

CITY COUNCIL MEETING OF OCTOBER 24, 2022

A meeting of the Warrensburg City Council was held on October 24, 2022 at 7:00 p.m., at 200 S. Holden and via Zoom, with Mayor Kushner presiding. Mayor Kushner called the meeting to order and led in the Pledge of Allegiance. Roll was called as follows, Present: Osborne, Bentley, Lund, Uhler, Kushner. Absent: none.

The minutes of the October 10, 2022 meeting were considered. Bentley moved to approve the minutes. Yes: Osborne, Bentley, Uhler, Kushner. No: none. Abstention: Lund.

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

Mayor Kushner opened a public hearing on an ordinance amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Home-Based Businesses. Community Development Director Carroll said last spring, the Missouri Legislature adopted two provisions that went into effect on August 28, 2022, regarding home-based businesses. In response, City staff worked with legal counsel to revise Chapter 27 in conformance with State law. The proposed ordinance allows no-impact home-based businesses in residential districts so long as they meet performance standards. If not met, any violations or "impact" will be investigated and abated through reactive enforcement measures. Specific revisions include changes from "home occupation" to "home-based" references, removing a requirement to register a home occupation (a regular business license requirement remains), eliminate a list of prohibited home occupations, allow home-based businesses to operate within an accessory building or yard without visibility from the street, no limits to size of space as compared to the residential property, or limit to the number of customers or employees that can visit the home-based business. Specific items remain that include parking and sign regulations. The Planning & Zoning Commission considered the changes on September 7, 2022 and recommended approval. There has been no public comment received. City staff recommends approval. Mayor Kushner asked if there would be any inspections and Carroll said no inspections were required. Carroll said a majority of home-based businesses were internet-based, phone or for address purposes only. There were no further questions or comments, Mayor Kushner closed the public hearing.

Mayor Kushner read an Ordinance Approving and Accepting the Minor Plat NDS Industrial, a Subdivision in the City of Warrensburg, Missouri, Located at 808 and 812 E. Young Street, for a second time by title. Community Development Director Carroll said the applicant requested this Item 6.I and Item 6.II be tabled until the November 14, 2022 city council meeting. Bentley moved to table Items 6.I and 6.II be tabled until November 14, 2022 city council meeting. Roll was called for approval as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none.

Bill No. 10-01-2022 being for an Ordinance Approving and Accepting the Final Plat of Deer Run Cottages, a Subdivision in the City of Warrensburg, Missouri, Located on the West Side of the 1100 Block of S. Mitchell Street, was read for a second time by title. Community Development Director Carroll said a public hearing and first reading of this proposed ordinance was held on October 10, 2022 to replat nine lots into two lots by combining six lots into one large lot north of Deer Run Road and three lots into one large lot south of Deer Run Road, along the west side of the 1100 block of S. Mitchell St. Carroll said there were no additional public comments received. There being no questions, Bentley moved to adopt the ordinance and was seconded

by Osborne. Roll was called for adoption or rejection as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5757.

Bill No. 10-02-2022 being for an Ordinance Authorizing a Conditional Use Permit for Land Use 1.330 Multi-Family Apartments, Street Level, in a GB: General Business District on the West Side of the 1100 Block of S. Mitchell Street in the City of Warrensburg, Missouri, was read for a second time by title. Community Development Director Carroll said a public hearing and first reading of this proposed ordinance was held on October 10, 2022 and council had approved the site plan for two lots just created. There being no questions, Bentley moved to adopt the ordinance and was seconded by Osborne. Roll was called for adoption or rejection as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5758.

Bill No. 10-03-2022 being for an Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Home-Based Businesses, was read for a first time by title. Community Development Director Carroll had no further information to add from the public hearing. 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, Bentley, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5759.

Bill No. 10-04-2022 being for an Ordinance Authorizing the City Manager and City Clerk to Execute Contracts with Civic Organizations for Fiscal Year 2023 Annual Services, was read for a first time by title. Finance Director McCoy said council heard from the various community organizations during budget discussions on 2023 funding requests. The contractual agreements and funding requests totaled \$137,410 and were included in the adopted FY23 budget. 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 the adoption or rejection of said bill as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5760.

Bill No. 10-05-2022 being for an Ordinance Authorizing the City Manager and City Clerk to Execute an Agreement with Burns & McDonnell Engineering Co., Inc. for a Solid Waste Feasibility Study and Management Plan, was read for a first time by title. Community Development Director Carroll said in August, 2021, Republic Services took over for Heartland Trash and delivered inconsistent and inadequate trash services through the transition and continues to provide inconsistent services causing significant time spent by city council and city staff. The city council passed a resolution to give a two-year notice of its intent to contract for solid waste collection services for single and multi-family residences, commercial businesses, self-contained and roll-off services.

The city issued requests for proposal for a solid waste feasibility study and management plan in June, 2022. The city received three proposals evaluated by city staff and an UCM facility official and selected Burns & McDonnell. The project cost is \$163,700 with \$152,400 expended in FY23 and \$11,300 in FY24 by using ARPA funds as evidenced by a future FY23 mid-year budget amendment. The scope of work is broadly-based and explores all solid waste services including in-house, transfer station, franchise agreement, landfill, recycling options, yard waste, etc. Julie Davis, Burns & McDonnell, was present and relayed the firm's experience working with State and local governments on solid waste management agreements, planning and implementation. Council Member Osborne asked how the study would impact citizens. Davis answered that there would be resident and business virtual surveys, focus groups, one-on-one

engagement with haulers, an open house to present recommendations, and opportunities to engage with the project team. Council Member Uhler asked about the timeline. Davis answered that the first phase of planning would be completed in April 2023 followed by the second phase of implementation. There being no further questions, Bentley 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, Bentley, Lund, Uhler, Kushner. No: none. Said bill was declared duly adopted and given Ordinance No. 5761.

Mayor Kushner read a Resolution Authorizing the City Manager to apply for a Community Revitalization Grant offered by the Missouri Department of Economic Development and committing up to \$700,000 as matching funds. City Manager Dulin reiterated the discussion last meeting to pull out the Side Path Trail identified in the Maguire Street Corridor study as a separate project for its eligibility under the narrow scope of this grant. The ten-foot side path trail and sidewalk improvements would be from Young Avenue to Broad Street on the east side of the Maguire Street corridor. The grant requires documentation demonstrating the capacity and commitment to matching funds. The project cost estimate is \$998,000 and staff recommends a commitment to provide matching funds of 70% or \$700,000 of the general obligation bond funds issued in 2021 and 2022. In response to a question whether to extend the path trail through to Christopher Street, Dulin said that it was not recommended as that was UCM property and it would be challenging to acquire right-of-way by the deadline. The city staff planned to submit the grant application by the first week in November to achieve an early timestamp submittal. There being no further questions, Lund moved to approve the resolution. Roll was called for the adoption or rejection of said resolution as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said resolution was declared duly adopted and given Resolution No. 2226.

Mayor Kushner read a Resolution Requesting Membership with Midwest Public Risk and Designating the City Manager as the Member Representative for the City of Warrensburg. City Manager Dulin recommended to move away from the cost-plus model contract model with Blue Cross Blue Shield of KS (BCBS) to a fully-insured health insurance plan and join Midwest Public Risk ("MPR"). MPR is a public entity risk pool owned by its members in Missouri and Kansas and offers more stable rates due to the spread of risk and economies of scale. MPR provided a quote with Cigna that would save \$14,000 in the first year. MPR has guaranteed its proposed premiums through June 2024 and no more than a 7% increase for July 2024 through June 2025. In 2020 and 2021, BCBS increased cost by 20% each year. The City used its health fund reserves to buy down the 2020 and 2021 increase in the cost of health insurance premiums for its employees diminishing the city's ability to become fully self-insured. The MPR representative was present for questions. The City Attorney has reviewed the MPR Bylaws and had no concerns but did inquire about a "special assessments" provision. A special assessment may be assessed for extraordinary claims and administered on the members. Dulin inquired about special assessments and the MPR representative said that an assessment was done over twenty years ago and since then MPR hired a firm to review annual claims data and determine renewal rates. Additionally, MPR utilizes a reinsurance carrier to minimize claims exceeding stop-loss deductibles. If approved, the resolution will be submitted to the MPR Board on October 26, 2022 to vote on membership and then the city will move forward to open enrollment in December. There being no questions, Bentley moved to approve the resolution. Roll was called for the adoption or rejection of said resolution as follows: Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none. Said resolution was declared duly adopted and given Resolution No. 2227.

Mayor Kushner made recommendation for the following mayoral appointments:

- (a) Appoint Scott Holmberg as a Member of the Tax Increment Financing (TIF) Commission for a four-year term through October 2026
- (b) Appoint Aubrey Binder as a Member of the Energy & Sustainability Task Force for a two-year term through October 2024

Bentley moved to approve the recommendations. Roll was called for appointment as follows:
Yes: Osborne, Bentley, Lund, Uhler, Kushner. No: none.

DeWayne Jackson, 1211 E. Hale Lake Road, requested funding for lighting along Spirit Trail from the UCM soccer field parking lot east to Lake Ridge. Mr. Jackson said with daylight savings time on November 6th, the path will be darker earlier and becomes a safety issue for the many people who utilize the path. Mr. Jackson said he knew that MoDOT maintained the trees along the path. Mr. Jackson spoke with the Trails Committee who said it was a daylight area walking path. Villegas said that he would speak with MoDOT on a funding partnership with the city on the lighting request. Mr. Jackson asked Mayor Kushner to attend the tree lighting ceremony for the 5th Annual Holiday (Christmas) Parade on December 2nd and Mayor Kushner agreed to attend.

There were no miscellaneous matters from the Mayor and/or City Council.

Finance Director McCoy reported that fiscal year 2022 was nearly complete with a few outstanding September expenses still coming in for payment. McCoy noted that audit adjusting entries will also impact the fiscal year totals. The FY22 budget report shows general fund revenue exceeding budget just under 4% and general fund expenditures below budget near 7.75%. Current general fund revenues are exceeding expenditures by about \$918,812 in the reserve balance prior to adjusting entries. McCoy submitted an investment report reflecting current investment balances and projected interest earnings up by 5% and also pointed out the 2% interest earnings on the bank balances.

Interim Police Chief Munsterman said the department completed qualifications last week with new 9mm pistols, holsters and lights equipment. Munsterman said the installation of radios and new computers has begun in patrol cars and new portable radios were issued to officers. All officers were very appreciative for the new equipment. Sgt. Smith and SRO officers, Cole, Fischer and Crosby, hosted active intruder/shooter training for city hall employees last Thursday. The training included a presentation and three live scenarios at City Hall.

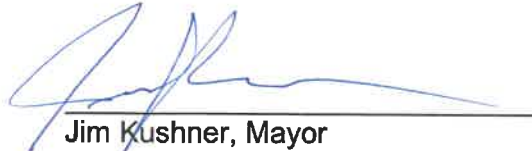
Assistant City Manager/Public Works Director Villegas verbally gave the Public Works report. The Cemetery staff handled 22 phone calls on space availability and ancestral look-up, one cremation, one burial and sold three spaces. Water Pollution Control treated 27.48 million gallons at the West plant, 23.44 million gallons at the East plant, completed three fats, oil and grease (FOG) inspections and began work on sidewalk zones. Part-time parks maintenance employee, William Stanley, will be recognized at Park Board for his commitment to the city. The Park Maintenance crew will remove four dead trees at Lion's Lake, install reflective posts at Hale Lake Road and lighting in Blind Boone Park.

City Manager Dulin said city staff has been working hard to complete solid waste studies, comparative health insurance quote proposals, grant projects, capital improvement projects and

implement new equipment. Mayor Kushner asked about a large item drop-off event and Dulin responded that Johnson County's bulky item drop-off event in Holden was shared on Facebook. This is the only event planned this Fall. The city will work on something in the Spring.


Tourism Director Barnhart said the WCVB has hired two part-time employees who started today. The bid documents have been published for 205 Holden with an opening date of November 16th.

As there was no further business, the meeting adjourned at 8:05 p.m.



Jim Kushner, Mayor

Attest:



Jodi L. Schneider, City Clerk

