



## **AGENDA**

Raymore City Council Regular Meeting  
City Hall – 100 Municipal Circle  
Monday, October 10, 2016

7:00 p.m.

**1. Call to Order.**

**2. Roll Call.**

**3. Pledge of Allegiance.**

**4. Presentations/Awards.**

- Oath of Office – Councilmember John Seimears

**5. Personal Appearances.**

- Sharon Parys, Arts Commission Chair - Opening of New Chamber Art Exhibit

**6. Staff Reports.**

- A. Status of Capital Improvements (pg 7)
- B. Community Development (pg 19)
- C. Parks and Recreation (pg 25)
- D. Monthly Court Report (pg 29)
- E. Police/Emergency Management

**7. Committee Reports.**

**8. Consent Agenda.**

*The items on the Consent Agenda are approved by a single action of the City Council. If any Councilmember would like to have an item removed from the Consent Agenda and considered separately, he/she may so request.*

- A. City Council Minutes, September 26, 2016 (pg 33)
- B. City Council Special Meeting Minutes, October 3, 2016 (pg 53)

## 9. **Unfinished Business. Second Reading.**

### A. Recreation Activity Center Conditional Use Permit

Reference: - Agenda Item Information Sheet (pg 59)  
- Bill 3208 (pg 61)  
- Staff Report (pg 63)  
- Conceptual Plan Drawings (pg 76)

The City of Raymore Public Works Director is requesting approval of a conditional use permit to construct a public building (Recreation Activity Center) upon land located in the northwest corner of Recreation Park.

- City Council, 09/26/2016: Approved 7-0
- Planning and Zoning Commission, 09/20/2016: Approved 8-0

### B. FY16 Budget Amendment - FY16 Operating Funds

Reference: - Agenda Item Information Sheet (pg 85)  
- Bill 3207 (pg 87)

Staff is requesting amending the FY16 Operating Budget. During the course of Fiscal Year 2016 several operating transactions occurred that require a budget amendment. Staff accumulated these items to be addressed as a single budget amendment.

- City Council, 09/26/2016: Approved 7-0

### C. Agreement for the Highway 58 and Dean Avenue CID

Reference: - Agenda Item Information Sheet (pg 89)  
- Gilmore & Bell Executive Summary (pg 91)  
- Bill 3209 (pg 93)  
- Cooperative Agreement (pg 95)

On February 22, 2016, the City Council conducted a public hearing to consider the Highway 58 and Dean Avenue Community Improvement District Petition. On March 28, 2016, the City Council adopted Ordinance 2016-019 approving the Petition and the formation of the District. The Ordinance to approve the Petition and the formation of the District includes a section which requires the City, District and Developer to execute a cooperative agreement to implement the Petition. The agreement is presented to Council for approval.

- City Council, 09/26/2016: Approved 7-0

## 10. New Business. First Reading.

### A. Confirmation of Undeveloped Lots to Have Sidewalk Installed by City

Reference: - Agenda Item Information Sheet (pg 121)  
- Resolution 16-47 (pg 123)

At its September 28, 2016 meeting Council held a public hearing to determine those undeveloped lots upon which the City will install sidewalk and levy a special assessment against the property for the costs thereof. Action on this resolution confirms the list of identified lots on which sidewalk shall be installed and authorizes the City staff to proceed with the steps necessary to have the sidewalk installed.

### B. Adoption of FY 2017 City Budget (Public Hearing)

Reference: - Agenda Item Memorandum (pg 127)  
- Bill 3213 (pg 129)  
- Exhibit A (pg 132)

The proposed FY 2017 Budget was presented to the City Council in mid-August. The Council has had the opportunity to discuss the budget at work sessions and meetings since it was presented to them by the City Manager. The budget is now presented for first reading. The budget before the Council reflects the City Manager's proposed budget and CIP with proposed changes to the Operating and Capital Budgets indicated by Council at various meetings presented in Exhibit A for Council consideration and addition. Fiscal Year 2017 begins November 1, 2016.

### C. Approval of 2017-2021 Capital Improvement Program (Public Hearing)

Reference: - Agenda Item Memorandum (pg 133)  
- Resolution 16-48 (pg 135)  
- Exhibit A (pg 137)

At the same time as the fiscal year budget is submitted to the Council for approval, a five-year capital improvement program (CIP) is submitted. The capital program for the next fiscal year is part of the Council's approval of the operating budget. The CIP for the following four years serves as a planning guide for the City.

The proposed 2017-2021 CIP was presented to the City Council in mid-August and was discussed at subsequent meetings. The CIP was also reviewed by and was the subject of a public hearing before the Planning and Zoning Commission. The CIP is now presented for Council consideration.

Changes indicated by Council during the budget work session process have been presented separately for consideration

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| <ul style="list-style-type: none"><li>• Planning and Zoning, 09/06/16: Approve to recommend to Council 8-0</li></ul> |
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**11. Public Comments.** Please identify yourself for the record and keep comments to a maximum of five minutes.

**12. Mayor/Council Communication.**

**13. Adjournment.**

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Items provided under "Miscellaneous" in the Council Packet:

- City Council Work Session Notes, 9/19/2016 (pg )
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### **EXECUTIVE SESSION (CLOSED MEETING)**

The Raymore City Council may enter an executive session before or during this meeting, if such action is approved by a majority of Council present, with a quorum, to discuss:

- Litigation matters as authorized by § 610.021 (1),
- Real Estate acquisition matters as authorized by § 610.021 (2),
- Personnel matters as authorized by § 610.021 (3),
- Other matters as authorized by § 610.021 (4-21) as may be applicable.

*Any person requiring special accommodation (i.e., qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify this office at (816) 331-3324 no later than forty eight (48) hours prior to the scheduled commencement of the meeting.*

*Hearing aids are available for this meeting for the hearing impaired. Inquire with the City Clerk, who sits immediately left of the podium as one faces the dais.*

# Staff Reports





## **Status of Capital Improvements -October 10 , 2016**

### **Buildings & Grounds**

#### **2016 Projects**

- **City Council Chambers Meeting Video Quality**: This project involves upgrading the current camera and video production system to reflect current technology in the Council Chambers as well as working with cable providers for enhancement of the video output for distribution to viewers. The current system is approximately 10 years old. The system has reached the point of needing constant repairs. New equipment has been installed and we are currently finalizing camera configurations and media procedures. This project is complete. *Building/Equipment Repair and Replacement Fund, \$65,000 (JM) 09/12/2016*
- **Public Works Facility Roof Repair**: This project involves repairing the existing public works facility roof. This building experiences constant water leaks. A bid opening has been scheduled for August 10, 2016 Staff is working with the apparent low bidder to finalize a scope of work for the project. *Building/Equipment Repair and Replacement Fund, \$35,500 (MEK)*
- **City Hall Lower Level Fire Suppression Modification**: This project involves changing the current sprinkler system from a wet suppression system to a dry suppression system. The current system is not optimal for the type of records storage for which the space is used. *Building/Equipment Repair and Replacement Fund, \$45,000 (MEK)*
- **Phone System at Public Works Facility**: This project involves replacement of the Public Works Inter-tel telephone system with upgraded Mitel equipment or IP telephones. The current Inter-tel system has reached the end of its useful life and the ability to provide support. Mitel will not offer any upgrades to equipment or software. This Project is complete. *Building/Equipment Repair and Replacement Fund, \$15,000 (JM) 10/10/2016*
- **Sound System Upgrade in Council Chambers**: This project involves replacement of the current Council Chamber sound system, installation of additional speakers, and installation of a wired microphone system to serve

meetings that are held in Council Chambers not at the dais. This project is complete. *Building/Equipment Replacement Fund, \$40,000 (JM) 03/14/2016*

- 201 S. Adams Street Property: This project involves remediation of hazardous materials, demolition of structures and restoration of site. A notice to proceed has been issued to the contractor and they are in the remediation process. The hazardous materials were properly removed during August. The house was demolished and properly backfilled the week of September 19, 2016. Staff will release the project after establishment of turf. *Capital Improvement Sales Tax Fund, \$30,000 (CW) 09/26/2016*

### 2013 Projects

- Police Firing Range: Staff is working with the landlord of the property to complete desired improvements to include a backstop, fencing, and additional dirt work for berming. Current cost for backstop and fencing portion totals \$9,700. *Capital Improvement Fund, \$94,000. (JZ) 9/12/16*

## **Community Development**

### 2016 Projects

- Decorative Light Installation - Elm St.: This project involves the installation of two decorative lights along the sidewalk within the Elm Street right of way between Monroe and Franklin. The sidewalk was installed along this right of way several years ago to create a small gathering space on the southern boundary of the Original Town area. The Original Town plan calls for decorative lighting to define the boundary. This project will complete the light installation. A notice to proceed has been issued to the contractor and they are in the process of ordering materials. *Capital Improvement Sales Tax Fund, \$12,000 (MEK)*

## **Parks and Recreation**

### 2016 Projects

- Hawk Ridge Park Phase (I-b) ADA Dock: This phase 1 project will start adding amenities to the Hawk Ridge Park. This particular project involves the purchase and installation of an ADA dock in Johnston Lake at the park. During discussions about the master plan for Hawk Ridge Park, having a dock to fish from was mentioned several times. Having this dock be ADA accessible will allow for patrons with disabilities to utilize it also. Under the current CAPS (Community Assistance Program) with the Missouri Department of Conservation, opportunities for grants and partnerships are available, staff presented these options to the Park Board in January and will



revisit in February for further discussion. Staff met with MDC representatives on March 2nd to discuss the Grant process. A draft of the new CAPS agreement and proposed projects has been received. Staff provided an update to the Council and Park Board, the MO Department of Conservation will provide assistance with this project and other amenities totally 75% of total project costs. In addition, a 50 ft long fishing jetty will be added to the overall fishing access portion of the project. . *Parks Sales Tax Fund, \$45,000 (NM) 9/21/16*

- Hawk Ridge Park Phase (I-c) Restroom: This phase 1 project will start adding amenities to the Hawk Ridge Park. This project would involve the installation of a restroom facility at the park. There is currently no water or electricity in the Park. With a trail and a fishing dock being added to Hawk Ridge Park in 2016, there will be increased use and the need for these facilities. Under the current CAPS (Community Assistance Program) with the Missouri Department of Conservation, opportunities for grants and partnerships are available, staff presented these options to the Park Board in January and will revisit in February for further discussion. Staff met with MDC representatives on March 2nd to discuss the Grant process. A draft of the new CAPS agreement and proposed projects has been received. Staff provided an update to the Council and Park Board, the MO Department of Conservation will provide assistance with this project and other amenities totally 75% of total project costs. *Park Sales Tax Fund, \$90,000 (NM) 8/22/16*
- Recreation Park Baseball Fields Shade Structure Project: This project involves the installation of spectator shade structures at the Recreation Park ballfields. These structures will provide shade and foul ball protection for park patrons. Pre-bid meetings were held May 31 and June 1. The Bid opening was Tuesday, June 8. The Park Board reviewed bid results during work session on June 14 and officially recommended a contract award for Council approval on June 28. First and second reading of the bill(s) passed through the Council in July. The Park Board met with the contractor in August and discussed the project timeline and selected yellow and dark green as the colors for the fabric. The poles will be black to match the new ballfield fences. A notice to proceed was issued the week of August 29. *Park Sales Tax Fund, \$194,000 (NM) 9/12/16*

## 2015 Projects

- Hawk Ridge Park Walking Trail - Lake Loop  
In 2015 the Park Board approved staff to prepare an RFP for the construction of a trail around Johnston Lake in Hawk Ridge Park. This trail will be a concrete path that is 4" in depth and 10' in width that loops around the perimeter of Johnston Lake. This project has been postponed until after the April GO Bond election. The project will be bid again based on the results of the April election in conjunction with other enhancement projects at Hawk Ridge Park. Staff met with the MDC on March 2nd to discuss 2 different projects. In this meeting, the MDC said changes have been made to their

CAPS Program and Grants for trails around the lake can be applied for. Staff asked MDC to see if the Hawk Ridge Trail Project would qualify for this type of Grant. A draft of the new CAPS agreement and proposed projects has been received. Staff provided an update to the Council and Park Board, the MO Department of Conservation will provide assistance with this portion of the trail that connects the dock, jetty and restrooms. *Park Sales Tax Fund, \$160,000; (NM) 9/26/16*

### 2014 Projects

- Disc Golf Course: This project involves the creation of a disc golf course in an Recreation Park . The Park Board in its February, 2014 meeting directed that the Disc Golf Course be designed in house. Park Board Member Eric Eastwood volunteered to complete the course design and present it to the Park Board for its review. The Park Board reviewed the Disc Golf Project during its November 2015 and January 2016 Work Sessions. Staff will complete the remaining items on the project list throughout the spring. Park Staff installed a french drainage system on the southeast corner of the Recreation Park Trail near Hole #10 and the kiosk has been installed for the back 9 holes. Course signage and current Hole re-location will be designed to accommodate changes in the course with the addition of the new Activity Center. Additional supplies was ordered to complete the course installation. Staff is preparing sign design and will be requesting quotes for a fall installation. One hole within the course will be relocated to accommodate construction of the Activity Center at Recreation Park. Additional sleeves for alternate holes have arrived and hole relocation has been discussed to accommodate the new Activity Center location. Request for course signage/design was issued the week of August 29. *Park Sales Tax Fund, \$25,000 (NM) 9/12/16*

### 2013 Projects

- Landscaping in Recreation, Ward, Hawk Ridge and Memorial Parks – This project involves replacing or installing trees, shrubs and flowers in four City parks. Project was bid in September, 2013, but all bids received were either unresponsive or high. A new Request for Bid (RFB) has been issued. The bid opening is scheduled for Thursday, April 10<sup>th</sup>. Two bids were received for this project. Neither bid complied with specifications of the RFP. The bids were rejected and staff will do the work in house buying the plants as needed. A special fund has been established to accurately track all expenditures related to this project. Park Staff has planted trees along the trail at Moon Valley Park and installed a Butterfly Garden at Eagle Glen Natural Area. Additional plantings have been completed that include annuals for beautification in flower beds, park trees and general landscaping. Staff will be utilizing these funds for additional plantings in the proposed Memorial Park Arboretum area and for park entrance beautification. *Park Sales Tax Fund, \$28,700. (SR) 2/8/16*

## **Sanitary Sewer**

### **2016 Projects**

- **Sanitary Sewer Inflow & Infiltration Reduction**: This project involves relining of sewer mains, sealing of manholes and other actions to eliminate the infiltration of clean water entering the sanitary sewer system. In FY 2016, efforts will be focused in subdivisions south of Lucy Webb Road and west of Madison Street. Clean water entering the sanitary sewer system results in increased costs due to the need to have larger pump stations and having pumps run more often than necessary, thereby increasing utility costs. In addition, the increased inflow/infiltration increases treatment costs for treatment by the Little Blue Valley Sewer District (LBVSD). The City has committed to LBVSD to make substantial efforts to reduce inflow and infiltration. The 2004 Sanitary Sewer Master Plan identified areas of significant inflow and infiltration throughout the city. This project will continue the City's longstanding annual program to alleviate inflow and infiltration in identified areas. Staff anticipates advertising this project for bid in September *Enterprise Capital Maintenance Fund, \$127,566 (MEK)*
- **Owen Good Service Pump Impeller Replacement**: The project calls for the replacement of the impellers for the existing sanitary sewer pump, that have reached the end of their useful life. The equipment has surpassed the end of its useful service life. Over the past three years maintenance and repair costs have averaged \$15,000 per year. Installation is anticipated to occur in March. This project is complete. *Enterprise Capital Maintenance Fund, \$22,000 (MEK)*

## **Storm Water**

### **2016 Projects**

- **Annual Curb Replacement**: The City is in the midst of a multi-year program to address curb deterioration. The proposed FY 2016 and future funding from both the Transportation and Storm Water Funds will provide for removal and replacement of approximately 20,000 feet of curb and gutter at various locations each year. The concrete curb and gutter has deteriorated in many areas throughout the City. In 2012, Engineering staff completed a condition survey of curb and gutter throughout the city and that survey is being updated during the summer and fall of 2015. The cost of the replacement program is being borne by both the Storm Water and Transportation Funds in recognition of the fact that curbs serve both as a road support device and as a storm water conveyance measure. Staff anticipates advertising this project for bid in April. A bid opening is scheduled for May 4th. A contract award for this project is being presented to Council

for consideration at the May 23rd meeting. Construction has started. *Storm Water Fund, \$100,000 (MEK)*

- City-Wide Median Beautification: This project involves modification to existing decorative islands throughout the City to provide water quality improvements. There are a number of medians and islands throughout the City with no known party responsible for the maintenance. The purpose of this project is for the City to take over maintenance of these areas. A Bid Opening has been scheduled for August 3rd, 2016. Staff will be presenting this contract to the City Council for award on August 22nd. *Storm Water Fund, \$92,000 (MEK)*;

## **Transportation**

### 2016 Projects

- Annual Curb Replacement Program: Annual Curb Replacement: The City is in the midst of a multi-year program to address curb deterioration. The proposed FY 2016 and future funding from both the Transportation and Storm Water Funds will provide for removal and replacement of approximately 20,000 feet of curb and gutter at various locations each year. The concrete curb and gutter has deteriorated in many areas throughout the City. In 2012, Engineering staff completed a condition survey of curb and gutter throughout the city and that survey is being updated during the summer and fall of 2015. The cost of the replacement program is being borne by both the Storm Water and Transportation Funds in recognition of the fact that curbs serve both as a road support device and as a storm water conveyance measure. Staff anticipates advertising this project for bid in April. Based on input received at the March 7th Worksession staff has started preparing bidding documents. A bid opening is scheduled for May 4th. A contract award for this project is being presented to Council for consideration at the May 23rd meeting. The contractor is currently working in the Town Center/Lakeshore areas. The overall project is approximately 80% complete. *Transportation Fund, \$400,000 (MEK)*
- Annual Street Preservation Program: Street Preservation involves taking actions to preserve the local street network, which may include milling of streets and overlaying it with several inches of pavement, micropaving, chip/sealing, and crack sealing. This occurs in various locations around the City, approved by the City Council on an annual basis. The City's Comprehensive Pavement Management program outlines a regular maintenance schedule for the street network in order to maintain the network in "good" condition or better. In June of 2014, staff outlined a plan to address streets in the city that were beginning to fall into the "poor" category according to the Pavement Management Program and received Council approval to include the plan in the 2015 capital budget and suspend the normal street preservation program for one year. Since that time and

with the removal of the project "Maintenance of Thoroughfare Routes" from the Transportation Fund into the Excise Tax Fund, additional funding can be utilized to address the normal street preservation program up to an amount of \$150,000. Staff will be presenting the overlay portion of the project for contract award at the March 28th City Council Meeting. Mill and Overlay work on Foxridge Drive, 195th Street and Kentucky Road are scheduled to start this week. A bid opening for the micro-surface and fog seal portion of this project is scheduled for May 4th. A contract for the micro-surface and fog seal portion of this work is being presented to Council at the May 23rd meeting. The micro-surface portion of the project is complete. The fog seal portion of the work is complete. *Transportation Fund, \$800,000 (MEK)*

- Annual Sidewalk Program: This project involves installation of sidewalk on streets that do not currently have sidewalks on either side of the street. Exact locations for installation are approved each year as part of a long-term program. Many of the older neighborhoods in Raymore lack a sidewalk or pedestrian path. Staff has finalized locations of the sidewalk and will be mailing notices for a Public Hearing at the April 25th Council Meeting. A Contract for this project will be presented to Council for consideration at the July, 11th City Council meeting. The contractor has installed the sidewalk along Stonegate Elementary. The remainder of the work is scheduled to start later this month. *Transportation Fund, \$117,000 (MEK)*
- Maintenance of Thoroughfare Routes: This project involves micro-surfacing collector and arterial roads on a regular six-year cycle. In FY 2016 this will entail 58 Highway Dean Ave to J Highway. The City's Comprehensive Pavement Management Program recommends that collector and arterial streets receive surface treatments on a regular basis to preserve the integrity of the pavement and increase service life. *Excise Tax Fund, \$224,000 (MEK)*
- Construction of Sunset Lane Gap: This project involves the construction of Sunset Lane to urban standards through the southern unplatted area of the Evan-Brook Development. An RFQ for Design Services is due March 17th. Staff has negotiated a cost share agreement with the property owner that will result in development of the entire parcel. *Transportation Fund, \$350,000 (MEK)*
- Installation of Sidewalk - Johnston Drive and Foxridge Drive: This project involves the construction of sidewalk in existing gaps along Johnston Drive and Foxridge Drive on the west side of the roads. This project will provide connectivity to retail areas adjacent to Creekmoor and Remington neighborhoods. This project will be combined with the annual sidewalk project. *Transportation Fund, \$43,000 (MEK)*

## 2013 Projects

- Maintenance Facility Driveway and Parking Area - This project involves paving the park house entry drive from where its pavement now ends east to the maintenance facility. This area is being increasingly used by the public for recreation. Staff has determined that this amount of funding is not sufficient to accomplish the project. Funding is being carried over to combine with additional funds in the future to accomplish the project. *Capital Improvement Fund, \$50,000. (MEK) (10/04/13)*

## **Water Supply**

### 2015 Projects

- Foxwood Water Tower Painting and Repair: This project involves rehabilitation of the existing Foxwood Water Tower. The work will include complete removal of the existing coating, minor structural repairs, modifications to comply with current codes, and repainting of the interior and exterior of the tower. An inspection and analysis of the water tower was performed in 2009. It determined that the existing coating would need replacement in 2015. Minor structural defects needing repair were also identified. Staff has issued an RFQ for Consulting Services. Responses are due April 14th. Staff will be recommending a contract award for design and inspection services at the May 11, 2015 City Council Meeting. A design kick-off meeting has been scheduled for July 28th. The painting of the water tower will be completed in the Spring of 2016. Staff has received draft plans and specifications for review Council will be considering award of this contact at the September 12th meeting. *Enterprise Capital Maintenance Fund, \$400,000 (MEK);*

### 2014 Projects

- Gore Road Water Main and Meter Station: This project will replace an eight-inch water main along Gore Road that extends from Washington Street to just short of Kurzweil Road with a 16-inch main to Kurzweil Road, where it would connect to the Cass County Transmission Main. The project includes construction of a meter station, as required by the City's agreement with Kansas City Water Services. The project will provide increased supply and fire protection to the area of the City north of 58 Highway between Kurzweil Road and Kentucky Road. The 2004 Water System Master Plan identified the need for additional connection points to the Kansas City transmission main in order to meet demand for water caused by growth in the area.

It was anticipated that a portion of design of this project would be outsourced. Upon further review and a meeting with Kansas City Water Services, staff has determined we are capable of designing this project in-house. This will delay construction bidding until mid-summer. Staff has

delayed design of this project until fall due to the need to accelerate the design of the Phase I improvements for the Farmers Market in order to assure the improvements are completed prior to the spring 2015 season. Staff has finalized plans and has submitted them to Kansas City Water Services for final review comments. This project will be advertised for bid in November 2016. *Water Connection Fee Fund, \$514,600.* (MEK) (12/28/15); Bid opening 2-18-2016

## **Bond Projects**

### Raymore Parks

- Municipal Center: This Project includes the design and construction of an facility located on Municipal Circle that will include: Parks and Recreation Department offices, meeting room, event space, and outdoor gathering space. The building would provide the much need community room space that was eliminated in 2011 with the facility remodeling of the Police Department. This would also create a relief at City Hall for the numerous meetings for Council Chambers that overlap and have to be rescheduled. The architect is currently working on completing final plans for the building and site. Staff is currently reviewing 50% plans and specifications. Plans have been completed and a bid opening is scheduled for October 4th. *Capital Improvement Sales Tax Fund, \$1,541,250; 2016 General Obligation Bond, \$1,774,000* (MH) 7/5/2016
- Activity Center at Recreation Park: This project will replace the current Park House Rental / Camp Facility at Recreation Park. The Activity Center will include staff support space, a basketball gym, walking track, volleyball courts and recreation equipment storage space. The Park Board and City Council reviewed preliminary designs by SFS Architecture on June 20. 2016SFS has completed a concept floor plan and is currently working on exterior features *General Obligation Bond, \$2,843.000* (MH) 7/5/2016
- Hawk Ridge Park - Additional Signage: The final phase of the Hawk Ridge Park Master Plan calls for park signage that includes monument entrance signs, facility signs, trail and wayfinding signage, furnishings and other features that will enhance the park experience. An RFQ for park improvements included engineering and site design was issued the week of September 19th. *2016 General Obligation Bond, \$85,000* (NM) 9/26/2016
- Hawk Ridge Park - Amphitheater: Located on the east side of Johnston Lake in Hawk Ridge Park, the amphitheater is the focal point of the HRP Master Plan and would be the facility for theater, musical performances and other community arts programming. This project involves other amenities that include additional parking, restrooms, trail enhancements, infrastructure and grading work. An RFQ for park improvements included engineering and

site design was issued the week of September 19th. *2016 General Obligation Bond, \$675,100 (NM) 9/26/2016*

- Hawk Ridge Park - Parking lot expansion & ADA Playground: This phase of the Hawk Ridge Park improvements include an all-inclusive playground, parking and infrastructure expansion on the north-west side of Johnston Lake. These enhancements will connect to the trail, restrooms and fishing dock. An RFQ for park improvements included engineering and site design was issued the week of September 19th. *2016 General Obligation Bond, \$700,000 (NM) 9/26/2016*
- Recreation Park Parking Lot: This project will rejuvenate the parking lots and the patron areas around the concession stands in Recreation Park. Work is scheduled to begin in mid-August. This project was bid in conjunction with other similar projects previously bid through the Engineering department. Crack sealing is complete and microsurfacing of the parking areas is finished. Work around the concessions/spectator areas will be finished in late September. . *2016 General Obligation Bond, \$54,000 (NM) 9/26/2016*
- Recreation Park Trail Rehabilitation: This project will replace broken down portions of the Recreation Park walking trail, crack seal and refurbish the entire loop trail. Work is scheduled to begin in mid-August. This project was bid in conjunction with other similar projects previously bid through the Engineering department. Work is scheduled to begin in the week of October 3rd.. *2016 General Obligation Bond, \$55,000 (NM) 9/26/16*
- T.B Hanna Station Park - Splash Park/Skate Rink: T.B. Hanna Station will gain a number of new amenities that would join the newly opened Depot shelter. Included in this project would be a spray water park, community ice rink and playground. *2016 General Obligation Bond, \$600,000 (NM) 6/27/2016*

### Raymore Streets

- 58 Highway: This project involves removal of the asphalt surface, curb and sidewalk repairs and placing a new asphalt surface and striping on 58 Highway from Dean Ave. to J-Highway. Staff anticipates advertising this project for bid in July. A bid opening has been scheduled for August 10th, 2016. Work is scheduled to start the week of September 19th. The contractor is currently working on curb removal *2016 General Obligation Bond, \$1,400,000 (MEK) 6/27/2016*
- Foxridge Drive: This project involves the extension of Foxridge Drive from Old Paint Road to Dean Avenue. Staff anticipates construction starting in late fall 2016 or spring 2017. Staff will be making recommendation regarding engagement of a Consultant for this project at the October 10 th meeting of the City Council. *2016 General Obligation Bond \$700,000 (MEK) 06/27/2016*



- Johnston Drive: This project involves the extension of Johnston Drive from S Darrowby Drive to Dean Avenue. Staff anticipates construction starting in late fall 2016 or spring 2017. Staff will be making recommendation regarding engagement of a Consultant for this project at the October 10 th meeting of the City Council. *2016 General Obligation Bond \$350,000 (MEK) 06/27/2016*
- Kentucky Construction: This project involves constructing a new segment of road which will re-align Kentucky Road from approximately Harold Drive to the Raymore Galleria signalized intersection. The anticipated start date for this project is spring 2017. Staff will be making recommendation regarding engagement of a Consultant for this project at the October 10 th meeting of the City Council. *2016 General Obligation Bond \$700,000 (MEK) 06/27/2016*



# Community Development Monthly Report

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City Council Meeting  
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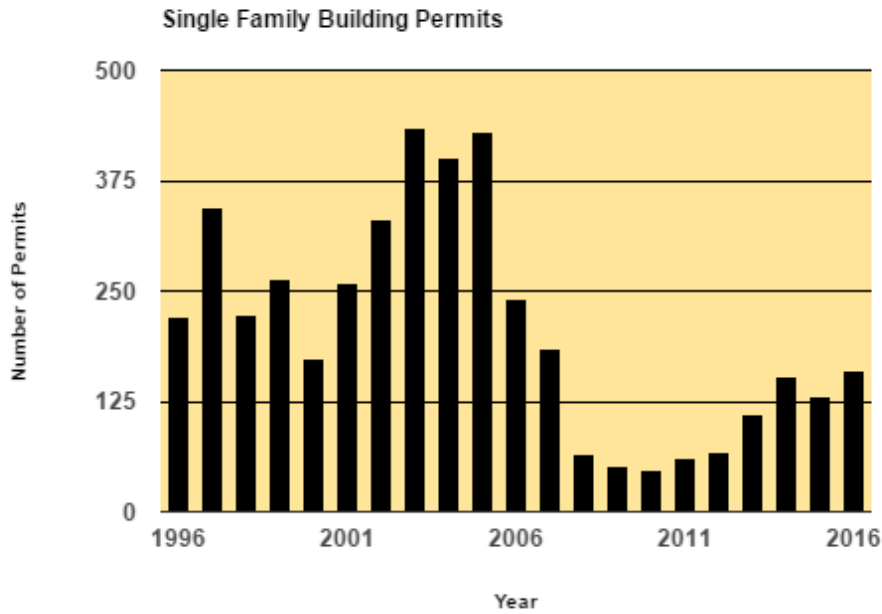
## SEPTEMBER 2016

### Building Permit Activity

Type of Permit	Sep 2016	2016 YTD	2015 YTD	2015 Total
Detached Single-Family Residential	9	147	73	139
Attached Single-Family Residential	0	14	0	6
Multi-Family Residential	0	0	6	0
Miscellaneous Residential (deck; roof)	40	380	285	363
Commercial - New, Additions, Alterations	2	18	18	23
Sign Permits	3	40	34	52
<b>Inspections</b>	<b>Sep 2016</b>	<b>2016 YTD</b>	<b>2015 YTD</b>	<b>2015 Total</b>
Total # of Inspections	576	4,653	3,522	4,919
<b>Valuation</b>	<b>Sep 2016</b>	<b>2016 YTD</b>	<b>2015 YTD</b>	<b>2015 Total</b>
Total Residential Permit Valuation	\$2,670,700	\$37,795,800	\$20,729,500	\$34,819,700
Total Commercial Permit Valuation	\$140,600	956,200	\$3,611,800	\$3,660,400

### ***Additional Building Activity:***

- Site work commenced for the Raymore Marketplace center at the southeast corner of Dean Avenue and 58 Highway



## Code Enforcement Activity

Code Activity	Sept 2016	2016 YTD	2015 YTD	2015 Total
Code Enforcement Cases Opened	83	274	220	229
<i>Notices Mailed</i>				
-Tall Grass/Weeds	70	191	166	166
- Inoperable Vehicles	2	27	12	12
- Junk/Trash/Debris in Yard	7	21	21	24
- Object placed in right-of-way	3	3	2	2
- Parking of vehicles in front yard	0	7	1	1
- Exterior home maintenance	1	6	5	5
- Other (trash at curb early; signs; etc)	0	19	13	19
Properties mowed by City Contractor	14	48	58	59
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	1	1	0	0
Signs in right-of-way removed	20	140	156	190

## Development Activity

### Current Projects

- Assisting City staff on development of plans for the Municipal Circle meeting space building and for the proposed activity center at Recreation Park.
- Conditional Use Permit and Site Plan for Recreation Activity Center to locate in Recreation Park
- Evan-Brook 7th Preliminary and Final Plat
- Panda Express Site Plan
- Site plan for expansion of Creekmoor Clubhouse
- Rezoning and Preliminary Plat approval for Eagle Glen Parcels 5 and 7
- Timber Trails Open Space Plat

	As of Sept 30, 2016	As of Sept 30, 2015	As Sept 30, 2014
Homes currently under construction	235	185	97
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	692	800	862
Total number of dwelling units in City	7,896	7,735	7,559

## Actions of Boards, Commission, and City Council

### City Council

#### **September 12, 2016**

- Acceptance of public improvements in Edgewater at Creekmoor 5th Plat
- Approved on 1st reading the purchase of 108 W. Olive Street
- Approved on 2nd reading the permanent closure and removal of the access drive to 1918 W. Foxwood Drive (former Ryan's)

#### **September 26, 2016**

- Approved on 2nd reading the purchase of 108 W. Olive Street
- Approved on 1st reading the conditional use permit for the Recreation Activity Center
- Indicated desire to have City install sidewalk upon the 10 undeveloped lots that met the threshold requirement to have sidewalk installed by the property owner in 2016

### Planning and Zoning Commission

## **September 6, 2016**

- Recommended approval of the FY 2017-2021 Capital Improvement Program

## **September 20, 2016**

- Recommended approval of the conditional use permit for the Recreation Activity Center building in Recreation Park

## **Upcoming Meetings – October & November**

### **October 4, 2016 Planning and Zoning Commission**

- No items currently scheduled

### **October 10, 2016 City Council**

- 2nd reading - Recreation Activity Center conditional use permit
- Resolution - 2016 Sidewalk on undeveloped lots program

### **October 18, 2016 Planning and Zoning Commission**

- Timber Trails Open Space Final Plat
- Evan Brook 7th Preliminary and Final Plat

### **October 24, 2016 City Council**

- 1st reading - Timber Trails Open Space Final Plat
- Resolution - Evan Brook 7th Preliminary Plat
- 1st reading - Evan Brook 7th Final Plat

### **November 1, 2016 Planning and Zoning Commission**

- Panda Express Site Plan
- Recreation Activity Center Site Plan
- Creekmoor Clubhouse Expansion Site Plan
- Eagle Glen Parcel 5 Rezoning
- Eagle Glen Parcel 5 and 7 Preliminary Plat

### **November 14, 2016 City Council**

- 2nd reading - Timber Trails Open Space Final Plat
- 2nd reading - Evan Brook 7th Final Plat
- 1st reading - Eagle Glen Parcel 5 rezoning

### **November 15, 2016 Planning and Zoning Commission**

- No items currently scheduled

- 2nd reading - Eagle Glen Parcel 5 rezoning
- Resolution - Eagle Glen Parcel 5 and 7 Preliminary Plat

## Department Activities

- Director Jim Cadoret and Building Official Jon Woerner continue to assist as committee members on design of the proposed Recreation Activity Center at Recreation Park and for the community meeting space building in the Municipal Complex.
- Director Jim Cadoret and Building Official Jon Woerner are participating on the City team on the Google Fiber installation project
- Director Jim Cadoret participated as a member of the Communities for All Ages Task Force working to complete the Assessment phase of the initiative. There are 5 residents and 3 City staff members serving on the task force. Work on the assessment phase is scheduled to be completed by November 1st.
- Director Jim Cadoret participated in the Communities
- The Department welcomed Christian Neal as the new Code Enforcement Officer
- Director Jim Cadoret and Public Works Director Mike Krass held a Good Neighbor meeting to discuss the proposed removal of the Elm Street water tower in Original Town and the installation of a telecommunications tower.
- Director Jim Cadoret held a Good Neighbor Meeting with the developer of the proposed Evan Brook 7th Plat. Over 30 neighbors attended the meeting.
- Public hearings were held on 10 undeveloped lots that met the threshold for requiring sidewalk to be installed by the property owner. City Council voted to have the City install sidewalk upon the 10 lots.
- Director Jim Cadoret provided development activity data to the Raymore Peculiar School District Attendance Boundary Committee that is working on new attendance boundaries for the district.
- Staff assisted with the closing on the City purchase of the property located at 108 W. Olive Street. Purchase of the property will allow for future expansion of T.B. Hanna Station park.
- Director Jim Cadoret attended the Communities for All Ages regional meeting of participating communities and provided an update on the status of the Assessment Phase work from the citizen task force.

## GIS Activities

- Incorporated newly scanned drawings for quick/easy reference by staff
- Upgraded ArcGIS server, databases & development environment
- Update of web mapping applications and APIs
- Performed spatial adjustments to asset data from field inventories
- Provided addressing & street center line corrections to Marc for regional 911 operations
- Assisted with department business operations (snow removal plan, site context for development applications, etc)
- Addressing of new development, distribution and response to inquiry
- Expanded data offerings (received right of way permit information from GOOGLE, working with EROS & NARA to provide historical imagery references, public site utilities, etc)
- Responded to internal/external requests for maps & information (design services, agreements, negotiations, etc)
- Public requests for information



# Parks and Recreation Monthly Report

October 10, 2016  
City Council Meeting  
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## September 2016

### Through the Month



#### August 29 - September 2

- City Council Work Session - Presentation to the City Council and Park Board from SFS Architecture on the Activity Center at Recreation Park
- Direct Musteen attended the Community for All Ages Task Force Meeting
- Staff worked to clear weeds and monitor the butterfly gardens at The Depot at T.B. Hanna Station Park. Park staff were able to view the gardens in full use as they found Monarch butterflies, caterpillars and butterfly cocoons all making use of the butterfly way-station.
- The Recreation Division welcomed Mike Hedrick as the department's new recreation coordinator. He will oversee the sports and activity programs offered by the Parks & Recreation Department.



#### September 5 - 9

- Recreation staff prepared game schedules for fall youth recreational volleyball, soccer, baseball, softball and flag football.
- Direct Musteen attended the Community for All Ages Task Force Meeting
- Director Nathan Musteen attended Kansas City Area Directors meeting on Friday.
- Athletic Coordinator Mike Hedrick started instructing the fall Tiny Soccer program Thursday night.
- Parks staff prepared the Depot for Native Plant Sale held Saturday, September 10th from 3-6 p.m.
- Parks staff prepared Recreation Park baseball fields for the Eric Roach Memorial Softball Tournament to be held on Saturday.



#### September 12 - 16

- Administrative staff compiled and prepared Honor Brick orders

# Parks and Recreation Monthly Report

October 10, 2016  
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- Staff received the draft of the Johnston Lake improvement projects (CAP Agreement Revision)
- Administrative staff and Recreation Coordinator Mike Hedrick confirmed all fall sports uniforms and prepared them for to be sent to coaches.
- Park Board Work Session - Board Training Session by City Attorney, Jonathan Zerr
- All City Staff attended a FY17 Budget Update meeting in which City Manager Feuerborn outlined the proposed budget for all city employees.
- Superintendent John McLain and Recreation Coordinator Mike Hedrick prepared for Saturday's start to the volleyball and soccer seasons.
- Director Nathan Musteen traveled to Branson for the Missouri Parks and Recreation Association 2017 conference work meeting on Friday.

## **September 19 - 23**

- City Council Work Session - The Council discussed FY17 CIP Project ideas
- Posted a "Request for Qualifications" for the Hawk Ridge Improvement Projects
- Recreation staff prepared the concession stand at the baseball/softball complex for the fall. Staff also continued with routine mowing and ball field painting and daily prep.
- Recreation Coordinator Mike Hedrick worked with Legends Photography to schedule picture dates for all fall sports.
- Staff finalized the Adult Softball Schedule. The fall session is scheduled to start Sunday, September 25.
- Administration Staff prepared materials and set up the booth for the Park Board to engage the community during the Festival.
- Park Staff prepared Memorial Park and are working at the 2017 Festival in the Park, Sept. 22-24.

## **September 26 - 30**

- Park Board Meeting
- Recreation Superintendent McLain participated in a Rec Trac training for future upgrades to our system.
- Recreation Coordinator Jerri Keith made final preparations for the upcoming Trucktober Festival on Friday, September 30th.
- Park Staff prepared the Disc Golf Course for the upcoming tournament on October 1st.

## **Day-to-Day**

Weekly planning meetings for the GO Bond projects. Working with consultants and the Engineering department on many of the projects and bid documents.

# Parks and Recreation Monthly Report

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Director Musteen worked with City Management Team providing information on proposed FY17 CIP projects from the City Council

Director Musteen and Office Assistant, Greta Naab, are finalizing applications and wording for the Honor Bricks that have been ordered. The bricks have been 3 quoted and ordered.

## Coming Up - Calendar of Events

- October 11 - Park Board Recreation Committee Meeting
- October 11 - Farmers Market, last night
- October 17 - City Council Work Session
- October 25 - Park Board Meeting
- October 28 - Harvest Night

## Parks & Recreation Board

### **September 13**

Work Session - City Attorney, Jonathan Zerr conducted a training session for the Park Board reviewing the basics of parliamentary procedure and public meeting etiquette.

### **September 26**

Business Meeting - The Board reviewed the results from the Memorial Park Trail Grant application submitted to the Missouri State Parks and the revised CAP Agreement for Hawk Ridge Park. Staff provided a report on recent upgrades in the concession stand.

## **Raymore Legacy**

The Raymore Legacy Program fall orders are now complete. New orders will placed next year.

Honor Bricks have been ordered and will be sent to the engraver during October.

To date orders

19 Honor Bricks	1 Tribute Tree	2 Memorial Benches
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Respectfully,

Nathan Musteen  
Director of Parks & Recreation



# MUNICIPAL DIVISION SUMMARY REPORTING FORM

October 10, 2016  
City Council Meeting

*Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.*

<b>I. COURT INFORMATION</b>		Contact information same as last report <input type="checkbox"/>	
Municipality: RAYMORE		Reporting Period: September, 2016	
Mailing Address: 100 MUNICIPAL CIRCLE		Software Vendor: Tyler Technologies	
Physical Address: 100 MUNICIPAL CIRCLE		County CASS COUNTY	Circuit: 17
Telephone Number: (816) 331-1712		Fax Number: (816) 331-0634	
Prepared By: ALBERTA A. TALKEN	E-mail Address atalken@raymore.com		iNotes <input type="checkbox"/>
Municipal Judge(s): ROSS C. NIGRO JR.		Prosecuting Attorney: WILLIAM MARSHALL II	

<b>II. MONTHLY CASELOAD INFORMATION</b>	Alcohol & Drug related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations / informations) pending at start of month	38	1,043	725
B. Cases (citations / informations) filed	5	298	63
C. Cases (citations / informations) disposed			
1. jury trial (Springfield, Jefferson County, and St. Louis County only)	0	0	0
2. court / bench trial - GUILTY	0	0	0
3. court / bench trial - NOT GUILTY	0	0	0
4. plea of GUILTY in court	3	119	28
5. Violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)	0	69	6
6. dismissed by court	0	2	0
7. nolle prosequi	0	37	9
8. certified for jury trial(not heard in the Municipal Division)	0	0	0
<b>9. TOTAL CASE DISPOSITIONS</b>	3	227	43
D. Cases (citations / informations) pending at end of month [pending caseload = (A + B) - C9]	40	1,114	745
E. Trial de Novo and / or appeal applications filed	0	1	0

<b>III. WARRANT INFORMATION (pre- &amp; post-disposition)</b>		<b>IV. PARKING TICKETS</b>	
1. # Issued during reporting period	80	# Issued during period	0
2. # Served/withdrawn during reporting period	107	<input checked="" type="checkbox"/> Court staff does not process parking tickets	
3. # Outstanding at end of reporting period	1,116		

**MUNICIPAL DIVISION SUMMARY REPORTING FORM**

October 10, 2016  
City Council Meeting

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September, 2016

<b>I. COURT INFORMATION</b>	Municipality: RAYMORE	Reporting Period: September, 2016
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<b>V. DISBURSEMENTS</b>			
<b>Excess Revenue (minor traffic violations, subject to the excess revenue percentage limitation)</b>		<b>Other Disbursements cont.</b>	
Fines - Excess Revenue	\$ 15,757.00		\$
Clerk Fee - Excess Revenue	\$ 1,509.38		\$
Crime Victims Compensation (CVG) Fund surcharge - Paid to City/Excess Revenue	\$ 47.19		\$
Bond forfeitures (paid to city) - Excess Revenue	\$ 104.00		\$
<b>Total Excess Revenue</b>	<b>\$ 17,417.57</b>		<b>\$</b>
<b>Other Revenue (non-minor traffic and ordinance violations not subject to the excess revenue percentage limitation)</b>			<b>\$</b>
Fines - Other	\$ 11,430.00		\$
Clerk Fee - Other	\$ 900.00		\$
Judicial education Fund (JEF) <input checked="" type="checkbox"/> Court does not retain funds for JEF	\$ 0.00		\$
Peace Officer Standard and Training (POST) Commission surcharge	\$ 203.00		\$
Crime Victims Compensation (CVC) Fund surcharge - Paid to state	\$ 1,445.01		\$
Law Enforcement Training (LET) Fund surcharge	\$ 401.57		\$
Domestic Violence Shelter surcharge	\$ 815.00		\$
Inmate Prisoner Detainee Security Fund surcharge	\$ 401.55		\$
Sheriff's Retirement Fund (SRF) surcharge	\$ 0.00		\$
Restitution	\$ 0.00		\$
Parking ticket revenue (including penalties)	\$ 0.00		\$
Bond forfeitures (paid to city) - Other	\$ 769.00		\$
<b>Total Other Revenue</b>	<b>\$ 16,365.13</b>		<b>\$</b>
<b>Other Disbursements:</b> Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs, witness fees, and board bill/jail costs.		<b>Total Other Disbursements</b>	\$ 327.80
		<b>Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited</b>	\$ 34,110.50
DUI	\$ 300.00		
O/R CVC Paid to City	\$ 27.80	<b>Bond Refunds</b>	\$ 393.00
	\$	<b>Total Disbursements</b>	\$ 34,503.50

Office of State Courts Administrator, Statistics, 2112 Industrial Drive, P.O. Box 104480, Jefferson City, MO 65110

# Consent Agenda





**THE RAYMORE COUNCIL MET IN REGULAR SESSION ON MONDAY, SEPTEMBER 26, 2016 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: COUNCILMEMBERS ABDELGAWAD, BARBER, BURKE, III, HOLMAN, HUBACH, AND MOORHEAD, CITY MANAGER JIM FEUERBORN, CITY CLERK JEANIE WOERNER, AND CITY ATTORNEY JONATHAN ZERR.**

**1. Call To Order.** Mayor Pro Tem Moorhead called the meeting to order at 7:00 p.m.

**2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business. Mayor Turnbow absent.

**3. Pledge of Allegiance.**

**4. Presentations/Awards.**

Mayor Pro Tem Moorhead announced an addition to the agenda, recognizing Eagle Scout Jacob Shriner presenting him with the City's Challenge coin.

**5. Personal Appearances.**

Monique Lewis, 124 E. Calico Dr., Cass County Representative of MARC Silver-Haired Legislature provided information on Fall Prevention Awareness Week.

**6. Staff Report.**

Public Works Director Mike Krass provided a review of the staff report included in the Council packet and updates on current Public Works projects.

City Manager Jim Feuerborn provided a review of the Arts Commission report included in the Council packet. He provided information on a special meeting called by Mayor Turnbow to be held on October 3 for Council to interview candidates to fill the vacant Ward 1 seat.

**7. Committee Reports.**

Derek Moorhead provided a brief overview of the September 20 Charter Review Commission meeting. The next meeting will be October 4 in Council Chambers.

**8. Consent Agenda.**

**A. Council Meeting Minutes, September 12, 2016**

**B. Resolution 16-45, Public Improvements for Highpoint 3rd Final Acceptance**

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

**VOTE:**

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

## **9. Unfinished Business. Second Readings.**

### **A. Contract for Real Estate Purchase**

**BILL 3205: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE PROPERTY LOCATED AT 108 W. OLIVE STREET IN THE AMOUNT OF \$65,000.00."**

City Clerk Jeanie Woerner conducted the second reading of Bill 3205 by title only.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to approve the second reading of Bill 3205 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

Mayor Pro Tem Moorhead announced the motion carried and declared Bill 3205 as **Raymore City Ordinance 2016-073.**

### **B. Budget Amendment - 108 W. Olive Street Property**

**BILL 3206: "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 3206 by title only.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to approve the second reading of Bill 3206 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

Mayor Pro Tem Moorhead announced the motion carried and declared Bill 3206 as **Raymore City Ordinance 2016-074.**

**C. Award of Contract Foxwood Water Tower Project**

**BILL 3195: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MAGUIRE IRON, INC FOR THE FOXWOOD WATER TOWER PROJECT, CITY PROJECT NUMBER 16-217-201, IN THE AMOUNT OF \$484,683 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."**

City Clerk Jeanie Woerner conducted the second reading of Bill 3195 by title only.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to approve the second reading of Bill 3195 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

Mayor Pro Tem Moorhead announced the motion carried and declared Bill 3195 as **Raymore City Ordinance 2016-075.**

#### **D. Budget Amendment Foxwood Water Tower**

#### **BILL 3194: "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 3194 by title only.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to approve the second reading of Bill 3194 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

Mayor Pro Tem Moorhead announced the motion carried and declared Bill 3194 as **Raymore City Ordinance 2016-076.**

#### **10. New Business. First Readings.**

#### **A. Recreation Activity Center Conditional Use Permit (public hearing)**

#### **BILL 3208: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING A CONDITIONAL USE PERMIT FOR THE RAYMORE ACTIVITY CENTER PUBLIC BUILDING TO BE LOCATED IN RECREATION PARK, RAYMORE, CASS COUNTY, MISSOURI."**

City Clerk Jeanie Woerner conducted the first reading of Bill 3208 by title only.

Mayor Pro Tem Moorhead opened the public hearing at 7:25 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet. Raymore's Public Works Director is requesting approval of a conditional use permit (CUP) to construct a public building to be known as Recreation Activity Center, upon land located in the northwest corner of Recreation Park. He asked for the notice of public hearing in *The Journal*, notices to adjoining property owners, the Unified Development Code (UDC), application, Growth Management Plan (GMP), staff report and conceptual site plan be entered into the record. He reviewed the staff proposed Findings of Fact noting the

recommendation of approval is based on the condition that the site plan application shall be consistent with the conceptual site plan and building elevations. Minor modifications are permitted as final design is completed. The Planning and Zoning Commission voted at their June 20, 2016 meeting 8-0 to recommend approval of the CUP based on the one condition

Mayor Pro Tem Moorhead opened floor for public comment and hearing none, closed the public hearing at 7: 30 p.m.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to approve the first reading of Bill 3208 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

## **B. Sidewalk on Undeveloped Lots (public hearings)**

Mayor Pro Tem Moorhead opened the public hearing at 7:31 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report and history on the requirements for the installation of sidewalks on undeveloped lots as included in the Council packet. In January 2016, staff identified 14 undeveloped lots meeting the threshold for the installation of sidewalk as provided for in Chapter 445 of the Unified Development Code. There were 3 lot owners who have complied with the requirement and one of the lots has been sold. Each of the remaining 10 lot owners who are not in compliance had until August 1, 2016 to complete installation and were provided notification of this public hearing. The public hearings were properly advertised in *The Journal* for this meeting, sent to the lot owners, as well as adjacent lot owners. Staff requests that a public hearing be held on each case. Council can determine if each lot meets the requirement for the installation of sidewalk. After this determination, staff will present a Resolution confirming the decisions made on each lot at the October 10, 2016 Council meeting. The construction of these segments of sidewalk will be incorporated into the City's 2017 program, beginning April 1, 2016, and the costs will be levied against the properties in a special tax assessment. He provided procedures for each public hearing.

Edgewater at Creekmoor

- 1st Plat, Lot 1, 1230 Kettering Lane - Donald & Elizabeth Stoneman

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk on both Creekmoor Drive and Kettering Lane with the installation of an ADA ramp.

Donald Stoneman, 9709 W. 103rd Terrace, Overland Park, Kansas, owner of the subject property, addressed the Council stating he has owned the lot for 4 years and has tried to sell without success. He stated his belief that sidewalk would make it difficult to sell this lot.

Gary Gaurdia, 1208 Creekmoor Drive, stated this street is a major access to the eastern portion of the subdivision. In order to get to this part of the community, one would have to walk through the grass. The ending point of sidewalk on this lot would force pedestrians to cross Creekmoor Drive at this location at a blind curve.

Mayor Pro Tem Moorhead clarified that lot 51, the property to the north, does not meet the threshold at this time. Mr. Cadoret stated with further development, most likely be met in 2018.

Councilmember Abdelgawad asked if the developer will install sidewalk on the common area. Mr. Cadoret stated yes, the developer is reliable on filling gap on undeveloped area, usually within a year or so of the gap being formed.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 7: 49 p.m.

**MOTION:** By Councilmember Kellogg, second by Councilmember Barber to accept staff's proposed findings of fact and include 1st Plat, Lot 1, 1230 Kettering Lane in the Resolution for installation of sidewalk.

**DISCUSSION:** Mr. Cadoret answered questions regarding the ADA ramp from Councilmember Hubach.

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

- 1st Plat, Lot 2, 1228 Kettering Lane - Dennis & Toni Markham

Mayor Pro Tem Moorhead opened the public hearing at 7:50 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk.

Mayor Pro Tem Moorhead opened floor for public comment and hearing none, closed the public hearing at 7: 51 p.m.

**MOTION:** By Councilmember Kellogg, second by Councilmember Burke to accept staff proposed findings of fact and include Edgewater at Creekmoor, 1st plat, lot 2, 1228 Kettering Lane in the Resolution for installation of sidewalk.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

- 1st Plat, Lot 13, 1206 Kingsland Circle - William & Shirley Baum

Mayor Pro Tem Moorhead opened the public hearing at 7:52 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Could have Ketterline Lane address. The notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk with an ADA ramp. The property owner submitted a letter on June 30, 2016 requesting an extension of installation and was included in the packet. He has distributed an email from the property owner located to the north in support of the sidewalk installation.

William Baum, 603 Lakeview Drive, Raymore, stated he and his wife purchased this lot with the intention of reselling. They have experienced difficulty in selling and have recently listed it with a local real estate agent. He believes if the sidewalk is

installed construction vehicles will damage the sidewalk when a home is built. He asked for a one-year extension.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 7: 55 p.m.

Councilmember Kellogg asked if this property has been given an extension in the past. Mr. Cadoret stated not on this one but there is one further on the agenda.

**MOTION:** By Councilmember Kellogg, second by Councilmember Holman to accept staff proposed findings of fact and include Edgewater at Creekmoor, 1st plat, lot 13, 1206 Kingsland Circle in the Resolution for installation of sidewalk.

Councilmember Hubach stated the property owner is in attendance and the motion was clarified.

Councilmember Burke spoke from the minutes from last year, where extensions were granted for property owners who attended and requested same.

Councilmember Holman asked for the installation schedule. Mr. Cadoret stated there is an automatic extension built in. These sidewalks will not be installed until April to September 2017 in conjunction with the sidewalk program. He provided timelines, schedules and scenarios for the installation.

Councilmember Abdelgawad stated her concerns with requiring the installation when the property owner has requested an extension.

Discussion ensued.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

- 2nd Plat, Lot 37, 1214 Kingsland Circle - Derek & Pamela Mills

Mayor Pro Tem Moorhead opened the public hearing at 8:10 p.m. and asked for a staff report.



Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk. Staff has had contact with the property owner regarding the size and particulars of the lot and has advised a variance may be necessary to fit a home on this lot due to the unique shape of the lot. The property owner was made aware of this requirement.

Kaleena Schewmacher, 1216 Kingsland, adjoining property owner, is having problems with the grading of this lot and explained the effect it has on their lot.

Mr. Cadoret stated there is a drainage issue that will be addressed with the construction of a home on Lot 37. The property owner has hired an engineer to address the grading and drainage but has yet to submit the plan to the City for approval.

Mayor Pro Tem Moorhead asked about setbacks and easement hearings. Mr. Cadoret stated there should be 2 actions: variance to the Board of Adjustment and a hearing before Council for an adjustment to the stormwater easement/inlet. Notice will be sent to the surrounding property owners and drainage placed before hearing.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 8:16 p.m.

Councilmember Kellogg asked is the installation of the sidewalk would increase the drainage issue this neighbor is having. Mr. Cadoret stated no.

Mayor Pro Tem Moorhead asked if the property owner has been in contact and is acting in good faith. Mr. Cadoret stated the owner has been wanting to build for over a year. The City is requiring the property owner to hire an engineer and a surveyor. He has hired both and is steadily moving forward to rectify this situation.

**MOTION:** By Councilmember Kellogg, second by Councilmember Holman to accept staff proposed findings of fact and include Edgewater at Creekmoor, 2nd plat, lot 37, 1214 Kingsland Circle in the Resolution for installation of sidewalk.

**DISCUSSION:** Mayor Pro Tem Moorhead stated his favor and hopes progress continues.

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye

Councilmember Kellogg      Aye  
Councilmember Moorhead      Aye

- 2nd Plat, Lot 38, 1207 Kettering Lane - John & Phyllis Prouty

Mayor Pro Tem Moorhead opened the public hearing at 8:21 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk with an ADA ramp. This is a corner lot, therefore, requiring sidewalk to be installed on both Kettering Lane and Kingsland Circle. The threshold required by City Code is met on both streets. The property owner requested information on sidewalk contractors that could complete installation on June 15, 2016.

John Prouty, P.O. Box 522, Raymore, asked if the costs would be provided before the installation by the City. He did have plans to build but they have recently listed it with a real estate agent.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 8: 24 p.m.

Councilmember Kellogg asked if it benefits the property owner to have the City install or the homeowner get their own price. Mr. Cadoret stated the City doesn't know the cost of the program until bid in 2017 or the owner can bid the project themselves. At first, with so many lots it was beneficial for the property owner to have the City install. With the few lots left, it is unknown what the bid price would be.

**MOTION:** By Councilmember Kellogg, second by Councilmember Barber to accept staff proposed findings of fact and include Edgewater at Creekmoor, 2nd plat, lot 38, 1207 Ketterling Lane in the Resolution for installation of sidewalk.

**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

Mayor Moorhead announced a 10 minute recess at 8:27 p.m. The meeting reconvened at 8:40 p.m.

*Southern Hills at Creekmoor*

- 2nd Plat, Lot 65, 809 Creekmoor Pond Lane - Ismail Abdulkareem & Hamida Naqama

Mayor Pro Tem Moorhead opened the public hearing at 8:40 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. The initial notice was provided to the property owner on January 12, 2015 of the requirement to install sidewalk, on July 20, 2015 staff discussed with the property owner the process if installation was not completed by August 1, 2015. On January 19, 2016, the property owner was provided notice to install sidewalk on the undeveloped lot. This is one property that was subject to the public hearing held in 2015 at which time an extension was granted at that time by Council. The property has sidewalk installed on a portion of the lot including an ADA ramp. This is a corner lot, therefore, requiring sidewalk to be installed on both Creekmoor Pond Lane and Wiltshire Boulevard. This is the only lot remaining in Southern Hills subdivision without sidewalk installed. The threshold required by City Code is met is on Wiltshire. At the September 14, 2015 Council meeting, Council voted to grant the property owner a one-year extension for the installation of sidewalk. No contact has been made by the property owner.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 8:42 p.m.

**MOTION:** By Councilmember Kellogg, second by Councilmember Burke to accept staff proposed findings of fact and include Southern Hills at Creekmoor, 2nd plat, lot 65, 809 Creekmoor Pond Lane in the Resolution for installation of sidewalk.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

*Westbrook at Creekmoor*

- 4th Plat, Lot 98, 1425 Young Circle - Mustafa & Tandina Kamal

Mayor Pro Tem Moorhead opened the public hearing at 8:43 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk. Two undeveloped lots in this phase. List other lots. No contact has been made

Mustafa Kamal, Warrensburg, stated his original plan was to begin building in January of this year and health issues have delayed this process. He asked for an extension.

Councilmember Holman asked if his intention is to build or sell.

Mr. Kamal stated their intention is to build beginning in January 2017.

Mayor Pro Tem Moorhead asked if the homeowner were to begin building in January, would that remove the lot from the list. Mr. Cadoret stated obtaining a building permit would remove the lot from the sidewalk installation list.

Mr. Kamal stated the plan is to obtain a building permit in the beginning of 2017.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 8:45 p.m.

Discussion ensued.

**MOTION:** By Councilmember Kellogg, second by Councilmember Barber to accept staff proposed findings of fact and include Westbrook at Creekmoor, 4th plat, lot 98, 1425 Young Circle in the Resolution for installation of sidewalk.

**DISCUSSION:** Councilmember Abdelgawad stated this situation differs from others and she would prefer to provide a one year extension.

**MOTION TO AMEND:** By Councilmember Abdelgawad, second by Mayor Pro Tem Moorhead to provide a one-year extension.

**DISCUSSION:** Councilmember Holman stated an extension could be at minimum 17 months based on City practice.

Councilmember Burke thinks Council should be consistent.

Mayor Pro Tem Moorhead stated there is affirmative assertion by the property owner. There is already possibly a one year delay before installation without an extension.

Councilmember Abdelgawad expressed concerns with up to one year or the possibility of one year. Her motion would guarantee one year.

Vote on the motion to amend:

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Nay
	Councilmember Burke, III	Nay
	Councilmember Holman	Nay
	Councilmember Hubach	Nay
	Councilmember Kellogg	Nay
	Councilmember Moorhead	Nay

Vote on original motion:

<b>VOTE:</b>	Councilmember Abdelgawad	Nay
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

- 4th Plat, Lot 111 (1400 Young Circle) - Terry & Linda Martens

Mayor Pro Tem Moorhead opened the public hearing at 8:59 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk. A letter from the property owner has been distributed to Council

Terry Martens, 1021 SW Summit Falls Drive, Lee's Summit, commended Raymore and Cooper Development for this development. Although their Intention was to build, he and his wife have ill health. They are trying to actively sell with a real estate agent but feels the lot size is making it difficult to sell and with the opening of

other phases and lot availability, is also making it difficult to sell. He asked the Council for an extension due to this lot being at the end of a cul-de-sac.

Councilmember Moorhead asked for a specific time for the extension. Mr. Martins stated April, May, June 2017.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 9:04 p.m.

Mayor Pro Tem Moorhead asked the difficulty of giving a 3-4 month extension over and above the standards. Mr. Cadoret stated the cost of the installation is forwarded to the Cass County Collector for a special assessment on March 1. The City is trying to install sidewalk as late in the year as possible in order to avoid a lag in processing the special assessments with the County.

Mayor Pro Tem Moorhead, City Attorney Zerr, Mr. Feuerborn and Mr. Cadoret discussed particulars pertaining to installation dates included in the Resolution authorizing the installation of sidewalk to be brought forth for Council approval on October 10.

Councilmember Barber questioned if the size of the lot's street frontage (36') and if it would allow a 3-car garage as required by the Creekmoor development. Mr. Cadoret stated yes, the driveway can narrow down as it moves toward the street.

**MOTION:** By Councilmember Kellogg, second by Councilmember Burke to accept staff proposed findings of fact and include Westbrook at Creekmoor, 4th plat, lot 111, 1400 Young Circle in the Resolution for installation of sidewalk.

**DISCUSSION:** Councilmember Abdelgawad agrees with an extension but stated she doesn't believe it would be approved.

Mayor Pro Tem Moorhead agrees this is a different scenario with the lot size but can be addressed when the Resolution is presented for approval.

Discussion ensued.

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

*Knoll Creek Estates*

- 1st Plat, Lot 5, 429 Pierse Hollow Street - Knoll Creek LLC

Mayor Pro Tem Moorhead opened the public hearing at 9:13 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk. 15 undeveloped lots are under construction, and sidewalk was installed on 4 undeveloped lots by the City in 2015. No contact has been received from the property owner.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 9:25 p.m.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to accept staff proposed findings of fact and include Knoll Creek Estates, 1st Plat, Lot 5, 429 Pierse Hollow Street in the Resolution for installation of sidewalk.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

*Meadowood of The Good Ranch*

- 2nd Plat, Lot 56-A, 727 Indian Grass Way - Good-Otis LLC

Mayor Pro Tem Moorhead opened the public hearing at 9:17 p.m. and asked for a staff report.

Community Development Director Jim Cadoret provided a review of the staff report included in the Council packet announcing the lot address, legal description, lot owner's name and reviewed the staff proposed findings. Notice was provided to the property owner on January 19, 2016 of the requirement to install sidewalk. The property owner has contacted staff and provided information that the lot is under contract for sale to a home builder.

Mayor Pro Tem Moorhead opened floor for further public comment and hearing none, closed the public hearing at 9:18 p.m.

**MOTION:** By Councilmember Kellogg, second by Councilmember Burke to accept staff proposed findings of fact and include Meadowood of the Good Ranch, 2nd Plat, Lot 56-A, 727 Indian Grass Way in the Resolution for installation of sidewalk.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

**C. FY16 Budget Amendment - FY16 Operating Funds**

**BILL 3207: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE FISCAL YEAR 2016 OPERATING BUDGET."**

City Clerk Jeanie Woerner conducted the first reading of Bill 3207 by title only.

Finance Director Cindi Watson provided a review of the staff report included in the Council packet. Staff is requesting to amend the FY16 Operating Budget. During the course of Fiscal Year 2016, several operating transactions occurred that require a budget amendment. Staff accumulated these items to be addressed as a single budget amendment. One amendment is for the costs associated with the strategic plan in the amount of \$30,000, the second amendment is for recreation program revenues and expenditures exceeding budget in the amount of \$15,105, and the third amendment is for water meter supplies/installation in the amount of \$34,000.

Councilmember Burke asked for details on the recreation program revenues. Ms. Watson stated there was an increase in the basketball and soccer programs.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to approve the first reading of Bill 3207 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye



Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye

**D. Agreement for the Highway 58 and Dean Avenue CID**

**BILL 3209: "AN ORDINANCE APPROVING THE COOPERATIVE AGREEMENT AMONG THE CITY OF RAYMORE, MISSOURI, THE HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT AND RAYMORE PARTNERS, LLC TO IMPLEMENT THE HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT."**

City Clerk Jeanie Woerner conducted the first reading of Bill 3209 by title only.

City Manager Jim Feuerborn asked David Bushek, special finance counsel with Gilmore & Bell, to provide a review of the executive summary letter included in the Council packet.

David Bushek stated on February 22, 2016, the City Council conducted a public hearing to consider the Highway 58 and Dean Avenue Community Improvement District Petition. On March 28, 2016, the City Council adopted Ordinance 2016-019 approving the Petition and the formation of the District. The Ordinance to approve the Petition and the formation of the District includes a section which requires the City, District and Developer to execute a cooperative agreement to implement the Petition. He provided specific key information pertaining to the agreement.

**MOTION:** By Councilmember Kellogg, second by Councilmember Hubach to approve the first reading of Bill 3209 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

**E. Request to Proceed with a Request for Proposal-Raymore Gateway Redevelopment Area**

**RESOLUTION 16-44: "A RESOLUTION OF THE CITY COUNCIL OF RAYMORE, MISSOURI, EXPRESSING SUPPORT TO PROCEED WITH A REQUEST FOR PROPOSALS FOR REDEVELOPMENT OF THE PROPOSED RAYMORE GATEWAY**

**REDEVELOPMENT AREA, AND TO PROCEED WITH PREPARATION OF A TAX INCREMENT FINANCING PLAN FOR THE REDEVELOPMENT OF THE RAYMORE GATEWAY REDEVELOPMENT AREA.”**

City Clerk Jeanie Woerner conducted the reading of Resolution 16-44 by title only.

City Manager Jim Feuerborn asked David Bushek, special finance counsel with Gilmore & Bell, to provide a review of the executive summary letter included in the Council packet.

David Bushek stated at the September 19, 2016 City Council work session, staff received direction to propose a Resolution for the City to proceed with the preparation of a Request for Proposals (RFP) and the consideration of a Tax Increment Financing (TIF) Plan for the proposed Raymore Gateway Redevelopment Area generally located at the northeast corner of Highway 58 and Kentucky Road. This will allow staff to solicit alternative plans and redevelopment projects for the targeted area and prepare a proposed TIF for the area. He reviewed the next steps if Council approves this Resolution.

**MOTION:** By Councilmember Kellogg, second by Councilmember Holman to approve the reading of Resolution 16-44 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

**F. Council Discussion of Fiscal Year 2017 Budget**

City Manager Jim Feuerborn stated each meeting of the City Council following presentation of next fiscal year's budget and CIP on August 15, will include an agenda item to allow the Council to give feedback and input into that budget prior to its finalization on October 24. At the September 19 work session, there was discussion on a youth diversion program, trail lighting, possibility of moving trail lighting from neighborhoods to parks, and staff was requested to research costs of wifi/internet access to concession stands.

Councilmember Holman suggested \$15,000 to extend internet access at existing concessions for credit card payments and emergency alerts. An additional \$3,000 is

requested to boost wifi at each concession stand. He also requested to insert \$10,000 to the Tree Board for an arboretum.

Councilmember Burke discussed his proposal for youth diversion in the past for minor violations. He requested \$4,000 be added in order to add 96 hours of community service projects.

Councilmember Abdelgawad request an updated details of requests.

Councilmember Holman requested to add the budget discussion to the October 3 special meeting.

## **11. Public Comments.**

## **12. Mayor/Council Communication.**

Mayor Pro Tem Moorhead and Councilmembers thanked Monique Lewis for providing information on fall awareness, Raymore Festival in the Park Committee for a successful event, and recognized Eagle Scout Jason Shriner.

Councilmember Kellogg thanked boy scout Charles Pifer for his assistance at the Festival in the Park.

Councilmember Abdelgawad asked for patience and safe driving while the repairs are underway on 58 Highway.

Mayor Pro Tem Moorhead thanked Mr. Cadoret for his work on bringing forth information on the sidewalk installation program. He noted the community group spirit participating at the Festival in the Park.

**MOTION:** By Councilmember Holman, second by Councilmember Hubach to adjourn to Executive Session to discuss litigation matters as authorized by §610.021 (1), real estate matters as authorized by §610.021 (2), and personnel matters as authorized by §610.021 (3).

<b>ROLL CALL VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

The regular meeting of the Raymore City Council adjourned to Executive Session at 9:47 p.m.

### 13. Adjournment.

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

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

The regular meeting of the Raymore Council adjourned at 10:23 p.m.

Respectfully submitted,

Jeanie Woerner  
City Clerk

*These minutes transcribed by Erica Hill.*

**THE RAYMORE COUNCIL MET IN SPECIAL SESSION MONDAY OCTOBER 3, 2016 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, 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 Turnbow called the special meeting to order at 7:00 p.m.
- 2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business. Councilmember Barber absent.
- 3. Pledge of Allegiance.**
- 4. Public Meeting-Interview and Selection of Individual to Fill Ward 1 Vacancy**

Mayor Turnbow announced there is a Council vacancy in Ward 1 due to the resignation of Jeffrey Stevens. The procedure for filling a City Council vacancy is outlined in City Code Section 110.145. The 14-day period for taking applications for the vacant Ward 1 position expired on September 22, 2016 at 5:00 p.m. There were three applications filed for the vacancy: Louis Dale Jacobson, John Seimears and Reginald Townsend. This meeting is so that the Council can interview all applicants and receive information from citizens who would be eligible to vote for them if they were running for election. If the Council determines that a qualified candidate has been determined at this meeting, an appointment will be made so that the new member may participate in consideration of business at the October 10, 2016 regular City Council meeting. If the Council finds that no qualified person has applied, the process may be repeated until a qualified applicant has been appointed.

Mayor Turnbow advised the Council of the procedures for the interview process (attached to these minutes) and stated that he will read the interview questions (attached to these minutes). After the interviews, the City Clerk will, by roll call vote, ask for a candidate name from each Councilmember until a majority vote for one candidate is reached.

Each candidate introduced themselves and provided a brief history of their background and experience.

Mayor Turnbow asked each candidate the interview questions in random order.

Closing statements were heard from each of the applicants.

**DISCUSSION:** Councilmembers complimented and thanked all the candidates for taking the time and interest to serve the City.

**5. Input from Ward 1 citizens eligible to vote for the applicants if the applicants were running for election.**

No public input was heard.

On request of Councilmember Abdelgawad, the Council recessed at 8:16 p.m. and reconvened at 8:26 p.m.

**6. Selection of Candidate.**

City Clerk Jeanie Woerner conducted a roll call vote of each Councilmember for a candidate to fill the Ward 1 vacancy.

<b>VOTE:</b>	Councilmember Hubach	Seimears
	Councilmember Barber	Absent
	Councilmember Kellogg	Seimears
	Councilmember Abdelgawad	Seimears
	Councilmember Burke, III	Seimears
	Councilmember Holman	Jacobson
	Councilmember Moorhead	Townsend

By majority vote, John Seimears is appointed to fill the Ward 1 vacancy.

**7. Approval of appointing Resolution 16-46**

**16-46 “A RESOLUTION OF THE RAYMORE CITY COUNCIL APPOINTING JOHN SEIMEARS TO FILL THE UNEXPIRED TERM OF THE VACANT CITY COUNCIL SEAT IN WARD ONE.”**

City Clerk, Jeanie Woerner, conducted the reading of Resolution 16-46 by title only.

**DISCUSSION:** None

**MOTION:** By Councilmember Moorhead, second by Councilmember Hubach to approve the reading of Resolution 16-46 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

## **8. Council Discussion of Fiscal Year 2017 Budget**

Councilmember Abdelgawad spoke to the park and trail lighting she is proposing. After Council discussion, Councilmember Abdelgawad requested to add \$150,000 to the proposed budget for trail lighting and ask for the Park Board to provide research for future progressive projects.

**MOTION:** By Councilmember Moorhead, second by Councilmember Hubach to adjourn to Executive Session to discuss litigation matters as authorized by §610.021 (1) and personnel matters as authorized by §610.021 (3).

<b>ROLL CALL VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

The special meeting of the Raymore City Council adjourned to Executive Session at 8:45 p.m.

## **9. Adjournment.**

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

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Absent
	Councilmember Burke, III	Aye
	Councilmember Holman	Aye
	Councilmember Hubach	Aye
	Councilmember Kellogg	Aye
	Councilmember Moorhead	Aye

The special meeting of the Raymore Council adjourned at 9:34 p.m.

Respectfully submitted,

Jeanie Woerner  
City Clerk





# Unfinished Business





**CITY OF RAYMORE  
AGENDA ITEM INFORMATION FORM**

DATE: September 26, 2016

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Community Development

Ordinance       Resolution       Presentation       Public Hearing  
 Agreement       Discussion       Other

**TITLE / ISSUE / REQUEST**

Bill 3208  
Request Council to approve a Conditional Use Permit for a public building (Recreation Activity Center) in the northwest corner of Recreation Park.

**FINANCIAL IMPACT**

Award To: n/a  
Amount of Request/Contract: n/a  
Amount Budgeted: n/a  
Funding Source/Account#: n/a

**PROJECT TIMELINE**

Estimated Start Date  
n/a

Estimated End Date  
n/a

**STAFF RECOMMENDATION**

Approval

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: Planning and Zoning Commission  
Date: September 20, 2016  
Action/Vote: Recommended Approval, 8-0

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Staff Report  
Conceptual Site Plan  
Conceptual Building Elevations

REVIEWED BY:

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

The Raymore Unified Development Code requires the City to obtain a conditional use permit (CUP) when proposing to establish public use of undeveloped land. A CUP is required for the City to construct the Recreation Activity Center proposed for the northwest corner of Recreation Park.

The City is requesting to construct a 19,000 square foot building in the area located north of the park access drive and southwest of the park house. The building will provide gym space surrounded by a walking track and ancillary support space. Bleachers that hold up to 200 individuals will be available for spectators. A 75-space parking lot with access off the park access drive will be added to the east of the building, with additional parking spaces available in the park for special events.

The Planning and Zoning Commission, at its June 20, 2016 meeting, voted 8-0 to recommend approval of the CUP.

**BILL 3208**

**ORDINANCE**

**“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING A CONDITIONAL USE PERMIT FOR THE RAYMORE ACTIVITY CENTER PUBLIC BUILDING TO BE LOCATED IN RECREATION PARK, RAYMORE, CASS COUNTY, MISSOURI.”**

**WHEREAS**, after a public hearing was held on September 20, 2016, as required by Chapter 470 of the Unified Development Code, the Planning and Zoning Commission has submitted its recommendation of approval on the application to the City Council of the City of Raymore, Missouri; and

**WHEREAS**, the City Council of the City of Raymore, Missouri, in accordance with the provisions of Chapter 89 RSMo (1986) and Chapter 470 of the Raymore Unified Development Code, has held a public hearing on September 26, 2016, after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. The City Council hereby makes its findings of fact on the application and accepts the recommendation of the Planning and Zoning Commission.

Section 2. A Conditional Use Permit is hereby granted for a public building, Recreation Activity Center, to be located in Recreation Park on land legally described as follows:

The north ½ of the southwest quarter of Section 22, Township 46N, Range 32W.

Section 3. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor’s signature and attestation by the City Clerk.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 26TH DAY OF SEPTEMBER, 2016.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 10TH DAY OF OCTOBER, 2016 BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Burke, III  
Councilmember Holman  
Councilmember Hubach  
Councilmember Kellogg  
Councilmember Moorhead  
Councilmember Seimears

ATTEST:

APPROVE:

\_\_\_\_\_  
Jean Woerner, City Clerk

\_\_\_\_\_  
Kristofer P. Turnbow, Mayor

\_\_\_\_\_  
Date of Signature



**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** September 26, 2016  
**Re:** Case #16018 - Conditional Use Permit,  
Raymore Activity Center

## GENERAL INFORMATION

**Applicant/  
Property Owner:** City of Raymore  
**Requested Action:** Conditional Use Permit for a public building to be constructed in  
Recreation Park  
**Property Location:** Northwest corner of Recreation Park along entrance drive

### 2016 Aerial Photograph:



**Property Photographs:**



View from Park House parking lot looking south at project location



View from project location looking north at homes in Shadowood



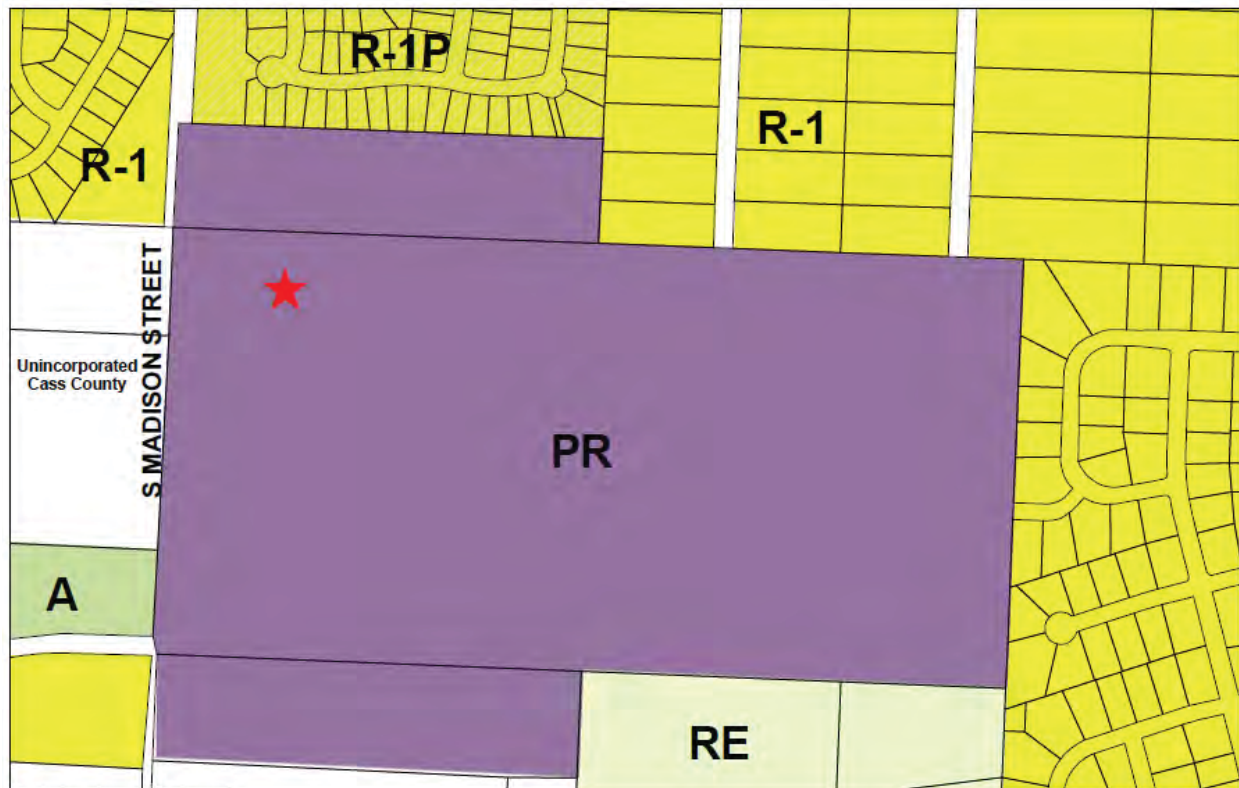


View from project location looking east



View from project location looking west

**Existing Zoning:** Recreation Park: Parks, Recreation and Public Use District



**Existing Surrounding Uses:**  
**North:** Single Family Residential  
**South:** Public Works Facility  
**East:** Single Family Residential  
**West:** Church

**Total Tract Size:** 90.0 acres (Park House and Recreation Park)

**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for parks.

**Major Street Plan:** The Major Thoroughfare Plan Map contained in the Growth Management Plan has South Madison Street classified as a Major Collector.

**Advertisement:** September 1, 2016 Raymore **Journal** newspaper  
September 8, 2016 Raymore **Journal** newspaper

**Public Hearing:** September 20, 2016 Planning and Zoning Commission  
September 26, 2016 City Council

- Items of Record:
- Exhibit 1. Mailed Notices to Adjoining Property Owners
  - Exhibit 2. Notice of Publication in The Journal
  - Exhibit 3. Unified Development Code
  - Exhibit 4. Application
  - Exhibit 5. Growth Management Plan
  - Exhibit 6. Staff Report
  - Exhibit 7. Conceptual Site Plan
  - Exhibit 8. Conceptual Building Elevations

Additional exhibits as presented during hearing

## PROPOSAL

### Outline of Requested Action:

The applicant seeks to obtain conditional use permit approval to allow a government building (Raymore Activity Center) upon land located within Recreation Park.



## **CONDITIONAL USE PERMIT REQUIREMENTS AND STANDARDS**

In order for the applicant to accomplish the aforementioned action, they must meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken in order to obtain a Conditional Use Permit, specifically Section 470.030.

### **Section 470.030 Conditional Uses**

#### **A. Purpose**

Conditional uses are those types of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Some conditional uses may also be permitted only after complying with additional requirements in Chapter 420.

#### **B. Pre-Application Conference**

Prior to filing of an application for a conditional use, the applicant must attend a pre-application conference in accordance with Section 470.010B.

#### **C. Applications**

An application for a conditional use may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director so that a public hearing date can be established in accordance with Section 470.010E.

#### **D. Procedure** (*Amendment 16 – Ordinance 2013-056 8.26.13*)

##### **1. Planning and Zoning Commission Public Hearing**

All proposed conditional use applications first must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E. The public hearing must be held at the next regular meeting of the Planning and Zoning Commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Community Development Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

##### **2. Planning and Zoning Commission Recommendation**

Upon conclusion of the public hearing, the Planning and Zoning Commission will submit a recommendation to the City Council to approve, approve with modifications or disapprove the proposed conditional use. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the

City Council with no recommendation. The Commission must submit its recommendation along with a record of the public hearing thereon, to the City Council. The Planning and Zoning Commission may include reasonable conditions as a part of its recommendation.

### **3. City Council Public Hearing**

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

### **4. City Council Action**

**a.** The City Council must consider the request for a conditional use permit within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may approve, approve with conditions or disapprove the application. If the City Council approves an application, it will adopt an ordinance to that effect.

#### **b. Conditions of Approval** (*Amendment 8 – Ordinance 2011-9 2.28.11*)

**(1)** In approving a conditional use, the City Council may impose conditions, safeguards and restrictions upon the applicant and the premises that will benefit from the conditional use as may be necessary.

**(2)** The City Council may:

- (a)** limit the conditional use permit to a specific time period;
- (b)** allow the conditional use permit to be transferrable; or
- (c)** allow the conditional use permit to be renewed.

### **E. Findings of Fact** (*Amendment 22 – Ordinance 2015-068 - 9.14.15*)

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

- 1.** the proposed conditional use complies with all applicable provisions of this Unified Development Code;
- 2.** it is in the interest of the public welfare or convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community;
- 3.** the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;
- 4.** it is compatible with the character of the surrounding property in terms of site planning, building scale and project design;
- 5.** it is compatible with the character of the surrounding property in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation;
- 6.** whether the location, size, nature or intensity of the proposed conditional use would prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will adversely affect the immediate neighborhood, consideration must be given to:

- a. the location, nature and height of buildings, structures, walls, and fences on the site, and
  - b. the nature and extent of landscaping and screening on the site.
7. off-street parking and loading areas will be provided in accordance with the standards set forth in Section 425.020 and Section 425.070, such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect;
  8. existing public facilities (infrastructure) and services are adequate to accommodate the additional demands of the proposed use or will be made to accommodate such demands without substantially increasing public expenditures;
  9. it will not have a significant adverse impact on pedestrian safety and comfort;
  10. adequate access roads or entrance and exit drives will be provided and will be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys; and
  11. all special conditions have been met as set forth by Chapter 420.

## PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

1. Recreation Park was established in the 1980's.
2. Phase 2 of Shadowood Subdivision, approved in December of 2002, established the single-family lots that are adjacent to the Park House property to the north.
3. The Parks, Recreation and Public Use (PR) zoning district designation was established as part of the City initiated zoning amendments on September 28, 2009.
4. A conditional use permit for the Public Works maintenance facility was approved on May 10, 2004.

## STAFF COMMENTS

1. **Development Standards:** The development standards applicable to the property are as follows:

PR	
<b>Minimum Lot Area</b>	
per lot	-----
per dwelling unit	n/a
<b>Minimum Lot Width (ft.)</b>	70
<b>Minimum Lot Depth (ft.)</b>	n/a
<b>Yards, Minimum (ft.)</b>	
Front	10
rear	30
side	30
<b>Maximum Building Height (feet)</b>	35
<b>Maximum Building Coverage (%)</b>	40

2. **Special Use Conditions:** There are no use-specific standards or conditions.
3. **Parking:** A recreation activity center must comply with the following parking standard:

Use	Minimum Parking Spaces Required
<b>PUBLIC AND CIVIC USES</b>	
Parks and Recreation	To be determined by the Community Development Director

The building will contain 19,000 square feet of area in the gymnasium and the support staff area. A total of 75 parking spaces are proposed, creating a parking ratio of 1 parking space per 250 square feet of gross floor area. Private indoor spectator sport facilities have a parking requirement of 1 space per 800 square feet of gross floor area. Private indoor participant facilities have a parking requirement of 1 space per 200 square feet of gross floor area.

The conceptual site plan provides 75 parking spaces on site with room for expansion. Since the building is located within the Recreation Park, other parking areas in the park are available for use during larger events at the facility.

**4. Landscaping**

Twenty percent (20%) of the park will be required to be reserved for landscaped area. There is considerable open space area to the north, west and south of the building.

**5. Building Design:**

The proposed building is in compliance with the building design standards contained in Section 440.010 of the Unified Development Code. Building materials will consist of masonry block with EIFS above the masonry block. Clearstory windows will be utilized on the north and south walls. Metal and glass walls will frame the entrance to the building.

**6. Pedestrian Access:**

Pedestrian Access to the building will be provided with sidewalk connection to the trail to the north. The existing trail provides connection with the sidewalk along South Madison Street and the trail network in Recreation Park.

**7. Stormwater Management:** Stormwater will be collected on site and discharged to the existing lake south of the proposed facility which serves as the detention basin for the area.

8. **Site Lighting:** The parking lot lighting will be required to be in compliance with the outdoor lighting performance standards of the City.
9. **Trash Enclosure:** The exterior of the trash enclosure will be constructed of the same materials as the main building. The exact location of the enclosure will be determined at the time of site plan review.
10. **Screening of Mechanical Equipment:** All electrical and mechanical equipment located adjacent to the building shall be screened from view from adjacent properties and any adjacent street. Accessory utility facilities that are in excess of 3 ½ feet shall be screened. The landscape plan will be submitted as part of site plan review.

#### 11. **Site Access**

Vehicular access to the site will be provided off of the entrance drive to Recreation Park. There will be two access points to accommodate safe and adequate vehicular flow through the parking lot.

#### 12. **Building Use**

The principal use of the building will be for recreation activity space. A lobby, reception area, small office, break room for employees, prep kitchen area, restrooms and storage area will be provided on the south end of the building in the support space area.

A three-lane track will be placed around the multi-use gym. Telescoping bleacher seats for 200 spectators will be provided for use during events.

### **PLANNING COMMISSION PROPOSED FINDINGS OF FACT**

Chapter 470, Section 470.030(E) of the Unified Development Code states that a Conditional Use Permit may be granted by the City Council by ordinance provided that specific written findings of fact have been made by the Planning and Zoning Commission based upon the particular evidence presented which supports the following conclusions:

#### **1. the proposed conditional use complies with all applicable provisions of the Unified Development Code.**

The proposed conditional use does comply with all applicable provisions of the Unified Development Code.



- 2. it is in the interest of the public welfare or convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.**

The proposed use is in conformance with the intended uses of Recreation Park. The proposed location of the building is 400+ feet from the nearest residential structure which is located in Shadowood subdivision. Adequate access and parking areas are provided for the facility.

- 3. the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.**

The proposed conditional use request will not cause injury to the value of other property in the neighborhood. The use is consistent with park activities that have been proposed for the property. Separation distance between the use and the adjacent residential property is greater than 400 feet.

- 4. it is compatible with the character of the surrounding property in terms of site planning, building scale, and project design.**

The use is consistent with uses that were previously permitted by right on the property. The building scale and site design are consistent with the existing park development. The building will be located upon ground that is at a lower elevation than Shadowood further reducing any visual impact the building may have on the subdivision.

- 5. it is compatible with the character of surrounding property in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation.**

The proposed conditional use is compatible with the characteristics of uses that are currently conducted in the park.

- 6. the location and size of the conditional use, the nature or intensity of the proposed conditional use would prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will adversely affect the immediate neighborhood, consideration must be given to:**

- a. the location, nature and height of buildings, structures, walls, and fence on the site, and**

The proposed conditional use should not adversely affect the immediate neighborhood. The use is consistent with other uses allowed within the Park.

The building and parking areas are located at least 400 feet from the residential area, with the main entrance to the facility at the southern end of the building.

**b. the nature and extent of landscaping and screening on the site.**

There is some screening that currently exists upon the site. Landscaping around the building and the parking lot is required.

**7. off-street parking and loading areas will be provided in accordance with the standards set forth in the Unified Development Code, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.**

Off-street parking areas are adequate to comply with the requirements of the Unified Development Code. The proposed parking lot is to the east of the building, away from residential uses.

**8. existing public facilities (infrastructure) and services are adequate to accommodate the additional demands of the proposed use or will be made to accommodate such demands without substantially increasing public expenditures.**

Existing public facilities that service the site are adequate to accommodate any demands of the proposed conditional use.

**9. it will not have a significant adverse impact on pedestrian safety and comfort.**

The proposed conditional use will have no impact on pedestrian safety and comfort. Additional pedestrian connections are proposed as part of the project.

**10. adequate access roads or entrance and exit drives will be provided and will be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys; and**

The proposed conditional use will utilize an entrance and exit onto the Park access drive off South Madison Street.

**11. all special conditions have been met as set forth by Chapter 420.**

There are no special conditions set forth by Chapter 420 for this Conditional Use Permit request.

## REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	September 20, 2016	September 26, 2016	October 10, 2016

## STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #16018 Raymore Activity Center conditional use permit request to the City Council with a recommendation of approval subject to the following condition:

1. The site plan application shall be consistent with the conceptual site plan and building elevations submitted as part of this conditional use permit application. Minor modifications are permitted as final design is completed.

## PLANNING AND ZONING COMMISSION RECOMMENDATION

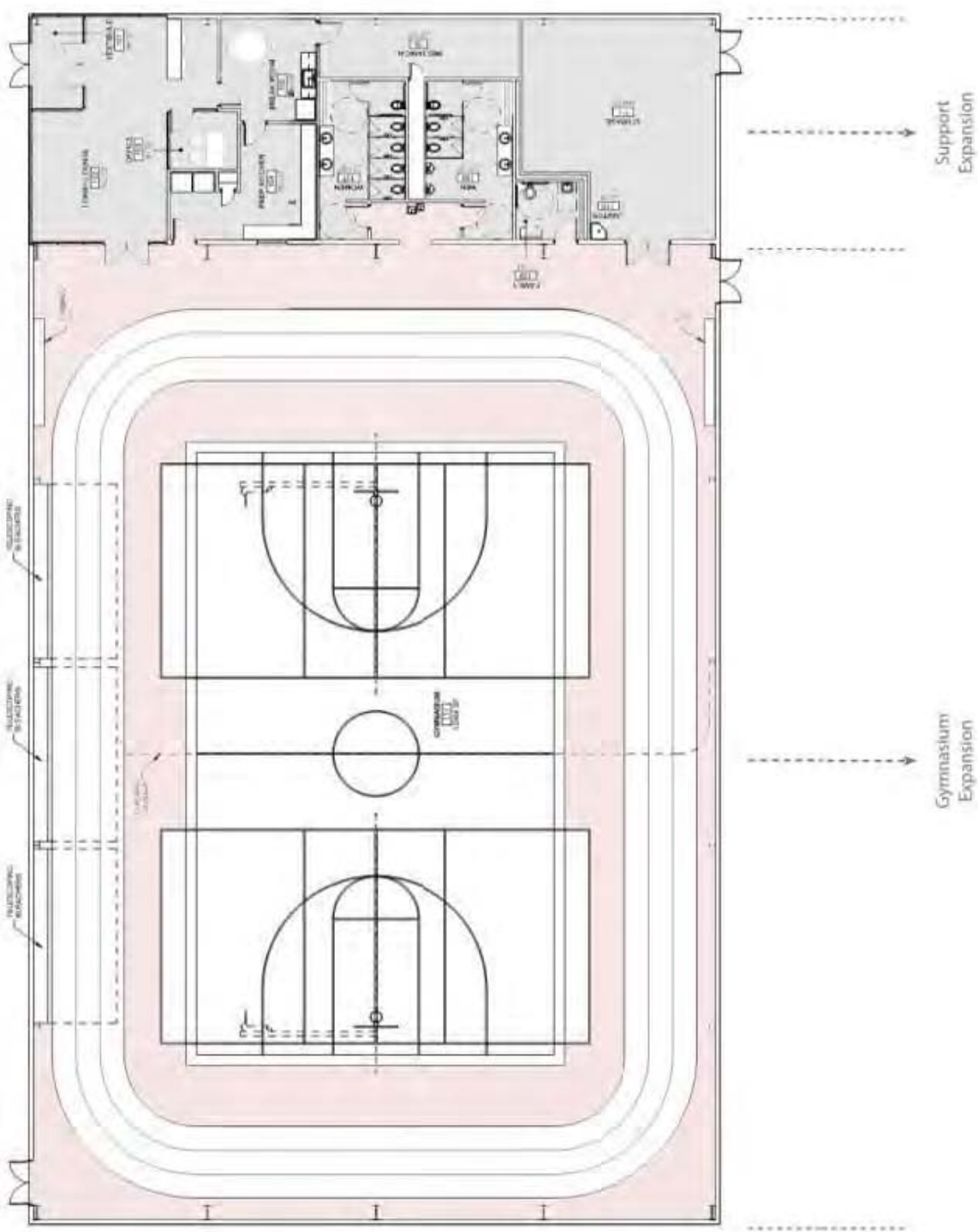
The Planning and Zoning Commission, at its September 20, 2016 meeting, voted 8-0 to accept the staff proposed findings of fact and forward Case #16018 Raymore Activity Center conditional use permit request to the City Council with a recommendation of approval subject to the following condition:

1. The site plan application shall be consistent with the conceptual site plan and building elevations submitted as part of this conditional use permit application. Minor modifications are permitted as final design is completed.

SCALE: 1" = 60'



Site Plan



Building Plan



Recreation Park Activity Center

sfsarchitecture

## Gymnasium Interior



Recreation Park Activity Center

## Entrance Plaza

sfsarchitecture



Recreation Park Activity Center

## Running Trail View

sfsarchitecture



## Planning and Zoning Commission Meeting Minutes Excerpt September 20, 2016

### 7. New Business

#### A. Case #16018 – Raymore Activity Center Conditional Use Permit, Recreation Park (public hearing)

Jim Cadoret, Community Development Director for Raymore, introduced Assistant City Manager Meredith Hauck to present the request to the Commission.

Ms. Hauck stated that the proposal before the Commission this evening is a request for a Conditional Use Permit to construct an activity center in Recreation Park. The building is a multi-purpose gym that includes a walking track and ancillary staff space. The building is proposed to be located near the entrance to the park in the field south of the existing park house. Initially there will be one gym in the building with the ability to expand the building to the west to add an additional gym. The parking lot will hold 75 vehicles, with the ability to be expanded if the building expands. There will be bleachers that can be used to hold up to 200 individuals. The building will have 4-sided architecture since there is no actual rear to the building.

Commissioner Sarsfield asked what the membership dues or fees would be for the facility.

Ms. Hauck stated that the Park Board has not discussed a fee structure for use of the building yet. The building will be primarily used for recreation programs, but there will be times the public will have access to the gym and walking track.

Commissioner Sarsfield asked if there would be different fees for non-residents to use the facility.

Ms. Hauck indicated there has not been any discussion yet on the fee schedule.

Commissioner Sarsfield asked how many employees would be working at the facility.

Ms. Hauck stated there would always be at least one City employee in the building when the facility is open. During recreation programming times there would be additional staff present.

Commissioner Sarsfield asked what hours the facility would be open.

Ms. Hauck indicated the Park Board has not yet had that discussion.

Commissioner Bowie asked about the overall size of the building.

Ms. Hauck stated the building is approximately 19,000 square feet.

Commissioner Bowie asked if the design could include a 2nd floor in the future.

Ms. Hauck stated not at this time. If the building is expanded in the future there may be some discussion on having a 2nd floor in the addition.

Commissioner Bowie asked if the project designer for the building was the same one used for the Municipal Center.

Ms. Hauck stated no, the architect for this project is SFS Architecture.

Commissioner Fizer asked if any certifications were being sought for the construction of the building.

Ms. Hauck stated not at this time.

Commissioner Berendzen asked about the size and location of the proposed building sign on the building.

Ms. Hauck stated that the sign would likely be placed on the west building wall to allow visibility from Madison Street. The size of the sign has not yet been determined.

Commissioner Bowie asked if a monument sign was being proposed for the building.

Ms. Hauck stated there may be a sign incorporated into the site in the future.

Mr. Cadoret provided the staff report for the project. A conditional use permit (CUP) is required for any new building proposed to be constructed on City property. Should the CUP be approved, then a site plan will be required for the project.

Mr. Cadoret stated the staff report included photographs of the site and indicated the property is zoned PR, Parks, Recreation and Public Use. The park is 90 acres in size. A CUP request does require a public hearing and Mr. Cadoret introduced the following items into the record: 1) mailed notices to adjoining property owners; 2) notice of publication in the Journal; 3) Unified Development Code; 4) Application; 5) Growth Management Plan; 6) staff report; 7) conceptual site plan; and 8) conceptual building elevations.

Mr. Cadoret indicated that the requirements and standards for reviewing a CUP application were included in the staff report. He also provided the history of previous actions on or near the property.

Mr. Cadoret stated that the UDC does not have a specific parking requirement for the facility, but that the 75 spaces provides a parking ratio of 1 parking space per 250 square feet of gross floor area. The requirement for a commercial retail facility is 1 parking space per 300 square feet of gross floor area. He also stated that additional parking spaces are available in the park near the facility.

Mr. Cadoret stated the building materials to be used include masonry block with EIFS above the masonry block. Clearstory windows will be added to the north and south building elevations. Pedestrian access will be provided from the front entrance to the trail to the north.

Mr. Cadoret stated staff has provided the Commission with proposed Findings of Fact and that staff recommends the Commission accept the proposed findings and forwards the case to the City Council with a recommendation of approval subject to the following condition:

1. The site plan application shall be consistent with the conceptual site plan and building elevations submitted as part of this conditional use permit application. Minor modifications are permitted as final design is completed.

*Chairman Faulkner opened the floor to the public, and opened the public hearing, at 7:22 p.m.*

There were no public comments provided.

*Chairman Faulkner closed the floor to the public, and closed the public hearing, at 7:22 p.m.*

Commissioner Bowie asked about future plans to expand the parking area.

Ms. Hauck indicated that there is land area east of the parking lot wherein additional parking could be added in the future.

Commissioner Bowie asked about the height of the building.

Ms. Hauck stated she did not know the exact height of the building. It was mentioned that the maximum height allowed for the building is thirty-five feet (35').

Mayor Turnbow commented that it may be easier to square off the parking lot area to provide more parking spaces and asked if other designs for the parking lot were being considered.

Ms. Hauck stated that the design team and City staff are having those discussions now and will look at alternate designs.

Chairman Faulkner noted that the details on the parking lot, such as ADA spaces, will be included as part of the site plan that must be submitted for Commission approval.

**Motion by Commissioner Anderson, Second by Commissioner Sarsfield to accept the staff proposed findings of fact and forward case #16018, Raymore Activity Center Conditional Use Permit, to the City Council with a recommendation of approval subject to the following condition:**

- 1. The site plan application shall be consistent with the conceptual site plan and building elevations submitted as part of this conditional use permit application. Minor modifications are permitted as final design is completed.**

**Vote on Motion:**

Chairman Faulkner	Aye
Commissioner Anderson	Aye
Commissioner Berendzen	Aye
Commissioner Bowie	Aye
Commissioner Crain	Absent
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Sarsfield	Aye
Mayor Turnbow	Aye

**Motion passed 8-0-0.**





**CITY OF RAYMORE  
AGENDA ITEM INFORMATION FORM**

DATE: September 16, 2016

SUBMITTED BY: Cynthia Watson

DEPARTMENT: Finance

- |   |                                     |                                       |   |
|---|-------------------------------------|---------------------------------------|---|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution | <input type="checkbox"/> Presentation | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Agreement            | <input type="checkbox"/> Discussion | <input type="checkbox"/> Other        |   |

**TITLE / ISSUE / REQUEST**

Bill 3207 Budget Amendment - FY16 Operating Funds

**FINANCIAL IMPACT**

Award To:

Amount of Request/Contract: \$75,139

Amount Budgeted: \$20,694,664

Funding Source/Account#: General, Restricted, Park & Enterprise Funds

**PROJECT TIMELINE**

Estimated Start Date

Estimated End Date

**STAFF RECOMMENDATION**

Approval of Bill 3207

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission:

Date:

Action/Vote:

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Bill 3207 Budget Amendment - FY16 Operating Budget

REVIEWED BY:

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

During the course of Fiscal Year 2016 several operating transactions occurred that require a budget amendment. The Finance staff has accumulated these items to be addressed as a single budget amendment.

1) Strategic Plan -advertising and promoting the reimagine campaign. \$30,000

This amount is being transferred from the Restricted Revenue Fund therefor for accounting purposes it is listed in the ordinance as an increased expenditure budget for both the General Fund to increase the contractual budget and the Restricted Revenue Fund to transfer the funds to the General Fund, which is also listed as the General Fund revenue transfer in. The Restricted Revenue Fund - Strategic Plan current balance is \$30,000.

2) Recreation program revenues and expenditures exceeded budget. \$15,105

3) Meter Supplies - the enterprise fund budgeted for only 75 new home starts for meter installation. With the increased building activity the budgeted revenue and expenditures need to be increased. \$34,000

**BILL 3207**

**ORDINANCE**

**“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE FISCAL YEAR 2016 OPERATING BUDGET.”**

**WHEREAS**, the Fiscal Year 2016 budget was adopted by the Raymore City Council; and

**WHEREAS**, during 2015 and 2016 the Administration Department of the General Fund experienced more advertising expenditures than budgeted due to the strategic plan; and

**WHEREAS**, during 2015 and 2016 the Parks and Recreation Fund experienced more recreation activity than budgeted leading to additional program revenues and program expenditures; and

**WHEREAS**, during 2015 and 2016 the Enterprise Fund experienced more construction activity than budgeted leading to additional water meter supply fees and additional water tap expenditures; and

**WHEREAS**, staff recommends amending FY 2016 Operating Budget.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. That the City of Raymore Fiscal Year 2016 Operating Budget is amended as follows:

<u>Revenues</u>	<u>Budgeted</u>	<u>Amended Budget</u>	<u>Change</u>
General Fund	\$9,311,234	\$9,341,234	\$30,000
Park Fund	\$989,048	\$1,004,153	\$15,105
Enterprise Fund	\$6,380,350	\$6,414,350	\$34,000

<u>Expenditures</u>	<u>Budgeted</u>	<u>Amended Budget</u>	<u>Change</u>
General Fund - Admin (01-01)	\$1,158,141	\$1,188,141	\$30,000
Restricted Revenue Fund (04)	\$1,721,936	\$1,751,936	\$30,000
Park Fund - Recreation (25-26)	\$526,921	\$542,026	\$15,105
Enterprise Fund - Water (50-20)	\$3,211,077	\$3,245,077	\$34,000

Section 2. Any Ordinance or part thereof which conflicts with this Ordinance shall be null and void.

Section 3. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 12TH DAY OF SEPTEMBER 2016.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 26TH DAY OF SEPTEMBER BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Burke, III  
Councilmember Holman  
Councilmember Hubach  
Councilmember Kellogg  
Councilmember Moorhead

ATTEST:

APPROVE:

\_\_\_\_\_  
Jean Woerner, City Clerk

\_\_\_\_\_  
Kristofer Turnbow, Mayor

\_\_\_\_\_  
Date of Signature





**CITY OF RAYMORE  
AGENDA ITEM INFORMATION FORM**

DATE: September 21, 2016

SUBMITTED BY: Matthew Tapp

DEPARTMENT: Economic Development

- |   |                                     |                                       |   |
|---|-------------------------------------|---------------------------------------|---|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution | <input type="checkbox"/> Presentation | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Agreement            | <input type="checkbox"/> Discussion | <input type="checkbox"/> Other        |   |

**TITLE / ISSUE / REQUEST**

Bill 3209 - CID Agreement for the 58 Highway and Dean Avenue CID

**FINANCIAL IMPACT**

Award To: N/A  
Amount of Request/Contract:  
Amount Budgeted:  
Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date  
N/A

Estimated End Date  
N/A

**STAFF RECOMMENDATION**

Approval of the CID Agreement

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: N/A  
Date:  
Action/Vote:

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Staff report prepared by Gilmore & Bell, P.C.

REVIEWED BY:

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

See attached staff report prepared by Gilmore & Bell, P.C.

816-221-1000  
FAX: 816-221-1018  
WWW.GILMOREBELL.COM



OTHER OFFICES:  
ST. LOUIS, MISSOURI  
WICHITA, KANSAS  
LINCOLN, NEBRASKA

September 21, 2016

TO: Raymore City Council

FROM: David Bushek

RE: Cooperative Agreement (the “**Agreement**”) for the Highway 58 and Dean Avenue Community Improvement District (the “**District**”)

On February 22, 2016, the City Council conducted a public hearing to consider the Highway 58 and Dean Avenue Community Improvement District Petition (the “**Petition**”). On March 28, 2016, the City Council adopted Ordinance No. 2016-019 approving the Petition and the formation of the District. The ordinance to approve the Petition and the formation of the District includes a section which requires the City, District and Developer (the “**Parties**”) to execute a cooperative agreement to implement the Petition.

The Agreement is presented to Council in satisfaction of that ordinance condition. The Agreement contains the rights, duties and obligations required by the Parties to implement the Petition. A few of the key terms of the Agreement are summarized as follows:

**Property:** About 3 acres at the southeast corner of Highway 58 and Dean Avenue, currently bring graded and prepared for development.

**District Sales Tax:** The District will impose a 1.0% sales tax for about 17 years.

**Administrative Costs:** The Agreement includes a provision for the annual funding of costs incurred by the City to administer and enforce the District Sales Tax and Agreement, so that the City will not fund the costs associated with this administration and enforcement through the General Fund.

**Distribution of the District Sales Tax:** The Highway 58 and Dean Avenue Tax Increment Financing Plan (the “**TIF Plan**”) will capture half of all District Sales Tax Revenues as EATs, which can then be expended on TIF-eligible Reimbursable Project Costs. The uncaptured portion of the District Sales Tax Revenues must be expended on public improvements that are constructed for the project.

**CID Improvements:** Developer will construct the improvements which will be reimbursed with CID revenues. The Developer will determine which public improvements that are constructed for the project will be funded by the CID, up to the maximum hard cost amount of \$387,525. Developer will be reimbursed with interest, upon the same terms and conditions as provided in the TIF Agreement.

**Lease or Sale to Third Parties:** In the event that property within the District is leased or transferred, the Developer will include a provision in the lease or sale document stating that the property is within a CID District and imposes a sales tax on eligible retail sales.



**BILL 3209**

**ORDINANCE**

**“AN ORDINANCE APPROVING THE COOPERATIVE AGREEMENT AMONG THE CITY OF RAYMORE, MISSOURI, THE HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT AND RAYMORE PARTNERS, LLC TO IMPLEMENT THE HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT.”**

**WHEREAS**, the City Council of the City of Raymore, Missouri (the “City Council”), did on February 22, 2016 hold a public hearing considering the formation of the Highway 58 and Dean Avenue Community Improvement District (the “District”) and the Petition to Establish the Highway 58 and Dean Avenue Community Improvement District (the “Petition”); and

**WHEREAS**, on March 28, 2016, the City Council did pass Ordinance No. 2016-019, which approved the formation the District and the Petition; and

**WHEREAS**, the Ordinance requires that the District and Raymore Partners, LLC (the “Developer”) enter into a cooperative agreement with the City to implement the goals and objectives of the Petition, including the administration of the District Sales Tax Revenues; and

**WHEREAS**, the City now desires to enter into a cooperative agreement with the District and the Developer to set forth their respective duties and obligations with respect to the administration, enforcement, and operation of the District Sales Tax and the use of the District Sales Tax Revenues; and

**WHEREAS**, the City Council hereby determines that it is in the best interest of the City to enter into a cooperative agreement with the District and the Developer in substantially the form attached hereto.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. The City Council hereby approves, and the Mayor is hereby authorized to execute the Cooperative Agreement which shall be substantially in the form attached hereto as **Exhibit A**, with such changes therein as shall be approved by the Mayor, the Mayor’s signature thereon being conclusive evidence of his approval thereof.

Section 2. City officers and agents of the City are each hereby authorized and directed to take such actions, execute such other documents, certificates and instruments and engage such consultants as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effective from and after its passage, adoption, and approval by the Mayor.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 26TH DAY OF SEPTEMBER, 2016.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 10TH DAY OF OCTOBER, 2016 BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Burke, III  
Councilmember Holman  
Councilmember Hubach  
Councilmember Kellogg  
Councilmember Moorhead

ATTEST:

APPROVE:

\_\_\_\_\_  
Jean Woerner, City Clerk

\_\_\_\_\_  
Kristofer P. Turnbow, Mayor

\_\_\_\_\_  
Date of Signature

Approved as to form:

\_\_\_\_\_  
City Attorney

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**COOPERATIVE AGREEMENT**

among the

**CITY OF RAYMORE, MISSOURI,**

the

**HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT,**

and

**RAYMORE PARTNERS, LLC**

dated as of

**October 10, 2016**

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**Index of Exhibits**

- Exhibit A            CID Improvements
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## COOPERATIVE AGREEMENT

**THIS COOPERATIVE AGREEMENT** (“**Agreement**”), entered into as of this 10<sup>th</sup> day of October, 2016, by and between the **CITY OF RAYMORE, MISSOURI**, a municipal corporation and constitutional charter city of the State of Missouri (the “**City**”), and the **HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT**, a community improvement district and political subdivision of the State of Missouri (“**District**” or “**CID**”), and **RAYMORE PARTNERS, LLC** (the “**Developer**”), a Missouri limited liability company (the City, the District and the Developer being sometimes collectively referred to herein as the “**Parties**”, and individually as a “**Party**”, as the context so requires).

### WITNESSETH:

**WHEREAS**, the City Council of the City of Raymore, Missouri (the “**City Council**”), did on March 28, 2016, pass Ordinance No. 2016-019, which approved the formation of the District and the Petition to Establish the Highway 58 and Dean Avenue Community Improvement District (the “**Petition**”); and

**WHEREAS**, Ordinance No. 2016-\_\_\_, approved on October \_\_, 2016 approved the execution of this Agreement; and

**WHEREAS**, the District is authorized under the CID Act to impose a district-wide sales and use tax and to enter into this Agreement for the administration of the District Sales Tax Revenues;

**WHEREAS**, the Parties desire to set forth through this Agreement their respective duties and obligations with respect to the administration, enforcement, and operation of the District Sales Tax and the use of the revenues collected by such tax.

**NOW, THEREFORE**, for and in consideration of the premises, and the mutual covenants herein contained, the Parties agree as follows:

## ARTICLE 1: DEFINITIONS, RECITALS AND EXHIBITS

**Section 1.1. Recitals and Exhibits.** The representations, covenants and recitations set forth in the foregoing recitals and the exhibits attached to this Agreement are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section, and the appropriate exhibits are incorporated into each Section of this Agreement that makes reference to an exhibit.

**Section 1.2. Definitions.** Words and terms defined elsewhere in this Agreement shall have the meanings assigned therein. Whenever used in this Agreement, the following words and phrases, unless the context otherwise requires, shall have the following meanings:

“**Administrative Fee**” means that amount of the District Sales Tax Revenues that the City shall receive as compensation for performing the administrative duties of the District and administering and accounting for the District Sales Tax, as set forth in this Agreement.

“**Applicable Laws and Requirements**” means any applicable constitution, treaty, statute, rule, regulation, ordinance, order, directive, code, interpretation, judgment, decree, injunction, writ,

determination, award, permit, license, authorization, directive, requirement or decision of or agreement with or by any unit of government.

**“Board”** or **“Board of Directors”** means the governing body of the Highway 58 and Dean Avenue Community Improvement District.

**“Bond Documents”** means any bonds, indentures or other financing agreements, disbursement agreements and all other agreements and certificates executed in connection with the issuance of any Obligations.

**“Budget”** shall have the meaning set forth in Section 4.4.

**“CID Act”** means the Missouri Community Improvement District Act, Sections 67.1401, *et seq.*, RSMo, as amended.

**“CID Improvements”** means those improvements described in **Exhibit A** and in the maximum amount shown on **Exhibit A**.

**“CID Services”** means those services described in the CID Petition which may be undertaken by the CID in accordance with the CID Petition and the requirements of this Agreement, not including services related to Operating Costs of the District.

**“City”** means the City of Raymore, Missouri, a municipal corporation and constitutional charter city under applicable Missouri laws.

**“City Council”** means the governing body of the City of Raymore, Missouri.

**“City Directors”** shall have the meaning set forth in Section 5.1.

**“City Manager”** means the City Manager of the City, or his/her designee.

**“Developer Directors”** shall have the meaning set forth in Section 5.1.

**“Director”** means a director of the District.

**“District Sales Tax”** means the sales and use tax levied by the District on the receipts from the sale at retail of all tangible personal property or taxable services at retail within its boundaries pursuant to the CID Act in the maximum amount of one percent (1.0%), as established by resolution of the District and approved by the qualified voters of the District, in accordance with this Agreement.

**“District Sales Tax Revenues”** means the monies actually collected, pursuant to this Agreement and the CID Act, from the imposition of the District Sales Tax.

**“Economic Activity Taxes”** means those revenues deposited in a separate segregated account within the Special Allocation Fund consisting of fifty percent (50%) of the total additional revenue from taxes, penalties and interest which are imposed by the City or other “taxing districts” (as that term is defined in section 99.805 (16) of the TIF Act) and which are generated by economic activities within the Redevelopment Project Area (as defined in the Redevelopment Agreement) over the amount of such taxes generated by economic activities within the Redevelopment Project Area in the calendar year prior to the year that the Redevelopment Project (as defined in the Redevelopment Agreement) and the collection of

TIF Revenues (as defined in the Redevelopment Agreement) were approved by ordinance, as more fully defined in the Redevelopment Plan and the Redevelopment Agreement.

**“Economic Activity Taxes Account”** means the separate segregated account within the Special Allocation Fund into which the Economic Activity Taxes are deposited.

**“Event of Default”** means any event specified in Section 7.1 of this Agreement.

**“Excusable Delays”** means delays due to acts of terrorism, acts of war or civil insurrection, strikes, riots, floods, earthquakes, fires, tornadoes, casualties, acts of God, labor disputes, governmental restrictions or priorities, embargoes, national or regional material shortages, failure to obtain regulatory approval from any Federal or State regulatory body, unforeseen site conditions, material litigation by parties other than the Parties not caused by the Parties’ failure to perform, or any other condition or circumstances beyond the reasonable or foreseeable control of the applicable party using reasonable diligence to overcome which prevents such party from performing its specific duties or obligation hereunder in a timely manner.

**“Fiscal Year”** means November through October 31 of each year, which Fiscal Year coincides with the City’s fiscal year.

**“Obligations”** means any bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by or at the direction of the District or the City pursuant to the Redevelopment Plan, which pay for the CID Improvements, in whole or in part, or to refund outstanding Obligations.

**“Operating Costs”** means the actual, reasonable expenses which are necessary for the operation of the District which shall include, but is not limited to, costs associated with notices, publications, meetings, supplies, equipment, photocopying, the engagement of special legal counsel, financial auditing services, and other consultants or services, and shall also include reasonable attorneys’ fees for the formation of the District.

**“Petition”** means the Petition to Establish the Highway 58 and Dean Avenue Community Improvement District, filed with the City Clerk of Raymore, Missouri, approved by Ordinance No. 2016-019 on March 14, 2016.

**“Public Improvement Costs”** means all actual and reasonable costs and expenses which are incurred by or at the direction of the District with respect to construction of the CID Improvements, including the actual and reasonable cost of labor and materials payable to contractors, builders, suppliers, vendors and materialmen in connection with the construction contracts awarded in connection with the CID Improvements that are constructed or undertaken, plus all actual and reasonable costs to plan, finance, develop, design and acquire the CID Improvements, including but not limited to the following:

A. actual and reasonable costs of issuance and capitalized interest, if any, for any Obligations issued to finance the CID Improvements;

B. actual and reasonable fees and expenses of architects, appraisers, attorneys, surveyors and engineers for estimates, surveys, soil borings and soil tests and other preliminary investigations and items necessary to the commencement of construction, financing, preparation of plans, drawings and specifications and supervision of construction, as well as for the performance of all other duties of architects, appraisers, attorneys, surveyors and engineers in relation to the construction of the CID Improvements and all actual and reasonable costs for the oversight of the completion of the CID Improvements including overhead expenses for administration, supervision and inspection incurred in connection with the CID Improvements; and

C. all other items of expense not elsewhere specified in this definition which may be necessary or incidental to the review, approval, acquisition, construction, improvement and financing of the CID Improvements and which may lawfully be paid or incurred by the District under the CID Act.

**“Redevelopment Agreement”** means the Tax Increment Financing Redevelopment Agreement executed by the City and Developer and dated March 28, 2016, which implements the Redevelopment Plan.

**“Redevelopment Plan”** means the Highway 58 and Dean Avenue Tax Increment Financing Plan as to be approved by the City.

**“Reimbursable Project Costs”** means those Public Improvement Costs, as defined in this Agreement, incurred by Developer which have been certified for reimbursement by the District and the City pursuant to the Redevelopment Agreement and which may be reimbursed with CID Revenues in accordance with the CID Act and this Agreement.

**“Report”** shall have the meaning set forth in Section 4.4.

**“Special Allocation Fund”** means the separate City fund to be known as the Highway 58 and Dean Avenue Redevelopment Area Special Allocation Fund, including the separate segregated accounts into which TIF revenues are from time to time deposited, all in accordance with the Redevelopment Plan and the Redevelopment Agreement.

**“Uncaptured District Revenues”** means that portion of the District Sales Tax Revenues that are not captured as Economic Activity Taxes pursuant to the Redevelopment Plan and which remain as District revenues to be appropriated by the Board of Directors in accordance with the Petition and this Agreement.

## ARTICLE 2: REPRESENTATIONS

**Section 2.1. Representations by the District.** The District represents that:

A. The District is a community improvement district and political subdivision, duly organized and existing under the laws of the State of Missouri, including particularly the CID Act.

B. The District has authority to enter into this Agreement and to carry out its obligations under this Agreement. By proper action of its Board of Directors, the District has been duly authorized to execute and deliver this Agreement, acting by and through its duly authorized officers.

C. The CID Improvements are authorized in the Petition.

D. The execution and delivery of this Agreement, the consummation of the transactions contemplated by this Agreement and the performance of or compliance with the terms and conditions of this Agreement by the District will not conflict with or result in a breach of any of the terms, conditions or provisions of, or constitute a default under, any mortgage, deed of trust, lease or any other restriction or any agreement or instrument to which the District is a party or by which it or any of its property is bound, or any order, rule or regulation of any court or governmental body applicable to the District or any of its property, or result in the creation or imposition of any prohibited lien, charge or encumbrance of any nature

whatsoever upon any of the property or assets of the District under the terms of any instrument or agreements to which the District is a party.

E. Consideration and public benefit: The District acknowledges that construction of the CID Improvements are of significant value to the District, the property within the District and the general public. The District finds and determines that the CID Improvements will promote the economic welfare and the development of the City and the State of Missouri through: (i) the creation of temporary and permanent jobs; (ii) stimulating additional development in the area near the CID Improvements; (iii) increasing local and state tax revenues; and (iv) providing necessary street infrastructure for the District and for other surrounding development. Further, the District finds that the CID Improvements conform to the purposes of the CID Act.

F. There is no litigation or proceeding pending or threatened against the District affecting the right of the District to execute or deliver this Agreement or the ability of the District to comply with its obligations under this Agreement or which would materially adversely affect its financial condition.

**Section 2.2. Representations by the City.** The City represents that:

A. The City is duly organized and existing under the Constitution and laws of the State of Missouri as a constitutional charter city.

B. The City has authority to enter into this Agreement and to carry out its obligations under this Agreement, and the Mayor of the City is duly authorized to execute and deliver this Agreement.

C. The execution and delivery of this Agreement, the consummation of the transactions contemplated by this Agreement, and the performance of or compliance with the terms and conditions of this Agreement by the City will not conflict with or result in a breach of any of the terms, conditions or provisions of, or constitute a default under, any mortgage, deed of trust, lease or any other restriction or any agreement or instrument to which the City is a party or by which it or any of its property is bound, or any order, rule or regulation of any court or governmental body applicable to the City or any of its property, or result in the creation or imposition of any prohibited lien, charge or encumbrance of any nature whatsoever upon any of the property or assets of the City under the terms of any instrument or agreement to which the City is a party.

D. There is no litigation or proceeding pending or threatened against the City affecting the right of the City to execute or deliver this Agreement or the ability of the City to comply with its obligations under this Agreement.

**Section 2.3. Representations by the Developer.** Developer represents that:

A. The Developer has all necessary power and authority to execute and deliver and perform the terms and obligations of this Agreement and to execute and deliver the documents required of the Developer herein, and such execution and delivery has been duly and validly authorized and approved by all necessary proceedings. Accordingly, this Agreement constitutes the legal valid and binding obligation of the Developer, enforceable in accordance with its terms.

B. The execution and delivery of this Agreement, the consummation of the transactions contemplated thereby, and the fulfillment of the terms and conditions hereof do not and will not conflict with or result in a breach of any of the terms or conditions of any corporate or organizational restriction or of any agreement or instrument to which it is now a party, and do not and will not constitute a default under any of the foregoing.

C. No litigation, proceedings or investigations are pending or, to the knowledge of the Developer, threatened against the Developer or any member of the Developer or the CID Improvements, which litigation, proceedings or investigations would in any manner challenge or adversely affect the existence or powers of the Developer to enter into and carry out the transactions described in or contemplated by the execution, delivery, validity or performance by the Developer, the terms and provisions of this Agreement.

### **ARTICLE 3: DISTRICT SALES TAX**

**Section 3.1. Imposition of the District Sales Tax.** The Board of Directors shall adopt a resolution, which, subject to qualified voter approval, imposes the District Sales Tax. The District Sales Tax shall be imposed at a rate of 1.0% while any Reimbursable Project Costs are unreimbursed, and after the Reimbursable Project Costs are fully reimbursed, the District Sales Tax shall be repealed unless extended by mutual agreement of the Parties and in accordance with the CID Act. The District shall notify the Missouri Department of Revenue of the District Sales Tax. The District shall annually appropriate all District Sales Tax Revenues by resolution in accordance with this Agreement.

#### **Section 3.2. Collection and Administration of the District Sales Tax**

A. The District shall enact a resolution that (i) imposes the District Sales Tax (subject to qualified voter approval), (ii) authorizes the City to perform all functions incident to the administration, enforcement and operation of the District Sales Tax, to the extent not performed by the state, and (iii) prescribes any required forms and administrative rules and regulations for reporting and collecting the District Sales Tax. The District shall also notify the Missouri Department of Revenue, in substantial compliance with the form set forth in **Exhibit B**, that the District authorizes the City, on behalf of the District, to receive from the Missouri Department of Revenue all of the District Sales Tax Revenues.

B. The District Sales Tax shall be collected by the Missouri Department of Revenue as provided in the CID Act. The City shall receive the District Sales Tax Revenue from the Missouri Department of Revenue, which shall be disbursed in accordance with this Agreement.

C. The City agrees to perform for the District all functions incident to the administration and enforcement of the District Sales Tax, to the extent not performed by the state, pursuant to the CID Act and this Agreement. The City shall receive an Administrative Fee for administering the District Sales Tax in the amount of one and one-half percent (1.5%) of the total District Sales Tax Revenue transferred to the District by the Missouri Department of Revenue. The Administration Fee authorized in this Section shall be calculated using the total District Sales Tax Revenues generated within the District, including those amounts that are captured as Economic Activity Taxes pursuant to the Redevelopment Plan.

D. In the event that the Administrative Fee does not fully reimburse the City for actual costs and expenses incurred in fulfilling its obligations under Section 3.2, then the City shall receive reimbursement for those actual costs that exceed the Administrative Fee and are approved by the Board of Directors, either by approval of the District budget or by separate action of the Board of Directors. In the event that there are insufficient funds in any Fiscal Year to cover the actual costs incurred by the City, any unpaid Administrative Fee shall be paid in subsequent Fiscal Years.

**Section 3.3. Operating Costs.** The District shall pay for the Operating Costs of the District from Uncaptured District Revenues. The Operating Costs shall be included in the District's annual budget, as provided in Section 4.4.

**Section 3.4. Enforcement of the District Sales Tax.** The District authorizes the City, to the extent required or authorized by the Missouri Department of Revenue, to take all actions necessary for enforcement of the District Sales Tax. The City may, in its own name or in the name of the District, prosecute or defend an action, lawsuit or proceeding or take any other action involving third persons which the City deems reasonably necessary in order to secure the payment of the District Sales Tax. The District hereby agrees to cooperate fully with the City and to take all action necessary to effect the substitution of the City for the District in any such action, lawsuit or proceeding if the City shall so request. All actions taken by the City for enforcement and any legal proceeding filed by the City for enforcement and collection of the District Sales Tax shall be treated as Operating Costs of the District.

**Section 3.5. Distribution of the District Sales Tax Revenue.** Beginning in the first month following the effective date of the District Sales Tax and continuing each month thereafter until the expiration or repeal of the District Sales Tax, the City on behalf of the District shall, not later than the fifteenth (15th) day of each month, distribute the District Sales Tax Revenues received in the preceding month in the following order of priority:

A. While Reimbursable Project Costs remain unreimbursed, and if any Obligations have been issued and while such Obligations remain outstanding:

1. One-half of the District Sales Tax Revenues shall become Economic Activity Taxes by the operation of tax increment financing pursuant to the Redevelopment Plan, which shall be deposited into the Economic Activity Taxes Account of the Special Allocation Fund and shall be expended in accordance with the Redevelopment Plan and the Redevelopment Agreement.

2. The City, on behalf of the District, shall pay the Administration Fee from the Uncaptured District Revenues.

3. The City, on behalf of the District, shall pay the Operating Costs of the District from the Uncaptured District Revenues.

4. The City, on behalf of the District, shall make the remaining Uncaptured District Revenues available to pay the Obligations if any Obligations have been issued.

5. In the event that there are no Obligations outstanding, the City, on behalf of the District, shall make the remaining Uncaptured District Revenues available to reimburse the Developer for expenses incurred by Developer to fund the CID Improvements which have been certified by the City as Reimbursable Project Costs pursuant to the Redevelopment Agreement and are not funded by Obligations. No payment of the District Sales Tax Revenues shall be made to Developer until such CID Improvement costs have been certified by the City as Reimbursable Project Costs pursuant to the Redevelopment Agreement. The CID Improvements that have been certified as Reimbursable Project Costs by the City pursuant to the Redevelopment Agreement shall accrue interest at the Reimbursement Interest Rate, as provided in the Redevelopment Agreement, and upon the same terms and conditions as Reimbursable Project Costs under the Redevelopment Agreement until such certified CID Improvements costs are reimbursed from CID Revenues.

6. The City, on behalf of the District, shall pay the CID Services of the District, provided that no CID Services shall be funded by the District until all costs of the CID Improvements have been fully reimbursed.



B. If all Reimbursable Project Costs have been reimbursed and if all Obligations have been fully retired and if the District Sales Tax has been extended by mutual agreement of the Parties and in accordance with the CID Act:

1. If tax increment financing is still in effect within the District pursuant to the Redevelopment Plan, one-half of the District Sales Tax Revenues shall become Economic Activity Taxes by the operation of tax increment financing pursuant to the Redevelopment Plan, which shall be deposited into the Economic Activity Taxes Account of the Special Allocation Fund and shall be expended in accordance with the Redevelopment Plan and the Redevelopment Agreement.

2. The City, on behalf of the District, shall pay the Administration Fee. Such payment shall be made from the Uncaptured District Revenues if tax increment financing is still in effect within the District pursuant to the Redevelopment Plan, otherwise such payment shall be made from the District Sales Tax Revenue.

3. The City, on behalf of the District, shall pay the Operating Costs of the District. Such payment shall be made from the Uncaptured District Revenues if tax increment financing is still in effect within the District pursuant to the Redevelopment Plan, otherwise such payment shall be made from the District Sales Tax Revenue.

4. The remaining District Sales Tax Revenues shall be used to reimburse Developer for expenses incurred by Developer to fund the CID Improvements which have been certified by the City as Reimbursable Project Costs pursuant to the Redevelopment Agreement. The CID Improvements that have been certified as Reimbursable Project Costs by the City pursuant to the Redevelopment Agreement shall accrue interest at the Reimbursement Interest Rate, as provided in the Redevelopment Agreement, and upon the same terms and conditions as Reimbursable Project Costs under the Redevelopment Agreement until such certified CID Improvements costs are reimbursed from CID Revenues.

5. The City, on behalf of the District, shall pay the CID Services of the District, provided that no CID Services shall be funded by the District until all costs of the CID Improvements have been fully reimbursed.

**Section 3.6. Records of the District Sales Tax.** The City, on behalf of the District, shall keep accurate records of the District Sales Tax due and collected and copies of such records shall be made available to the District on a monthly basis. Any City records pertaining to the District Sales Tax shall be provided to the District upon written request of the District, as permitted by law.

**Section 3.7. Repeal of the District Sales Tax.** Unless extended by mutual agreement of the Parties and in accordance with the CID Act, the District shall implement the procedures in the CID Act for repeal of the District Sales Tax and abolishment of the District upon the earlier of the following events: (1) after all Reimbursable Project Costs have been reimbursed, the CID Board of Directors adopts a resolution stating that all of the CID Services have been paid for and no further CID Services will be provided, and Developer sends written notice to the District and the City of the intention to terminate the District Sales Tax; or (2) the District Sales Tax has expired in accordance with the District Sales Tax ballot measures as approved by the qualified electors of the District. The District Sales Tax shall not be repealed while any Reimbursable Project Costs are unreimbursed or while the District is funding any District Services. Unless otherwise required by the District Sales Tax ballot measures approved by the qualified electors of the District, the District shall not implement the procedures for repeal or modification of the District Sales Tax and abolishment of the District while Reimbursable Project Costs are unreimbursed. Upon repeal of the District Sales Tax, the District shall:

- A. Pay all outstanding Administrative Fees and Operating Costs.
- B. Retain any remaining District Sales Tax until such time as the District is abolished and the District has provided for the transfer of any funds remaining in a manner permitted by the CID Act.

#### **ARTICLE 4: FINANCING DISTRICT PROJECTS**

**Section 4.1. Design and Construction of CID Improvements.** The CID Improvements shall be designed and constructed by or at the direction of the Developer. The CID Improvements shall be designed and constructed in compliance with the Redevelopment Agreement and in accordance with applicable City-approved zoning and subdivision ordinances and associated plans and specifications. The Developer shall comply with all Applicable Laws and Requirements including laws related to the construction of public improvements, including the payment of prevailing wages to contractors or subcontractors of Developer for construction of the CID Improvements. Developer shall indemnify and hold harmless the City and the District for any damage resulting to it from failure of either Developer or its contractor or subcontractors to pay prevailing wages pursuant to applicable laws.

**Section 4.2. Financing the CID Improvements.** The District shall impose the District Sales Tax within the boundaries of the District to fund the CID Improvements and other costs authorized by this Agreement. The District shall not use or impose any taxes other than a District Sales Tax or impose any other funding mechanisms unless the City Council, by Ordinance, modifies the limitations on the District's authority as set forth in the Petition. The District may also incur Obligations in one or more series for the purpose of funding all, or an appropriate portion of, the CID Improvements. Reimbursable Public Improvement Costs shall be paid to the extent that funds are available from the proceeds of Obligations or from District Sales Tax Revenues in the order of priority set forth in Section 3.5.

**Section 4.3. Ownership and Maintenance of CID Improvements.** The City shall have no ownership of the CID Improvements, and the District or Developer shall at all times be responsible for maintenance of the CID Improvements, except as certain improvements are dedicated to and accepted by the City in accordance with Applicable Laws and Requirements. The District or Developer shall be responsible for obtaining and maintaining insurance for the design, construction, operation and maintenance of the CID Improvements, except as certain improvements are dedicated to and accepted by the City in accordance with Applicable Laws and Requirements.

**Section 4.4. Annual Budget.** The District shall annually prepare or cause to be prepared a budget (the "**Budget**") and an annual report (the "**Report**") describing the major activities of the District during the preceding year and upcoming year. The Budget and Report shall be submitted to the City Manager for review and comment not less than ninety (90) days prior to the intended date of approval of the Budget. The Budget shall not be approved without the prior written consent of the City. Not later than the first day of each Fiscal Year of the District, the Board of Directors shall adopt a Budget for the District for the ensuing budget year, for every fund of the District of any kind, in such a manner as may be provided by law. If the Board of Directors fails to adopt a Budget by the first day of a Fiscal Year, the District shall be deemed to have adopted for such Fiscal Year a Budget, which provides for application of the District's sales tax revenues collected in such Fiscal Year in accordance with the budget for the prior Fiscal Year.

**Section 4.5. New CID Improvements.** The District shall not undertake new District projects, aside from the improvements shown on the attached **Exhibit A** and in the amount shown on **Exhibit A**, without the prior approval of the City Council.

## **ARTICLE 5: DISTRICT OPERATIONS AND MANAGEMENT**

### **Section 5.1. Composition of the Board of Directors and Officers.**

A. In accordance with the Petition, the Board of Directors shall be composed of five (5) directors. Three (3) of the directors shall at all times be representatives of the City (the “**City Directors**”) who are designated by the City and two (2) of the directors shall at all times be representatives of the Developer (the “**Developer Directors**”) who are designated by the Developer.

B. All directors shall meet all qualifications of the CID Act and the Missouri Constitution, and Developer agrees to designate in writing that the City Directors are representatives of Developer as a property owner within the District, in order to satisfy the requirements of Section 67.1451.2(2)(a), RSMo, with respect to the City Directors.

C. Successor Directors shall be appointed by the Mayor with the consent of the City Council as provided in the Petition and in compliance with Section 67.1451.5, RSMo, provided that the Mayor’s appointment of the Developer Directors shall be those persons who are designated by Developer.

**Section 5.2. District Meetings.** The Parties agree that the Board of Directors shall not meet and conduct District business unless all Directors receive notice of the meeting and are provided with the opportunity to participate in all District meetings, either in person or by phone. The Parties agree that the District bylaws shall contain the requirements of this Section, and shall include other safeguards as mutually agreed by the Parties to provide for participation of Developer Directors and City Directors in all matters coming before the Board of Directors.

## **ARTICLE 6: SPECIAL COVENANTS**

**Section 6.1. Records of the District.** The District shall designate an appropriate official to be the official record keeper of the District, who shall keep proper books of record and account on behalf of the District in which full, true, and correct entries will be made of all dealings or transactions of or in relation to its business affairs in accordance with generally accepted accounting principles consistently applied. The District shall furnish annual audited financial statements for each Fiscal Year no later than ninety (90) days following the end of such Fiscal Year. District financial audits shall be performed in coordination with City audits. All pertinent books, documents, and vouchers relating to District business, affairs, and properties shall at all times during regular business hours be open to the inspection of such accountant or other agent (who may make copies of all or any part thereof provided that the confidentiality of all records shall be maintained pursuant to such confidentiality agreements as reasonably required) as shall from time to time be designated and compensated by the inspecting party.

### **Section 6.2. Consent by Developer, Tenants and Transferees.**

A. Developer will use commercially reasonable efforts to cause all leases of property in the District entered into after the date of this Agreement to contain a provision that is in substantial compliance with the following:

**Community Improvement District:** Tenant acknowledges and consents that the Leased Premises are a part of the Highway 58 and Dean Avenue Community Improvement District (“District”) created by ordinance of the City of Raymore, Missouri (“City”), that the District imposes a sales and use tax on Tenant’s eligible retail sales that will be applied

toward the costs of CID Improvements that will provide a generalized benefit to the Development. Tenant shall forward to the District and City copies of Tenant's State of Missouri sales tax returns for its property located in the District when and as they are filed with the Missouri Department of Revenue. Tenant hereby acknowledges and agrees that the City and the District are third party beneficiaries of the obligations in this paragraph and shall have a separate and independent right to enforce these reporting requirements.

B. Developer, or any third party, may transfer real property within the CID area. Developer shall insert in any document transferring any interest in real property within the CID area, and shall cause any transferee to insert language reasonably similar to the following, and shall have such document signed by the transferee indicating acknowledgment and agreement to the following provision:

**Community Improvement District:** Grantee acknowledges and consents that the Property is a part of the Highway 58 and Dean Avenue Community Improvement District ("District") created by ordinance of the City of Raymore, Missouri ("City"), and that the District imposes a sales and use tax on eligible retail sales conducted within the District that will be applied toward the costs of CID Improvements that provide a generalized benefit to all property within the District. Grantee shall, or shall cause any applicable tenant of Grantee, to forward to the District and the City copies of its State of Missouri sales tax returns for the Property when and as they are filed with the Missouri Department of Revenue. Grantee hereby acknowledges and agrees that the City and the District are third party beneficiaries of the obligations in this paragraph and shall have a separate and independent right to enforce these reporting requirements.

C. The Developer shall enforce the lease/sales contract obligation set forth in this Section and shall require any purchaser, lessee or other transferee or possessor of the property within the District, to provide to the District and the City a copy of their Missouri sales tax returns. The Developer shall ensure that any documents transferring its interest in property located within the District shall make the obligations set forth in this Section a covenant running with the land that shall be enforceable against the Developer and against any purchaser, lessee or other transferee or possessor as if such purchaser, lessee or possessor were originally a party to and bound by this Agreement, which obligations shall only terminate upon the end of the term of the District.

D. Failure of the Developer to require that such restrictions be placed in any such lease/sales contract shall in no way modify, lessen or diminish the obligations and restrictions set forth herein relating to the District's and the City's rights of enforcement and remedies under this Agreement, or otherwise form the basis of a default on the part of the Developer hereunder.

E. Developer acknowledges that the District is implemented for the purpose of funding CID Improvements that benefit the development. Developer and its successors and assigns agree not to contest or protest the creation and operation of the District or the levy, collection or enforcement of the District Sales Tax. Developer further agrees to cooperate in good faith regarding any effort by the City and District to add additional property to the District when requested by the City.

### **Section 6.3. Collateral Assignment.**

A. Developer and its successors and assigns shall have the right, without the City's consent, to collaterally assign to any Secured Lender (as defined below) as collateral any and all of Developer's rights and/or obligations under this Agreement, and such Secured Lender shall have the right to perform any term, covenant, condition or agreement and to remedy, in accordance with the terms of this Agreement, any default by Developer under this Agreement, and City shall accept such performance by any such Secured

Lender with the same force and effect as if furnished by Developer. No Secured Lender shall be personally liable or obligated to perform the obligations of Developer under the Agreement unless and until such Secured Lender takes possession of the property as a mortgagee or by a receiver appointed at the request of mortgagee or becomes the owner of the fee estate under this Agreement by foreclosure, or deed in lieu of foreclosure or otherwise. For purposes of this Section, “**Secured Lender**” means a bank, financial institution or other person or entity from which Developer has borrowed funds to finance all or a portion of the Redevelopment Project and in whose favor Developer has agreed to provide a security interest as collateral for such loan.

B. Before a Secured Lender may exercise any rights of the Developer under the Agreement, the City shall receive: (a) within thirty (30) days following the date of such collateral assignment, a notice from the Developer that it has entered into a collateral assignment with a Secured Lender in connection with the Property, which shall specify the name, address and telephone number of the Secured Lender, as well as the title, date and parties to the collateral assignment agreement; and (b) not less than ten (10) days’ notice of the Secured Lender’s intent to exercise its right to become the assignee of the Developer under the Agreement, which notice shall include the effective date of the collateral assignment, and the title, date and parties to such collateral assignment agreement. The City is entitled to rely upon representations made in the notices described in this paragraph without further investigation or inquiry.

C. Provided that the Developer has provided the City with notice of a collateral assignment as described in this Section, the City agrees to provide the Secured Lender with the same notice of default at the same time such notice is given to the Developer, and the Secured Lender shall have the same rights (but shall have no obligation) to cure, correct or remedy a default as are provided to the Developer.

## ARTICLE 7: DEFAULTS AND REMEDIES

**Section 7.1. Default and Remedies.** An Event of Default shall occur upon the failure by either Party in the performance of any covenant, agreement or obligation imposed or created by this Agreement and the continuance of such failure for fifteen (15) days after the other Party, or the trustee of any outstanding Obligations, as applicable, has given written notice to such Party specifying such failure.

Subject to any restrictions contained in the Bond Documents for any outstanding Obligations that are issued against acceleration of the maturity of any such Obligations, if any Event of Default has occurred and is continuing, then any non-defaulting party may, upon its election or at any time after its election while such default continues, by mandamus or other suit, action or proceedings at law or in equity, enforce its rights against the defaulting party and its officers, agents and employees, and require and compel duties and obligations required by the provisions of this Agreement.

**Section 7.2. Rights and Remedies Cumulative.** The rights and remedies maintained by any Party under this Agreement and those provided by law shall be construed as cumulative and continuing rights. No one of them shall be exhausted by the exercise thereof on one or more occasions. Any Party shall be entitled to specific performance and injunctive or other equitable relief for any breach or threatened breach of any of the provisions of this Agreement, notwithstanding availability of an adequate remedy at law, and any Party hereby waives the right to raise such defense in any proceeding in equity.

**Section 7.3. Waiver of Breach.** No waiver of any breach of any covenant or agreement contained in this Agreement shall operate as a waiver of any subsequent breach of the same covenant or agreement or as a waiver of any breach of any other covenant or agreement, and in case of an Event of Default, a non-defaulting Party may nevertheless accept from the defaulting party, any payment or payments without in any way waiving the non-defaulting party’s right to exercise any of its rights and

remedies as provided herein with respect to any such default or defaults in existence at the time when such payment or payments were accepted by the non-defaulting party.

**Section 7.4. Excusable Delays.** No Party shall be deemed to be in default of this Agreement because of Excusable Delays. Excusable Delays shall extend the time of performance for the period of such Excusable Delay.

## ARTICLE 8: MISCELLANEOUS

**Section 8.1. Effective Date and Term.** This Agreement shall become effective on the date this Agreement has been fully executed by the Parties. This Agreement shall remain in effect for as long as the District is legally in existence.

**Section 8.2. Immunities.** No recourse shall be had for the payment of the principal of or premium or interest on any Obligations or for any claim based thereon or upon any representation, obligation, covenant or agreement in this Agreement contained against any past, present or future officer, member, employee, director or agent of the City or the District, or of any successor thereto, as such, either directly or through the City or the District, or any successor thereto, under any rule of law or equity, statute or constitution or by the enforcement of any assessment or penalty or otherwise, and all such liability of any such officers, members, employees, directors or agents as such is hereby expressly waived and released as a condition of and consideration for the execution of this Agreement.

The Developer shall indemnify, release, defend, be responsible for and forever hold harmless the City and the District, their officers, agents, employees, elected officials, and attorneys, each in their official and individual capacities, from and against all lawsuits, suits, actions, costs, claims, demands, damages, disability, losses, expenses, including reasonable attorney's fees and other defense costs or liabilities of any character and from any cause whatsoever, brought because of loss or damage received or sustained, by any person, persons, property owners or property arising out of or resulting from any act, error, omission, or intentional act of the Developer or its agents, employees, or subcontractors, to the extent conducted pursuant to this Agreement and/or in connection with the ownership, design, development, redevelopment, use or occupancy of the property within the District or a portion thereof and the CID Improvements.

**Section 8.3. Modification.** The terms, conditions, and provisions of this Agreement can be neither modified nor eliminated except in writing and by mutual agreement among the City, the District and the Developer. Any modification to this Agreement as approved shall be attached hereto and incorporated herein by reference.

**Section 8.4. Jointly Drafted.** The Parties agree that this Agreement has been jointly drafted and shall not be construed more strongly against another Party.

**Section 8.5. Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Missouri.

**Section 8.6. Validity and Severability.** It is the intention of the Parties that the provisions of this Agreement shall be enforced to the fullest extent permissible under the laws and public policies of State of Missouri, and that the unenforceability (or modification to conform with such laws or public policies) of any provision hereof shall not render unenforceable, or impair, the remainder of this Agreement. Accordingly, if any provision of this Agreement shall be deemed invalid or unenforceable in whole or in part, this Agreement shall be deemed amended to delete or modify, in whole or in part, if necessary, the

invalid or unenforceable provision or provisions, or portions thereof, and to alter the balance of this Agreement in order to render the same valid and enforceable.

**Section 8.7. Execution of Counterparts.** This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

**Section 8.8. City Approvals.** Unless specifically provided to the contrary herein, all approvals of the City hereunder may be given by the Mayor or his or her designee without the necessity of any action by the City Council. The Mayor may seek the input from the City Council before granting any approval.

**Section 8.9. District Approvals.** Unless specifically provided to the contrary herein, all approvals of the District hereunder may be given by the Executive Director of the District or his or her designee without the necessity of any action by the Board of Directors.

*[Remainder of this page intentionally left blank]*

**IN WITNESS WHEREOF**, the parties hereto have set their hands and seals the day and year first above written.

**CITY OF RAYMORE, MISSOURI**

By: \_\_\_\_\_  
Kristofer P. Turnbow  
Mayor

ATTEST:

\_\_\_\_\_  
Jeanie Woerner, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Gilmore & Bell, Special Counsel

**STATE OF MISSOURI**            )  
  ) **SS.**  
**COUNTY OF CASS**            )

On this \_\_\_\_ day of \_\_\_\_\_, 2016 before me appeared, Kristofer P. Turnbow, who being, by me duly sworn, did say that he is the Mayor of the **CITY OF RAYMORE, MISSOURI**, a municipal corporation and constitutional charter city of the State of Missouri, and did say that the seal affixed to the foregoing instrument is the seal of said City, and that said instrument was signed and sealed on behalf of said City, by authority of its City Council, and said Mayor acknowledged said instrument to be the free act and deed of said City.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_



**HIGHWAY 58 AND DEAN AVENUE  
COMMUNITY IMPROVEMENT  
DISTRICT**

By: \_\_\_\_\_  
Executive Director

ATTEST:

\_\_\_\_\_  
Secretary

**STATE OF MISSOURI** )  
 ) **SS.**  
**COUNTY OF** \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2016, before me appeared \_\_\_\_\_, who being by me duly sworn, did say that (s)he is the Executive Director of the **HIGHWAY 58 AND DEAN AVENUE COMMUNITY IMPROVEMENT DISTRICT**, a community improvement district organized and existing under the laws of the State of Missouri, and that said instrument was signed in behalf of said District by authority of its Board of Directors and said individual acknowledged said instrument to be the free act and deed of said District.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_

**RAYMORE PARTNERS, LLC**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF MISSOURI            )  
  ) **SS.**  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me appeared \_\_\_\_\_,  
who being by me duly sworn, did say that (s)he is the \_\_\_\_\_ of  
**RAYMORE PARTNERS, LLC**, a limited liability company organized and existing under the laws of the  
State of Missouri, and that said instrument was signed in behalf of said limited liability company by  
authority of its governing body and said individual acknowledged said instrument to be the free act and  
deed of said limited liability company.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my official seal in the  
County and State aforesaid, the day and year first above written.

\_\_\_\_\_  
Notary Public

(SEAL)

My commission expires: \_\_\_\_\_

**EXHIBIT A**

**CID IMPROVEMENTS**

The “CID Improvements” are those public improvements which are eligible to be funded in accordance with the CID Act and all Applicable Laws and Requirements in accordance with the limits of the following budget:

Redevelopment Project Costs	Estimated Costs	TIF Reimbursable	CID Reimbursable	Private
<b>Land Acquisition</b>				
Proposed Redevelopment Area (including cross access)	1,712,500	850,000	-	862,500
Closing Costs	6,000	-	-	6,000
<i>SUBTOTAL</i>	1,718,500	850,000	-	868,500
<b>Sitework/Infrastructure</b>				
Site work	1,227,077	525,000	387,525	314,552
<i>SUBTOTAL</i>	1,227,077	525,000	387,525	314,552
<b>Building Improvements</b>				
Restaurant A (~3,000 sf) - Building Construction	500,000	-	-	500,000
Multi-Tenant Building (~9,900 sf) - Building Construction	1,732,500	-	-	1,732,500
<i>SUBTOTAL</i>	2,232,500	-	-	2,232,500
<b>Soft Costs</b>				
Legal (incl. City legal)/Consulting/Accounting	100,000	-	-	100,000
Blight Study	7,500	-	-	7,500
Architectural/Engineering/Surveying	285,000	-	-	285,000
Geotech/Soils Report/Environmental	20,000	-	-	20,000
Bonds/Permits/Fees	75,000	-	-	75,000
Commissions	296,650	-	-	296,650
Interim Taxes	18,000	-	-	18,000
<i>SUBTOTAL</i>	802,150	-	-	802,150
<b>Financing Costs</b>				
Bank Charges & Financing Fees	30,000	-	-	30,000
Construction Interest^	135,000	-	-	135,000
<i>SUBTOTAL</i>	165,000	-	-	165,000
<b>Miscellaneous Costs</b>				
Developer's Fee	250,000	-	-	250,000
Site work and Project management fee	50,000	-	-	50,000
Contingency	250,601	-	-	250,601
<i>SUBTOTAL</i>	550,601	-	-	550,601
<b>TOTAL</b>	<b>\$ 6,695,828</b>	<b>\$ 1,375,000</b>	<b>\$ 387,525</b>	<b>4,933,303</b>
<b>Third Party Costs</b>				
Restaurant B (~2,900 sf) - Building Construction & soft costs	957,000	\$ -	\$ -	957,000
Restaurant A (~3,000 sf) - Tenant Improvements	400,000	\$ -	\$ -	400,000
Multi-Tenant Building (~9,900 sf) - Tenant Improvements	1,117,500	\$ -	\$ -	1,117,500
<b>TOTAL</b>	<b>\$ 2,474,500</b>			<b>2,474,500</b>
<b>GRAND TOTAL</b>	<b>\$ 9,170,328</b>	<b>\$1,375,000</b>	<b>\$ 387,525</b>	<b>7,407,803</b>
		14.99%	4.23%	80.78%

**EXHIBIT B**

**FORM OF LETTER TO THE MISSOURI DEPARTMENT OF REVENUE**

**HIGHWAY 58 AND DEAN AVENUE  
COMMUNITY IMPROVEMENT DISTRICT**

Raymore, Missouri

---

\_\_\_\_\_, 2016

Missouri Department of Revenue  
Customer Services Division  
Sales/Use Tax  
P.O. Box 3380  
Jefferson Village, MO 65105-3380

Re: Remittance of Sales Tax Revenue for the Highway 58 and Dean Avenue Community Improvement District to the City of Raymore, Missouri

Dear Sir or Madam:

The Highway 58 and Dean Avenue Community Improvement District (the “**District**”) hereby authorizes the Missouri Department of Revenue (the “**Department**”) to remit directly to the City of Raymore, Missouri (the “**City**”) all of the District sales tax revenue collected by the Department. In accordance with a cooperative agreement (“**Cooperative Agreement**”) entered into between the District and the City dated \_\_\_\_\_, 2016, the City shall deposit all sales tax revenue into a bank account separate from other bank accounts of the City and disburse such funds in accordance with the Cooperative Agreement. Identifying information for the special account is included on the attached ACH agreement.

Pursuant to the Cooperative Agreement, the City will perform all functions incident to the administration of the District sales tax revenue.

Sincerely,

\_\_\_\_\_  
Executive Director of the  
Highway 58 and Dean Avenue Community  
Improvement District

**Exhibit A**

Cooperative Agreement

*[Attached]*



# **New Business**







**CITY OF RAYMORE  
AGENDA ITEM INFORMATION FORM**

DATE: October 10, 2016

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Community Development

- |                                    |  |                                       |   |
|------------------------------------|--|---------------------------------------|---|
| <input type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Presentation | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Discussion            | <input type="checkbox"/> Other        |   |

**TITLE / ISSUE / REQUEST**

Resolution 16-47  
Request Council to approve Resolution confirming those undeveloped lots the City is to install sidewalk upon as part of the 2016 program

**FINANCIAL IMPACT**

Award To: n/a  
Amount of Request/Contract: n/a  
Amount Budgeted: n/a  
Funding Source/Account#: n/a

**PROJECT TIMELINE**

Estimated Start Date  
n/a

Estimated End Date  
n/a

**STAFF RECOMMENDATION**

Approval

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: n/a  
Date:  
Action/Vote:

**LIST OF REFERENCE DOCUMENTS ATTACHED**

REVIEWED BY:

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

At its September 26, 2016 meeting City Council held 10 public hearings on those undeveloped lots that were determined to meet the threshold for requiring to have sidewalk installed by August 1, 2016 but wherein the property owner failed to install the sidewalk. Council voted to include all 10 lots on the list to have the City install the sidewalk.

Should the Council confirm that the City shall install sidewalk upon the 10 identified lots staff will notify each property owner that the City will commence installation no earlier than September 1, 2017. Should the property owner obtain a building permit or install the sidewalk prior to September 1, 2017 the City will remove the lot from the installation list.

## RESOLUTION 16-47

**“A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI CONFIRMING THE DECISION TO INSTALL SIDEWALK ON CERTAIN IDENTIFIED UNDEVELOPED LOTS AND AUTHORIZING CITY STAFF TO TAKE THE STEPS NECESSARY TO HAVE SIDEWALK INSTALLED.”**

**WHEREAS**, in conformance with Section 445.030K2a5 of the Unified Development Code the City provided notification to the owners of undeveloped lots that had been identified as meeting the threshold requirements for having sidewalk installed on the undeveloped lots of the requirement to have sidewalk installed; and

**WHEREAS**, a public hearing was held on September 26, 2016 for those lots wherein sidewalk was not installed by the established deadline of August 1, 2016; and

**WHEREAS**, at the conclusion of each public hearing for the lots described below the City Council made the findings pursuant to Section 445.030K2a9 of the Unified Development Code and made a determination to install sidewalk on the lot and levy a special assessment against the lot for the costs thereof in accordance with Section 445.030K2a7; and

**WHEREAS**, the City Council decision to install sidewalk was done for the purpose of securing and promoting the public health, safety and general welfare by furthering the goal of having a continuous and connected sidewalk network throughout the City.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. The City Council hereby confirms the determination made at the September 26, 2016 public hearing and hereby authorizes the installation of sidewalk on the following described undeveloped lots:

*Edgeater at Creekmoor*

- 1st Plat Lot 1 (1230 Kettering Lane) - Donald & Elizabeth Stoneman
- 1st Plat Lot 2 (1228 Kettering Lane) - Dennis & Toni Markham
- 1st Plat Lot 13 (1206 Kingsland Circle) - William & Shirley Baum
- 2nd Plat Lot 37 (1214 Kingsland Circle) - Derek & Pamela Mills
- 2nd Plat Lot 38 (1207 Kettering Lane) - John & Phyllis Prouty

*Southern Hills at Creekmoor*

- 2nd Plat Lot 65 (809 Creekmoor Pond Lane) - Ismail Abdulkareem & Hamida Naqama

*Westbrook at Creekmoor*

- 4th Plat Lot 98 (1425 Young Circle) - Mustafa & Tandina Kamal
- 4th Plat Lot 111 (1400 Young Circle) - Terry & Linda Martens

*Estates at Knoll Creek*

- 1st Plat Lot 5 (429 Pierse Hollow Street) - Knoll Creek LLC

*Meadowood of the Good Ranch*

- 2nd Plat Lot 56-A (727 Indian Grass Way) - Good-Otis LLC

Section 2. City staff is hereby authorized to proceed with the preparation plans and specifications for the installation of sidewalk upon the above identified lots and shall proceed with securing bids for the installation of the sidewalk. No sidewalk shall be installed by the contractor selected by the City before September 1, 2017.

Section 3. City staff is hereby authorized to levy a special assessment against those lots upon which sidewalk is installed by the City for the costs of installation of the sidewalk.

Section 4. This Resolution shall become effective on and after the date of passage and approval.

Section 5. Any Resolution or part thereof which conflicts with this Resolution shall be null and void.

**DULY READ AND PASSED THIS 10TH DAY OF OCTOBER, 2016 BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Burke, III  
Councilmember Holman  
Councilmember Hubach  
Councilmember Kellogg  
Councilmember Moorhead  
Councilmember Seimears

ATTEST:

APPROVE:

\_\_\_\_\_  
Jean Woerner, City Clerk

\_\_\_\_\_  
Kristofer P. Turnbow, Mayor

\_\_\_\_\_  
Date of Signature





**CITY OF RAYMORE  
AGENDA ITEM INFORMATION FORM**

DATE: October 10, 2016

SUBMITTED BY: Cynthia Watson

DEPARTMENT: Finance

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

**TITLE / ISSUE / REQUEST**

Adoption of FY16-17 Budget and CIP

**FINANCIAL IMPACT**

Award To:  
Amount of Request/Contract:  
Amount Budgeted:  
Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date	Estimated End Date
----------------------	--------------------

**STAFF RECOMMENDATION**

Staff recommends City Council Approve the FY17 Budget and CIP

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: NA  
Date:  
Action/Vote:

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Bill 3213 Approving the Fiscal Year 2017 Budget  
Exhibit A: WS Summary of FB & Changes

REVIEWED BY:

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

The City Manager transmitted the proposed CIP to the City Council on August 15, 2016. The Council continued to discuss the FY2017 Budget and CIP at each meeting of the Council following the presentation. The CIP was also reviewed and was the subject of a public hearing by the Planning & Zoning Commission.

The budget ordinance is presented as the City Manager's Proposed budget and CIP with proposed changes to the Operating and Capital Budgets indicated by Council at various work sessions outlined below as well as presented in Exhibit A.

### General Fund Expenditures:

- \$ 4,000 - Additional Chamber support
- \$ 3,000 - Additional chaplains support
- \$ 3,500 - Regis agreement upgrade
- \$20,000 - Interpretive signage
- \$ 2,000 - CERT radios/rehab existing
- \$ 5,000 - Additional marketing for Economic Development
- \$ 4,000 - Youth Diversion Program

### General Fund Transfers Out:

- \$301,500 - transfer to Capital Improvement Sales Tax Fund - RR business car
- \$ 92,000 - transfer to Parks Sales Tax Fund - trail workout equipment
- \$150,000 - transfer to Parks Sales Tax Fund - trail lighting
- \$ 18,000 - transfer to Parks Sales Tax Fund - internet w/wifi at concessions
- \$ 10,000 - transfer to Restricted Revenue Fund - establishment of an arboretum



**BILL 3213**

**ORDINANCE**

**“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE FISCAL YEAR 2017 BUDGET.”**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. The annual budget of the City of Raymore, Missouri, for the Fiscal Year beginning on November 1, 2016 and ending October 31, 2017, is finally approved, adopted and appropriated by fund and the maximum amounts to be expended are as follows:

	FY 2016-2017
General Fund (01)	
Administration	1,252,609
Information Technology	477,777
Economic Development	211,857
Community Development	666,474
Engineering	408,955
Streets	863,658
Stormwater	298,684
Buildings & Grounds	303,716
Municipal Court	177,363
Finance	593,630
Police	3,949,133
Emergency Management	133,804
<b>Total Expenditures</b>	<b>\$9,337,660</b>
Transfer to Park Fund	100,000
<b>Total Transfers</b>	<b>100,000</b>
<b>Total General Fund</b>	<b>\$9,437,660</b>
<b>Park Fund (25)</b>	<b>\$1,270,904</b>
<b>General Obligation Debt (40)</b>	<b>\$1,958,353</b>
<b>Vehicle Replacement (03)</b>	<b>\$153,436</b>
Restricted Revenue (04)	
Expenditures	17,451
Transfers Out	164,000
<b>Total Restricted Revenue Fund</b>	<b>\$181,451</b>

Enterprise Fund (50)	
Water & Sewer Departments	5,204,595
Debt Service	153,525
<b>Total Expenditures</b>	<b>\$5,358,120</b>
Transfer to General Fund	771,540
Transfer to VERP Fund	98,822
Transfer to Restricted Revenue Fund	100,000
Transfer to Ent. Cap Maint Fund	364,146
<b>Total Transfers</b>	<b>\$1,334,508</b>
<b>Total Enterprise Fund</b>	<b>\$6,692,628</b>
Capital Funds (includes projects, debt service, and other operating expenditures)	
05 Building Equipment Replacement	166,000
36 Transportation	2,031,035
36.38 GO Transportation	1,640,000
37 Excise Tax	155,000
45 Capital Sales Tax	1,462,850
46 Stormwater Sales Tax	647,007
47 Parks Sales Tax	681,301
47.38 GO Parks	4,383,100
52 Water Connection	120,000
53 Sewer Connection	0
54 Enterprise Capital Maintenance	330,000
<b>Total Capital Funds</b>	<b>\$11,616,293</b>

Section 2. The funds necessary for expenditure in the budget of the City of Raymore for the Fiscal Year beginning November 1, 2016, as summarized in Section 1, are hereby appropriated and set aside for the maintenance and operation of the various departments of the government of the City of Raymore, Missouri, together with the various activities and improvements set forth in said budget.

Section 3. The amount apportioned for each department as shown in the budget shall not be increased except by motion of the City Council duly made and adopted, but the objects of the expense comprising the total appropriation for any department may be increased or decreased at the discretion of the City Manager, providing that said adjustment shall not increase the total appropriation for the department.

Section 4. All portions of the final Fiscal Year 2016-17 budget book document prepared and submitted to the Mayor and City Council for consideration, as amended by the City Council prior to adoption of this ordinance, are hereby adopted by reference, including all organizational charts, salary range charts, policies and procedures, and are made a part of this ordinance.

Section 5. All revenue of the City of Raymore not appropriated by this Ordinance and any amount appropriated by this Ordinance and not disbursed shall be expended or kept as directed by the City Council.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 10TH DAY OF OCTOBER, 2016.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 24TH DAY OF OCTOBER, 2016 BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Burke, III  
Councilmember Holman  
Councilmember Hubach  
Councilmember Kellogg  
Councilmember Moorhead  
Councilmember Seimears

ATTEST:

APPROVE:

\_\_\_\_\_  
Jean Woerner, City Clerk

\_\_\_\_\_  
Kristofer P. Turnbow, Mayor

\_\_\_\_\_  
Date of Signature

Exhibit A

Fiscal Year 2016-17

Council Proposed Changes 8.15.16 - 10/03/16 Council Meeting

	General Fund	CIST Fund	Park ST Fund	RRF Tree Board
<b>Beginning Available Fund Balance Before Council Changes</b>	<b>1,013,483</b>	<b>199,497</b>	<b>173,366</b>	<b>0</b>
<b>Revenues and Transfers In</b>				
T.B.HS - RR business car		301,500		
trail workout equipment			92,000	
Internet connectivity to concession stands w/ wifi accessibility			18,000	
Establishment of an Arboretum - Tree Board Fund				10,000
trail lighting			150,000	
<b>Expenses:</b>				
Chamber support increase	(4,000)			
Additional chaplains support	(3,000)			
Regis agreement upgrade	(3,500)			
Interpretive signage	(20,000)			
CERT radios - replenish existing unused radios	(2,000)			
Economic Development additional marketing	(5,000)			
Youth Diversion Program	(4,000)			
T.B.HS - RR business car		(301,500)		
trail workout equipment			(92,000)	
Internet connectivity to concession stands w/ wifi accessibility			(18,000)	
Establishment of an Arboretum - Tree Board Fund			(150,000)	(10,000)
trail lighting				
<b>20% Reserve - additional expenses associated costs</b>	<b>(8,300)</b>			
<b>Transfers Out:</b>				
T.B.HS - RR business car	(301,500)			
trail workout equipment	(92,000)			
trail lighting	(150,000)			
Internet connectivity to concession stands w/ wifi accessibility	(18,000)			
Establishment of an Arboretum - Tree Board Fund	(10,000)			
<b>Sub-Total of changes</b>	<b>(621,300)</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Available Fund Balance with Changes</b>	<b>392,183</b>	<b>199,497</b>	<b>173,366</b>	<b>0</b>



**CITY OF RAYMORE  
AGENDA ITEM INFORMATION FORM**

DATE: 10/10-2016

SUBMITTED BY: Cynthia Watson

DEPARTMENT: Finance

- |                                    |  |  |   |
|------------------------------------|--|--|---|
| <input type="checkbox"/> Ordinance | <input checked="" type="checkbox"/> Resolution | <input checked="" type="checkbox"/> Presentation | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Agreement | <input type="checkbox"/> Discussion            | <input type="checkbox"/> Other                   |   |

**TITLE / ISSUE / REQUEST**

FY 2017-2021 Capital Improvement Program

**FINANCIAL IMPACT**

Award To:

Amount of Request/Contract:

Amount Budgeted:

Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date

Estimated End Date

November 1, 2016

**STAFF RECOMMENDATION**

Staff recommends that Council approve Res 16-48 FY2017-2021 CIP

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission:

Date:

Action/Vote:

**LIST OF REFERENCE DOCUMENTS ATTACHED**

5-Year CIP Summary

Exhibit A - WS Summary of FB & Changes

REVIEWED BY:

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

At the same time as the fiscal year budget is submitted to the Council for approval, a five-year capital improvement program is submitted. The capital program for the next fiscal year is part of the Council's approval of the operating budget. The CIP for the following four years serves as a planning guide for the City.

The City Manager transmitted the proposed CIP to the City Council on August 15, 2016. The Council continued to discuss the FY2017 Budget and CIP at each meeting of the Council following the presentation. The CIP was also reviewed and was the subject of a public hearing by the Planning & Zoning Commission.

The Budget ordinance was presented as the City Manager's proposed budget and CIP with a separate document showing the proposed changes to the Operating and Capital Budgets indicated by Council at various work sessions as Exhibit A.

Staff has attached the City Manager's proposed 5-Year CIP Summary and Council generated projects as Exhibit A with this Resolution showing the changes that would impact the Proposed CIP.

## RESOLUTION 16-48

**“A RESOLUTION OF THE CITY OF RAYMORE MISSOURI, APPROVING THE 2017-2021 RAYMORE CAPITAL IMPROVEMENTS PROGRAM.”**

**WHEREAS**, as required by City Charter Section 11.4, the City Manager prepared the 2017-21 Capital Improvements Program and submitted it to the Raymore City Council; and

**WHEREAS**, the City Council held meetings to discuss the Capital Improvements Program; and

**WHEREAS**, after proper notice, the Planning and Zoning Commission conducted a Public Hearing on the proposed Capital Improvements Program on September 6, 2016; and

**WHEREAS**, a copy of the Program has been submitted to the City Clerk and, following approval by the City Council, a copy will be delivered to the Cass County Recorder of Deeds; and

**WHEREAS**, the City Council held a Public Hearing on the 2017-21 Capital Improvements Program on October 10, 2016; and

**WHEREAS**, the City Council and Planning and Zoning Commission have determined that the 2017-21 Capital Improvement Plan serves the purpose of implementing the Growth Management Plan, providing for the maintenance of existing infrastructure, and providing other critical City facilities.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. The 2017-21 Capital Improvement Plan, as shown on the attached Exhibit A, is hereby approved.

Section 2. This Resolution shall become effective on and after the date of passage and approval.

Section 3. Any Resolution or part thereof which conflicts with this Resolution shall be null and void.

**DULY READ AND PASSED THIS 10TH DAY OF OCTOBER, 2016 BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Boehner  
Councilmember Burke, III  
Councilmember Holman

Councilmember Hubach  
Councilmember Kellogg  
Councilmember Moorhead  
Councilmember Seimears

ATTEST:

APPROVE:

\_\_\_\_\_  
Jean Woerner, City Clerk

\_\_\_\_\_  
Kristofer P. Turnbow Mayor

\_\_\_\_\_  
Date of Signature



### Capital Improvement Program by Funding Source and Project - 5 Year Summary

**By Fund**

	2016-17	2017-18	2018-19	2019-20	2020-2021
<b>Building &amp; Equipment Replacement Program (05)</b>					
City Hall Phone System	\$ 45,000				
Public Works Facility Flooring Replacement	\$ 10,000				
Public Works Facility - LED Lighting	\$ 5,000				
City Hall Front Entry Repair	\$ 60,000				
Public Works Interior Painting and Repairs	\$ 30,000				
Municipal Complex - Micro Surface	\$ 30,000				
Municipal Circle Parking Improvements	\$ 35,000				
<b>Park Fee-in-Lieu Fund (27)</b>					
(no projects scheduled)	\$ -				
<b>Transportation Fund (36)</b>					
Annual Curb Replacement Program	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000
Annual Street Preservation Program	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000	\$ 800,000
Annual Sidewalk Program	\$ 117,000	\$ 117,000			
Audible Pedestrian Signals	\$ 30,000				
Municipal Complex - Micro Surface	\$ 10,000				
Municipal Center Sidewalks & Lighting	\$ 114,000				
Cul-de-sac Program	\$ 100,000				
<b>Transportation Fund GO Bond (36-38)</b>					
Kentucky Road Relocation	\$ 590,000				
Foxridge Drive Extension	\$ 700,000				
Johnston Drive - Dean to Darrowby	\$ 350,000				
<b>Excise Tax Fund (37)</b>					
Maintenance of Thoroughfare Routes	\$ 155,000	\$ 125,000	\$ 200,000	\$ 200,000	\$ 200,000
<b>Capital Improvement Fund (45)</b>					
Security Cameras at Parks & Public Works	\$ 35,000				
T.B. Hanna Station Parking Improvements	\$ 68,000				
FY17 Stormwater Improvements	\$ 74,000				
Detention Pond Rehabilitation/Beautification Partnership	\$ 50,000				
City Hall Detention Pond	\$ 80,000				
Street Light Installation	\$ 88,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
Park Maintenance Facility Fencing & Building Apron	\$ 50,000				
<b>Stormwater Sales Tax Fund (46)</b>					
Annual Curb Replacement Program	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Municipal Center BMPs	\$ 80,000				
<b>Park Sales Tax Fund (47)</b>					
Memorial Park Improvements	\$ 150,000				
Dog Park				\$ 175,000	
Memorial Park Playground Improvements		\$ 48,000			
Memorial Park ADA Access to Ball Fields	\$ 65,000				
Recreation Park Ballfield Lights			\$ 80,000		
Ward Park Shelter House	\$ 6,500				
Park Maintenance Facility Fencing & Building Apron				\$ 75,000	
Recreation Park Picnic Pavilion		\$ 200,000			
Recreation Park Pedestrian Bridge Replacements		\$ 100,000			
Recreation Park Playground Equipment					\$ 300,000
Recreation Park Pond Rehabilitation			\$ 150,000		
Memorial Park Parking Lot Extension	\$ 37,500				
<b>Park Sales Tax Fund - GO Bond (47-38)</b>					
T.B. Hanna Station Parking Improvements		\$ 92,000			
Hawk Ridge Park Parking & ADA Playground	\$ 700,000				
Hawk Ridge Park Amphitheater, Parking & Restrooms	\$ 600,000				
Hawk Ridge Park Additional Signage	\$ 85,000				
Recreation Park Activity Center	\$ 2,843,000				
T.B. Hanna Station Park Improvements	\$ 80,000	\$ 428,000			
<b>Water Connection Fee Fund (52)</b>					
Gore Road Water Main and Meter Station	\$ 120,000				
<b>Sewer Connection Fund (53)</b>					
(no projects scheduled)	\$ -				
<b>Enterprise Cap. Maint Fund (54)</b>					
Sanitary Sewer Inflow and Infiltration Reduction	\$ 120,000	\$ 123,000	\$ 126,075	\$ 129,227	\$ 132,458
Silvertop Sewer Replacement	\$ 60,000				
Sensus Meter Reading System	\$ 150,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000
<b>Total Projects by Fiscal Year</b>	<b>\$ 9,223,000</b>	<b>\$ 2,848,000</b>	<b>\$ 2,171,075</b>	<b>\$ 2,194,227</b>	<b>\$ 2,247,458</b>

Exhibit A

Fiscal Year 2016-17

Council Proposed Changes 8.15.16 - 10/03/16 Council Meeting

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# Miscellaneous



THE RAYMORE CITY COUNCIL HELD A WORK SESSION ON MONDAY, SEPTEMBER 19, 2016, AT 7:00 P.M. AT RAYMORE CITY HALL.

COUNCIL PRESENT: MAYOR TURNBOW AND COUNCILMEMBERS ABDELGAWAD, BARBER, BURKE, HOLMAN, KELLOGG, AND MOORHEAD. ALSO PRESENT: CITY MANAGER JIM FEUERBORN, ASSISTANT CITY MANAGER MEREDITH HAUCK, CITY ATTORNEY JONATHAN ZERR AND CITY STAFF MEMBERS.

Mayor Turnbow called the work session to order at 7:00 p.m.

A. Introduction of Human Resources Legal Counsel

Assistant City Manager Meredith Hauck introduces the City's human resources special legal counsel, Ms. Kerri Reisdorff from the firm of Ogletree, Deakins, Nash, Smoak & Stewart. Ms. Reisdorff provided an overview of the firm and stated they are beginning their relationship with Raymore by performing a thorough review of the policies and procedures manual.

B. Harold Estates Sewer Lift Station Issue

Councilmember Holman recused himself from the meeting due to conflict, as he is a resident of this subdivision. Harold Estates Homeowners Association has asked the city to take over ownership and maintenance of the lift station that serves the subdivision. City Manager Jim Feuerborn and Public Works Director provided detailed information on the requirements of lift stations, future growth, and Council's options. Council advised staff to have more in depth conversations with the association.

C. Chapter 100 Bonds

Special Economic Development Counsel Rich Wood and David Bushek, from the firm of Gilmore and Bell, provided information to Council on the use of Chapter 100 Bonds as an economic development tool.

D. Raymore Gateway Presentation

Economic Development Director Matt Tapp and Special Economic Development Counsel David Bushek, from the firm of Gilmore and Bell, shared information relative to the possibility of a city initiated Tax Increment Financing area on the northeast corner of 58 Highway and Kentucky Road. Mr. Bushek outlined a potential schedule for consideration of the Raymore Gateway TIF Plan. Council directed staff to move forward with step 2 - present the Resolution at the next Council meeting.

#### E. Fiscal Year 2017 Budget Discussion

Mr. Feuerborn provided an update on the items the Council requested staff to research as discussed in previous meetings. Council discussed elements of the proposed FY 2017 Budget and to receive requested information relative to projects and proposals. Councilmember Kellogg shared information pertaining to his request for radios for CERT members and requested to amend his requested amount for the radios to \$2,000 to refurbish the retired police radios. Councilmember Holman withdrew his request for a entrance feature/pedestrian walkway and to fund internet connectivity and wifi accessibility to all concession stands. Councilmember Abdelgawad provided information on lighting along trails. Councilmember Barber amended his request for an Economic Development website to additional marketing funding for Economic Development.

#### F. Other

Mayor Turnbow adjourned the work session of the Raymore City Council to Executive Session at 9:58 p.m.