. It was requested to increase the \$20 credit for attendance to \$50. There being no questions, Osborne moved to approve said resolution. Roll was called for approval as follows: Yes: Osborne, Lund, Uhler, Kushner. No: none. Said resolution was duly adopted and given Resolution No. 2247.

Mayor Kushner read a Resolution Authorizing the Destruction of Records held for the required period based on the Missouri adopted Records Retention Schedule. City Clerk Schneider said the records detailed on the attached Destruction Log for Information Technology and Finance have reached minimum retention and ready for disposition. There being no questions, Lund moved to approve said resolution. Roll was called for approval as follows: Yes: Osborne, Lund, Uhler, Kushner. No: none. Said resolution was duly adopted and given Resolution No. 2248.

Mayor Kushner read a Resolution Approving a \$70,000 Transfer of American Rescue Plan Act Funds of the City of Warrensburg to the Warrensburg Convention and Visitors Bureau (WCVB) for Local Tourism in the Renovation of the Warrensburg Visitor Center. City Manager Dulin said this dollar amount had originally been proposed to be spent with WCVB to help the tourism industry after the Covid pandemic. A question arose whether to increase the dollar amount but it was recommended to leave the amount the same due to other city projects in the works. There being no questions, Osborne moved to approve said resolution. Roll was called for approval as follows: Yes: Osborne, Lund, Uhler, Kushner. No: none. Said resolution was duly adopted and given Resolution No. 2249.

Mayor Kushner recommended the reappointment of Dorothy Arvizu for an additional three-year term on the Diversity and Inclusion Commission. There being no questions, Osborne moved to Reappoint Dorothy Arvizu. Roll was called as follows: Yes: Osborne, Lund, Uhler, Kushner. No: none.

There were no appearances to the council not listed on the agenda.

Under Miscellaneous Matters from the Mayor and/or City Council, Mayor Kushner said it was great to see employees recognized for a job well done and would like to see the continuation of the proclamations.

Under City Manager Report, Community Development Director Carroll, along with Brett Penrose, Building Official and Joe Clifford, Property Maintenance Code Inspector, presented a new Window Replacement Grant Program. This new program evolved from the successful Façade Grant Program started in 2013 and was developed by Penrose and Clifford in an effort to encourage maintenance improvements to existing commercial buildings throughout the city. The program encourages aesthetics, structure safety and energy efficiency for windows on the side of buildings adjacent to public rights-of-way or public space. The maximum grant was set at \$600 for a dollar-to-dollar match and the FY23 budget was \$3,000 for the program (up to five grantees). Carroll said that Clifford would administer the paperwork and Penrose, Kristin Dyer, City Planner, and Mike Fiddler, Police Lieutenant, would form a city staff grant committee. The program period would begin April 1st through August 15th (paid out by September 30th).

Councilmember Uhler asked how would property owners hear about the new program. Carroll responded through social media, the City's website and by word of mouth.

Assistant City Manager/Public Works Director Villegas presented updates for the 2023 Street Maintenance Program and Sidewalk Improvement Program. The first slide showed a Pavement Condition Index (PCI) Map of city streets, color-coded with green indicating good pavement, yellow indicating the need for surface treatments and red indicating the need for full reconstruct and pavement ratings with a range from 0=failed to 100=new. The PCI map did not show curb and gutters, sanitary sewers or stormwater conditions.

Villegas pointed out the number of streets in need of surface treatment improvements or full reconstruction and how best to tackle these improvements with current budgetary constraints. Villegas said the street department was switching to a conventional mill/overlay approach for FY23 and wrapping up last year's sealcoating projects. Additionally, the Big Brothers Big Sisters facility driveway and parking is listed as a bid alternate if pricing comes in favorably. Villegas said that stormwater, curb and gutter and A.D.A. ramp operations were being streamlined to touch the road one time with anticipated plans for 2,275 linear feet of curb and gutter, twelve A.D.A. ramps and one stormwater crossing. Villegas pointed out the highlighted asterisks indicated a "record" with the exception of overlay which came in second from 2019.

Villegas said the Sidewalk Improvement Program zone approach anticipated plan is 9,333 linear feet of sidewalk (rough equivalent of the last 9-10 years' worth of sidewalk repairs) that can be captured in the right-of-way A.D.A. Transition Plan for future years.

Councilmember Uhler queried how a street improvement is chosen with less than 4% of the general revenue fund budget. Villegas said choices are made based on need. For instance, Market Street was targeted through the Community Development Block Grant program for improvements using a "corridor approach." Villegas said stretching dollars included the use of mill/overlay on red-colored streets and sealcoating on yellow-colored streets. Councilmember Lund asked whether traffic count data had been overlaid on the matrix and Villegas said no. Villegas said the impact of ridership was reviewed on capital projects with large ridership and emergency snow routes but not for mill/overlay projects.

Finance Director McCoy reported the phone system process has made a significant impact on the number of calls coming in and the automation has cut down on staff time. McCoy said there have been many applications received for the collector position. McCoy said business and liquor license renewal application forms have been updated for the current year's season. Finance Accountant Denfeld has identified three more fraudulent checks through bank reconciliation and positive pay methods. McCoy summarized the financial report and stated that March sales tax receipts showed a declination by 5% over last year. Mayor Kushner asked what happens when check fraud is identified and Chief Munsterman said a report is taken and investigated for locality. City Manager Dulin said check processes are being reviewed why checks are issued in small amounts and increasing the use of ACH instead to avoid check fraud.

Villegas reported that stainless steel sinks and commodes have been ordered for the Cave Hollow Park restroom remodel. Villegas also reported that crews moved swings at Hawthorne and addressed surface issues and waiting for Gametime to come and reinspect to area.

Councilmember Uhler commented on the Blaine Whitworth Foundation's donation of funds for pickleball courts in the parks. Interim Park Director Deal said the Park Board is reviewing

pricing on conversion of tennis courts to pickleball. Deal said the Building Supervisor position has made a big difference in the after-school program at the community center as well as police officer presence on occasion. Park memberships have increased to over two hundred. The Park Board has an orientation scheduled for this week and registrations are underway for spring and summer sports.

Tourism Director Barnhart thanked city council for approving the \$70,000 ARPA fund transfer for the visitor center. Barnhart reported on the Visitor Profile study provided by Main Media. The information will be used for a marketing plan. Barnhart gave an overview of preliminary data numbers. Councilmember Uhler asked about hotel lodging tax collections. McCoy said the collections had been challenging and reminder letters listing penalties were sent. McCoy said an audit to pull numbers to make sure all monies are collected will be forthcoming. Councilmember Uhler asked about transportation service from hotels and the train depot around the city. City Manager Dulin was working with Johnson County Economic Development, Johnson County Board of Services and UCM on transportation for visitors, citizens and employer-employee work needs. Councilmember Lund suggested recruitment efforts for people to build a hub of transportation using Uber or other apps similar to other cities.

City Manager Dulin said the Missouri Department of Revenue released new sales tax rate charts on March 6th. Dulin updated the informational flyer on the one-cent sales tax ballot question which now includes the one-half cent 911 sales tax that goes into effect on April 1st. The revised flyer reads that the sales tax rate would be 10.475% and the city would rank 168th among all taxing entities in Missouri if the ballot question passes.

Mayor Kushner asked about the solid waste study. Carroll said a survey would soon be placed on social media and the City's website for community feedback. An Open House is scheduled for April 11th for community feedback as well. Additionally, a city council study session will be held on April 10th with the consultants for review of the feedback received.

As there was no further business, the meeting adjourned at 8:20 p.m.



Jim Kushner, Mayor

Attest:



Jodi L. Schneider, City Clerk

