

THE RAYMORE COUNCIL MET IN REGULAR SESSION MONDAY FEBRUARY 22, 2016 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR KERCKHOFF, COUNCILMEMBERS ABDELGAWAD, BARBER, BURKE, III, HOLMAN, HUBACH, KELLOGG, AND MOORHEAD, CITY MANAGER JIM FEUERBORN, CITY CLERK JEANIE WOERNER AND CITY ATTORNEY JONATHAN ZERR.

- 1. Call To Order.** Mayor Kerckhoff called the regular meeting to order at 7:00 p.m.
- 2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business. Councilmember Stevens absent.
- 3. Pledge of Allegiance.**
- 4. Presentations/Awards.**
- 5. Personal Appearances.**
- 6. Staff Report.**

Public Works Director Mike Krass provided a review of the staff report included in the Council packet as well as department activities.

Assistant City Manager Meredith Hauck provided a review of the Arts Commission staff report included in the Council packet.

City Manager Jim Feuerborn announced the third and final community conversation for the Strategic Planning initiative will be February 29.

- 7. Committee Reports.**
- 8. Consent Agenda.**
 - A. Council Meeting Minutes, February 8, 2016**
 - B. Resolution 16-03, STEP-Overtime Enforcement of Hazardous Moving Violations**
Resolution 16-04 STEP-Funding of Sobriety Checkpoints and DWI Patrol
 - C. Resolution 16-10, Appointment of Steven Trautman to Park Board**

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the Consent Agenda as presented.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye
 Councilmember Barber Aye
 Councilmember Burke, III Aye
 Councilmember Holman Aye
 Councilmember Hubach Aye
 Councilmember Kellogg Aye
 Councilmember Moorhead Aye
 Councilmember Stevens Absent

9. Unfinished Business. Second Readings.

A. Purchase of Mud Jacking Equipment

BILL 3143: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HMI-HYDRAULIC MUDPUMPS INC. FOR THE PURCHASE OF MUD JACKING EQUIPMENT IN THE AMOUNT OF \$40,725.00."

City Clerk Jeanie Woerner conducted the second reading of Bill 3143 by title only.

MOTION: By Councilmember Holman, second by Councilmember Hubach to approve the second reading of Bill 3143 by title only.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye
 Councilmember Barber Aye
 Councilmember Burke, III Aye
 Councilmember Holman Aye
 Councilmember Hubach Aye
 Councilmember Kellogg Aye
 Councilmember Moorhead Aye
 Councilmember Stevens Absent

Mayor Kerckhoff announced the motion carried and declared Bill 3143 as **Raymore City Ordinance 2016-015.**

B. Budget Amendment for Public Works LED Fixtures

BILL 3144: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AMENDING THE FISCAL YEAR 2016 CAPITAL BUDGET."

City Clerk Jeanie Woerner conducted the second reading of Bill 3144 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the second reading of Bill 3144 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Stevens	Absent

Mayor Kerckhoff announced the motion carried and declared Bill 3144 as **Raymore City Ordinance 2016-016.**

C. Budget Amendment for VERP - Public Works Equipment

BILL 3145: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AMENDING THE INTERNAL SERVICES FUND OF THE FISCAL YEAR 2016 BUDGET."

City Clerk Jeanie Woerner conducted the second reading of Bill 3145 by title only.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the second reading of Bill 3145 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Stevens	Absent

Mayor Kerckhoff announced the motion carried and declared Bill 3145 as **Raymore City Ordinance 2016-017.**

10. New Business. First Readings.

A. Highway 58 & Dean Avenue - Tax Increment Financing Plan (TIF) (Public Hearing)

BILL 3147: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI APPROVING THE HIGHWAY 58 AND DEAN AVENUE TAX INCREMENT FINANCING PLAN, APPROVING THE REDEVELOPMENT AREA, APPROVING THE REDEVELOPMENT PROJECT AND ADOPTING TAX INCREMENT FINANCING THEREIN, AND TAKING OTHER ACTIONS RELATED TO APPROVAL OF THE PLAN."

City Clerk Jeanie Woerner conducted the first reading of Bill 3147 by title only.

Mayor Kerckhoff opened the public hearing at 7:08 p.m.

Curt Petersen, Polsinelli Law Firm 900 W. 48th Place, Kansas City appeared on behalf of Cadence Commercial Real Estate. He reviewed the site of the project and buildings, details of the conservation area study and conservation factors. He noted this site meets the requirements declaring the site as a conservation area.

Mr. Petersen advised Council of two changes since the presentation of the project at the November 30, 2015 Council work session. An underground detention area has been added to maximize the potential use of the southern edge of the property and an agreement has been executed with Golden Corral for the eastern shared drive that provides access to the traffic signaled entrance of the area. He advised Council that despite the challenges of the site, they are confident this site can be developed as a successful project beneficial to the City. Preliminary commitment from Kay Jewelers, Qdoba Mexican Grill and Pandora Express Restaurant to locate in this area has been received. They are working to secure other sit-down restaurants or a nationally recognized bar and grill. He provided visual conceptual renderings.

Mr. Petersen provided details of the traffic study conducted by their engineer and the City's traffic engineer. Both agree the 58 Highway access point is a safe access that satisfies the requirement of the proper spacing between Dean Avenue and the access at the signal entrance to the east of the project. (Lowe's) It was noted, by both studies, that a deceleration right-in turn lane and a deceleration lane with a taper needed to be implemented and will be included on the site plan. The City's study recommended that when exiting the development onto 58 Highway, 3 lanes should be added; a dedicated right turn lane, a right-in turn lane, a through-left turn lane. Also recommended was a southern access which is now provided by the agreement with Golden Corral. He noted the developer has dedicated an area for a monument sign recognizing Raymore near the intersection of Dean and 58 Highway.

Mr. Petersen provided detailed information on both the budget and incentive requests. This project is approximately \$9.1 million dollars. The public incentives request is a TIF up to \$1.375 million dollars plus interest costs. The CID is a 1% CID, 1/2 of which would be captured by the TIF and the uncaptured 1/2 would be \$387,525 plus interest, bringing the total request of \$1,762,525 plus interest. The

sources and uses are for public incentive dollars which are focused on two areas; partial land cost reimbursement and site work reimbursement. The estimated duration of the TIF is 12 years and the estimated duration of the CID is 17 years. The return analysis shows the projects would have a negative return without City support. The incentive package proposes a leveraged internal rate of return at 14%. The proposed project has been developed to comply with the City's adopted TIF policy.

Councilmember Holman asked for the estimated traffic counts and if the studies recommend any traffic control devices for left hand turns exiting the area on to 58 Highway.

Mr. Peterson stated he does not have specific traffic counts, but offered that at peak rush hour times for traffic headed out, it is estimated that stacking is only one car length. The studies do not support further traffic control devices. He noted with the addition of the second easterly access, would reduce the distribution from the one point traffic exit.

Councilmember Moorhead asked the possibility of gaining additional access from the southern portion of the project using the cut in of the existing drive in the future.

Mr. Peterson stated based on past experience, the southern access is not in their control and is not likely to be available for their use. If in the future it would be made available, it could be possible to have this as an access point.

Special Economic Development Counsel David Bushek with Gilmore & Bell provided a review of the executive summary letter included in the Council packet for both the TIF and CID plans. The project proposes redevelopment of three retail projects which were unanimously approved by the TIF Commission at their January 27, 2016 meeting. The total project costs are \$9.1-\$9.2 million, the TIF incentive request is \$1.375 million which is just under 15% of the total project costs, the portion of the CID not captured by the TIF plan is \$387,000 and is approximately 4 ¼% of the project costs. The total of the incentive requests of both the TIF and CID are combined at just under 20%. He reviewed the financing mechanisms with the Council. This is a pay as you go TIF and the developer intends to obtain private construction loans for the construction portion not funded by equity investment or by third parties. The developer will only be only reimbursed if the project is successful. He reviewed specifics of the funding sources and sales tax revenues included in the TIF plan presented to Council.

Mr. Bushek informed the Council that the TIF plan contains all of the contents required by the TIF act and Council can move forward with approval. The implementation step will be to negotiate the TIF contract and present to Council at their March 14 meeting. He advised Council of a recently contested circuit court

case in a different county, that could have a significant impact on the interpretation of implementation issues on TIF plan. The case either has or will be appealed and that could have effects as well. As they enter negotiations for the contract, safeguards will be built into the TIF contract to address issues of the contested court case. He advised Council that the applicant has amended the CID petition and incorporated a request for a blight finding. This will provide an additional legal basis for the expenditure of the City's reimbursable portion of the project. He reviewed the City's adopted Economic Incentive Policy as it pertains to this TIF plan and stated this TIF plan meets the requirements of the City's policy.

Council asked general questions for clarification purposes.

Mayor Kerckhoff opened the public hearing for public comment at 7:50 p.m.

Barbara Swartz, 414 N. Prairie Lane spoke against the TIF plan. She stated the City does not need the responsibility of this debt. She feels Raymore is a small town community and this development is too large for the City. She asked the Council to deny the plan.

Mayor Kerckhoff opened the public hearing for further public comment and hearing none, closed the public hearing at 7:56 p.m.

MOTION: By Councilmember Moorhead, second by Councilmember Kellogg to approve the first reading of Bill 3147 by title only.

DISCUSSION: Councilmember Hubach stated her concern with traffic access and traffic flow. She asked what the City can do to improve accesses.

City Manager Jim Feuerborn stated the City only controls public access. After the development is finished it will be subject to a transportation study and could require public access changes.

Councilmember Moorhead made a statement to clarify comments made by Ms. Swartz. The Council tonight is only being asked for approval of the general TIF plan. The City believes this is based on a sound plan for the parties to enter into. The TIF agreement will be negotiated in the near future and will be subject to Council approval as well. He clarified the \$9.1 million is only debt of the developer, and is not a responsibility of, or debt of the City nor its citizens. The City does not fund the plan in any way.

Councilmember Holman stated his concerns with the results of the traffic studies because he feels traffic accidents will increase at this location. If this is the case, he will advocate changes to traffic patterns/signals.

VOTE: Councilmember Abdelgawad Aye
 Councilmember Barber Aye
 Councilmember Burke, III Aye
 Councilmember Holman Aye
 Councilmember Hubach Aye
 Councilmember Kellogg Aye
 Councilmember Moorhead Aye
 Councilmember Stevens Absent

B. Highway 58 & Dean Avenue - Community Improvement District (CID) (Public Hearing)

BILL 3148: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI APPROVING THE PETITION FOR ESTABLISHMENT OF THE HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT."

City Clerk Jeanie Woerner conducted the first reading of Bill 3148 by title only.

City Manager Jim Feuerborn advised this staff report was combined with the previous agenda item.

Mayor Kerckhoff opened the public hearing for public comment and hearing none, closed the public hearing at 8:04 p.m.

MOTION: By Councilmember Moorhead, second by Councilmember Kellogg to approve the first reading of Bill 3148 by title only.

DISCUSSION: Councilmember Hubach noted a nearby business has recently closed and stated concern the proposed businesses would not be successful.

Councilmember Moorhead noted that if they are not successful, the developer bears the burden of the reimbursable costs of the project.

Discussion ensued.

VOTE: Councilmember Abdelgawad Aye
 Councilmember Barber Aye
 Councilmember Burke, III Aye
 Councilmember Holman Aye
 Councilmember Hubach Aye
 Councilmember Kellogg Aye
 Councilmember Moorhead Aye
 Councilmember Stevens Absent

C. Preliminary Plat Extension - Alexander Creek

RESOLUTION 16-09: “A RESOLUTION OF THE RAYMORE CITY COUNCIL APPROVING THE EXTENSION OF THE PRELIMINARY PLAN FOR ALEXANDER CREEK SUBDIVISION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 46N, RANGE 32W, ALL IN RAYMORE, CASS COUNTY, MISSOURI.”

City Clerk Jeanie Woerner conducted the reading of Resolution 16-09 by title only.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. Matt Schlicht, representing Sallee Homes (Alexander Creek Holdings LLC), is requesting a 1-year extension to the expiration date of the preliminary plat for Alexander Creek Subdivision. Alexander Creek Holdings has been the owner since 2014. There has been an acceleration of construction activity since this change of ownership. This plat was originally approved in June 2003 and a one year extension was approved for the preliminary plat in February 2015.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve Resolution 16-09 for a one year extension, by title only.

DISCUSSION: Councilmember Abdelgawad expressed appreciation with the increase of the construction activity.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Stevens	Absent

D. Contract for Real Estate Purchase

BILL 3146: “AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE PROPERTY FROM FIRST BAPTIST CHURCH OF RAYMORE IN THE AMOUNT OF \$60,000.00.”

City Clerk Jeanie Woerner conducted the first reading of Bill 3146 by title only.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. The Park Fee in Lieu fund provides for the acquisition of land for future parks, including the development of neighborhood parks. Before the Council is a real estate sale contract for the City to purchase the

land and existing house at 201 S. Adams Street from the First Baptist Church using Park Fee in Lieu funds. The property is adjacent to and will expand the area of the T.B. Hanna Station Park. He stated the contract is for \$90,000 and the City is receiving a \$30,000 credit for removal of the existing home and the construction of angled parking for church and public use. If approved, March 17 is the projected closing date.

Councilmember Kellogg asked if staff is qualified to perform the demolition.

Mr. Cadoret stated the demolition would be contracted in the future.

MOTION: By Councilmember Moorhead, second by Councilmember Kellogg to approve the first reading of Bill 3145 by title only.

DISCUSSION: Councilmember Holman stated his approval of this purchase and thanked the Park Board for approving the use of Park Fee in Lieu funds.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Stevens	Absent

E. Budget Amendment for Real Estate Purchase

BILL 3151: “AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE FISCAL YEAR 2016 CAPITAL BUDGET.”

City Clerk Jeanie Woerner conducted the first reading of Bill 3151 by title only.

City Manager Jim Feuerborn stated with approval of the previous agenda item, Bill 3146, staff recommends amending the FY 2016 Capital Budget utilizing the Park Fee in Lieu fund for this purchase. The Park Board has approved the use of this funding source.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to approve the first reading of Bill 3145 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye

Councilmember Burke, III	Aye
Councilmember Holman	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Stevens	Absent

11. Public Comments.

12. Mayor/Council Communication.

Mayor Kerckhoff and Councilmembers recognized Mr. Trautman for volunteering to serve on the Park Board, thanked those participating in the community conversations and encouraged attendance at the final meeting. Council applauded the positive actions happening in the City.

Councilmember Barber noted the improvement of sound quality with the installation of the new audio equipment.

Councilmember Holman thanked members of the Park Board who have been attending Council meetings.

Councilmember Kellogg thanked staff, legal counsel, and Council for approving the TIF and CID.

Councilmember Moorhead addressed Ms. Swartz, thanking her for her comments made during the TIF public hearing. He thanked the First Baptist Church for entering into the real estate purchase contract.

MOTION: By Councilmember Moorhead, second by Councilmember Hubach to adjourn to Executive Session to discuss litigation as authorized by §610.021 (1) and personnel as authorized by §610.021 (13).

ROLL CALL VOTE:

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Burke, III	Aye
Councilmember Holman	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Stevens	Absent

The regular meeting of the Raymore City Council adjourned to Executive Session at 8:37 p.m.

13. Adjournment.

MOTION: By Councilmember Moorhead, second by Councilmember Kellogg to adjourn.

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye
	Councilmember Stevens	Absent

The regular meeting of the Raymore Council adjourned at 9:25 p.m.

Respectfully submitted,

Jeanie Woerner
City Clerk

