



City Council Meeting Agenda
Monday, October 16, 2023 – 6:30 p.m.
City Hall, 200 South Osage, Sedalia MO

MAYOR: ANDREW L. DAWSON

MAYOR PRO-TEM: RHIANNON M. FOSTER

- A. CALL TO ORDER** – Andrew L. Dawson – Council Chambers
- B. PRAYER & PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. SERVICE AWARDS/SPECIAL AWARDS/RETIREMENT AWARDS** – None
- I. APPROVAL OF PREVIOUS SESSION MINUTES**
 - A. Council Meeting – October 2, 2023
- II. REPORT OF SPECIAL BOARDS, COMMISSIONS AND COMMITTEES**
 - A. Acceptance of Citizen’s Traffic Advisory Commission minutes dated September 13, 2023
 - B. Acceptance of Planning & Zoning Commission minutes dated August 2, 2023
- III. ROLL CALL OF STANDING COMMITTEES**
 - A. FINANCE / ADMINISTRATION** – Chairman Chris Marshall; Vice Chairman Jack Robinson
 - 1. Presentation – Financial Update (Jessica Pyle, Presenter)
 - 2. Presentation – Cyber Security Awareness (Monte Richardson, Presenter)
 - B. PUBLIC SAFETY** - Chairman Jack Robinson; Vice Chairman Steve Bloess
 - 1. Budget Amendment – Police Vehicles - \$91,404.00
Council Discussion led by Chairman Robinson
R Call for Resolution of the City Council of the City of Sedalia, Missouri, stating facts and reasons for the necessity to amend and increase the City’s Annual Budget for Fiscal Year 2024 –Mayor Dawson
O Call for Ordinance Amending the Budget for the Fiscal Year 2023-2024 regarding purchase of Two Dodge Durangos plus Vehicle DWI Enforcement Equipment – Mayor Dawson
 - C. PUBLIC WORKS** – Chairman Thomas Oldham; Vice Chairman Chris Marshall
 - 1. Acceptance – One Permanent and Two Temporary Sewer Easements – 24380 Oak Grove Lane - Mayor Dawson
Council Discussion led by Chairman Oldham
O Call for Ordinance Approving and Accepting Permanent and Temporary Easements relating to Oak Grove Lane Sewer Main Extension – Mayor Dawson
 - 2. Removal of Handicapped Parking Sign – In front of 314 South Washington
Council Discussion led by Chairman Oldham
O Call for Ordinance repealing Ordinance Number 9095 by removing two handicapped parking Spaces in front of 314 South Washington Avenue in the City of Sedalia, Missouri – Mayor Dawson
 - 3. Removal of Handicapped Parking Sign – Main and Kentucky
Council Discussion led by Chairman Oldham

- Call for Ordinance repealing Ordinance Numbers 9198 and 9206 by removing one Handicapped parking space on the west side of Kentucky Avenue north of Main Street In the City of Sedalia, Missouri – Mayor Dawson

D. COMMUNITY DEVELOPMENT – Chairwoman Rhiannon M. Foster; Vice Chairwoman Tina Boggess

1. Discussion – Implementation of 1-way streets with diagonal parking Downtown

2. Rezoning Application – PIB – 1012 North Ohio – R-1 Single Family Residential to C-3 Commercial
Council Discussion led by Chairwoman Foster

- Call for Ordinance granting a change in zoning classification from R-1 (Single Family Residential) to C-3 (Commercial) on certain property located at 1012 North Ohio Avenue, in the City of Sedalia, Missouri, in accordance with Chapter 64, of the City Code of the City of Sedalia, Missouri
- Mayor Dawson

3. Annexation – Midwest Landing, LLC

Council Discussion led by Chairwoman Foster

- Call for Ordinance of the City of Sedalia, Missouri, approving and annexing an unincorporated area owned by Midwest Landing, LLC, into the City of Sedalia, Missouri, adjacent and contiguous to existing corporate limits of said city – Mayor Dawson

4. Rezoning Application – Les Maison’s LLC – 600 South Missouri – R-1 Single Family Residential to R-3 Multi-Family Residential

Council Discussion led by Chairwoman Foster

- Call for Ordinance granting a change in zoning classification from R-1 (Single Family Residential) to R-3 (Multi-Family Residential) on certain property located at 600 South Missouri, in the City of Sedalia, Missouri, in accordance with Chapter 64, of the City Code of the City of Sedalia, Missouri
- Mayor Dawson

IV. OTHER BUSINESS

A. APPOINTMENTS – None

B. LIQUOR LICENSES

New:

*Anna Lisa Limas dab AI & MV Limas Enterprises LLC, 520 South Ohio Ave, Special Event (Ducks Unlimited Banquet, 2503 West 16th Street, October 21, 2023) Picnic License – \$37.50

*Kaci Barnes dba WAM, 301 East Main Street, Special Event (Witches Night Out, Downtown Sedalia, October 25, 2023, 5:30 p.m. – 8:00 p.m.) – \$15.00

Renewal:

*Crystal Sims dba Woods Express #570, 703 East Broadway, Packaged Liquor & Sunday Sales – \$450.00

*Kelly Wertz-Black dba State Fair Spirits, LLC, 1419 South Limit Avenue, Packaged Liquor, Sunday Sales & Taste Testing – \$487.50

V. MISCELLANEOUS ITEMS FROM MAYOR, CITY COUNCIL AND CITY ADMINISTRATOR

VI. GOOD AND WELFARE

- VII. Closed Door Meeting** – Motion and Second to move into closed door meeting in the upstairs conference room pursuant to Subsections 1 (Legal Advice), 2 (Real Estate), 9 (Negotiations with Employee Groups) and 12 (Negotiated Contracts) of Section 610.021 RSMo.

A. Roll Call Vote for Closed Door Meeting

B. Discussion of closed items

C. Vote on matters, if necessary (require a Roll Call Vote)

D. Motion and Second with Roll Call Vote to adjourn closed door meeting and return to open meeting

VIII. ADJOURN MEETING

A. Motion and second to adjourn meeting

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Access Code: 578-973-061


The City Council reserves the right to discuss any other topics that are broached during the course of this meeting.

IF YOU HAVE SPECIAL NEEDS, WHICH REQUIRE ACCOMMODATION, PLEASE NOTIFY THE CITY CLERK'S OFFICE AT 827-3000. ACCOMMODATIONS WILL BE MADE FOR YOUR NEEDS

POSTED ON OCTOBER 13, 2023, AT 3:30 P.M. AT THE SEDALIA MUNICIPAL BUILDING, BOONSLICK REGIONAL LIBRARY, SEDALIA PUBLIC LIBRARY AND ON THE CITY'S WEBSITE AT WWW.SEDALIA.COM



OFFICE OF THE CITY ADMINISTRATOR

To: Honorable Mayor Andrew L. Dawson & City Council Members
From: Kelvin Shaw, City Administrator 
Re: Agenda items for City Council meeting on Monday, October 16, 2023, 6:30 p.m.

Finance/Administration Committee – There are two items for consideration through the Finance / Administration Committee.

1. Jessica Pyle, Finance Director, will provide a brief update on the major tax collection trends.
2. As presented in previous meetings, Monte Richardson, IT Manager, has been successful in obtaining a couple grants aimed at improving our Cyber Security. He and his team, along with consultants funded by these grants, have been implementing assessments and designing strategies to address vulnerabilities. He will provide a presentation of where we are in the process, as well as, an overview of the findings and recommendations going forward.

Public Safety Committee – There is one item for consideration through the Public Safety Committee.

1. The pandemic has wreaked havoc on the supply chain of new vehicles; this has particularly been problematic for police patrol vehicles. We had a pretty well functioning fleet replacement schedule working before the pandemic. We typically purchased three new vehicles each year and rotated them through taking the oldest vehicles off patrol and dispersing them through the detectives or other uses in the City and then disposing of those vehicles replaced. Since 2020, we have not been able to reliably get new vehicles and the ones we have received have had 18-month lead times. We have been able to stay functional through buying used vehicles from the Missouri and Kansas Highway Patrols. However, since these vehicles are used, they need to be rotated out of patrol sooner, further adding complications to the replacement schedules. Likewise, with the lead times of new vehicles (when we can get them) being more than a year, we have had to ask Council for authorization in one budget year to encumber the funds and place the order for expenditures that will be in the next budget year at best. This explains the current situation, in that we had obtained Council authorization in the previous budget year to order patrol vehicles that are now arriving in this budget year. Staff recommends formal approval of a budget amendment for this fiscal year to appropriate the funds for vehicles ordered last fiscal year.

Public Works Committee – There are three items for consideration through the Public Works Committee.

1. In connection with the sewer extension project on Oak Grove Lane, we need to obtain easements for the new sewer main, along with temporary easements to allow enough room for the construction. Staff has successfully negotiated securing these easements and recommend acceptance of them.
2. The owner of the property at 314 South Washington has requested the handicapped parking restriction on two spaces be removed. A previous use of the building was a senior cen-

ter, making the reserved parking restriction more appropriate than the current use for residents in the general area since the senior center has moved out of the area. Staff sent letters to the adjacent property owners requesting input on this decision and received no responses. The request was reviewed by the Citizens Traffic Advisory Commission and they recommend approval.

3. The Citizens Traffic Advisory Commission also reviewed a request at their July meeting to remove a restriction on parking spaces North of Main Street on the West side of Kentucky reserving them for handicapped parking only. The Commission recommends approval.

Community Development Committee – There are four items for consideration through the Community Development Committee.

1. We were presented with a petition at the last meeting of September asking us to look at implementing one-way streets aimed at increasing parking availability and improving traffic flow safety. In response, Council adopted a motion to direct staff to study this proposal and bring back thoughts for further discussion and consideration.
2. A petition was received from the owners of the property at 1012 North Ohio to rezone the property from R-1 Single Family Residential to C-3 Commercial. A hearing was held in front of the Planning and Zoning Commission (P&Z) to review the petition.

The property consists of 9.63 acres and is currently vacant. Property to the north is zoned partially commercial and partially residential. The properties to the east and west are both zoned industrial. The property immediately to the south is vacant and zoned residential, with the next property south of it being zoned and used as industrial.

After the hearing, staff recommended, and P&Z concurred, that the application should be approved since this use would be consistent with surrounding uses and the planned development for the area as identified in the comprehensive plan.

3. A petition was received earlier for annexation of property owned by Midwest Landing LLC along Cambridge Drive. A public hearing was held based on that petition, and then later an ordinance was adopted to complete the annexation. However, it was later discovered that the legal description for the property was changed. Therefore, for clarity and transparency legal counsel recommends repeating the process with the updated legal description. Another hearing was conducted at the last meeting to hear from any interested parties on the appropriateness of the annexation. No comments were made during the hearing. Now that the required waiting period of 14 days after the hearing has expired, Council can now consider adoption of an ordinance to conclude the annexation. Staff recommends approval.
4. A petition was received from the owners of the property at 600 South Missouri to rezone the property from R-1 Single Family Residential to R-3 Multi-Family Residential. A hearing was held in front of the Planning and Zoning Commission (P&Z) to review the petition.

The property is currently used for a four plex that was built in 1971. Subsequently in 1983, Council made a conscious decision to rezone this area to R-1 Single Family Residential. This was in response to concerns raised over several historic single-family homes being converted to multi-family structures. Therefore, the zoning restriction was intended to stop further conversions and over time restore the neighborhood to single-family struc-

tures. The property in question, along with others in the area, constitutes a legal non-conforming use. Since it existed as multi-family before the zoning change, it essentially is allowed to continue this use unless and until it no longer is being used in that way. If the structure was destroyed for some reason, it could only be built back as a single-family residence.

During the hearing one individual that also owns property in this area that is similar in its legal non-conforming use, spoke in favor of the rezoning. However, there were several individuals either speaking at the hearing or submitting letters for the record in strong opposition to the rezoning application. After the hearing, staff recommended, and P&Z concurred, that the application should be denied since it would be in direct contradiction to the purpose and intent of the zoning action taken in 1983 and as expressed at the hearing, many of the residents took that into consideration when investing in their surrounding properties. Likewise, the zoning revision would not be consistent with the planned development and restoration for the area as identified in the comprehensive plan.



CITY OF SEDALIA, MISSOURI
CITY COUNCIL MEETING
OCTOBER 2, 2023

The City has an on-line broadcast of Council Meetings available both live and recorded by going to https://global.gotomeeting.com/join/578973061"

The Council of the City of Sedalia, Missouri duly met on Monday, October 2, 2023 at 6:30 p.m. at the Municipal Building in the Council Chambers with Mayor Andrew L. Dawson presiding. Mayor Dawson called the meeting to order and asked for a moment of prayer led by Councilwoman Tina Boggess followed by the Pledge of Allegiance.

ROLL CALL:

Table with 4 columns: Name, Status, Name, Status. Rows include Jack Robinson (Absent), Thomas Oldham (Present), Chris Marshall (Present), Tina Boggess (Present), Bob Hiller (Present), Bob Cross (Absent), Rhiannon Foster (Present), Steve Bloess (Present).

Presentation: Flood Insurance Study & Maps

Chief Building Official, Devin Lake, presented the 2023 Flood Insurance Rate Maps & Study. Sedalia is a member of the National Flood Insurance Program administered through the Federal Emergency Management Agency. The goals are to provide flood insurance to all property owners, renters and businesses and to reduce future flood damage through community floodplain management Ordinances.

In 1996, 562 properties were affected and the proposed maps for 2023 show 409 properties affected. FEMA was supplied 1' contours from 2011 and Chief Building Official Lake presented maps showing areas that have smaller floodplains and those with larger floodpains.

A floodplain development permit must be obtained for any development within a Special Flood Hazard Area. For residential, the lowest floor (including basement) must be elevated to at least 1 foot above base flood elevation. The elevation has to be documented by an elevation certificate provided by a Missouri licensed land surveyor, engineer or architect. For Non-Residential, either the lowest floor (including basement) must be elevated to at least 1 foot above base flood elevation, or floodproofed with walls impermeable to the passage of water and structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Both must be documented by an elevation certificate provided by a Missouri licensed land surveyor, engineer or architect.

The Ordinance and maps are scheduled to be effective November 30, 2023 with FEMA's approval.

Public Meeting: Flood Insurance Study & Maps

Mayor Dawson opened the public meeting at 6:40 p.m. The purpose of the meeting is to allow public comments regarding the Flood Insurance Study and Maps

With no public comments, the public meeting closed at 6:41 p.m.

**Public Hearing: Annexation Petition – Midwest Landing LLC –
Correction of Legal Description**

Mayor Dawson opened the public hearing at 6:42 p.m. The purpose of the public hearing is to allow public comments regarding the correction of the legal description for Midwest Landing LLC. The initial public hearing was held at the September 5, 2023 Council meeting regarding the Annexation Petition, however, since that hearing, the legal description for the property has been updated.

The corrected legal description for the property is as follows:

A TRACT OF LAND LOCATED IN A PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 45 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI AND BEING A PART OF LOTS 2-8, 10, 149-151, 156-157, PLATTED LIGHTHOUSE LANE AND MELYNDA COURT, OF CAMBRIDGE COUNTRY ESTATES, A SUBDIVISION IN PETTIS COUNTY, MISSOURI AS RECORDED IN PLAT CABINET A AT PAGES 126-127 AND LOCATED IN PART OF LOT 2 OF CAMBRIDGE COUNTRY ESTATES, PHASE 2, A SUBDIVISION IN PETTIS COUNTY, MISSOURI, AS RECORDED IN PLAT CABINET A AT PAGE 245, AND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" IRON BAR WITH PLASTIC STAMPED CAP AT THE SOUTHEAST CORNER OF LOT 12, CAMBRIDGE COUNTRY ESTATES, PHASE 3, A SUBDIVISION IN PETTIS COUNTY, MISSOURI, AS RECORDED IN PLAT CABINET A AT PAGES 311-312; THENCE ALONG THE EASTERLY LINE OF TRACT A OF SAID CAMBRIDGE COUNTRY ESTATES, PHASE 3, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 1030.00 FEET AND A CHORD BEARING OF S 16°45'11"E (CHORD DISTANCE OF 50.00 FEET), AN ARC DISTANCE OF 50.00 FEET TO A ¼" IRON BAR WITH PLASTIC STAMPED CAP AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE TO THE LEFT, BEING THE WESTERLY LINE OF "SPARKS BYPASS" HAVING A RADIUS OF 1030.00 FEET AND A CHORD BEARING OF S 32°30'17"E (CHORD DISTANCE OF 510.94 FEET), AN ARC DISTANCE OF 516.33 FEET TO A ½" IRON BAR WITH PLASTIC STAMPED CAP; THENCE LEAVING THE WESTERLY LINE OF "SPARKS BYPASS", S 35°50'25"W, A DISTANCE OF 293.27 FEET; THENCE NORTH 50°39'31" WEST, 259.98 FEET; THENCE NORTH 34°13'29" WEST, 170.22 FEET; THENCE NORTH 87°48'48" WEST, 66.75 FEET; THENCE NORTH 02°11'12" EAST, 327.08 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT A; THENCE N 89°27'44"E ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 27.61 FEET TO A TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT ON THE SOUTH LINE OF SAID TRACT A, HAVING A RADIUS OF 525.00 FEET AND A CHORD BEARING OF N 81°21'14"E (CHORD DISTANCE OF 148.07 FEET), AN ARC DISTANCE OF 148.57 FEET TO A POINT OF TANGENCY; THENCE N 73°14'49"E ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 117.30 FEET TO THE POINT OF BEGINNING, AS SHOWN AS TRACT A ON PLAT OF SURVEY PREPARED BY WHITEHEAD CONSULTANTS, INC. IN JOB NO. 18-125M SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD. TOGETHER WITH AND SUBJECT TO THE 30' UTILITY EASEMENT.

With no public comments, the public hearing closed at 6:43 p.m.

SERVICE AWARDS:

25 Year Gift Card/Certificate	Renaie Hoard	Exec. Admin. Assistant	Park
15 Year Pin/Certificate	Kyle Gilmore	Battalion Chief	Fire
5 Year Pin/Certificate	Joseph Arnold	Fire Driver/Engineer	Fire
5 Year Pin/Certificate	Tanner Durham	Equipment Operator II	Sanitation

SPECIAL/RETIREMENT AWARDS: None

MINUTES: The Council Meeting minutes of September 18, 2023 were approved on motion by Oldham, seconded by Marshall. All present in favor. Robinson and Cross were absent.

REPORTS OF SPECIAL BOARDS, COMMISSIONS & COMMITTEES: None

ROLL CALL OF STANDING COMMITTEES:

FINANCE & ADMINISTRATION – Chris Marshall, Chairman; Jack Robinson, Vice Chairman

Presentation: Bothwell Regional Health Center: Annual Audit Report

Lori Wightman, CEO of Bothwell Regional Health Center, and Steve Davis, CFO of Bothwell Regional Health Center, presented the annual report on operations and financial conditions of the hospital and clinics.

The Audited Financial Statements show the following negative net margin totals for Fiscal Year 2019 thru Fiscal Year 2023:

- FY 2019 – (\$8,427,630)
- FY 2020 – (\$5,531,276)
- FY 2021 – (\$848,570)
- FY 2022 – (\$3,577,105)
- FY 2023 – (\$6,172,359)

Industry Benchmarks show that the hospital has enough cash to sustain itself for 30 days. Long-term debt is strong at less than 25% and net revenues are over 50%. Debt Service Coverage is stable at 1.5 – 3 times. Earnings before interest, taxes, depreciation and amortization shows lower than expected at less than 5%. Over half of the hospitals in the country had a negative bottom line due to growth of increased claim denials from Medicare Advantage and Medicaid, increased bad debt and increased percentage of underfunded government vs. commercial patients. Inflation is also complicating finances with an increase of 5.6% in total expenses, 3.5% in other expenses, 19.2% in drug costs and 23.2% in contracted labor.

Cost Shifting shows 78% of care provided pays governmental and below cost. Insurance pays 180%, Medicare and Medicaid pay 80% and self-pay is 4%. In 2020, the U.S. spent \$4.1 Billion on healthcare and the top 5 largest U.S. pharma firms net earnings topped \$81.9 Billion last year.

The financial recovery plan focuses on revenue minus expenses. Revenue includes payer contracts, enhanced reimbursement residency program, 340B, shared savings, upfront collections, FEMA, grants and philanthropy. Expenses include employee health insurance, 340B, supply costs, surgical implants, physician contracts, unit closure, decrease contract labor and partnerships. 340B is a drug pricing program that provides financial help to hospitals serving vulnerable communities to manage rising prescription costs. 340B requires pharmaceutical manufacturers participating in Medicaid to sell outpatient drugs at discounted prices to health care organizations. Since 2019, cash expended/saved per day has increased and decreased in the negative per year, however, since enrolling in 340B in 2023, cash expended/saved per day is now in the positive with a goal of saving \$18,000.00 per day.

In 2022 the Board of Trustees decided to switch insurance from Blue Cross Blue Shield to Healthy Z which has saved the hospital \$6,400 per day and each employee \$75/mo. Switching to a new Pharmacy Benefit Management, which handles rebates for pharmaceuticals, saved the hospital \$218,000 in the first quarter and \$216,000 in the 2nd quarter of the year. Other cost savings include decreased non-labor staff and contracted labor, physician alignment and comp design, new Medicaid managed care contracts, up front cash collections and 340B implementation.

General Updates

K9 Officer Ringo – Handler Mike Van Deusen; used to prevent assaults on healthcare workers; Last year the hospital had 42 assaults on workers, subdued 29 patients with use of force, 102 combative patients, seized 64 weapons, and had 1 bomb threat. Ringo is trained in aggression control and explosive detection.

Clinics Off Broadway – Opened February 2023 with limited walk-in hours; fully opened August 2023 with the addition of a new Nurse Practitioner.

Family Medicine – Current physician in 2nd year; In 2024, 2 additional physicians will be joining full time.

Community Health Foundation Committee – Puts on community health education events to bring more people to the campus to interact with healthcare experts.

Presentation: Self-Funded Health Insurance Program

Terri Etter, IMA Financial Group, presented an update regarding the city moving to a self-funded health insurance program. It is a 3-year plan and IMA is recommending moving into Phase 1 starting 2024.

2024 Phase 1 – Immature plan year, ASO with in-force carrier stop loss, administration, prescription; Carrier Blue Cross Blue Shield of Kansas City; fund to immature max total costs, excess funding held as reserve, budgeted to “worst case”, monthly cash flow considerations, no terminal or year 2 stop loss, protection if move back to fully insured.

2025 Phase 2 – Mature plan year, ASO with in-force carrier or unbundled arrangement, data driven cost containment strategies; Strategic purchasing, administration, PBM, stop loss; fund to mature expected total costs and decrease claims from max to expected.

2026 Phase 3 – Ongoing cost containment strategies, innovative ideas, offer best benefits for retention and staff recruitment; ongoing vendor/strategy management; Fund to mature expected total costs, cash flow considerations, fixed costs, review reserves.

The current known spend/guarantee renewal is currently \$1,675,415.00. This is the negotiated rate with Blue Cross Blue Shield to stay as a fully insured option. To be self-funded, they are looking to fund to \$1,764,484.00 and are expected to spend \$1,585,600.00 leaving an estimated reserve of \$178,884.00 at the 2024 year end. With a partially self-funded option, plan design alternatives are available. Additional enhancements are offered to plans and they way they are set up.

Blue Cross and Blue Shield fully insured renewal was presented as a flat renewal. IMA negotiated a 2% reduction to fully insured or flat renewal with ½ mo. premium holiday credit which accounts for \$71,000.00. There is also an ASO partially funded option with BlueKC to hold rates and decrease stop loss max claims to adjust for the \$120,000.00 aggregate corridor to cover expected claims. Individual stop loss is set at \$85,000.00.

Fully Insured vs. Partially Self-Funded

HSA – 166 employees enrolled; deductible increased to \$3,200/\$6,400 for IRS Compliance; review HSA Contribution; review cost sharing – pay 25% dependent coverage.

PPO \$3,000 – 57 employees enrolled; richer benefit offering \$0 office co-pay & \$50 specialty; lower copay offerings in inpatient/outpatient/prescription coverings; IMA actuary projected a 0.04% increase in claims offering richer benefits; review cost sharing – pay same amount as HSA for dependent coverage.

PPO \$5,000 – 7 employees enrolled; richer benefit offering \$0 office co-pay & \$50 specialty; lower copay offerings in inpatient/outpatient/prescription coverings; IMA actuary projected a 0.01% increase in claims offering richer benefits; review cost sharing – pay same amount as HSA for dependent coverage.

Voluntary Benefits:

- Vision – No rate increase – renewing with BlueKC Vision
- Voluntary Life – Benefits moving to The Standard

- Dental – Benefits moving to The Standard
- Critical Illness, Hospital Indemnity, Short Term Disability & Accident policies – Benefits moving to The Standard; implementing new voluntary Long-Term Disability plan offering.

Ms. Etter recommends that the City move to partially self-funded with Blue Cross Blue Shield of Kansas City, make plan adjustments to the PPO plans, coinsurance and co-payments and to hold premium contributions as is from 2023-2024 with 0% increase to employee contributions.

Motion by Oldham, seconded by Marshall to move forward with the self-funded health insurance program. All present in favor. Robinson and Cross were absent.

- Claims administered by the City’s workers compensation insurance currently go through a “One Call” system and Bothwell Regional Health Center is not in the network. Bothwell Regional Health Center has offered the City Medicare rates for workers compensation services currently not within network.

BILL NO. 2023-190, ORDINANCE NO. 11906 – AN ORDINANCE AUTHORIZING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF SEDALIA, MISSOURI, PERSONNEL DEPARTMENT AND BOTHWELL REGIONAL HEALTH CENTER FOR DIRECT BILL SERVICES was read once by title.

2nd Reading – Motion by Oldham, 2nd by Marshall. All present in favor. Robinson and Cross were absent.
 Final Passage – Motion by Oldham, 2nd by Marshall. All present in favor. Robinson and Cross were absent.
 Roll Call Vote: Voting “Yes” were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted “No”. Robinson and Cross were absent.

PUBLIC SAFETY – Jack Robinson, Chairman; Steve Bloess, Vice Chairman

Presentation: Sedalia SAFE Coalition

Police Chief Matt Wirt and Corporal Andrew Silvey presented information on a proposed “SAFE Coalition”. SAFE stands for “Safety Advocates For Everyone”. The purpose is to identify existing and potential safety hazards for motorists and pedestrians, SMART problem solving, open line of communication between all agencies, extend scope beyond existing committees and to work together to make Sedalia safe for everyone. Partner agencies could include but are not limited to City of Sedalia, Sedalia 200, MODOT, Private Schools, First Student and Pettis County Ambulance District.

“SMART” Problem Solving

Specific – Identify existing safety hazards for motorist and pedestrians.

Measurable – Data driven approach

Action-Orientated – Simple and Cost effective

Relevant – Addresses the current issues

Timely – Resources available when needed

Corporal Silvey shared examples of SAFE Projects. One is the TRACTION team sponsored by highway safety that partners with schools to involve high school students in the problem-solving process and encourages a sense of ownership. The Mock crash program is another example. This event has been highly successful and the Coalition would allow expanded awareness of the event and would open the opportunity for resources and funding to bring guest speakers to schools. SAFE goals include obtaining Federal and State funding not attainable through other means, maintain success log for media and performance measurement, reduce crashes and injuries, promote and encourage SAFE driving in teen population, addressing roadway safety by thinking outside the box and work together for a safer Sedalia. One way to achieve this is through a Community Safety Liaison that would work with public outreach to

research safety concerns in the city, coordinate with community leaders on problem solving, plan special events, research grants affecting public safety, work with department directors to ensure internal safety and oversee in-house training.

Motion by Foster, seconded by Oldham to move forward with the Sedalia SAFE Coalition. All present in favor. Robinson and Cross were absent.

PUBLIC WORKS – Thomas Oldham, Chairman; Chris Marshall, Vice Chairman

Strategic Planning Presentation: Cemetery Department

Cemetery Director Roger Waters stated the Cemetery Department provides casket and cremation burials in-ground and above ground in Columbarium's. Since Crown Hill was founded in February 1866, there have been 24,824 burials through September 2023. There have been 102 burials, 59 grave lots and 17 Niches sold this year. Cemetery personnel sets Military Government markers for veterans and oversees the Monument Companies setting the headstones with proper location and footing for the size of the stones. During the spring, summer and fall cemetery personnel mow approximately 70 acres per week and in the winter are straightening headstones, trimming trees, working on mowing equipment and clearing snow from roadways.

Hebrew Cemetery located on South Grand has been owned by the City since 2001. There are 235 people buried at the Cemetery. Calvary Cemetery belongs to the Catholic Church, opened in 1868 and lies within Crown Hill Cemetery. There have been 3,924 burials in Calvary Cemetery thru September 2023 and the City collects monthly fees for maintenance and fees for the opening and closing of the grave lots.

Strategies include plotting out new areas for burials and new roads in the next few years. There are 2,020 grave lots left to sell in the new addition. Some are not the best due to water issue next to roadway ditches. The Columbarium installed in November of 2019 has 64 Niches with 58 sold. The new Columbarium ordered in July 2022 and installed in March 2023 has 64 Niches with 5 sold thru September 2023.

The property west of Veterans Memorial Drive purchased by the City in 2021 is suitable for a cremation burial area due to the trees. Cemetery Director Waters stated that he would also like to make walking trails in this area. The property catches water and changing how the water drains would be needed. Cemetery staff is working to stop mischief in the area and trying to make it safer and look like a cemetery/park area. Public Works has been assisting in the clean-up efforts, however, other projects have slowed progress. Cemetery Director Waters is currently researching ways to budget for assistance from an outside source to finish the clean up so Cemetery crews can maintain. He would also like to add a Committal Service Shelter in the area which is a covered pavilion on concrete that protects individuals from wind, rain, or snow and provide seating for 20-25 people during interment services.

- The quote from the Missouri State Highway Patrol is for a pre-owned 2020 Ford F-250 for the Street Department. Amount \$34,000.00.

BILL NO. 2023-191, ORDINANCE NO. 11907 – AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF A USED 2020 FORD F-250 FOR THE STREET DEPARTMENT was read once by title.
2nd Reading – Motion by Oldham, 2nd by Foster. All present in favor. Robinson and Cross were absent.
Final Passage – Motion by Oldham, 2nd by Foster. All present in favor. Robinson and Cross were absent.
Roll Call Vote: Voting "Yes" were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted "No". Robinson and Cross were absent.

- The Cost Share Agreement with Missouri Department of Conservation is for a Tree Resource and Maintenance (TRIM) Grant.

BILL NO. 2023-192, ORDINANCE NO. 11908 – AN ORDINANCE AUTHORIZING A COST SHARE AGREEMENT FOR A TREE RESOURCE IMPROVEMENT AND MAINTENANCE (TRIM) GRANT was read once by title.

2nd Reading – Motion by Oldham, 2nd by Marshall. All present in favor. Robinson and Cross were absent.

Final Passage – Motion by Oldham, 2nd by Foster. All present in favor. Robinson and Cross were absent.

Roll Call Vote: Voting “Yes” were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted “No”. Robinson and Cross were absent.

COMMUNITY DEVELOPMENT – Rhiannon M. Foster, Chairwoman; Tina Boggess, Vice Chairwoman

- A public hearing was held September 18, 2023 regarding the annexation of property located at 16th street and Water Tower Road. The Fourteen-day waiting period is up and the annexation may now be considered by City Council.

BILL NO. 2023-193, ORDINANCE NO. 11909 – AN ORDINANCE OF THE CITY OF SEDALIA, MISSOURI, APPROVING AND ANNEXING AN UNINCORPORATED AREA OWNED BY JEFF REDFORD, MANAGING MEMBER OF HELAMANDRIVE, LLC, A MISSOURI LIMITED LIABILITY COMPANY, INTO THE CITY OF SEDALIA, MISSOURI, ADJACENT AND CONTIGUOUS TO EXISTING CORPORATE LIMITS OF SAID CITY was read once by title.

2nd Reading – Motion by Oldham, 2nd by Marshall. All present in favor. Robinson and Cross were absent.

Final Passage – Motion by Oldham, 2nd by Marshall. All present in favor. Robinson and Cross were absent.

Roll Call Vote: Voting “Yes” were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted “No”. Robinson and Cross were absent.

- The Ordinance is to amend City Code regarding Floodplain management.

BILL NO. 2023-194, ORDINANCE NO. 11910 – AN ORDINANCE AMENDING THE CITY’S ORDINANCES REGARDING FLOODPLAIN MANAGEMENT was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All present in favor. Robinson and Cross were absent.

Final Passage – Motion by Oldham, 2nd by Marshall. All present in favor. Robinson and Cross were absent.

Roll Call Vote: Voting “Yes” were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted “No”. Robinson and Cross were absent.

- During the September 18, 2023 Council Meeting, a petition was presented to Council regarding one-way streets to increase parking and improve traffic flow safety. A motion was adopted to direct staff to study the proposal for further discussion, however, Interim Public Works Director, Chris Davies, has been out of the office and needs to be available for the discussion. Motion by Oldham, seconded by Foster to move the discussion to the October 16, 2023 Council meeting. All present in favor. Robinson and Cross were absent.

- The budget amendment and quote from the Kansas Highway Patrol are for a Ford F-150 Responder for Building Maintenance in the amount of \$31,500.00. The item was not included in the current year Budget.

RESOLUTION NO. 2059 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE THE CITY’S ANNUAL BUDGET FOR FISCAL YEAR 2024 was read once by title and approved on motion by Oldham, seconded by Foster. All present in favor. Robinson and Cross were absent.

BILL NO. 2023-195, ORDINANCE NO. 11911 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2023-2024 REGARDING BUILDING MAINTENANCE TRUCK PURCHASE was read once by title.

2nd Reading – Motion by Foster, 2nd by Oldham. All present in favor. Robinson and Cross were absent.

Final Passage – Motion by Oldham, 2nd by Foster. All present in favor. Robinson and Cross were absent.

Roll Call Vote: Voting "Yes" were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted "No". Robinson and Cross were absent.

BILL NO. 2023-196, ORDINANCE NO. 11912 – AN ORDINANCE APPROVING AND ACCEPTING A QUOTE FOR THE PURCHASE OF A 2020 FORD F-150 FOR BUILDING MAINTENANCE was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All present in favor. Robinson and Cross were absent.

Final Passage – Motion by Foster, 2nd by Oldham. All present in favor. Robinson and Cross were absent.

Roll Call Vote: Voting "Yes" were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted "No". Robinson and Cross were absent.

- With the resignation of the current Administrative Assistant in Code Enforcement/Community Development, it was determined that a restructure of duties would make the department more efficient and allow for additional growth.

RESOLUTION NO. 2060 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI, STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2024 was read once by title and approved on motion by Oldham, seconded by Foster. All present in favor. Robinson and Cross were absent.

BILL NO. 2023-197, ORDINANCE NO. 11913 – AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2023-2024 REGARDING ADDITION OF ADMINISTRATIVE ASSISTANT IN COMMUNITY DEVELOPMENT was read once by title.

2nd Reading – Motion by Foster, 2nd by Oldham. All present in favor. Robinson and Cross were absent.

Final Passage – Motion by Oldham, 2nd by Marshall. All present in favor. Robinson and Cross were absent.

Roll Call Vote: Voting "Yes" were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted "No". Robinson and Cross were absent.

BILL NO. 2023-198, ORDINANCE NO. 11914 – AN ORDINANCE AMENDING ORDINANCE NO. 9940 BY ADDING A NEW CLASSIFICATION AND JOB DESCRIPTION FOR ADMINISTRATIVE ASSISTANT AND BY AMENDING AN EXISTING CLASSIFICATION AND JOB DESCRIPTION FOR PERMIT TECHNICIAN FOR THE CITY OF SEDALIA, MISSOURI was read once by title.

2nd Reading – Motion by Oldham, 2nd by Foster. All present in favor. Robinson and Cross were absent.

Final Passage – Motion by Foster, 2nd by Oldham. All present in favor. Robinson and Cross were absent.

Roll Call Vote: Voting "Yes" were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted "No". Robinson and Cross were absent.

RESIGNATION: The following resignation was read and approved on motion by Oldham, seconded by Marshall. All present in favor. Robinson and Cross were absent.

*Chris Rippey – Tree Board – Effective immediately

APPOINTMENTS: The following new appointment was read and approved on motion by Oldham, seconded by Marshall. All present in favor. Robinson and Cross were absent.

*Ann Graff – Planning & Zoning Commission – 4 Year Term Expiring June 2027.

BIDS: None

LIQUOR LICENSES: The following renewal Liquor Licenses were read and approved on motion by Oldham, seconded by Marshall. All present in favor. Robinson and Cross were absent.

*Janice Ulmer dba Sedalia Elks Lodge #125, 320 S Kentucky, Liquor by the Drink & Sunday Sales

*Paul Beykirch dba County Distributing Co. Inc., 1800 Eagleview Dr., Wholesale Beer Only

- *Kevin Long dba Loyal Order of Moose #1494, 119 Winchester Dr., Liquor by the Drink & Sunday Sales
- *Jennifer Edwards dba End Zone Sports Bar & Grill LLC, 3129 W Broadway, Liquor by the Drink & Sunday Sales
- *Minerva M Perez dba El Tapatio LLC, 3000 S Limit, Liquor by the Drink & Sunday Sales

MISCELLANEOUS ITEMS FROM MAYOR/COUNCIL/ADMINISTRATOR:

City Administrator Kelvin Shaw reminded everyone that the last First Thursday for the season is this Thursday, October 5, 2023.

Councilwoman Boggess thanked 1st and 2nd Ward Councilmen for their coverage last weekend at the Breaktime free gas event. Councilwoman Boggess also thanked those also who attended the pastor appreciation evening. Councilwoman Boggess commented that she will be taking suggestions for the George R. Smith dedication.

Councilman Hiller thanked the Mayor and Councilman Marshall for their assistance in setting up the D.A.R.E. car this past weekend. It was well attended and an enjoyable day.

Councilman Hiller requested the Crime Stoppers Spaghetti dinner be added to the calendars on October 26, 2023, at 5:00 p.m. at First Christian Church.

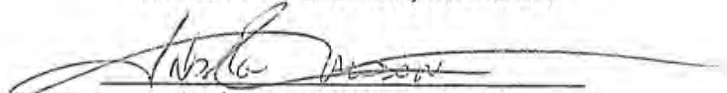
GOOD & WELFARE:

Rene Vance, 19813 Tanglenook, stated that the Sedalia Senior Center finished their year at the end of July. They have started their new year and as of July, they have served 5,000 meals a month. Their monthly fundraiser is October 15, 2023 from 11 a.m. to 1 p.m. and the menu is Italian at a cost of \$12/adults and \$5/children.

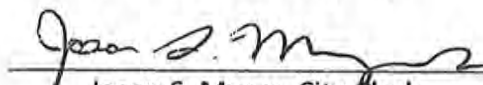
The meeting adjourned at 8:40 p.m. on motion by Oldham, seconded by Foster to a closed door meeting in the upstairs conference room pursuant to subsections 1 (Legal Advice), 2 (Real Estate), 3 (Personnel) and 12 (Negotiated Contracts) of Section 610.021 RSMo. Roll Call Vote: Voting "Yes" were Oldham, Marshall, Boggess, Hiller, Foster and Bloess. No one voted "No". Robinson and Cross were absent.

The regular meeting reopened and closed at 9:31 p.m. on motion by Foster, seconded by Oldham. All present in favor. Robinson and Cross were absent.

THE CITY OF SEDALIA, MISSOURI



Andrew L. Dawson, Mayor



Jason S. Myers, City Clerk

TRAFFIC ADVISORY COMMISSION MEETING

September 13, 2023

The Traffic Advisory Commission duly met on Wednesday, September 13, 2023 at 12:00 p.m. at the City of Sedalia Municipal Building. The meeting was called to order by Chairman Esquivel.

ROLL CALL:

Members		Ex-Officio Members	
Deidre Esquivel	Present	AJ Silvey	Not Present
James Callis	Present	Matt Irwin	Present
John Rucker	Present	Chris Davies	Present
Dennis Henderson	Present		
Byron Matson	Present	Secretary	Elizabeth Nations
Sherry Broyles	Present		
Charles Leftwich	Present		

Minutes from the July 12, 2023 meeting were approved.

Guests: Police Chief Matt Wirt, Police Patrol Commander Adam Hendricks and Joleigh Cornine, Planner/Downtown Specialist.

OLD BUSINESS:

Availability of Handicap Parking Downtown

Mr. Davies, Ms. Broyles, Ms. Esquivel and Citizen Lucas Richardson met downtown to look at potential handicap parking locations. Six areas were identified as being potential handicap parking spots.

Joleigh Cornine presented the map of those identified spots. The Sedalia Main Streets group still needs to meet and confirm their final recommendations in order to bring those to the Traffic Advisory Commission. Mr. Davies and Ms. Cornine discussed the business owners would need to be formally notified of the plan for the handicap parking so their input could be given.

Ms. Broyles made the motion to table the request in order for the Sedalia Main Streets to approve the proposed number of handicap spots and their placement. Mr. Callis seconded. All were in favor.

NEW BUSINESS:

Removal of Handicap Parking Signs at 314 S. Washington Ave.

David Furnell, President of Bristol Care Inc./Furnell Companies is requesting the removal of the handicap parking signs in front of 314 S. Washington Ave. The location was previously the Sedalia Senior Center, which has now moved to the Heckart Community Center. Mr. Furnell feels the spots are no longer needed and their removal would allow for extra street parking for residents living in the area.

Ms. Nations sent letters to the adjacent property owners to get their input on the removal of the signs. No responses were received.

Ms. Broyles made the motion to remove the handicap parking signs. Mr. Henderson seconded. All were in favor.

Installation of a 2-way Stop Sign at the Intersection of Liberty Park Blvd. and Dundee Ave.

Justin Hubbs, Big Iron Realty, is requesting the installation of a 2-way stop sign at the intersection of Liberty Park Blvd. and Dundee Ave. Mr. Hubbs feels there have been several almost collisions at that intersection.

City Staff conducted traffic counts and monitored for speed at this location. Please see attached summary. Traffic counts do not support a 2-way stop at this intersection. The Police Department was also contacted to inquire the number of accidents at this intersection in the past 3 years. No accidents were reported.

Ms. Broyles made the motion to deny the request for a 2-way stop sign at the intersection of Liberty Park Blvd. and Dundee Ave. Mr. Leftwich seconded. All were in favor.

TEAP Study

The City was awarded a TEAP (Traffic Engineering Assistance Plan) grant for an engineering study and analysis on Engineer Ave. from Reine Rd. to 7th St. The study provided funds for a Traffic Engineering firm to study traffic patterns and flow as they collected data related to traffic counts, police reporting and conducted an analysis to provide recommendations for potential structural improvements needed for the roadway, traffic flow changes, speed limit changes and other remedies.

This study was conducted by Wilson and Co. The study did show speeding is an issue. The speed limit is being exceeded by 10% to 15% through the assigned area of study.

Several options were presented for intersection improvements, which in order to complete the estimated cost would be around \$1 million.

There was general discussion about the roadway and intersection improvements contained in the report.

OTHER ITEMS FOR DISCUSSION:

The next meeting date is October 11, 2023.

The meeting adjourned at 12:37 p.m.



CITY OF SEDALIA
TRAFFIC ADVISORY COMMISSION
REQUEST/SUGGESTION SUBMISSION FORM

Date: 7-26-2023

Submitters Name: David Furnell

Submitters Address: 501 S. Ohio, Ste 200
Sedalia, MO 65301

Submitters E-Mail Address: dfurnell@bristol-manor.com

Submitters Phone: 1060 826 0200

Submitters Signature: Submitted via email

Request/Reason for Need:

Remove the two handicap parking spots in front
of 314 S. Washington. It was previously the Senior
Center. The spots are no longer needed and if
removed would allow extra parking for residents
living in the area

Public Works Dept. Recommendation:

Reach out to adjacent properties for their input
on the removal. If no objections proceed
with the removal

Public Works Director Signature: 

TRAFFIC ADVISORY COMMISSION RECOMMENDATION

The City of Sedalia Traffic Advisory Commission reviewed this request/reason for need on: 13th day of Sept, 2023 by a vote of 7 to 0.

The Commission recommends that the City Council: approve the submitted request/reason for need.

Attested to by Commission Chairman: Dedre Equivel on 10, 11, 23.

City Council Action:

The City of Sedalia, City Council, reviewed the Traffic Advisory Commission Recommendation on _____ day of _____, _____. The City Council _____ the Traffic Advisory Commission recommendation.



Let's Cross Paths

PLANNING & ZONING COMMISSION

Wednesday, August 2, 2023

Council Chambers

5:30 pm

Planning & Zoning Commission

Tolbert Rowe	Present	Andrew Dawson	Present
Ann Richardson	Absent	Teresa McDermott	Absent
Rhonda Ahern	Present	Mike Privitt	Absent
Valerie Bloess	Present		
Jerry Ross	Absent		
Chris Marshall	Present		

STAFF:

Kelvin Shaw

John Simmons

Jilene Streit

- Tollie Rowe, Chairman called the meeting to order at 5:31 pm
- Roll Call
- Mayor Dawson made the motion to approve the minutes from the July 12, 2023 meeting. Chris Marshall seconded the motion. All approved.
- Open Public Hearing – 1609 E Harvey & 1701 E Harvey – Have an application from Delong's Inc asking to be rezoned from R-1 Residential to M-2 Manufacturing. ½ of property is in the county and the other ½ in the city. Asking to clean up the zoning to reflect the actual use that is occurring there. Also acquired the property to the east, 1701 E Harvey that currently has a house they are planning for expansion, house will be demolished.
 - Russell Voss, Operations Engineer with Delong's, in attendance & spoke. Want to clean up the zoning from R-1 to Manufacturing, do intend to demolish house & create storage lot to store finished materials. No other comments.

With no other comments. Close public hearing at 5:34 pm. John Simmons went through the staff review, present use is heavy industrial, this would allow for expansion for the industrial use at this sight. Structure was previously expanded from the county side to the city side with the plant expansion in 2013 with the plant expansion that added employment. Would combine 1701 E Harvey & 1609 E Harvey. Staff recommends application be approved. Change of R-1 to

M-2 Heavy Industrial is compatible with surrounding uses. Would allow expansion of the facility & create positive economic impact & create additional jobs for the community. Mayor Dawson made the motion to recommend approval; Rhonda Ahern seconded the motion. 5 – YES; 0 – NO.

- Open Public Hearing – 105 S Limit & 1712 Liberty Park Blvd – City of Sedalia is the applicant, asking to rezone what is currently R-1 Single Family to C-3 Commercial. Property north & adjacent to Heckert Center & Hwy 65, these are city owned properties zoned R-1. The reason for the request is the Heckart Community Center & Liberty Park experiences peak traffic that fills up the parking lots & over flow parking happens on this lot. This is the old Smith Cotton practice field. Need to clean up the zoning & provide for further recreational opportunities on that sight into the future.

- Linda Wells – 1702 Liberty Park Blvd – her question is where the parking lot would go? What they will do with the grade? What will happen with water runoff? Will they maintain any better than they have because there's a drainage ditch behind the houses that fills with water. Can't sit outside because of the mosquitos. Water runoff at the corner of Autumn & Spring through the entire summer of drought, those whistles have been full of water. How it's going to be dealt with. Probably 7' to 8' of dirt still. Have many questions other than just parking lot. John assured her that any further development of that lot will be engineered and will address those issues, particularly storm water runoff to be sure it is moving away & not damaging neighboring properties. This lot was used as a fill overspill when they built the Heckart. These things will be remedied. The parking would be limited to probably the front 75 to 100 ft. of the lot. The plans for the back area would be an indoor soccer field structure. The timeline? It is part of 20-year plan but not certain when in that 20-year plan. Guess is probably 5 to 10 year plan. John said with the issues with the whistle & drainage, we will carry forward to Public Works.

With no other comments. Public hearing closed at 5:45. John presented the staff review. Will use the land for parking for surplus parking for Heckart Community Center & Liberty Park events. Eventually the property will be further developed for additional Parks & Rec programming for the Sedalia Parks Master Plan. Recommending rezoning be approved. Rhonda Ahern made the motion to approve the rezoning. Val Bloess seconded the motion. All approved 5 – YES; 0 – NO.

- Open Public Hearing – 2101 S Marvin, 2201 S Marvin, 2211 S Marvin - John Simmons presented application Arlyn Swartzentruber – Countryview Properties LLC. Present zoning R-1 Single Family, the requested zoning is C-1 Local Business. Desired use of the subject property is unknown at this time. Adjoining properties are all residential. This is a combination of .24 acre lots of single-family houses up to 8 acres of single-family houses. Applicant, Mr. Swartzentruber, owner in attendance. He purchased these properties about one year ago and working on cleaning up and brush and trying to make better. In the process and would like to sell either all of it or part of it. Between the park & school. Would be nice if someone would come in & build apartments or duplexes for more housing. No plans for business. Tollie asked if it would have been better to apply for rezoning instead of C-1 asking for R-3, residential. He thought might just go to the 1st level of C-1. He personally doesn't ever see anyone putting a business in there. Mayor Dawson asked if he had any plans as far as what he's doing with it?

Mr. Swartzentruber said, not really, besides just cleaning up & maybe split up & resale. He would like to put either storage units or duplexes on it is what he would like to see go in there.

- Matt Burks – 2211 S Collins – his property looks back over this property. He knows the person that farms the property. Not opposed to people buying property & building homes but concerned if it's going to be apartments or duplexes – what type, what level or what arrangements will be made. Have concerns as don't want a Breaktime around the corner. Concerned about what level of housing it might be.
- Randy Silvey – 807 E 24th – His back yard faces the cornfield. He understood it was going to be commercial, which he is totally opposed to. This is an R-1 area with exception of retirement home on 24th St. The owner really hasn't laid out any plans on what he wants to do. Cannot see how you can approve anything because he doesn't know what he wants to do with it. If talking about multi-family looking at low-income family type dwellings or what? Too vague, cannot support it.
- Ron Thomas – 2120 S Marvin – right across the street. He has already torn down one building & doing a lot of cleanup, which is good. He opposes it to be commercial. No city sewer runs down Marvin from 20th to 24th St. He doesn't know what they want to build there. Always been R-1 & without more information don't think it should be approved. Traffic on 24th, would be even worse if put commercial in there.
- W T Cunningham - 2300 S Engineer – Letter said something about middle of Engineer, don't know how that's going to affect his property. He is against it also because he doesn't know what the commercial value is. Until they make a full decision on what's going there, don't want to agree, want to know more. Always been a sewer problem over on Marvin & they always say they are going to come fix, as far as he knows, it's never been fixed. Have a lot of water that runs through his property because the stuff over there isn't taken care of. John asked if it was storm water or sewer? He did not know.
- Ian Shoemaker – 2330 S Marvin – C-1 seems too vague as well as the owner that purchased said he may just intend to sell it, which makes it even more vague. Many things could go in there & do not want to see business, like the low traffic, nice & safe area. Single-family homes would be fine but a business or multiple is not in his interest.
- Elaine Bishop – 917 E 24th – going to add to what the neighbors said, do like our nice peaceful neighborhood, like looking over the corn field but understand this gentleman owns the property & has different plans. She did have concerns when she read commercial. She does not know what potentially could be put in. She has no fence currently but if there is going to be duplexes or commercial property she will have to look into putting a fence around her house to feel safe. Residential would be fine, but just need more information before feel approval.
- Troy Wilson – 805 E 24th – behind his property. Has the same concerns as everyone else. Would like to keep residential & see more single-family homes. Nice quiet neighborhood.

No additional comments. Public hearing closed at 6:02 pm. John Simmons went over the staff review. 2101 S Marvin contains 7.5 acres & currently used as agricultural crop production & contains a single-family dwelling. 2201 S Marvin contains 2.52 acres with single-family dwelling, 2/3 of the property is in crop production. 2211 S Marvin contains 5.19 acres & 100% agricultural with a timbered waterway cutting through property. In total, these consist of 15.21 acres. Adjacent properties all zoned R-1 Single Family residential. Staff recommendation is to

recommend this rezoning be denied. This is speculative zoning in nature. Would be opening these categories to offices as in professional doctor, dentist, local business assembly halls, bakers, clinics, filling stations, restaurants, etc... Mayor asked John to explain speculative zoning. John said it is when you are asking for a rezoning without a project in mind or a plan to put in place. Owner is speculating that he is going to increase the value of his land by the rezoning but also opening all these categories to business that could be detrimental to the residential nature of the neighborhood. Try to counsel before getting to this point but wouldn't be compatible with surrounding land uses. Comprehensive Plans of 2021 & 2013 indicate this is a growth & infill area & is designated as a conservation stabilization area. Conservation stabilization are the most dominate areas in Sedalia & need to be sustained in the current manner & protected from physical & economic deterioration. The request for rezoning is speculative & would not be in the general interest of the public. This would allow for commercial interruption of the existing residential nature of the neighborhood with the wide range of commercial permitting uses that are best placed in existing commercial zones. Have zoning in the city that would allow C-1 usage & those are available so creating a new one here would not be in our interest. Would also allow higher density of residential development in an area that is developed with single-family use. This request for C-1 should be denied. Mayor said he is in opposition because this is speculative in nature. John said in order deny the rezoning application need to make a motion in the affirmative to approve it & then vote yes or no. Rhonda Ahern made the motion to approve the rezoning. Chris Marshall seconded the motion. YES – 0; NO – 5.

- Open public hearing – 200 E Clay & 215 E Henry – application from County of Pettis on behalf of CASA. 200 E Clay is the site of the Emergency Storm Shelter from FEMA. Turf Martin in attendance to explain what the request is, what the plans are & why this is being presented on behalf of CASA.

➤ Turf Martin – 30192 Hwy M. All lots to the right of the Clay property are woods, they are undeveloped. The R-1 is open however, there is a flood zone. Looking to build on top of the tornado shelter. This creates a win-win situation with the County because these shelters built by FEMA were designed to have something built on top of them. They are all leaking because they do not have anything on top. According to Emergency Management, only 2 to 3 people ever use them & there is water down below. If build on top would eliminate that, as told by the engineers. Would build two smaller facilities on the south & put a catwalk over, would have to meet FEMA regulations. Put the parking for clients under those additions, cannot alter the tornado shelter in any way. The tornado shelter is not being used because it is hard to get to, have to go through the tall grass to get to it. Doors are difficult to open, done by computer not by someone on sight. If they were there they would be able to open the tornado shelter in plenty of time to use, would talk to Emergency Management about that. Will make no alterations to the tornado shelter. Property would be zoned R-3 because they will be working with domestic abuse families so it could be women, men & children. Will have a few rooms for short-term stay but also do court advocacy & all the services, help get jobs, education, all the things to get someone a 2nd life to get back into society. These people coming to the shelter are coming on an emergency basis; they have to get out of the situation they are in because they feel as their life is threatened. Will have a non-scalable fence all around the property. The property remains a property of the county, will get a lease for the county to build. That will also protect the city & county from big

apartments or whatever going in if approved. Could build additional facility within that area if the county approved. They are only approving what plans show right now. Currently about 3 or 4 houses on Clay. No development on passed the tornado shelter. Will beautify the area. Will have clients that come & go but won't be a busy traffic situation. Won't be getting a lot of heavy truck deliveries. Fence will have a gate so they will enter. John asked if the fencing will still allow the general public to enter the shelter? Turf said everything to the west of the tornado shelter will be completely open & will be paved. Plans have to be submitted to FEMA, have to have engineering blueprint & Rollings is working on that. Not going to see a substantial increase in traffic or in people & shouldn't be worried about alcohol or drugs. These people are trying to get away & we are protecting them from the outside. The reason for the fence is for the children, don't want the other party being able to see if the children are there. Will be putting their cars back underneath inside because don't want the other party able to scan the parking lot to see if their vehicle is there. Will be an enhancement to the neighborhood, need privacy but need to be more centrally located in the city so can use the city services, bus, transportation, medical, job. These people currently were north of Sedalia quite a ways in the county, have outgrown that facility & it's the consequence we need to get closer. Have to have the security & that's extremely important.

➤ Val Bloess asked how many cars would be in the parking lot? Turf said the ones that are visible would be few, 3 or 4. It would be the people coming for the day. Behind the fence where you can't see them will be the 16 employees & will probably be growing. Have a few rooms for residents, separate men & women. Val asked if there would be a playground for the children? Yes. The neighbors would still be able to get to the tornado shelter through the gate? Turf said the gates wouldn't inhabit the front. They would not be creating a barrier to get into the tornado shelter. Turf said the fence would be at the backside of the tornado shelter. He has talked with Trish with Emergency Management, they let people in & out electronically so they would actually have the ability, in working with Emergency Management, to open right away instead of being a delay. Val asked what kind of fence? Turf said a non-scalable, can't tell you exactly, won't be able to see through the fence for safety purposes. Clay St will be the entrance. Everything they do would have to be approved through FEMA for flood insurance, they have to build to their specifications. Val asked if they had to have flood insurance? Turf said haven't discussed, it would probably be then. Turf said he's not getting into the city & county situation, there's things to be worked out between the two of them. Just looking at it from the county perspective.

➤ Gentleman lives at 202 E Hogan – asked where would they park cars? Turf said there will be a parking lot on the west side.

➤ Tina Boggess – resides at 620 W Cooper & property manager of Lincoln Hubbard Apartments that are for 55 & older. Her ladies do go to that shelter when there is a tornado, their complaints have been there is water in the floor & no where to sit. Looking at people 55 & older having to go to that shelter for safety & standing gets difficult for them. CASA is a wonderful program, however, don't understand how the safety is going to be put in place for them moving into a visible area. Building on top of the storm shelter? That would mean the individuals inside CASA would be able to go into that storm shelter if needed, with the public that your trying to keep away from the individuals from CASA. Would there be a problem there? You can not stop anyone from coming into that shelter during a tornado.

• Lori Haney, Executive Director – 3785 Travis Dr – addressed the concerns of the safety of clients & visibility of clients within the community & open access to the storm shelter. A lot of domestic sexual shelters were undisclosed locations, CASA is one of the very few left in the state of MO that is technically undisclosed but one of the worst kept secrets in the county. Current location is in the county so does give some anonymity but doesn't give a lot of security because on a large tract of acreage. Have had 0 instances where a perpetrator of abuse has actually stepped foot on the property of the previous program she worked at & CASA's property. Not saying there's never a safety risk but take a lot of great strides to promote the safety of clients. Believe the fencing & visibility this would be a public location. Would actually add to the security to the organization & clients, often find community reports these things. Visibility of clients in community. Working on the entrance & parking lot want to try to protect identity of clients' as much as possible, part of the reason for the fencing, so they can't see. Not concerned about visibility. Storm shelter accessibility, there have been discussions regarding an alternate storm shelter situation for CASA clients; believe the flood plain is making that difficult. If & when there is a viable threat that you need to take shelter, think the first priority is safety from Mother Nature. Do not have a complete answer. Need to continue conversations. Tina would like to have more information about the fencing, when driving Ohio you would be looking at it & wonder what's back there. Would not want a compound type of fencing. Turf said building on top would eliminate the flooding. Very happy to work with Trish with Emergency Management, does have a toilet. Turf is thinking a 12' white vinyl fence, something attractive. Tina said once you start building they are going to be curious. Lori said they anticipate this being a very well-advertised process, going to need community support & funding & at that point would be a public location. The original CASA was on 6th St. It was a residential property & did house individuals. Turf said the important is that at this point has only housed women now they are getting more & more requests for men. Will have to keep completely separate but if there is a tornado they will be together. Tina said this facility sounds like it could be a relatively large size facility & the fact that you will be taking women, children & men & would this be a long time residence? Lori said technically, there is no maximum length of stay in their program, however, the average client stays anywhere from 6 weeks to 3 months. She has never allowed anyone to live in the shelter for years on end, longest she has seen has been about 8 months, with extenuating circumstances. Typically 3 months. Lori wanted to answer the question about the shelter about housed in residential. In Warrensburg, shelter was in residential area. Tina said she has delivered food to the location it is now & has been told not to bring anyone with her so when this came up she didn't know how it was going to keep it private.

No other comments – Close Public Hearing at 6:42 pm. John went over the staff review. 200 E Clay is used as Emergency Storm Shelter & is not in the flood zone. This parcel will be subject to the building code & flood zone requirements. Based on the public hearing discussion that there are many aspects of this project that will have to be worked out over time with the building department, 12' fence was mentioned & currently that is not allowed under our current fencing regulations & zoning. The vote today is on how they are going to use the land, they are asking to be R-3 multi-family residential. The change of zoning the recommendation meets the following criteria, which would allow the rezoning of this property. Changing from R-1 to R-3 is consistent with the current use of the parcels. The City's Comprehensive Plan indicates this area is designed with an urban development pattern. The urban development pattern is suggesting that higher density could be allowed in this area. Also submitted with

their application initial draft drawings of what they are proposing. There are definitely many things to be worked out with that piece of this project but recommend go ahead with this rezoning & work with CASA to see fruition. Mayor Dawson made the motion to approve recommendation in the zoning change from R-1 to R-3. Chris Marshall seconded the motion. All approved. YES – 5; NO – 0.

- Old Business – None
- John did speak with Joe Lauber, municipal attorney and think it will be prudent to talk about zoning law with members & create a checklist of these are the things that need to be considered for rezoning.

Next meeting – September 6, 2023

Chris Marshall made the motion to adjourn the meeting. Rhonda Ahern seconded. All approved.

Meeting adjourned.

**CITY COUNCIL
OF THE CITY OF SEDALIA, MISSOURI**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEDALIA, MISSOURI,
STATING FACTS AND REASONS FOR THE NECESSITY TO AMEND AND INCREASE
THE CITY'S ANNUAL BUDGET FOR FISCAL YEAR 2024.**

WHEREAS, Section 67.010 of the Revised Statutes of Missouri requires each political subdivision of the State of Missouri ("State") to prepare an annual budget and establishes the requirements for that budget; and

WHEREAS, the City of Sedalia, Missouri ("City"), is a city of the third classification created pursuant to Chapter 77, RSMo, and is a political subdivision of the State of Missouri; and

WHEREAS, the City Council of the City adopted and approved the City's annual budget for Fiscal Year 2023 in accordance with the requirements of Section 67.010, RSMo, by Ordinance No. 11535 on March 21, 2022, and

WHEREAS, Sections 67.030 and 67.040 authorize and provide a procedure for the City Council to amend the City's annual budget to increase expenditures in any fund; and

WHEREAS, expenses for City's operations for Fiscal Year 2024 have been higher than budgeted, but do not exceed revenues plus the City's unencumbered balance brought forward from previous years; and

WHEREAS, the City Council of the City desire to state the facts and reasons necessitating an amendment to increase certain expenditures in the Fiscal Year 2024 annual budget.

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

Section 1. Expenditures from the City's General Fund must be increased by a total of \$91,404 above the amount authorized in the adopted annual budget for Fiscal Year 2024. An amendment to increase said budget is necessary for the following facts and reasons:

- A. Purchase 2 Dodge Durangos, plus DWI enforcement vehicle equipment.
- B. Partially offset by MODOT DWI Enforcement Grant in the amount of \$72,344.

Section 2. This Resolution shall take effect immediately upon its execution by the Mayor or otherwise as provided by law.

PASSED by the City Council of the City of Sedalia, Missouri, on October 16, 2023

Presiding Officer of the Council

ATTEST: _____
Jason S. Myers, City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2023-2024 REGARDING PURCHASE OF TWO DODGE DURANGOS PLUS VEHICLE DWI ENFORCEMENT EQUIPMENT.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. The 2023-2024 fiscal year budget beginning April 1, 2023 and ending March 31, 2024 is hereby amended to modify certain budgeted line items as they appear on the attached schedule and made a part hereof as Exhibit A as if fully set out herein.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 16th day of October 2023.

Presiding Officer of the Council

Approved by the Mayor of said City this 16th day of October 2023.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

Exhibit A
City of Sedalia
FY24 Budget Amendment 10/16/2023 Police Durangos Purchase

Account / Description	Current Budget	Change	Amended Budget	Comments
Revenues / Source of Funds				
10-00-428-00 Police Grants	(15,821.00)	(72,344.00)	(88,165.00)	MODOT Grant for vehicle to cover DWI Enforcement
Total Revenue Change		<u>(72,344.00)</u>		
Expenditures / Uses of Funds				
10-83-351-10 Law Enforcement Capital & Proj Vehicles	206,926.00	91,404.00	298,330.00	Remaining funds needed to purchase 2 Dodge Durangos plus DWI enforcement equipment.
Total Expenditure Change		<u>91,404.00</u>		
		<u>(19,060.00)</u>		Net Increase (Decrease) In Projected Fund Balance

Sedalia Police Department
DEPARTMENTAL MEMORANDUM
Office of the Chief of Police

To : City Administrator Kelvin Shaw

From : Chief Matthew Wirt _____

Date : March 14, 2023

Ref : Vehicle bid acceptance

The Sedalia Police Department solicited bids to purchase four Dodge Durangos in March 2023 and accepted the bid amount of \$167,596. The vehicles were ordered with an uncertain delivery date due to continued supply chain issues. Since 2020 many vehicle delivery dates have been as long as 18 months. The extended delivery times caused a cautious approach for fully funding FY24 vehicles until we could confirm the delivery dates.

Recently, the Dodge Durangos ordered in March 2023 arrived and additional funds are needed to purchase the vehicles. The Sedalia Police Department received a grant from the Missouri Department of Transportation (MODOT) to purchase another patrol car for DWI enforcement which requires the purchase of additional equipment.

Taking in to account the purchase of the vehicles ordered earlier this year, the remaining vehicle budget, and the additional equipment needed for the DWI enforcement vehicle, I respectfully request a budget amendment for \$91,404. The MODOT grant will provide revenue in the amount of \$72,344 to cover the entire cost of one vehicle and some of the associated equipment making the net funds from the city at \$19,060.



2901 S Limit Avenue
Sedalia, Missouri 65301
(660) 826-2700
www.wkcdjrsedalia.com

Stock Number: 656334
Date: 10/09/2023
Salesperson: Jeff Luebbering

Buyer City of Sedalia
Address 200 S Osage
City, State ZIP Sedalia MO 65302
Phone (660) 620-6264
e-mail

Co-Buyer
Physical Address
City, State ZIP
Phone
e-mail

I hereby agree to purchase/lease from you under the terms and conditions specified, the following:
Year: 2023 VIN: 1C4SDJFT1PC656334
Make: Dodge Mileage: 750 Color:
Model: Durango NEW USED

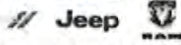
Purchaser's Certification	MSRP	\$47,190.00
I hereby certify that this order includes all of the terms and conditions on both the face and reverse side hereof, that this order cancels and supersedes any prior agreement and as of the date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matter covered hereby, and that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY THE DEALER OR HIS AUTHORIZED REPRESENTATIVE; AND	Dealer Price	\$41,400.00
	Manufacturer Rebates	
I have reviewed this order and fully understand that my new unit will be equipped only with the optional equipment specifically listed on the face of this order, plus standard equipment as designated by the manufacturer at the time of delivery, AND		
Transit Damage		
Buyer/Co-Buyer acknowledges that there may have been certain transit and/or storage damage to the vehicle sold by the Seller herein, and Buyer/Co-Buyer hereby releases the Seller for any and all claims arising out of such transit and/or storage damage.		
Known Defects		
All equipment (including tires) as appraised on my trade-in will remain, and the only existing material defects known to me on the motor vehicle that is being traded in to the dealer are:	TOTAL VEHICLE PRICE BEFORE ADDS	
IF NONE, SO STATE	Accessories or Additional Items	
Trade-In(s)		
Year Make Model Miles		
VIN Title Present?	TOTAL VEHICLE PRICE AFTER ADDITIONAL ITEMS	\$
	Total Cash Delivered Price	\$41,400.00
	**Administration Fee	\$499.00
Year Make Model Miles	Net Selling Price	\$41,899.00
VIN Title Present?	Less Trade-In Allowance	\$0.00
	Net Trade Difference	\$41,899.00
	Balance Owed On Trade-In	\$0.00
NOTICE: IF YOU ARE BUYING A USED VEHICLE, SEE THE REVERSE SIDE UNDER "PROVISIONS APPLICABLE ON SALE OF A USED VEHICLE" BECAUSE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE DISCLAIMED AND CERTAIN STATEMENTS ARE MADE CONCERNING THE ODOMETER READING	Trade-in Lien Holder	
I certify that I am 18 years of age, or older, and that I have read the printed matter on the front and back hereof, and agree to it as a part of this order the same as if it were printed above my signature. I/we authorize the Seller to check my/our credit and employment history and to provide and/or obtain information about credit experiences with others.	Total	\$41,899.00
THIS CONTRACT CONTAINS A BINDING ARBITRATION PROVISION WHICH MAY BE ENFORCED BY THE PARTIES	Cash Down	\$0.00
<input checked="" type="checkbox"/>	Balance Due	\$41,899.00

ARBITRATION			
MANDATORY ARBITRATION OF DISPUTES. ANY CLAIM, CONTROVERSY OR DISPUTE OF ANY KIND BETWEEN THE BUYER/CO-BUYER AND SELLER ARISING OUT OF OR RELATED TO THIS AGREEMENT (WHETHER BASED ON CONTRACT, TORT, STATUTE, FRAUD, MISREPRESENTATION OR ANY OTHER LEGAL OR EQUITABLE THEORY) SHALL BE RESOLVED BY FINAL AND BINDING ARBITRATION, PURSUANT TO THE FOLLOWING TERMS:			
A. The Federal Arbitration Act, not state law, shall govern the arbitration process and the question of whether a claim is subject to arbitration. The customer, however, retains the right to take any claim, controversy or dispute that qualifies to small claims court rather than arbitration.			
B. A single arbitrator engaged in the practice of law will conduct the arbitration. The arbitrator will be selected according to the rules of the American Arbitration Association or, alternatively, may be selected by agreement of the parties, who shall cooperate in good faith to select the arbitrator. The arbitration shall be conducted by, and under the then-applicable rules of, the American Arbitration Association. Any required hearing fees and costs shall be paid by the parties as required by the applicable rules, but the arbitrator shall have the power to apportion such costs as the arbitrator deems appropriate.			
C. The arbitrator's decision and award will be final and binding, and judgment on the award rendered by the arbitrator may be entered in any court with jurisdiction.			
D. No claim, controversy or dispute may be joined in an arbitration with a claim, controversy or dispute of any other person, or resolved on a class-wide basis. The arbitrator may not award damages.			

MY/OUR INITIALS BELOW INDICATE I/WE HAVE BEEN INFORMED OF, AND UNDERSTAND FULLY, THE ABOVE REFERENCED ADMINISTRATIVE FEE.			
BUYERS INITIALS	<input checked="" type="checkbox"/>	CO-BUYERS INITIALS	<input checked="" type="checkbox"/>

UNLESS THE MANUFACTURER OR THE DEALER HAS ISSUED SPECIFIC WARRANTY ON THIS VEHICLE SEE THE DISCLAIMER OR WARRANTY ON THE BACK OF THIS CONTRACT. (SEE SECTIONS 3,6,7 ON REVERSE).

Manager Approval



2901 S Limit Avenue
Sedalia, Missouri 65301
(660) 826-2700
www.wkcdjrsedalia.com

Stock Number: 656332
Date: 10/09/2023
Salesperson: Jeff Luebbering

Buyer Address: City of Sedalia
200 S Osage
City, State ZIP: Sedalia MO 65302
Phone: (660) 620-6264
e-mail: _____

Co-Buyer Physical Address: _____
City, State ZIP: _____
Phone: _____
e-mail: _____

I hereby agree to purchase/lease from you under the terms and conditions specified, the following:
Year: 2023 VIN: 1C4SDJFT8PC656332
Make: Dodge Mileage: 200 Color: _____
Model: Durango NEW USED

Purchaser's Certification I hereby certify that this order includes all of the terms and conditions on both the face and reverse side hereof, that this order cancels and supersedes any prior agreement and as of the date hereof comprises the complete and exclusive statement of the terms of the agreement relating to the subject matter covered hereby, and that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY THE DEALER OR HIS AUTHORIZED REPRESENTATIVE, AND	MSRP	\$47,190.00
	Dealer Price	\$41,400.00
I have reviewed this order and fully understand that my new unit will be equipped only with the optional equipment specifically listed on the face of this order, plus standard equipment as designated by the manufacturer at the time of delivery, AND	Manufacturer Rebates	

Transit Damage Buyer/Co-Buyer acknowledges that there may have been certain transit and/or storage damage to the vehicle sold by the Seller herein, and Buyer/Co-Buyer hereby releases the Seller for any and all claims arising out of such transit and/or storage damage.		
Known Defects All equipment (including tires) as appraised on my trade in will remain, and the only existing material defects known to me on the motor vehicle that is being traded in to the dealer are:		

IF NONE, SO STATE	TOTAL VEHICLE PRICE BEFORE ADDS	\$
Trade-In(s)	Accessories or Additional Items	

Year	Make	Model	Miles	
VIN			Title Present?	

TOTAL VEHICLE PRICE AFTER ADDITIONAL ITEMS				\$
Year	Make	Model	Miles	
VIN			Title Present?	

Total Cash Delivered Price	\$41,400.00
**Administration Fee	\$499.00
Net Selling Price	\$41,899.00
Less Trade-In Allowance	\$0.00
Net Trade Difference	\$41,899.00
Balance Owed On Trade-In	\$0.00

NOTICE: IF YOU ARE BUYING A USED VEHICLE, SEE THE REVERSE SIDE UNDER "PROVISIONS APPLICABLE ON SALE OF A USED VEHICLE" BECAUSE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE DISCLAIMED AND CERTAIN STATEMENTS ARE MADE CONCERNING THE ODOMETER READING

I certify that I am 18 years of age, or older, and that I have read the printed matter on the front and back hereof, and agree to it as a part of this order the same as if it were printed above my signature. I/we authorize the Seller to check my/our credit and employment history and to provide and/or obtain information about credit experiences with others.

THIS CONTRACT CONTAINS A BINDING ARBITRATION PROVISION WHICH MAY BE ENFORCED BY THE PARTIES		
X		
X		

** "AN ADMINISTRATION FEE NOT AN OFFICIAL FEE AND IS NOT REQUIRED BY LAW BUT MAY BE CHARGED BY A DEALER. THIS ADMINISTRATIVE FEE MAY RESULT IN A PROFIT TO A DEALER. NO PORTION OF THIS ADMINISTRATIVE FEE IS FOR THE DRAFTING, PREPARATION, OR COMPLETION OF DOCUMENTS OR THE PROVIDING OF LEGAL ADVICE. THIS NOTICE IS REQUIRED BY LAW."

MY/OUR INITIALS BELOW INDICATE I/WE HAVE BEEN INFORMED OF, AND UNDERSTAND FULLY, THE ABOVE REFERENCED ADMINISTRATIVE FEE.

BUYERS INITIALS X CO-BUYERS INITIALS X

UNLESS THE MANUFACTURER OR THE DEALER HAS ISSUED SPECIFIC WARRANTY ON THIS VEHICLE SEE THE DISCLAIMER OR WARRANTY ON THE BACK OF THIS CONTRACT, USE SECTIONS 3, 6, 7 ON (REVERSE).

Manager Approval X

ARBITRATION

MANDATORY ARBITRATION OF DISPUTES, ANY CLAIM, CONTROVERSY OR DISPUTE OF ANY KIND BETWEEN THE BUYER/CO-BUYER AND SELLER ARISING OUT OF OR RELATED TO THIS AGREEMENT (WHETHER BASED ON CONTRACT, TORT, STATUTE, FRAUD, MISREPRESENTATION OR ANY OTHER LEGAL OR EQUITABLE THEORY) SHALL BE RESOLVED BY FINAL AND BINDING ARBITRATION, PURSUANT TO THE FOLLOWING TERMS:

A. The Federal Arbitration Act, not state law, shall govern the arbitration process and the question of whether a claim is subject to arbitration. The customer, however, retains the right to take any claim, controversy or dispute that qualifies to small claims court rather than arbitration.

B. A single arbitrator engaged in the practice of law will conduct the arbitration. The arbitrator will be selected according to the rules of the American Arbitration Association or, alternatively, may be selected by agreement of the parties, who shall cooperate in good faith to select the arbitrator. The arbitration shall be conducted by, and under the then-applicable rules of, the American Arbitration Association. Any required hearing fees and costs shall be paid by the parties as required by the applicable rules, but the arbitrator shall have the power to apportion such costs as the arbitrator deems appropriate.

C. The arbitrator's decision and award will be final and binding, and judgement on the award rendered by the arbitrator may be entered in any court with jurisdiction.

11. No claim, controversy or dispute may be joined in an arbitration with a claim, controversy or dispute of any other person, or resolved on a class-wide basis. The arbitrator may not award damages.

X

X

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ACCEPTING PERMANENT AND TEMPORARY EASEMENTS RELATING TO OAK GROVE LANE SEWER MAIN EXTENSION.

WHEREAS, the City of Sedalia has received one permanent utility easement and two temporary access easements from Higgins Family Properties, LLC, a Missouri Limited Liability Company for the Oak Grove Lane Sewer extension; and

WHEREAS, said sewer extension is part of a development that will extend an existing sewer main from 24380 Oak Grove Lane to WireCo as more fully described in the easements attached to this Ordinance and incorporated by reference herein.

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

Section 1. The Council of the City of Sedalia, Missouri, hereby approves and accepts the permanent and temporary easements from owners of property located at 24380 Oak Grove Lane as more fully described in the easements attached to this ordinance and incorporated herein.

Section 2. The City Clerk is hereby authorized and directed to file in his office the said easements and Ordinance after recording said easements and Ordinance with the Pettis County Recorder of Deeds.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed Ordinance having been made available for public inspection prior to the time the Bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 16th day of October 2023.

Presiding Officer of the Council

Approved by the Mayor of said City this 16th day of October 2023.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk



Let's Cross Paths

City of Sedalia

200 S. Osage

Sedalia, MO 65301

(660) 827-3000 www.sedalia.com

To: Kelvin Shaw, City Administrator
Through: Chris Davies, Public Works Director *CD 10-10-23*
From: Jeremy Stone, Public Works Project Manager
Date: October 10, 2023
Subject: Council Memo-Acceptance of One (1) Permanent Easement and Two (2) Temporary Construction Easements Related to 2024-009 Small Sewer Project "A"

The Public Works Department is seeking approval of one (1) permanent easement and two (2) temporary construction easements. The City project, 2024-009 Small Sewer Project "A" is currently still in the design phase and this project will extend an existing sewer main to WireCo.

In order to construct this project, one (1) permanent easement and two (2) temporary easements are required. The easements are located at 24380 Oak Grove Lane. The property owner has agreed and signed the easement agreements.

The executed easement agreements are attached for review. Thank you for considering the acceptance of these easements.

PERMANENT UTILITY EASEMENT

This Indenture is made this 29th day of August, 2023, by and between Higgins Family Properties, LLC, a Missouri limited liability company, party of the first part ("Grantor") and the City of Sedalia, a municipal corporation, of the County of Pettis, State of Missouri, party of the second part ("Grantee").

Mailing Address of Grantee: 200 S. Osage Avenue, Sedalia, Missouri 65301

WITNESSETH, that Grantor, in consideration of the sum of One Dollar and 00/100 (\$1.00), to them paid by the Grantee, the receipt of which is hereby acknowledge, does hereby grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns, a Permanent Utility Easement (the "Easement") over, under, along, through, across, and upon the property legally described in Exhibit A, Sheet 1 of 2 and shown on the map in Exhibit A, Sheet 2 of 2, which are attached hereto and incorporated by this reference, for the purpose of and upon the terms and conditions hereinafter set forth.

Purpose. A permanent utility easement over, under, along, through, across and upon the property above described, for the construction and utility installation.

Compliance with Laws. Grantee shall use the Easement in compliance with all applicable laws, statutes, ordinances, rules, and regulations of all governing authorities. This Easement shall be constructed pursuant to the laws of the State of Missouri.

Warranty. Grantor hereby covenants and warrants that it is the owner of the property covered by this Easement and has the right to grant this Easement.

Non-Waiver. Grantor expressly reserves and does not waive any claims, demands, causes of action, losses, expenses, judgment, and attorneys' fees arising out of or in any way related to Grantee's and/or its contractors, subcontractors, agents, or assigns' construction, installation, operation, use, or maintenance of the Easement or of any improvements located at or upon the Easement.

No Consent to Annexation. Grantor's grant of this Easement to Grantee is not and shall not be a consent, acquiescence, permission, ratification, acceptance, or other approval of any attempt to annex the property described above into the City of Sedalia. Grantor expressly reserves and does not waive any objection, opposition, or defense of any kind related to any annexation or attempted annexation of the property described herein into the City of Sedalia.

Further Cooperation. Each party agrees to execute such further documents and to perform such other acts as may be reasonably necessary to carry out the purpose of this Permanent Utility Easement.

During the Term of this Temporary Access Easement, Grantor agrees, for the consideration set forth herein, not to construct or place within the Easement, any buildings, structures, or other improvements of any nature whatsoever, or any shrubs, trees or other growth of any kind, or otherwise interfere with the Easement, without prior written consent from Grantee. Grantee shall have the right to remove, and keep removed, all parts of any building, structure, or other

improvement, or any shrub, tree, or other growth, of any character that is located within the Easement which, in the judgment of Grantee, may endanger or in any way interfere with Grantee's use of the Easement as provided in this Temporary Access Easement.

IN WITNESS WHEREOF, Grantor has executed the above on the day and year first above written.

[Signature page to follow]

GRANTOR:

Higgins Family Properties, LLC

By: [Signature]
Name: Keith Higgins
Title: Managing Partner

ATTEST:

[Signature]
Name: Tanya M. Graham

MISSOURI ACKNOWLEDGMENT

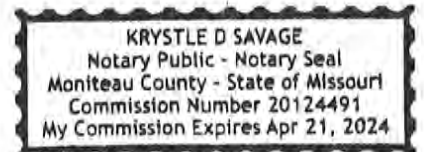
STATE OF MISSOURI)
COUNTY OF Moniteau) SS.

On this 29th day of August, 2023, before me personally appeared Keith Higgins, to be known to be the Managing Partner of Higgins Family Properties, LLC, and executed the foregoing instrument, who being by me duly sworn, acknowledged that they executed the same as the free act and deed of Higgins Family Properties, LLC and for the consideration stated therein and no other.

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

My term expires April 21, 2024.

[Signature]
Notary Public



GRANTEE:

City of Sedalia, Missouri

By: _____

Name: _____

Title: _____

ATTEST:

Name: _____

OCTOBER 20, 2021

UTILITY EASEMENT – HIGGINS FAMILY PROPERTIES, LLC
OWNER: HIGGINS FAMILY PROPERTIES, LLC
DEED: DOCUMENT NO. 2013-4552

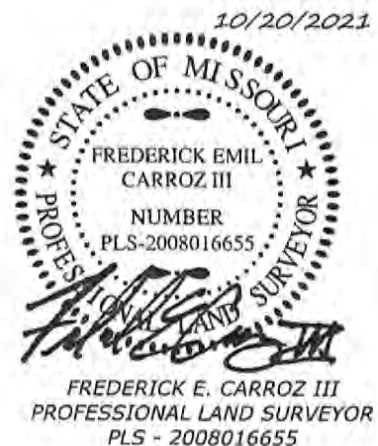
A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 31 T46N R21W, IN PETTIS COUNTY, MISSOURI, BEING PART OF TRACT DESCRIBED BY WARRANTY DEED RECORDED BY DOCUMENT NO. 2013-4552, FURTHER DESCRIBED AS FOLLOWS.

STARTING AT THE NORTHEASTERLY CORNER OF TRACT 5 AS DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 135 PAGE 225, THENCE ALONG THE NORTHERLY LINE OF SAID TRACT, N 86°39'50"W 24.25 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE NORTHERLY LINE OF TRACT 5 AS DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 135 PAGE 225, N 86°39'50"E 26.33 FEET; THENCE LEAVING SAID LINE, N 21°38'00"E 322.51 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MISSOURI PACIFIC RAIL ROAD; THENCE ALONG SAID LINE, S 62°35'50"E 25.13 FEET; THENCE LEAVING SAID LINE, S 21°38'00"W 311.71 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.18 ACRE.

EXHIBIT "A"
SHEET 1 OF 2

Engineering Surveys & Services
1775 West Main Street, Sedalia, Missouri 65301
660 - 826 - 8618 - www.ESS-Inc.com
Missouri Land Surveying Corporation # 2004004672



SCALE: 1" = 60'



MISSOURI PACIFIC RAILROAD
100' R/W
S 62°35'50"E
25.13'

24380 OAK GROVE LANE
OWNER: HIGGINS FAMILY
PROPERTIES, LLC

WARRANTY DEED RECORDED IN
DOC. NO. 2013-4552

24380 OAK GROVE LANE
OWNER: HIGGINS FAMILY
PROPERTIES, LLC

WARRANTY DEED RECORDED IN
DOC. NO. 2013-4552

N 21°38'00"E 322.51'
S 21°38'00"W 311.71'

P.O.B.

N 86°39'50"W
26.33'

N 86°39'50"W
24.25'

24490 24508 OAK GROVE LANE
OWNER: YOU AND ME, LLC

TRACT 18
WARRANTY DEED
DOC. NO. 2009-6867

UTILITY EASEMENT - HIGGINS
FAMILY PROPERTIES, LLC

EXHIBIT "A"
SHEET 2 OF 2

24510 OAK GROVE LANE
OWNER: GREGORY Z. &
KELLY J. CHAPLIN TRUST

TRACT 5
WARRANTY DEED
IN BOOK 135 PAGE 225

24510 OAK GROVE LANE
OWNER: GREGORY Z. &
KELLY J. CHAPLIN TRUST

TRACT 6
WARRANTY DEED RECORDED
IN BOOK 135 PAGE 225

10/20/2021



FREDERICK E. CARROZ III
PROFESSIONAL LAND SURVEYOR
PLS - 2008016655

Engineering Surveys & Services

1775 West Main Street, Sedalia, Missouri 65301
660 - 826 - 8618 - www.ESS-Inc.com
Missouri Land Surveying Corporation # 2004004672

TEMPORARY ACCESS EASEMENT

This Indenture is made this 29th day of August, 2023, by and between Higgins Family Properties, LLC, a Missouri limited liability company, party of the first part ("Grantor") and the City of Sedalia, a municipal corporation, of the County of Pettis, State of Missouri, party of the second part ("Grantee").

Mailing Address of Grantee: 200 S. Osage Avenue, Sedalia, Missouri 65301

WITNESSETH, that Grantor, in consideration of the sum of One Dollar and 00/100 (\$1.00), to them paid by the Grantee, the receipt of which is hereby acknowledge, does hereby grant unto Grantee, its contractors, subcontractors, agents, and assigns, a Temporary Access Easement (the "Easement") in, over, under, along, through, across and upon the property legally described in Exhibit A, Sheet 1 of 2 and shown on the map in Exhibit A, Sheet 2 of 2, which are attached hereto and incorporated by this reference, for the purpose of and upon the terms and conditions hereinafter set forth.

Purpose. The Easement is granted to the Grantee for access to and use by the Grantee in its construction and utility installation and other related construction activity on adjoining property not owned by Grantor.

Term of Easement. The Easement shall commence on the date hereof and shall terminate and expire upon the earlier of (a) the date construction of the utility installations are completed, or (b) four (4) years from the date hereof. Upon termination of the Easement, all of the rights and benefits of the Grantee hereunder with respect to the Easement shall automatically terminate and be of no further force or effect.

Compliance with Laws. Grantee shall use the Easement in compliance with all applicable laws, statutes, ordinances, rules, and regulations of all governing authorities. This Easement shall be constructed pursuant to the laws of the State of Missouri.

Restoration. In the event that any area of the Easement or any other property owned by Grantor is disturbed by the Grantee's or its contractors, subcontractors, agents, or assigns' exercise of any of their easement rights hereunder, or the use, construction, installation, operation, or maintenance of the Easement by Grantee, or its contractors, subcontractors, agents, or assigns, such areas shall be restored to the conditions in which they existed as of the date hereof.

Warranty. Grantor hereby covenants and warrants that it is the owner of the property covered by this Easement and has the right to grant this Easement.

Non-Waiver. Grantor expressly reserves and does not waive any claims, demands, causes of action, losses, expenses, judgment, and attorneys' fees arising out of or in any way related to Grantee's and/or its contractors, subcontractors, agents, or assigns' construction, installation, operation, use, or maintenance of the Easement or of any improvements located at or upon the Easement.

No Consent to Annexation. Grantor's grant of this Easement to Grantee is not and shall not be a consent, acquiescence, permission, ratification, acceptance or other approval of any attempt to annex the property described above into the City of Sedalia. Grantor expressly reserves and does not waive any objection, opposition, or defense of any kind related to any annexation or attempted annexation of the property described herein into the City of Sedalia.

During the Term of this Temporary Access Easement, Grantor agrees, for the consideration set forth herein, not to construct or place within the Easement, any buildings, structures, or other improvements of any nature whatsoever, or any shrubs, trees or other growth of any kind, or otherwise interfere with the Easement, without prior written consent from Grantee. Grantee shall have the right to remove, and keep removed, all parts of any building, structure, or other improvement, or any shrub, tree, or other growth, of any character that is located within the Easement which, in the judgment of Grantee, may endanger or in any way interfere with Grantee's use of the Easement as provided in this Temporary Access Easement.

Further Cooperation. Each party agrees to execute such further documents and to perform such other acts as may be reasonably necessary to carry out the purpose of this Temporary Access Easement.

GRANTOR:

Higgins Family Properties, LLC

By: [Signature]

Name: Keith Higgins

Title: Managing Partner

ATTEST:

[Signature]

Name: Tanya M. Graham

MISSOURI ACKNOWLEDGMENT

STATE OF MISSOURI)
)
COUNTY OF Moniteau) SS.

On this 29th day of August, 2023, before me personally appeared Keith Higgins, to be known to be the Managing Partner of Higgins Family Properties, LLC, and executed the foregoing instrument, who being by me duly sworn, acknowledged that they executed the same as the free act and deed of Higgins Family Properties, LLC and for the consideration stated therein and no other.

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

My term expires April 21, 2024.
[Signature]
Notary Public



GRANTEE:

City of Sedalia, Missouri

By: _____

Name: _____

Title: _____

ATTEST:

Name: _____

OCTOBER 20, 2021

TEMPORARY CONSTRUCTION EASEMENT (EAST) – HIGGINS FAMILY PROPERTIES, LLC
OWNER: HIGGINS FAMILY PROPERTIES, LLC
DEED: DOCUMENT NO. 2013-4552

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 31 T46N R21W, IN PETTIS COUNTY, MISSOURI, BEING PART OF TRACT DESCRIBED BY WARRANTY DEED RECORDED BY DOCUMENT NO. 2013-4552, FURTHER DESCRIBED AS FOLLOWS.

STARTING AT THE NORTHEASTERLY CORNER OF TRACT 5 AS DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 135 PAGE 225, THENCE ALONG THE NORTHERLY LINE OF SAID TRACT, N 86°39'50"W 13.72 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE NORTHERLY LINE OF TRACT 5 AS DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 135 PAGE 225, N 86°39'50"E 10.53 FEET; THENCE LEAVING SAID LINE, N 21°38'00"E 311.71 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MISSOURI PACIFIC RAIL ROAD; THENCE ALONG SAID LINE, S 62°35'50"E 10.05 FEET; THENCE LEAVING SAID LINE, S 21°38'00"W 307.40 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.07 ACRE.

10/20/2021



EXHIBIT "A"
SHEET 1 OF 2

Engineering Surveys & Services

1775 West Main Street, Sedalia, Missouri 65301
660 - 826 - 8618 - www.ESS-Inc.com
Missouri Land Surveying Corporation # 2004004672

FREDERICK E. CARROZ III
PROFESSIONAL LAND SURVEYOR
PLS - 2008016655

SCALE: 1" = 60'



MISSOURI PACIFIC RAILROAD
100' R/W
S 62°35'50"E
10.05'

24380 OAK GROVE LANE
OWNER: HIGGINS FAMILY
PROPERTIES, LLC

WARRANTY DEED RECORDED IN
DOC. NO. 2013-4552

24380 OAK GROVE LANE
OWNER: HIGGINS FAMILY
PROPERTIES, LLC

WARRANTY DEED RECORDED IN
DOC. NO. 2013-4552

N 21°38'00"E 311.71'
S 21°38'00"W 307.40'

P.O.B.

N 86°39'50"W
10.53'

N 86°39'50"W
13.72'

24490 24508 OAK GROVE LANE
OWNER: YOU AND ME, LLC

TRACT 18
WARRANTY DEED
DOC. NO. 2009-6867

TEMPORARY CONSTRUCTION
EASEMENT (EAST) - HIGGINS
FAMILY PROPERTIES, LLC

24510 OAK GROVE LANE
OWNER: GREGORY Z. &
KELLY J. CHAPLIN TRUST

TRACT 5
WARRANTY DEED
IN BOOK 135 PAGE 225

24510 OAK GROVE LANE
OWNER: GREGORY Z. &
KELLY J. CHAPLIN TRUST

TRACT 6
WARRANTY DEED RECORDED
IN BOOK 135 PAGE 225

10/20/2021



FREDERICK E. CARROZ III
PROFESSIONAL LAND SURVEYOR
PLS - 2008016655

EXHIBIT "A"
SHEET 2 OF 2

Engineering Surveys & Services

1775 West Main Street, Sedalia, Missouri 65301
660 - 826 - 8618 - www.ESS-inc.com
Missouri Land Surveying Corporation # 2004004672

OCTOBER 20, 2021

TEMPORARY CONSTRUCTION EASEMENT (WEST) – HIGGINS FAMILY PROPERTIES, LLC
OWNER: HIGGINS FAMILY PROPERTIES, LLC
DEED: DOCUMENT NO. 2013-4552

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 31 T46N R21W, IN PETTIS COUNTY, MISSOURI, BEING PART OF TRACT DESCRIBED BY WARRANTY DEED RECORDED BY DOCUMENT NO. 2013-4552, FURTHER DESCRIBED AS FOLLOWS.

STARTING AT THE NORTHEASTERLY CORNER OF TRACT 5 AS DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 135 PAGE 225, THENCE ALONG THE NORTHERLY LINE OF SAID TRACT, N 86°39'50"W 50.59 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE CONTINUING ALONG THE NORTHERLY LINE OF TRACT 5 AS DESCRIBED BY WARRANTY DEED RECORDED IN BOOK 135 PAGE 225, AND THE NORTHERLY LINE OF TRACT 18 AS DESCRIBED BY WARRANTY DEED RECORDED BY DOCUMENT NO. 2009-6867, N 86°39'50"E 10.53 FEET; THENCE LEAVING SAID LINES, N 21°38'00"E 326.82 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MISSOURI PACIFIC RAIL ROAD; THENCE ALONG SAID LINE, S 62°35'50"E 10.05 FEET; THENCE LEAVING SAID LINE, S 21°38'00"W 322.51 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.07 ACRE.

EXHIBIT "A"
SHEET 1 OF 2

Engineering Surveys & Services

1775 West Main Street, Sedalia, Missouri 65301
660 - 826 - 8618 - www.ESS-inc.com
Missouri Land Surveying Corporation # 2004004672



3983

SCALE: 1" = 60'



MISSOURI PACIFIC RAILROAD
100' R/W
S 62°35'50"E
10.05'

24380 OAK GROVE LANE
OWNER: HIGGINS FAMILY
PROPERTIES, LLC
WARRANTY DEED RECORDED IN
DOC. NO. 2013-4552

24380 OAK GROVE LANE
OWNER: HIGGINS FAMILY
PROPERTIES, LLC
WARRANTY DEED RECORDED IN
DOC. NO. 2013-4552

N 21°38'00"E 326.82'
S 21°38'00"W 322.51'

N 86°39'50"W
50.59'

N 86°39'50"W
10.53'

24490 24508 OAK GROVE LANE
OWNER: YOU AND ME, LLC

TRACT 18
WARRANTY DEED
DOC. NO. 2009-6867

TEMPORARY CONSTRUCTION
EASEMENT (WEST) - HIGGINS
FAMILY PROPERTIES, LLC

EXHIBIT "A"
SHEET 2 OF 2

24510 OAK GROVE LANE
OWNER: GREGORY Z. &
KELLY J. CHAPLIN TRUST
TRACT 5
WARRANTY DEED
IN BOOK 135 PAGE 225

24510 OAK GROVE LANE
OWNER: GREGORY Z. &
KELLY J. CHAPLIN TRUST
TRACT 6
WARRANTY DEED RECORDED
IN BOOK 135 PAGE 225

Engineering Surveys & Services
1775 West Main Street, Sedalia, Missouri 65301
660 - 826 - 8618 - www.ESS-Inc.com
Missouri Land Surveying Corporation # 2004004672

10/20/2021
STATE OF MISSOURI
FREDERICK EMIL CARROZ III
NUMBER PLS-2008016655
PROF. LAND SURVEYOR
FREDERICK E. CARROZ III
PROFESSIONAL LAND SURVEYOR
PLS - 2008016655

Jeremy Stone

From: micah higginsasphalt.com <micah@higginsasphalt.com>
Sent: Wednesday, September 27, 2023 2:01 PM
To: Jeremy Stone
Cc: Chris Davies
Subject: Re: Easements

Jeremy,

Okay looking at these the maps are the same, but the legal descriptions are slightly different, which I guess I thought the single temporary easement agreement would suffice for both. Higgins Family Properties is good with both the East and West temporary easement agreement legal descriptions as shown in both Exhibit A sheets 1 and 2 and would like to use the signed document of August 29th for both legal descriptions. If you need another second document signed identifying each temp agreement let me know.

Thanks,

Micah Higgins

From: Jeremy Stone <JStone@sedalia.com>
Sent: Tuesday, September 5, 2023 9:33 AM
To: micah higginsasphalt.com <micah@higginsasphalt.com>
Cc: Chris Davies <CDavies@sedalia.com>
Subject: Easements

Micah,

Thanks for getting us the signed easements. I did have a few questions though, the attached documents (titled "permanent easement w-o description" and "signed temp easement w-o description") are what we had received but they don't have the attached legal description of the easements. With your permission would we be able to attach the permanent easement legal description (Titled "3983 PUE-HIGGINS") to the signed portion of the permanent easement paperwork?

Also, we only received one of the two temporary easements signed and this was also without the legal description attached. If you are only agreeable to one of the two temporary easements, would this be the west TCE or the east TCE? I have attached both temporary easement legal descriptions for your review.

Thanks,

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NUMBER 9095 BY REMOVING TWO HANDICAPPED PARKING SPACES IN FRONT OF 314 SOUTH WASHINGTON AVENUE IN THE CITY OF SEDALIA, MISSOURI.

WHEREAS, the Citizen's Traffic Advisory Commission received a request to remove the two handicapped parking spaces in front of 314 South Washington Avenue; and

WHEREAS, the Citizen's Traffic Advisory Commission approved the request at its September 13, 2023, meeting by a 7 –Yes 0 -No vote and hereby recommends that the Council also approve the request to remove the two handicapped parking spaces in front of 314 South Washington Avenue.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. Ordinance Number 9095 is hereby repealed.

Section 2. The Council of the City of Sedalia, Missouri hereby approves the removal of the two handicapped parking spaces in front of 314 South Washington Avenue.

Section 3. The City's Street Department is authorized to remove any signs denoting the above listed parking restriction and the City Clerk is ordered to remove this traffic restriction in the City's Master Schedule of Traffic Restrictions.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 16th day of October 2023.

Presiding Officer of the Council

Approved by the Mayor of said City this 16th day of October 2023.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk



CITY OF SEDALIA
TRAFFIC ADVISORY COMMISSION
REQUEST/SUGGESTION SUBMISSION FORM

Date: 7-26-2023
Submitters Name: David Furnell
Submitters Address: 501 S. Ohio, Ste 200
Sedalia, MO 65301
Submitters E-Mail Address: dfurnell@bristol-manor.com
Submitters Phone: 1060 826 0200
Submitters Signature: Submitted via email

Request/Reason for Need:
Remove the two handicap parking spots in front of 314 S. Washington. It was previously the Senior Center. The spots are no longer needed and if removed would allow extra parking for residents living in the area

Public Works Dept. Recommendation:
Reach out to adjacent properties for their input on the removal. If no objections proceed with the removal

Public Works Director Signature: 

TRAFFIC ADVISORY COMMISSION RECOMMENDATION

The City of Sedalia Traffic Advisory Commission reviewed this request/reason for need on: 13th day of Sept, 2023 by a vote of 7 to 0.

The Commission recommends that the City Council: approve the submitted request/reason for need.

Attested to by Commission Chairman: *Dudred Esquivel* on 10, 11, 23.

City Council Action:

The City of Sedalia, City Council, reviewed the Traffic Advisory Commission Recommendation on _____ day of _____, _____. The City Council _____ the Traffic Advisory Commission recommendation.

BILL NUMBER 98 - 49
ORDINANCE NUMBER 09095

AN ORDINANCE ESTABLISHING HANDICAPPED PARKING SPACE(S):

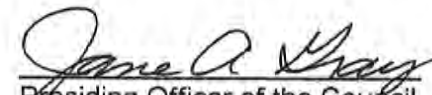
[300 block South Washington Avenue]

BE IT ORDAINED by the City of Sedalia, Missouri that:

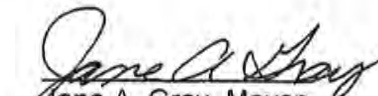
- Section 1: Two handicapped parking spaces are established along the west curb of south Washington Street, eighty (eighty) feet south of the south curb of east Third Street.
- Section 2: The City Street Department is ordered to place signs accordingly and the City Engineer is ordered to modify the City's Master Schedule of Traffic Restrictions accordingly.
- Section 3: This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by the Council of the City of Sedalia, Missouri this 2nd day of Nov 1998


Read for the third time and passed by the Council of the City of Sedalia, Missouri this 2nd day of November 1998.


Presiding Officer of the Council

Approved by Mayor of said City this 2nd day of November, 1998.


Jane A. Gray, Mayor

ATTEST:


Shirley Collins, CMC
City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE NUMBERS 9198 AND 9206 BY REMOVING ONE HANDICAPPED PARKING SPACE ON THE WEST SIDE OF KENTUCKY AVENUE NORTH OF MAIN STREET IN THE CITY OF SEDALIA, MISSOURI.

WHEREAS, the Citizen's Traffic Advisory Commission received a request to remove the one handicapped parking space on the west side of Kentucky Avenue north of Main Street; and

WHEREAS, the Citizen's Traffic Advisory Commission approved the request at its July 12, 2023, meeting by a 7 –Yes 0 -No vote and hereby recommends that the Council also approve the request to remove the one handicapped parking space on the west side of Kentucky Avenue north of Main Street.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. Ordinance Numbers 9198 and 9206 are hereby repealed.

Section 2. The Council of the City of Sedalia, Missouri hereby approves the removal of the two handicapped parking spaces on the west side of Kentucky Avenue north of Main Street.

Section 3. The City's Street Department is authorized to remove any signs denoting the above listed parking restriction and the City Clerk is ordered to remove this traffic restriction in the City's Master Schedule of Traffic Restrictions.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 16th day of October 2023.

Presiding Officer of the Council

Approved by the Mayor of said City this 16th day of October 2023.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers, City Clerk



CITY OF SEDALIA
TRAFFIC ADVISORY COMMISSION
REQUEST/SUGGESTION SUBMISSION FORM

Date: 5-5-2023

Submitters Name: Bob Battery - Michael Byrd

Submitters Address: 302 W. Main
Sedalia, MO 65301

Submitters E-Mail Address: mr.byrd28@yahoo.com

Submitters Phone: 660 826-2288

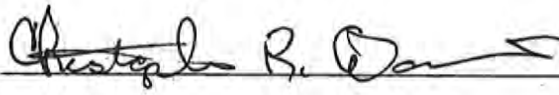
Submitters Signature: _____

Request/Reason for Need:

Removal of handicap parking sign next to
business in order to provide more customer
parking

Public Works Dept. Recommendation:

Reach out to adjacent properties for their
input on the removal. If no objections proceed
with the removal

Public Works Director Signature:  8-24-2023

BILL NO. 2000 - 30

ORDINANCE NO. 9198

AN ORDINANCE ESTABLISHING A HANDICAP PARKING SPACE TO BE LOCATED AT THE NORTHWEST CORNER OF WEST MAIN STREET AND KENTUCKY AVENUE, SPECIFICALLY THE FIRST PARKING SPACE ON THE EAST SIDE OF KENTUCKY AVENUE NORTH OF MAIN STREET

BE IT ORDAINED by the Council of the City of Sedalia, Missouri; that

Section 1. One parking space located at the Northwest Corner of West Main Street and Kentucky Avenue, specifically the first parking space on the East side of Kentucky Avenue North of Main Street, is established as a Handicap Parking Space.

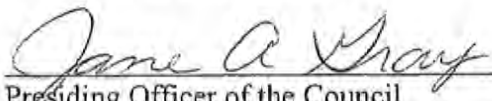
Section 2. The City Street Department is ordered to place signs accordingly.

Section 3. The City Clerk is ordered to modify the City's Master Schedule of Traffic Restrictions accordingly.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

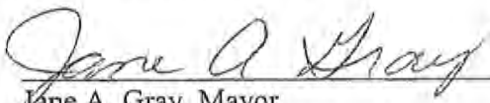
Read two times by the Council of the City of Sedalia, Missouri, this 18th day of December 2000.

Read for the third time and passed by the Council of the City of Sedalia, Missouri, this 18th day of December 2000.



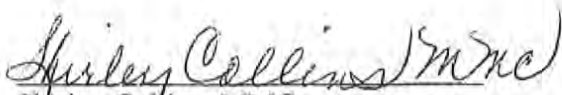
Presiding Officer of the Council

Approved by the Mayor of said City this 18th day of December 2000.



Jane A. Gray, Mayor

ATTEST:



Shirley Collins, MMC

BILL NO. 2000-39

ORDINANCE NO. 9206

AN ORDINANCE AMENDING ORDINANCE NUMBER 9198 BY CORRECTING THE LOCATION OF A HANDICAP PARKING SPACE

BE IT ORDAINED by the Council of the City of Sedalia, Missouri; that

Section 1. Ordinance number 9198 is hereby amended by changing the location of a handicap parking space from the first parking space on the East side of Kentucky Avenue, North of Main Street, to the first parking space on the West side of Kentucky Avenue, North of Main Street, as that language appears in the heading and Section 1 of Ordinance number 9198.

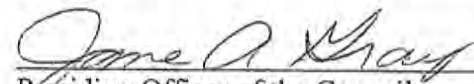
Section 2. The City Street Department is ordered to place signs accordingly.

Section 3. The City Clerk is ordered to modify the City's Master Schedule of Traffic Restrictions accordingly.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

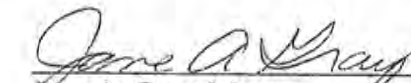
Read two times by the Council of the City of Sedalia, Missouri, this 18th day of December 2000.

Read for the third time and passed by the Council of the City of Sedalia, Missouri, this 18th day of December 2000.



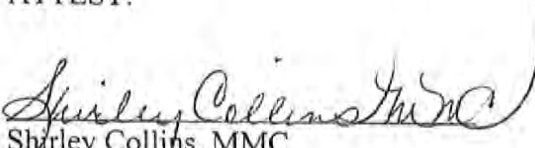
Presiding Officer of the Council

Approved by the Mayor of said City this 18th day of December 2000.



Jane A. Gray, Mayor

ATTEST:



Shirley Collins, MMC
City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-3 (COMMERCIAL) ON CERTAIN PROPERTY LOCATED AT 1012 NORTH OHIO AVENUE, IN THE CITY OF SEDALIA, MISSOURI, IN ACCORDANCE WITH CHAPTER 64, OF THE CITY CODE OF THE CITY OF SEDALIA, MISSOURI.

WHEREAS, the City received an application from Israel Baeza, Church Building Committee Chairman for PIB (“Applicant”) to rezone certain property within the City from District R–1 Single Family Residential (“Rezoning Application”) to C–3 Commercial; and

WHEREAS, Notice of a public hearing before the City’s Planning & Zoning Commission (“Commission”) was published in a paper of general circulation within the city on August 17, 2023; and mailed to all property owners subject to the rezoning and within 185 feet of the property proposed to be rezoned; and

WHEREAS, on October 4, 2023, the Commission opened the public hearing and all those interested and wishing to testify were given the opportunity; and

WHEREAS, after the public hearing was closed, the Commission unanimously recommended (8-Yes; 0-No) that the Sedalia City Council (“City Council”) approve the rezoning of that certain property that is subject to the Rezoning Application, from R–1 to C–3.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. That upon review of the record presented in a public hearing before the Commission, the final report, and recommendation of the Commission, the City Council hereby approves the Rezoning Application.

Section 2. The said real estate mentioned in Section 1 is described and attached to this ordinance as Exhibit A.

Section 3. The Zoning Ordinances of the City of Sedalia, Missouri are hereby amended so that the real estate described in Exhibit A, which is presently zoned R-1 Single Family Residential is rezoned in its entirety to C-3 Commercial.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 16th day of October, 2023.

Presiding Officer of the Council

Approved by the Mayor of said City this 16th day of October, 2023.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers, City Clerk

EXHIBIT A

LEGAL DESCRIPTIONS

1012 North Ohio Ave:

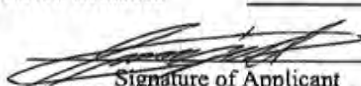
THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION THIRTY-FOUR (34) IN TOWNSHIP FORTY-SIX (46) NORTH OF RANGE TWENTY-ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN IN PETTIS COUNTY, MISSOURI.

**APPLICATION FOR AN
AMENDMENT TO THE ZONING DISTRICT MAP**

Sedalia City Planning & Zoning Commission
200 S. Osage Avenue
Sedalia, Missouri 65301

DO NOT WRITE IN THIS SPACE

Date of Public Hearing	_____
Date Submitted	_____
Date Advertised	_____
Date of Mailing	_____
Checked By	_____
Receipt No.	_____
Commission Action	_____
Council Action	_____

1. Applicant's Name PIB Sedalia
2. Applicant's Address 1012 N Ohio Ave
3. Telephone Number (Home) 660-441-7727 (Business) _____
4. Present Zoning R-1 Requested Zoning C-3
5. Legal Description of property requested to be rezoned, with street address or location:
THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER
OF SECTION THIRTY FOUR (34) IN TOWNSHIP FORTY SIX (46) NORTH OF RANGE TWENTY ONE (21)
WEST OF THE FIFTH PRINCIPAL MERIDIAN IN PETTIS COUNTY, MISSOURI.
6. Area of subject property, square feet and/or acres 9.63 Acres
7. Present Use of subject property Vacant
8. Desired use of subject property Construction of a Church Building
9. What is the present use of the adjoining properties? North Vacant
South Vacant East Vacant West Storage
10. How can you justify the proposed zoning change? (To answer this question, see Page 1, Item 2)
11. Time schedule for development N/A
12. Is property in a flood plain district? If yes, please indicate applicable FEMA Map applicable
zone No Has base flood elevation been established? Yes
If yes, please explain how such elevation was determined. It is determined based off the
maps approved State of Missouri Emergency Management mapping engineering and flood plane manager.
13. Public Utilities available at site: Sewer No " at N/A
Water No
at N/A
Natural Gas No " at N/A
Electric Yes
at _____
14. Exhibits furnished _____
15.  _____
Signature of Applicant
16. Relationship of applicant to property: Owner Agent _____
Address of Applicant
17. Other Chairman
(Explain)

Israel Baeza – Church Building Committee Chairman

600 S Summit Ave

Sedalia, MO 65301

July 12, 2023

Members of the Planning and Zoning Commission

City of Sedalia, 200 S Osage Ave

Sedalia, MO 65301

Subject: Justification for Zoning Change from Residential to Commercial for Church Construction in Sedalia

Dear Members,

I hope this letter finds you in good health and high spirits. I am writing on behalf of our Church Building Committee to present a compelling justification for the proposed zoning change from residential to commercial in order to facilitate the construction of a new church in Sedalia. This change will not only benefit the City of Sedalia but also have a positive impact on the surrounding area. The following reasons outline the numerous advantages of this zoning change:

Cultural and Community Development:

The establishment of a church on the eastside of Sedalia will continue to foster cultural and community development. Churches are vital community institutions that provide a place for people to gather, worship, and engage in various activities. This new church will serve as a hub for fostering social connections, promoting unity, and supporting community development initiatives. It will contribute to the overall well-being and quality of life for residents in Sedalia and the surrounding areas.

Economic Stimulus:

The construction of a church and its subsequent activities will generate economic stimulus for the local economy. The presence of a church often leads to increased business opportunities, including the growth of local businesses such as restaurants, cafes, and shops that cater to the needs of churchgoers. Additionally, the construction phase itself will create employment opportunities and inject revenue into the local construction industry.

Neighborhood Revitalization:

Converting a residential property into a church can contribute to the revitalization of the surrounding neighborhood. Typically, churches invest in the maintenance and improvement of their facilities and grounds, thereby enhancing the visual appeal of the area. This, in turn, can encourage neighboring homeowners and businesses to invest in their properties, leading to an overall uplift in property values and the attractiveness of the community.

Charitable and Social Services:

Churches are known for their active engagement in charitable and social services. By providing support to those in need, offering counseling services, organizing community events, and collaborating with other local organizations, the proposed church will contribute to the welfare of Sedalia and its residents. These initiatives will address societal challenges, foster a sense of compassion, and enhance the overall social fabric of the community.

Spiritual and Emotional Well-being:

The availability of a local church will cater to the spiritual and emotional needs of Sedalia's residents. It will provide a place of solace, where individuals can seek guidance, find support, and engage in religious practices. Access to a place of worship within the community will enhance the well-being and overall happiness of its residents.

In conclusion, we strongly believe that the proposed zoning change from residential to commercial for the purpose of constructing a church in Sedalia will bring numerous benefits to the city and its surrounding areas. The cultural, economic, and social advantages, along with the positive impact on neighborhood revitalization and community well-being, make this zoning change a favorable decision.

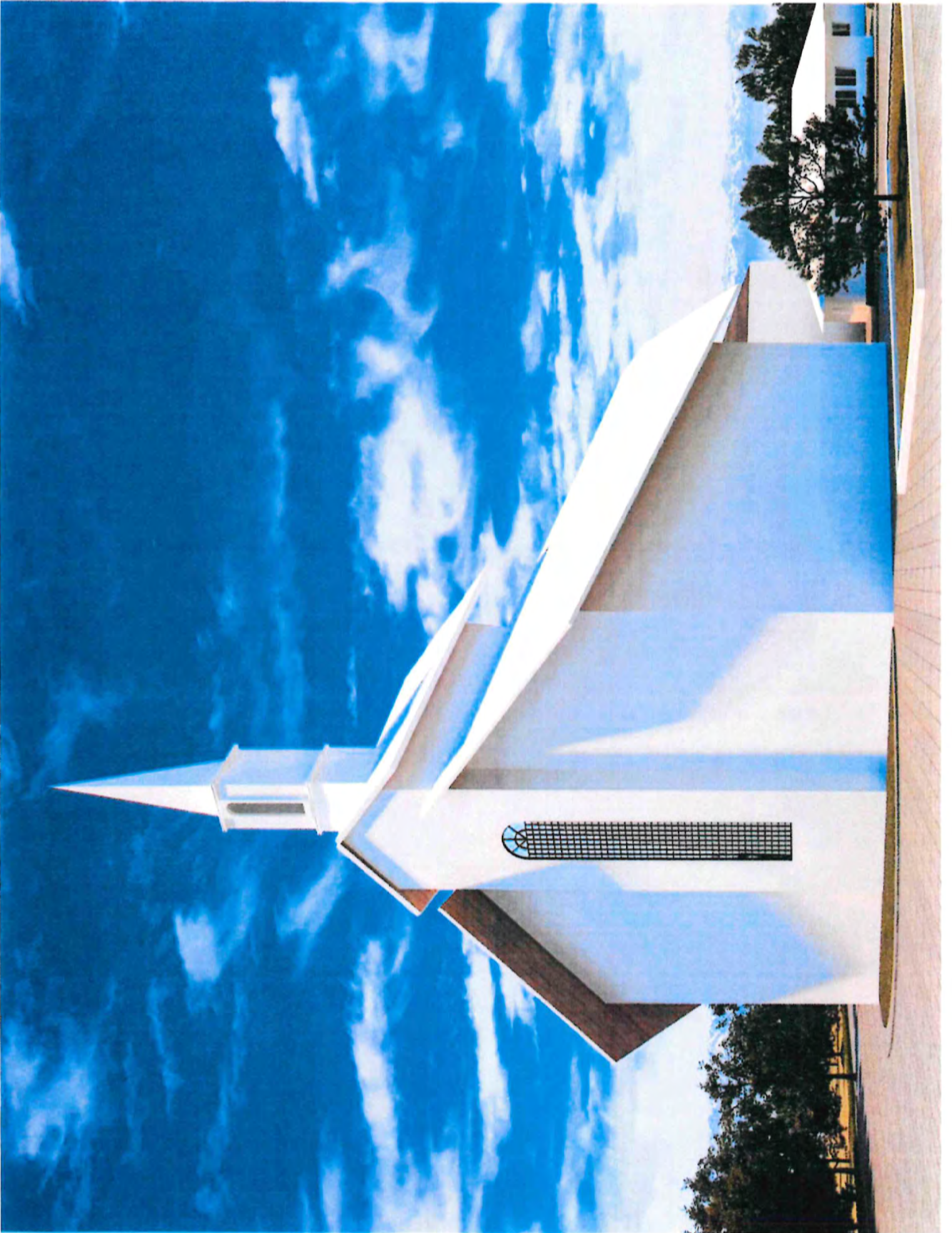
We kindly request you to consider this letter as a formal justification for the zoning change and support the proposed development of the church. Should you require any further information or have any questions, please do not hesitate to reach out to me. I appreciate your time and attention to this matter. Thank you for your consideration.

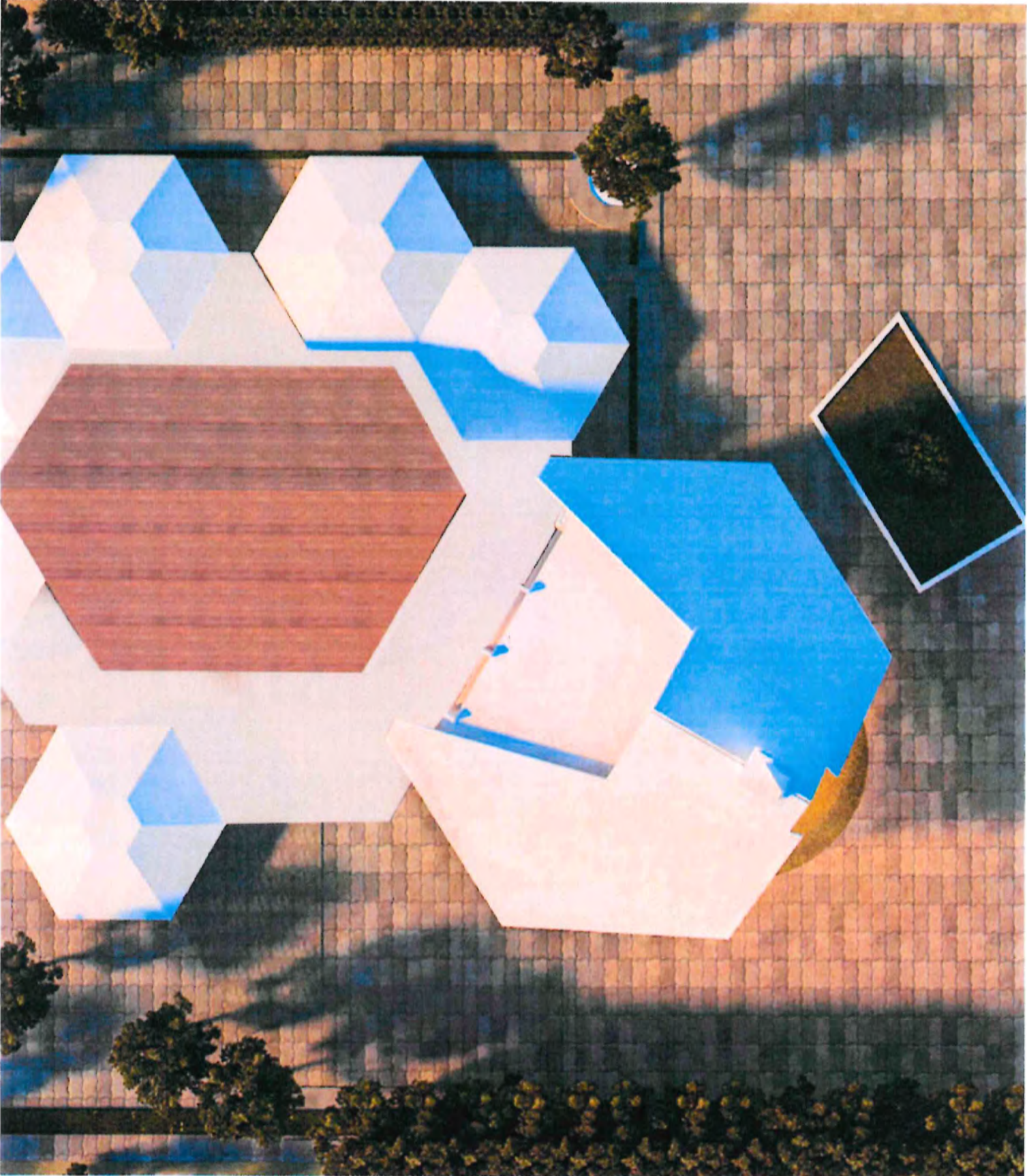
Sincerely,

A handwritten signature in black ink, appearing to read 'Israel Baeza', written in a cursive style.

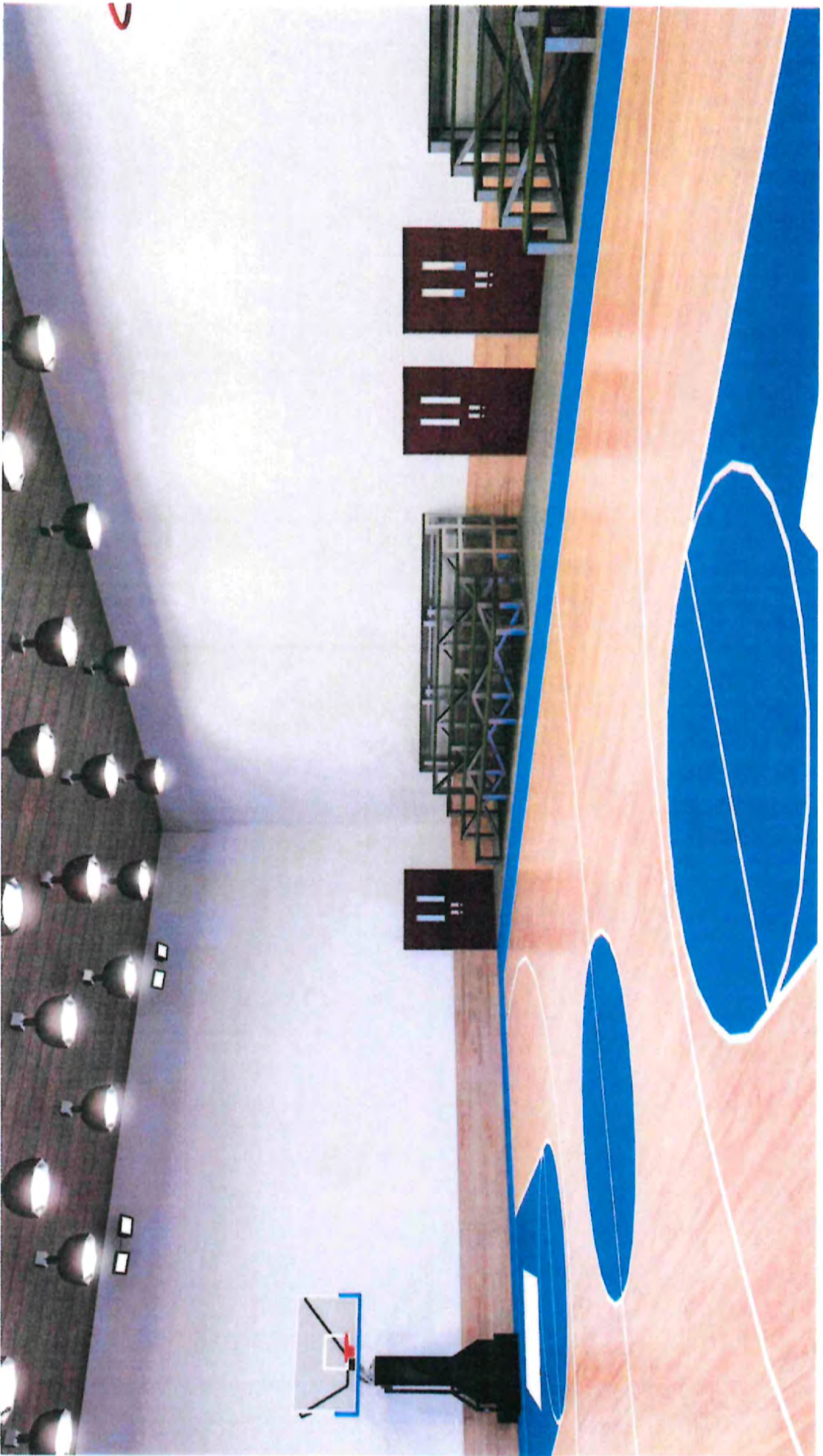
Israel Baeza

Chairman – Church Building Committee of PIB Sedalia











Let's Cross Paths

City of Sedalia

200 S. Osage

Sedalia, MO 65301

(660) 827-3000 www.sedalia.com

September 21, 2023

NOTIFICATION LETTER

To Whom It May Concern:

This is to notify you that the re-scheduled public hearing will be held in the City of Sedalia's Council Chambers of the Municipal Building, 2nd Street & Osage Avenue, Sedalia, Missouri to consider a Re-zoning Application for the following purpose and described tracts of land:

PURPOSE OF RE-ZONING: From existing R-1, Single Family Residential to C-3, Commercial.

PROPERTY ADDRESS:

1012 N OHIO – THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION THIRTY FOUR (34) IN TOWNSHIP FORTY SIX (46) NORTH OF RANGE TWENTY ONE (21) WEST OF THE FIFTH PRINCIPAL MERIDIAN IN PETTIS COUNTY, MISSOURI.

The public hearing will be held to consider the re-zoning application for the above-described tract. Hearing will begin at 5:30 pm on Wednesday, October 4, 2023 and any interested persons or property owners are invited to attend.

For any additional information regarding this re-zoning, please contact the undersigned at the Municipal Building.

Respectfully,

A handwritten signature in blue ink, appearing to read "John Simmons".

John Simmons

Community Development Director

jsimmons@sedalia.com

(660) 827-3000 x1115

Sedalia, MO



1 in. = 416ft.

831.6 0 415.79 831.6 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Parcel
- Roads
 - Other
 - State Hwy
 - US Hwy
- Corporate Limit Line
- Zoning
 - C-0
 - C-1
 - C-2
 - C-3
 - M-1
 - M-2
 - PUD
 - Parks and Open Space
 - R-1
 - R-2
 - R-3
 - leftover lines

Notes

MEMO

To: Planning & Zoning Commission
From: John Simmons, Community Development Director
Date: September 1, 2023
Subject: 1012 North Ohio
Applicant: PIB Sedalia

Description of Request: Applicant requests rezoning of the property located at 1022 North Ohio Avenue. Current zoning of the properties is R-1 Single Family Residential. The applicant is requesting a rezoning of C-3 Commercial.

Land Use Review:

The property located at 1012 North Ohio Avenue contains 9.63 acres and is currently vacant with timber.

The property to the north is zoned with a C-3 Commercial and R-1 Single Family combined with C-3 on the North Ohio portion and is mostly vacant land. The property to the west is zoned M-1 Light Industrial with an HVAC business. The property to the south is zoned R-1 Single Family and is vacant. The property to the east is zoned M-2 Heavy Industrial and contains the City's industrial rail line. This area of North Ohio Avenue is predominately used for commercial purposes.

Staff Recommendation: Staff recommends the application for rezoning be approved for the following reasons:

1. The change of zoning from R-1 Single Family to C-3 Commercial is compatible with the surrounding land uses.
2. The City of Sedalia Comprehensive Plans of 2021 and 2013 indicate that this an Urban Development Area with a goal of re-establishment. The primary goal in this area is to gain re-investment and re-establish the built environment.
3. The request for rezoning is in the general interest of the public. The C-3 Commercial designation would allow for further re-establishment of neighborhood institutions that serve the population.

Should you have any questions or concerns regarding anything outlined in this advisory, please do not hesitate to contact me at 827-3000 or jsimmons@sedalia.com.



Let's Cross Paths

PLANNING & ZONING COMMISSION

Wednesday, October 4, 2023

Council Chambers

5:30 pm

Planning & Zoning Commission

Tolbert Rowe	Absent	Andrew Dawson	Present
Ann Richardson	Absent	Teresa McDermott	Absent
Rhonda Ahern	Present	Mike Privitt	Absent
Valerie Bloess	Present	Ann Graff	Present
Jerry Ross	Present		
Chris Marshall	Present		

STAFF:

Kelvin Shaw
John Simmons
Jilene Streit
Devin Lake

- Ann Richardson, Vice-Chairman called the meeting to order at 5:30 pm
- Roll Call
- Welcomed two new members, Ian Shoemaker & Ann Graff
- Chris Marshall made the motion to approve the minutes from the August 2, 2023 meeting. Mayor Dawson seconded the motion. All approved.

➤ **New Business**

Open Public Hearing – 1012 N Ohio. Application by PIB Sedalia for a church building. Wants to rezone from R-1 Single Family Residential to C-3 Commercial. Public Hearing open at 5:35. Isreal Baeza, Church Building Committee Chairman represented the application with a summary of justification of the rezoning. No comments. Public Hearing closed 5:38 pm. John Simmons went through the particulars to rezone of the application from current R-1 Single Family Residential to C-3 Commercial. Staff recommends approval of this rezoning and it is in the general interest of the public. Val Bloess made the motion to recommend approval; Terry McDermott seconded. YES – 8; NO – 0. This application will move to Council for the October 16, 2023 meeting.

Open Public Hearing – 600 S Missouri. Application by Les Maisons LLC (Paul Beard). Public Hearing open at 5:41 pm. Application is to rezone property at 600 S Missouri from R-1 Single Family Residential to R-3 Multi-Family. Present use of property is a 4 Plex built in 1971. No representation from owner. John Simmons read the letter from Paul Beard that was submitted with the application.

John Rhoads, 1411 S Ohio – spoke in favor of the rezoning. Family owns a large amount of property in that neighborhood, many of which are multi-family & were built prior to the ordinance in 1983 that changed this to single family. This property was zoned wrong from this change. It was changed so that historic homes couldn't be converted into multi-family homes. This was not built as a single family home. It won't be a historic home. Believe this change will make a precedent moving forward other than maybe that this board would be willing to look at properties individually & change things that aren't right to start with. There are 10 houses on this block, 3 of which are single family. Need to protect this property owner's value in this property & future property owners, but not just the property owners of a small group.

The following individuals spoke in opposition of the rezoning:

Jan Bahner
Linda Wells, 617 W 5th
Missy, 607 W 6th
Heather & Steve Cooper, 608 W 5th
Melissa Turner, 517 W 6th
Judy Woolery, 624 W 7th
Billy Dunn, 700 W 6th
Richard Bahner, 705 W 5th
Lee Scribner, 720 W 16th
Chris Paszkiewicz, 712 W Broadway
Bill Woolery, 624 W 7th
Michelle Bassett, 717 W 6th
Heather Smith, 809 W 6th

Letters were sent and read by John Simmons:

Barbara Schrader
Byron Matson
Rachel Dawson
Lindsey & Brian Phillips
Richard Bahner
e-mail from Wendy Smith

Close Public Hearing at 6:13 pm. Mayor Andrew Dawson and Chairperson Rhonda Ahern abstain from voting. John Simmons said in the packet that was sent to you was the Ordinance from 1983 which created the R-1 zoning, a copy of a newspaper clipping from the Sedalia Democrat explaining the issue from 1983. John Simmons answered the question of tearing down, building a new 4-plex. The applicant applied for the rezoning due to if a catastrophe were to happen that they could rebuild a 4-plex in its place. Right now it is a legal non-confirming property, that the zoning change was enacted after the building had been built. The property would need to be zoned R-3 to rebuild a 4-plex. The intent of the ordinance back

in 1983 if something should befall one of these multi-family residential conversions that if something were to happen they could only be rebuilt as a single family residential. This application is due to the intent to sell the property however, the lender will not finance the property without the reassurance they could rebuild the 4-plex and not a single family residential. John Simmons read through the specifics of the staff recommendation. Staff recommendation is to deny the rezoning application. Terry McDermott made the motion to approve the rezoning. NO – 6; YES – 0; ABSTAIN – 2. This recommendation will go to Council on October 16, 2023.

- Open Public Hearing – 204 E 24th – Special Use Permit application from Nicholas Dilthey. Public Hearing opened at 6:27. John Simmons indicated the property is currently zoned C-1. Applicant had originally requested rezoning to C-3, staff recommended after the cancelled September meeting, that this would be better served as a Special Use Permit. C-3 is too broad of a category to allow that zoning in that area. Nicholas Dilthey, owner was present for the meeting. He purchased this property in 2017 & has been selling cars ever since. Hasn't had any problems, no complaints. Ever since he was growing up there has always been a car business there. Just purchased the property knowing he could sell cars there & now all of a sudden it's become a problem. That business is what supports his family & supports Sedalia by the revenue it brings in. Val wanted to know if he's had the license to sell cars there. Nick said he's had city license there for the last 5 years. He bought the property knowing he could sell vehicles there.

Gary Lahmeyer, 201 E 24th - two properties across the street & have been there for probably 70 years. This property has always been a car lot or retail lot. He has no complaints or problems with the place & to his knowledge none of his neighbors have any complaints.

John said he did receive one phone call before the September meeting for the rezoning application, property owner across the street to the north was opposed to it. Public Hearing closed at 6:32. John said in the packet was a letter from Baker Legal Services, Daniel Baker, on behalf of the applicant. John also drove passed the property in mid-September & took some pictures of the property. Applicant requests Special Use Permit to continue the use of the property for automobile sales. Currently used for the sale of used automobiles and carport structures. This use is in conflict with the zoning & applicant has received a notice of violation of the city code. In the last few years have changed the way of communication between departments. He was issued a business license before code enforcement noticed was in conflict of zoning ordinance. Commercial building was erected in 1977 & housed an automobile implement service. Current owner has been selling automobiles since 2019 until code enforcement revealed this was in violation of the zoning code. Applicant submitted rezoning application for the September Planning & Zoning meeting but that meeting was cancelled due to lack of quorum. The recommendation at that time was to deny the rezoning to C-3 commercial. Staff recommended that a Special Use Permit be applied for as a special use permit is tied to the applicant and not the land. Should the land change hands, the special use permit ceases. The new owner has the opportunity to approach the board for another special use permit. Staff recommends the application for the Special Use Permit be approved due to the used car lot is not obtrusive to the neighborhood & does not increase traffic; the use would be attached to the applicant & not the land. Should the applicant ever sell the property the use

would be invalidated whereas with rezoning to C-3 Commercial, other uses intrusive to residential neighborhoods would be allowed. Under Article V of the City of Sedalia's zoning code, "automobile or trailer sales rooms or yards, other than premises where used vehicles are dismantled" are eligible to apply for a Special Use permit. Making this recommendation with some stipulations. Building Official, Devin Lake explained the conditions she's concerned with. Code Enforcement issued a violation letter for motor vehicles in February 2023, accumulation of trash & rubbish & zoning violation. To date the motor vehicles & zoning is still not compliant. The trash & rubbish has been taken care of. Also realized the carport constructed there did not obtain a building permit to be constructed there so a new violation letter was sent out last week. He has appeared in municipal court for these violations so seeing that the property is still in violation of the International Property Maintenance Code staff has made the recommendation of stipulations of this special use permit including: occupant must maintain the property in compliance with the International Property Maintenance Code; City may revoke special use permit upon violation of that code; sale of goods on that lot is limited to used vehicles, any other use of the exterior of the property is prohibited and preparation of sale of vehicles must be conducted inside the building and not on the exterior. Devin's recommendation all of these must be in compliance within 30 days. Mayor Dawson asked if there is any type of notice if found in violation or does the revocation happen automatically? Devin said if found in violation again they would be issued another violation letter & per code they have 10 days to take care of the issue. Rhonda said he's selling carports as well, Devin said the sale of carports would be prohibited. Devin said there would be an appeals process for the revoking of the business license because of the revoking of the special use permit from having violations. John said the case of the carport is there was no building permit for it. Nick said he didn't know he had to have a permit. Devin said since this violation has been open since February that's why her recommendation would be that all those violations need to be corrected within 30 days. Ann said she doesn't feel comfortable having all these questions. Terry said her question is that he has to maintain his property according to the International Property Maintenance Code is the owner aware of everything entailed in this IPMC? Devin said it's available on our City's website. John said the violations he received in the past are what the concern in. Terry said she just didn't know if there is anything else in there that he may not be aware of that might just pop up. Nick said the carport is just for display. It is anchored to the ground. Nick sells the carports for Coast to Coast. He didn't know you had to have a permit for this carport. Mr. Baker asked if it's possible to get a carport to keep it. Devin said as long as a sale isn't occurring and as long as it meets all the setbacks that would have been addressed during the building permit process. Not moving carports in & out, used as a display building only. Jerry Ross made a motion to table for 30 days, seconded by Rhonda Ahern for Mr. Dilthey to come into compliance with these issues.

- Old Business – None

Next meeting – November 8, 2023

Jerry Ross made the motion to adjourn the meeting. Chris Marshall seconded. All approved.

Meeting adjourned.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SEDALIA, MISSOURI, APPROVING AND ANNEXING AN UNINCORPORATED AREA OWNED BY MIDWEST LANDING, LLC, INTO THE CITY OF SEDALIA, MISSOURI, ADJACENT AND CONTIGUOUS TO EXISTING CORPORATE LIMITS OF SAID CITY.

WHEREAS, it is reasonable and necessary to the proper development of the City of Sedalia, Missouri, and stating that the City of Sedalia, Missouri, has the ability to furnish normal municipal services to said area within a reasonable amount of time after annexation becomes effective; and

WHEREAS, on August 29, 2023, a petition was submitted to the City Council of Sedalia, Missouri, under the provisions of Section 71.012 RSMo. whereby Midwest Landing LLC, hereinafter described desires to have said real estate annexed into the corporate limits of the City of Sedalia, Missouri; and

WHEREAS, the City Council of the City of Sedalia, Missouri, held a public hearing on the 2nd day of October, 2023, after having first given public notice of said public hearing by publication on September 23, 2023, in *The Sedalia Democrat*; and

WHEREAS, after considering and studying said request for annexation to the City of Sedalia, Missouri, and hearing evidence thereon, the City Council of the City of Sedalia, Missouri, does declare that said annexation is necessary for the reasonable and proper development of the City of Sedalia, Missouri, and that the City of Sedalia has the ability to furnish normal municipal services to said area within reasonable time after said annexation becomes effective and said area is contiguous to the existing corporate limits of the City of Sedalia, Missouri; and

WHEREAS, no written objections to said proposed annexation have been filed with the governing body of the City of Sedalia within fourteen (14) days after said public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI, as follows:

Section 1. That under the provisions of Section 71.012 RSMo. the City Council of the City of Sedalia, Missouri, hereby declares that annexation of the land hereinafter described be and is necessary for the reasonable and proper development of the City of Sedalia, Missouri; that the City of Sedalia has the ability to furnish normal municipal service to said area within reasonable time after said annexation becomes effective; that said area is contiguous to the existing corporate limits of the City of Sedalia, Missouri; and should be a part of said City; said tract being a part of Pettis County, Missouri, is more particularly described on Exhibit A attached hereto.

Section 2. The entire tract shall be zoned R-3 Apartment House. The legal description is more particularly described on Exhibit A attached hereto.

Section 3. The City Clerk is hereby ordered and directed to cause three certified copies of this ordinance to be filed with the Office of County Clerk of Pettis County, Missouri, and placed on record with the Pettis County Recorder of Deeds.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 16th day of October, 2023.

Presiding Officer of the Council

Approved by the Mayor of said City this 16th day of October, 2023.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers
City Clerk

EXHIBIT A

A TRACT OF LAND LOCATED IN A PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 45 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI AND BEING A PART OF LOTS 2-8, 10, 149-151, 156-157, PLATTED LIGHTHOUSE LANE AND MELYNDA COURT, OF CAMBRIDGE COUNTRY ESTATES, A SUBDIVISION IN PETTIS COUNTY, MISSOURI AS RECORDED IN PLAT CABINET A AT PAGES 126-127 AND LOCATED IN PART OF LOT 2 OF CAMBRIDGE COUNTRY ESTATES, PHASE 2, A SUBDIVISION IN PETTIS COUNTY, MISSOURI, AS RECORDED IN PLAT CABINET A AT PAGE 245, AND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A ½" IRON BAR WITH PLASTIC STAMPED CAP AT THE SOUTHEAST CORNER OF LOT 12, CAMBRIDGE COUNTRY ESTATES, PHASE 3, A SUBDIVISION IN PETTIS COUNTY, MISSOURI, AS RECORDED IN PLAT CABINET A AT PAGES 311-312; THENCE ALONG THE EASTERLY LINE OF TRACT A OF SAID CAMBRIDGE COUNTRY ESTATES, PHASE 3, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 1030.00 FEET AND A CHORD BEARING OF S 16°45'11"E (CHORD DISTANCE OF 50.00 FEET), AN ARC DISTANCE OF 50.00 FEET TO A ½" IRON BAR WITH PLASTIC STAMPED CAP AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE TO THE LEFT, BEING THE WESTERLY LINE OF "SPARKS BYPASS" HAVING A RADIUS OF 1030.00 FEET AND A CHORD BEARING OF S 32°30'17"E (CHORD DISTANCE OF 510.94 FEET), AN ARC DISTANCE OF 516.33 FEET TO A ½" IRON BAR WITH PLASTIC STAMPED CAP; THENCE LEAVING THE WESTERLY LINE OF "SPARKS BYPASS", S 35°50'25"W, A DISTANCE OF 293.27 FEET; THENCE NORTH 50°39'31" WEST, 259.98 FEET; THENCE NORTH 34°13'29" WEST, 170.22 FEET; THENCE NORTH 87°48'48" WEST, 66.75 FEET; THENCE NORTH 02°11'12" EAST, 327.08 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT A; THENCE N 89°27'44"E ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 27.61 FEET TO A TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT ON THE SOUTH LINE OF SAID TRACT A, HAVING A RADIUS OF 525.00 FEET AND A CHORD BEARING OF N 81°21'14"E (CHORD DISTANCE OF 148.07 FEET), AN ARC DISTANCE OF 148.57 FEET TO A POINT OF TANGENCY; THENCE N 73°14'49"E ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 117.30 FEET TO THE POINT OF BEGINNING, AS SHOWN AS TRACT A ON PLAT OF SURVEY PREPARED BY WHITEHEAD CONSULTANTS, INC. IN JOB NO. 18-125M SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD. TOGETHER WITH AND SUBJECT TO THE 30' UTILITY EASEMENT.

PETITION FOR ANNEXATION

COMES NOW: ZAKHARIY Izoita, doing business in Sedalia, Pettis County, Missouri, hereinafter called "Petitioner", and being first duly sworn on its oath, states the following, to-wit:

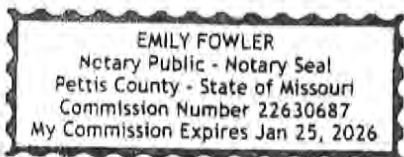
1. That Petitioner is the owner of all fee interests of record in the tract of land described on Exhibit A and attached hereto and made a part hereof as though set out herein verbatim, and which is contiguous and compact to the existing city limits of the City of Sedalia, Missouri.
2. Petitioner requests that said property be annexed into the City of Sedalia, Missouri, and further requests that the following tract of land described in Exhibit A be zoned R-3
Apartment House.
3. That Petitioner is authorized to present this verified petition to the City Council of Sedalia, Missouri.

By: MIDWESTHANDIN LLC
 Name: ZAKHARIY Izoita
 Title: Owner

State of Missouri)
) SS
 County of Pettis)

On this 17th day of August, 2023 before me personally appeared Zakhariv Izoita to me personally known, who being duly sworn, did say that he is Zakhariv Izoita, and that the foregoing instrument was signed and sealed on behalf of Emily Fowler.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Sedalia, Missouri, the day and year first written above.



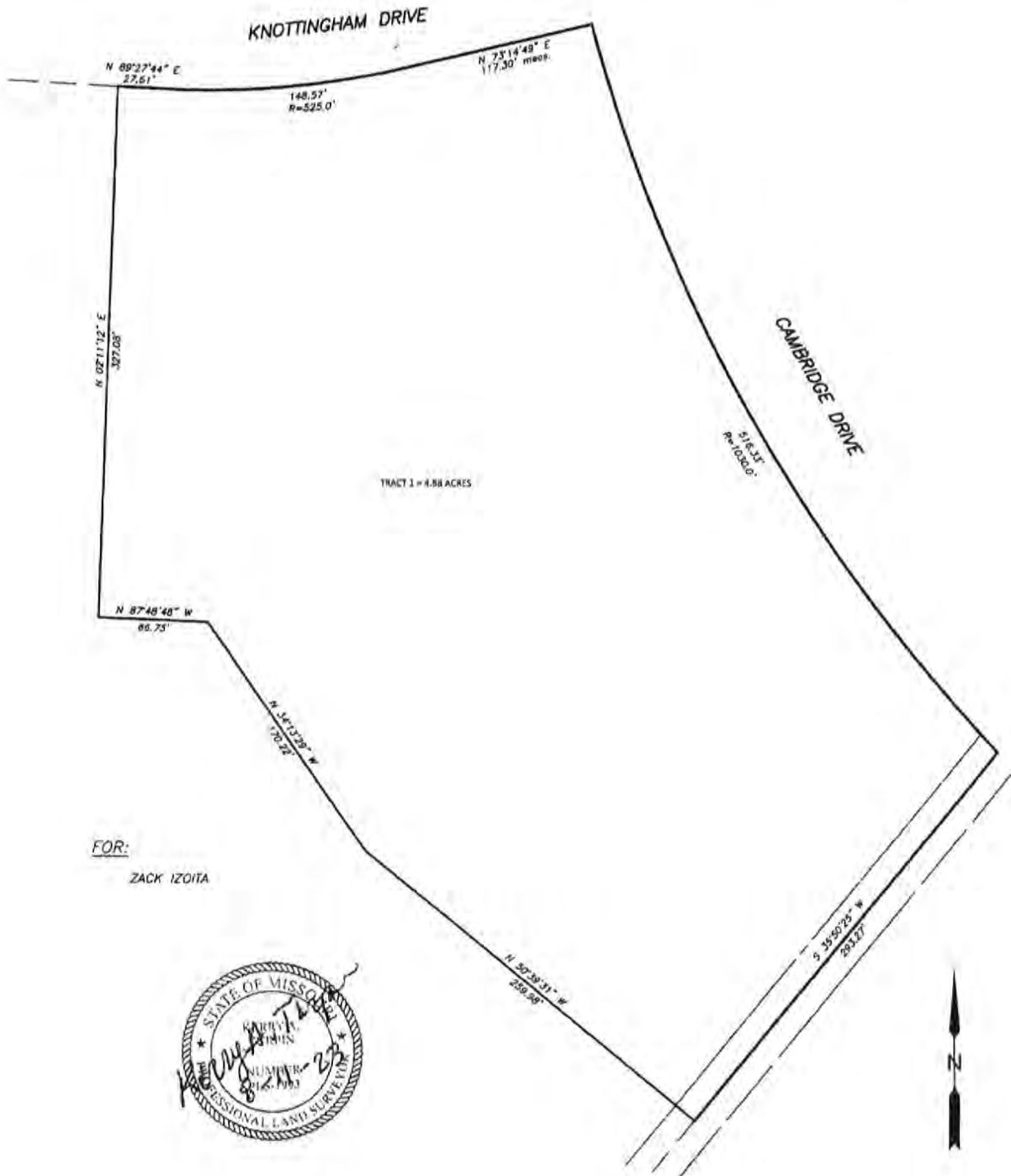
Emily Fowler
 Notary Public

(SEAL)

Exhibit A
Legal Description

DESCRIPTION FOR ANNEXATION

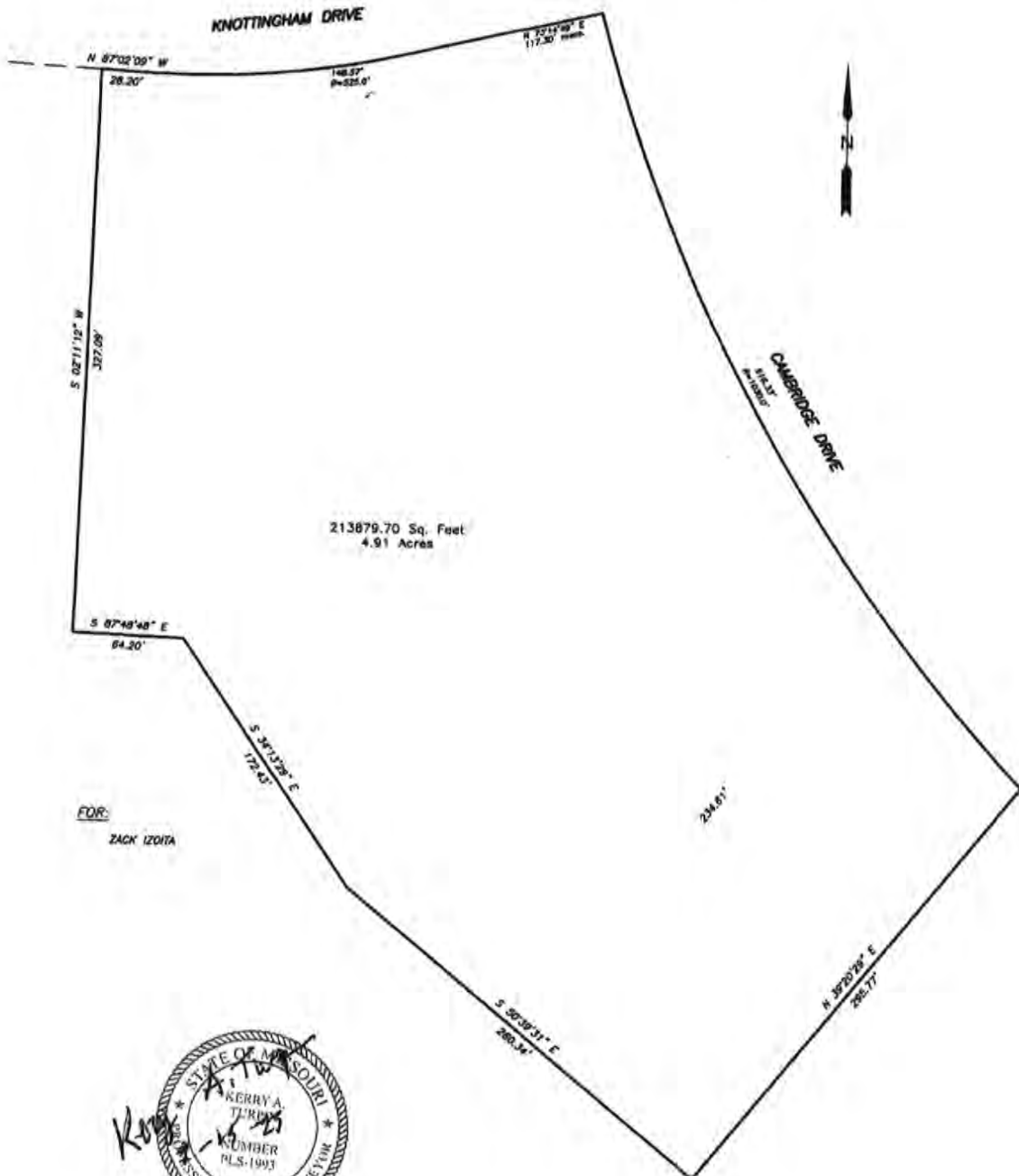
A TRACT OF LAND LOCATED IN A PART OF THE WEST HALF OF SECTION 17, TOWNSHIP 45 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI AND BEING A PART OF LOTS 2-8, 10, 149-151, 156-157, PLATTED LIGHTHOUSE LANE AND MELYNDA COURT, OF CAMBRIDGE COUNTRY ESTATES, A SUBDIVISION IN PETTIS COUNTY, MISSOURI AS RECORDED IN PLAT CABINET A AT PAGES 126-127 AND LOCATED IN PART OF LOT 2 OF CAMBRIDGE COUNTRY ESTATES, PHASE 2, A SUBDIVISION IN PETTIS COUNTY, MISSOURI, AS RECORDED IN PLAT CABINET A AT PAGE 245, AND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1/2" IRON BAR WITH PLASTIC STAMPED CAP AT THE SOUTHEAST CORNER OF LOT 12, CAMBRIDGE COUNTRY ESTATES, PHASE 3, A SUBDIVISION IN PETTIS COUNTY, MISSOURI, AS RECORDED IN PLAT CABINET A AT PAGES 311-312; THENCE ALONG THE EASTERLY LINE OF TRACT A OF SAID CAMBRIDGE COUNTRY ESTATES, PHASE 3, BEING A CURVE TO THE LEFT HAVING A RADIUS OF 1030.00 FEET AND A CHORD BEARING OF S 16°45'11" E (CHORD DISTANCE OF 50.00 FEET), AN ARC DISTANCE OF 50.00 FEET TO A 1/2" IRON BAR WITH PLASTIC STAMPED CAP AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE TO THE LEFT, BEING THE WESTERLY LINE OF "SPARKS BYPASS" HAVING A RADIUS OF 1030.00 FEET AND A CHORD BEARING OF S 32°30'17" E (CHORD DISTANCE OF 510.94 FEET), AN ARC DISTANCE OF 516.33 FEET TO A 1/2" IRON BAR WITH PLASTIC STAMPED CAP; THENCE LEAVING THE WESTERLY LINE OF "SPARKS BYPASS", S 35°50'25" W, A DISTANCE OF 293.27 FEET; THENCE NORTH 50°39'31" WEST, 259.98 FEET; THENCE NORTH 34°13'29" WEST, 170.22 FEET; THENCE NORTH 87°48'48" WEST, 66.75 FEET; THENCE NORTH 02°11'12" EAST, 327.08 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT A; THENCE N 89°27'44" E ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 27.61 FEET TO A TANGENT CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT ON THE SOUTH LINE OF SAID TRACT A, HAVING A RADIUS OF 525.00 FEET AND A CHORD BEARING OF N 81°21'14" E (CHORD DISTANCE OF 148.07 FEET), AN ARC DISTANCE OF 148.57 FEET TO A POINT OF TANGENCY; THENCE N 73°14'49" E ALONG THE SOUTH LINE OF SAID TRACT A, A DISTANCE OF 117.30 FEET TO THE POINT OF BEGINNING, AS SHOWN AS TRACT A ON PLAT OF SURVEY PREPARED BY WHITEHEAD CONSULTANTS, INC. IN JOB NO. 1B-125M SUBJECT TO ANY AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD, TOGETHER WITH AND SUBJECT TO THE 30' UTILITY EASEMENT.



FOR:
ZACK IZOITA

DESCRIPTION FOR ANNEXATION

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BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL) ON CERTAIN PROPERTY LOCATED AT 600 SOUTH MISSOURI, IN THE CITY OF SEDALIA, MISSOURI, IN ACCORDANCE WITH CHAPTER 64, OF THE CITY CODE OF THE CITY OF SEDALIA, MISSOURI.

WHEREAS, the City received and application from Paul Beard, Les Maisons, LLC (“Applicant”) to rezone certain property within the City from District R–1 Single Family Residential (“Rezoning Application”) to R–3 Multi-Family Residential; and

WHEREAS, Notice of a public hearing before the City’s Planning & Zoning Commission (“Commission”) was published in a paper of general circulation within the city on September 16, 2023; and mailed to all property owners subject to the rezoning and within 185 feet of the property proposed to be rezoned; and

WHEREAS, on October 4, 2023, the Commission opened the public hearing and all those interested and wishing to testify were given the opportunity; and

WHEREAS, after the public hearing was closed, the Commission unanimously recommended (0-Yes; 6-No; 2-Abstain) that the Sedalia City Council (“City Council”) deny the rezoning of that certain property that is subject to the Rezoning Application, from R–1 to R–3.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI as follows:

Section 1. That upon review of the record presented in a public hearing before the Commission, the final report, and recommendation of the Commission, the City Council hereby approves the Rezoning Application.

Section 2. The said real estate mentioned in Section 1 is described and attached to this ordinance as Exhibit A.

Section 3. The Zoning Ordinances of the City of Sedalia, Missouri are hereby amended so that the real estate described in Exhibit A, which is presently zoned R-1 Single Family Residential is rezoned in its entirety to R-3 Multi-Family Residential.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 16th day of October, 2023.

Presiding Officer of the Council

Approved by the Mayor of said City this 16th day of October, 2023.

Andrew L. Dawson, Mayor

ATTEST:

Jason S. Myers, City Clerk

EXHIBIT A

LEGAL DESCRIPTIONS

600 South Missouri:

LOTS SIX (6) AND SEVEN (7) IN BLOCK FIFTY-ONE (51) OF MARTHA E. MARTIN AND SARA E. SMITH'S SECOND ADDITION TO THE CITY OF SEDALIA, MISSOURI.

**APPLICATION FOR AN
AMENDMENT TO THE ZONING DISTRICT MAP**

Sedalia City Planning & Zoning Commission
200 S. Osage Avenue
Sedalia, Missouri 65301

DO NOT WRITE IN THIS SPACE	
Date of Public Hearing	_____
Date Submitted	_____
Date Advertised	_____
Date of Mailing	_____
Checked By	_____
Commission Action	_____
Council Action	_____

1. Applicant's Name Les Maisons LLC (Paul Beard) (Mailing Address 3205 Buckingham Dr, Sedalia)
2. Applicant's Address 600 S. Missouri (Rental Property)
3. Telephone Number (Home) 660 287 4117 (Business)
4. Present Zoning R1 Requested Zoning R3
5. Legal Description of property requested to be rezoned, with street address or location:

Lots 6 and 7 of Block 51 of Smith and Martin's
2nd Addition to the City of Sedalia, Pettis, Missouri

6. Area of subject property, square feet and/or acres _____
7. Present Use of subject property Fourplex
8. Desired use of subject property Fourplex
9. What is the present use of the adjoining properties? North Multi Family Residential
South Single Family Residential East Multi Family Res West Multi Family Res.
10. How can you justify the proposed zoning change? (To answer this question, see Page 1, Item 2) Conforms to existing reality.
11. Time schedule for development ASAP
12. Is property in a flood plain district? If yes, please indicate applicable FEMA Map applicable zone NO Has base flood elevation been established? _____
If yes, please explain how such elevation was determined. _____

13. Public Utilities available at site: Sewer Yes " at _____
Water Yes
at _____
Natural Gas Yes " at _____
Electric Yes
at _____

14. Exhibits furnished _____
15. [Signature] 3205 Buckingham Dr. Sedalia
Signature of Applicant Address of Applicant

16. Relationship of applicant to property: Owner Agent _____
17. Other _____
(Explain)

LES MAISONS LLC
3205 Buckingham Dr
Sedalia, MO 65301
660-287-4117
paulbeardrealty@gmail.com

11 September 2023

RE: Zoning change request

Sedalia Zoning Commission
Sedalia, MO 65301

Dear Commission Members,

I hope you are doing well.

I am writing to request that you please consider a zoning change or consider granting a zoning variance for my property.

My property is a fourplex at 600 S Missouri, here in Sedalia. (FYI, the Sedalia Water Department identifies this property as 601 W 6th Street. 600 S. Missouri is the address that the county assessor, the Federal Post Office, and the tenants use.) The property was built in 1971.

The area is zoned R1. Missouri Avenue is the dividing line on the zoning map between R1 and R3, so right across the street to the east are R3 multi-family properties.

This little one block section of West 6th appears to be an outlier. Despite being zoned R1, six of the ten properties on 6th Street between Missouri and Harrison Avenues are multi-family, all built prior to 1971. Contrarily, there are no multi-family houses on 7th or 5th Streets between Missouri Avenue and Harrison Avenue.

I am requesting this change or variance because I wish to sell the property, but the buyer's bank is not willing to proceed unless the zoning is changed to allow a fourplex to be rebuilt on that property should some disaster require a rebuild.

I appreciate your consideration.



Paul Beard, Les Maisons LLC



Let's Cross Paths

City of Sedalia

200 S. Osage

Sedalia, MO 65301

(660) 827-3000 www.sedalia.com

September 21, 2023

NOTIFICATION LETTER

To Whom It May Concern:

This is to notify you that a public hearing will be held in the City of Sedalia's Council Chambers of the Municipal Building, 2nd Street & Osage Avenue, Sedalia, Missouri to consider a Re-zoning Application for the following purpose and described tracts of land:

PURPOSE OF RE-ZONING: From existing R-1, Single Family Residential to R-3, Apartment House.

PROPERTY ADDRESS:

600 S MISSOURI – LOTS SIX (6) AND SEVEN (7) IN BLOCK FIFTY ONE (51) OF MARTHA E. MARTIN AND SARA E. SMITH'S SECOND ADDITION TO THE CITY OF SEDALIA, MISSOURI.

The public hearing will be held to consider the re-zoning application for the above-described tract. Hearing will begin at 5:30 pm on Wednesday, October 4, 2023 and any interested persons or property owners are invited to attend.

For any additional information regarding this re-zoning, please contact the undersigned at the Municipal Building.

Respectfully,

A handwritten signature in blue ink, appearing to read "John Simmons".

John Simmons

Community Development Director

jsimmons@sedalia.com

(660) 827-3000 x1115

Sedalia, MO



1 in. = 78ft.



155.4 0 77.68 155.4 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Legend

- Parcel
- Roads
- State Hwy
- US Hwy
- Other
- Corporate Limit Line
- Zoning**
- C-0
- C-1
- C-2
- C-3
- M-1
- M-2
- PUD
- Parks and Open Space
- R-1
- R-2
- R-3
- leftover lines

MEMO

To: Planning & Zoning Commission
From: John Simmons, Community Development Director
Date: September 27, 2023
Subject: 600 South Missouri Avenue
Applicant: Les Maisons LLC (Nathan Beard)

Description of Request: Applicant requests rezoning of the property located at 600 South Missouri Avenue. Current zoning of the properties is R-1 Single Family Residential. The applicant is requesting a rezoning of R-3 Multi-Family.

Land Use Review:

The property located at 600 South Missouri Avenue contains 0.24 acres and contains a structure with four residential units (four-plex). Built in 1971, the four-plex is considered legal, non-conforming.

In 1983, the Sedalia City council rezoned the area bounded by Broadway to the South, Missouri Avenue on the East, Grand Avenue on the West and Third Street on the North from R-3 Multi-Family to R-1 Single Family. This was in response to petitions of the residents of this area to stop the conversion of what were historic single family homes into multi-family structures. The application for the rezoning was submitted by Mayor Larry Foster on behalf of the City of Sedalia.

The properties to the north is zoned R-1 Single Family but contains a conversion from a historic single-family residence to a four-plex and is considered legal, non-conforming. The property to the West is zoned R-1 Single Family and contains what appears to be a historic structure constructed as a four-plex prior to 1900 and is legal, non-conforming. The property to the south is zoned R-1 Single Family and contains a historic single-family residence. The property to the east is zoned R-3 Multi-Family and contains a historic single-family residence converted to a three-plex.

The area, known as the Victorian Towers neighborhood is currently under survey for listing as National Historic District and is part of the 353 is predominately used for commercial purposes. These city led initiatives are purposed with conserving, stabilizing and re-establishing the economic vitality of the city's housing stock. The mention of the conversions of the historic residences to multi-family is important because the intent of the rezoning in 1983 was to prevent further conversion of single family residences into multi-family residences.

Staff Recommendation: Staff recommends the application for rezoning be denied for the following reasons:

1. The change of zoning from R-1 Single Family to R-3 Multi-Family Commercial is not the direction that the city charted for this area through the 1983 re-zoning, the Victorian Towers Historic District process, or the 353 Redevelopment plans.
2. The City of Sedalia Comprehensive Plans of 2021 and 2013 indicate that this an Urban Development Area with a goal of re-establishment. The primary goal in this area is to gain re-investment and re-establish the built environment. This must be done in a manner that preserves the historic integrity of the area and sees the re-establishment of single family housing when multi-family conversions become non-conforming due to natural causes or reinvestment in single family housing.
3. The request for rezoning is not in the general interest of the public. The R-3 Multi-Family designation would undo the efforts of the neighborhood residents and the ongoing planning efforts of the City.

Should you have any questions or concerns regarding anything outlined in this advisory, please do not hesitate to contact me at 827-3000 or jsimmons@sedalia.com.

A BILL

NO. 83-63

ORDINANCE NO. 7950

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY REZONING CERTAIN REAL ESTATE
IN THE CITY OF SEDALIA, MISSOURI.

Be it ordained by the Council of the City of Sedalia, Missouri as follows:

SECTION 1. The Planning and Zoning Commission of the City of Sedalia, Missouri upon the application of Larry G. Foster for the City of Sedalia, Missouri, the owner of certain real estate hereinafter described, that the said real estate be rezoned from zone R-3 to zone R-1, after the publication of notice as required by the Ordinance of the City of Sedalia, Missouri, and the law of the State of Missouri, on November 10, 1983, held a public hearing and considered the application and upon the hearing and examination of the application the said Planning and Zoning Commission has recommended approval of the said application for rezoning.

SECTION 2. The said real estate mentioned in Section 1, which the said Planning and Zoning Commission has recommended approval of rezoning for, is described as follows:

Area bound by Broadway on the South, Missouri Avenue on the East, Grand Avenue on the West and Third Street on the North.

SECTION 3. The Zoning Ordinance of the City of Sedalia, Missouri be and the same is hereby amended so that the real estate described in Section 2 hereof that is now zoned as zone R-3 be rezoned to zone R-1 and that the Zoning District Map provided for in the said ordinance be altered so as to show the said zoning change.

SECTION 4. This ordinance shall take effect and be in full force and effect from and after its passage and approval.

Read for the first and second time by the Council of the City of Sedalia, Missouri on the 21st day of November, 1983.

Read for the third and final time by the Council of the City of Sedalia, Missouri on the 21st day of November, 1983.



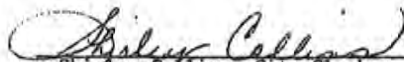
Presiding Officer of the Council

Approved by the mayor of said city on the 21st day of November, 1983.



Larry G. Foster, Mayor

ATTEST:



Shirley Collins, City Clerk

Redaction Document 77-11-11, 1983

Commission approves zone change from apartment to single-family

By VINCE McDONOUGH
Staff Writer

The Planning and Zoning Commission voted 5-1 Thursday night to rezone an area bound by Broadway, Missouri, Grand and Third streets from R-3 apartment house to R-1 single-family residential. The recommendation will be forwarded to the City Council.

Mayor Larry Foster said he made the request to maintain property values in the area. He said he had received many complaints that landlords did not live in the homes they own and that their occupants were letting the buildings deteriorate.

Several residents objected to the proposal, including Donald Brown, 609 West Third, who said property value would decline even more with the zoning change because the houses would be harder to sell if only single families could move into them. He said many people would feel they could not afford the high utility bills and maintenance costs if not allowed to lease parts of the

houses.

Commission member Dick Cooper voted against the request, saying he would like to study it after getting more citizen input.

Houses in the area that are now multi-family dwellings would retain the R-3 status under the zoning grandfather clause.

City Administrator Mark Durbin and Foster also said other property owners in the area who want to change from single-family to multi-family have until the next City Council meeting, Nov. 21, to do so. If their applications are received before the meeting and accepted, they, too, would be excluded from the new R-1 classification.

The recommendation will go to the council for final approval.

In other news, the commission approved a request by Doris E. Riley, owner of Gina's Granny Home, 1105 East Sixth, to rezone the property from R-1 to R-3.

She said she plans to expand the boarding home.

Barbara Schrader
715 West 3rd St
Sedalia, MO 65301

September 9th, 2023

Sedalia Planning and Zoning Commission
Sedalia City Council
200 South Osage
Sedalia, MO 65301

Dear Members of the Sedalia Planning and Zoning Commission and City Council,

I am writing to express my strong opposition to the proposed rezoning of the property located at 600 S Missouri from R-1 Single Family Residential to R-3 Multi-Family Residential. As a long-time resident of the neighborhood, I find this proposal not only alarming but also detrimental to the community we have worked so hard to preserve.

For decades, our community has valued the R-1 zoning designation, which was intentionally put in place to protect the historic character of our neighborhood. Changing this zoning designation opens the door to less home ownership, an outcome that threatens the very fabric of our community.

The proposed rezoning will likely result in a decrease in property values for current residents. It risks turning our neighborhood, known for its beautiful Victorian homes, into a rental-driven environment, thereby lessening owner-occupied properties and community engagement.

Furthermore, the change sets a troubling precedent, undermining the community's past efforts to maintain the historic integrity of the area. Rezoning to accommodate multi-family residences may embolden further rezoning attempts, thereby eroding the unity and character that define our neighborhood.

The Planning and Zoning Commission has a duty to uphold the desires and values of the community it serves. I strongly urge you to reject the rezoning application for 600 S Missouri and instead focus on preserving the area's historical significance and community integrity.

Thank you for your attention to this matter. I plan to attend the public hearing scheduled for Wednesday, October 4, 2023, at 5:30 PM to voice my concerns and hear the perspectives of my fellow residents and city officials. In the event that I am unable to attend, I respectfully request that this letter be read into the record at both the Planning and Zoning hearing and any subsequent hearings regarding this matter before the Sedalia City Council.

Sincerely,



Barbara Schrader

Byron Matson
705 W. 6th St
Sedalia, MO 65301
30-02-73

Planning and Zoning Commission
200 South Osage
Sedalia, MO 65301

Dear Members of the Planning and Zoning Commission,

I hope this letter finds you in good health and high spirits. As a resident of the community affected by the proposed zoning variance for the 600 block of South Missouri Ave., I am writing to formally express my strong opposition to the approval of this application.

Current zoning regulations exist to uphold the quality, safety, and overall welfare of our neighborhoods. Any deviation from these regulations, such as the proposed variance, would disrupt the established structure and could lead to unintended negative consequences that would impact those who reside in the vicinity of the proposed change.

Therefore, I respectfully urge you to consider the broader implications of approving such a variance. It is essential that any decisions made are in the best interest of the residents, preserving the integrity of our community. I firmly believe that our zoning laws are fundamental to this aim and should not be altered lightly.

Thank you for your time and consideration of this critical matter. I trust that you will act judiciously in making a decision that will affect our community for years to come.

Sincerely,



Byron Matson

Richard Bahner
707 West 3rd
Sedalia, MO 65301
29 September 2023

Re: Request for Rezoning of Property at 600 S. Missouri

Dear Ladies and Gentlemen of the Planning and Zoning Commission,

Please forgive my absence at the meeting. My absence is due to a trip which has been planned for quite a while now, and I was only made aware of this meeting this morning. I find this meeting to be most distressing, as it concerns an issue which should be dead and buried. A request to rezone has been made on a property which lies in the boundaries of the "Victorian Towers" neighborhood. An ordinance, a copy of which I hope has been made available to you, was passed decades ago protecting this neighborhood from any further subdivision of existing single-family properties into multi-family properties. The effort was made in order to save one of the most beautiful and historic neighborhoods in the city from the degradation that has proven itself over and over whenever such changes were made. The changes are slow, but almost inevitable as properties pass from owner to owner. And of course, the original beauty of homes and neighborhoods is degraded immediately upon the change due to the change in design, increase in the number of vehicles, loss of lawn care, trash, noise, etc.

My wife, many neighbors from all over the Victorian Towers neighborhood, and I fought a battle somewhat recently to try to prevent a quadplex that would have been built on a property that is currently deemed too small for an additional single-family residence but would have been allowed if such a rezoning had been granted. Ironic? We would awaken every day to a parking lot with dumpsters instead of our neighbor's lovely lawn. The plan for this was rejected by a vote of the Planning and Zoning Commission, but the request was taken to the City Council at whose packed meeting room filled with opponents to the plan, the request was withdrawn. The families in the area do not want this type of rezoning, but most residents do not have the resources that are available to the proponents to fight these battles. It seems that time and money are being used to wear down the residents who actually have to live with the result. It is only those who would stand to profit from additional revenue that support the rezoning, and many of these landlords are not even living inside the city limits!

We believe that the issue has been settled and should be left unchanged. We further fear that rezoning even a single property would set a precedent that would lead to the same degradation that former mayor John Kehde and many other residents of that day feared for the neighborhood. We ask you to consider those people who believe in city living, who believe in working together to share resources, and who work together to save the environment. We are the ones who live in the city we create, and we believe Sedalia is heading for a great future. Any move that would endanger the beauty of our city must be discouraged, and this rezoning request, no matter how small or innocent it may appear at the moment, has the potential for far-ranging ramifications in the future. I submit this to you as a lifetime Sedalia native and lover of the town, a man who as a boy, used to walk the sidewalks of the neighborhood in which I now live and look in awe at its beauty. Please do what you must to preserve it for future children and families.

Sincerely,



Richard J. Bahner

To Whom It May Concern;

As home owners in the area we are very much against any rezoning. We have worked hard to restore and beautify these neighborhoods one home at a time, which is greatly due to the current regulation that does not allow for historic homes to be chopped up into apartments.

Both of our homes have been a labor of love and we have been excited to see other homes being restored to thier former glory, if rezoning is allowed that will no longer be what we see.

There are many new apartment complexes being built in sedalia that will be wonderful options for those who want to rent, keeping these historic homes for those families who want to lovingly restore is important for property values and the value of history.

Sincerely, Lindsay and Brian Phillips

710 W 6th St. Sedalia Mo

To the Members of the Sedalia Planning and Zoning Commission and the Sedalia City Council,

I'm writing to express my concerns about the proposed rezoning of 600 S Missouri from R-1 to R-3. Due to work commitments, I won't be able to attend the public hearing on October 4th. I request that this letter be read into the public record.

Firstly, let it be known that the building at 600 S Missouri was built in 1971, and our neighborhood achieved its R-1 zoning designation in 1983. This was a concerted community effort intended to preserve the historical character of our area, especially the Victorian homes.

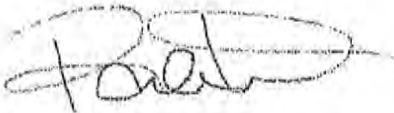
Over the years, our community has actively participated in neighborhood cleanups, graffiti removal, and events like Halloween on 6th Street. Importantly, these initiatives have been led solely by homeowners. Not once has a renter from any of the units, including 600 S Missouri, participated in these community-building activities. The proposed rezoning is not just a step in the wrong direction; it feels like a slap in the face to the homeowners who have invested time and effort into improving the neighborhood.

Additionally, when the Beard family, operating as Les Maisons, purchased this property in 2003, they did so with full awareness of its R-1 status and its designation as a pre-existing nonconforming legal use. To alter the zoning now to protect an individual's "investment" would unravel decades of community effort and cohesion.

In summary, the proposed rezoning not only jeopardizes our community's long-term well-being but also threatens the investments many of us have made in our homes and neighborhood. I must ask, who will safeguard these investments? Who will stand up to protect our property values from the long-lasting impact of a zoning change like this?

I strongly urge you to vote against this proposal.

Best regards,

A handwritten signature in black ink, appearing to read 'Rachel Dawson', written in a cursive style.

Rachel Dawson



Let's Cross Paths

PLANNING & ZONING COMMISSION

Wednesday, October 4, 2023

Council Chambers

5:30 pm

Planning & Zoning Commission

Tolbert Rowe	Absent	Andrew Dawson	Present
Ann Richardson	Absent	Teresa McDermott	Absent
Rhonda Ahern	Present	Mike Privitt	Absent
Valerie Bloess	Present	Ann Graff	Present
Jerry Ross	Present		
Chris Marshall	Present		

STAFF:

- Kelvin Shaw
- John Simmons
- Jilene Streit
- Devin Lake

- Ann Richardson, Vice-Chairman called the meeting to order at 5:30 pm
- Roll Call
- Welcomed two new members, Ian Shoemaker & Ann Graff
- Chris Marshall made the motion to approve the minutes from the August 2, 2023 meeting. Mayor Dawson seconded the motion. All approved.

➤ New Business

Open Public Hearing – 1012 N Ohio. Application by PIB Sedalia for a church building. Wants to rezone from R-1 Single Family Residential to C-3 Commercial. Public Hearing open at 5:35. Isreal Baeza, Church Building Committee Chairman represented the application with a summary of justification of the rezoning. No comments. Public Hearing closed 5:38 pm. John Simmons went through the particulars to rezone of the application from current R-1 Single Family Residential to C-3 Commercial. Staff recommends approval of this rezoning and it is in the general interest of the public. Val Bloess made the motion to recommend approval; Terry McDermott seconded. YES – 8; NO – 0. This application will move to Council for the October 16, 2023 meeting.

Open Public Hearing – 600 S Missouri. Application by Les Maisons LLC (Paul Beard). Public Hearing open at 5:41 pm. Application is to rezone property at 600 S Missouri from R-1 Single Family Residential to R-3 Multi-Family. Present use of property is a 4 Plex built in 1971. No representation from owner. John Simmons read the letter from Paul Beard that was submitted with the application.

John Rhoads, 1411 S Ohio – spoke in favor of the rezoning. Family owns a large amount of property in that neighborhood, many of which are multi-family & were built prior to the ordinance in 1983 that changed this to single family. This property was zoned wrong from this change. It was changed so that historic homes couldn't be converted into multi-family homes. This was not built as a single family home. It won't be a historic home. Believe this change will make a precedent moving forward other than maybe that this board would be willing to look at properties individually & change things that aren't right to start with. There are 10 houses on this block, 3 of which are single family. Need to protect this property owner's value in this property & future property owners, but not just the property owners of a small group.

The following individuals spoke in opposition of the rezoning:

Jan Bahner
Linda Wells, 617 W 5th
Missy, 607 W 6th
Heather & Steve Cooper, 608 W 5th
Melissa Turner, 517 W 6th
Judy Woolery, 624 W 7th
Billy Dunn, 700 W 6th
Richard Bahner, 705 W 5th
Lee Scribner, 720 W 16th
Chris Paszkiewicz , 712 W Broadway
Bill Woolery, 624 W 7th
Michelle Bassett, 717 W 6th
Heather Smith, 809 W 6th

Letters were sent and read by John Simmons:

Barbara Schrader
Byron Matson
Rachel Dawson
Lindsey & Brian Phillips
Richard Bahner
e-mail from Wendy Smith

Close Public Hearing at 6:13 pm. Mayor Andrew Dawson and Chairperson Rhonda Ahern abstain from voting. John Simmons said in the packet that was sent to you was the Ordinance from 1983 which created the R-1 zoning, a copy of a newspaper clipping from the Sedalia Democrat explaining the issue from 1983. John Simmons answered the question of tearing down, building a new 4-plex. The applicant applied for the rezoning due to if a catastrophe were to happen that they could rebuild a 4-plex in its place. Right now it is a legal non-confirming property, that the zoning change was enacted after the building had been built. The property would need to be zoned R-3 to rebuild a 4-plex. The intent of the ordinance back

in 1983 if something should befall one of these multi-family residential conversions that if something were to happen they could only be rebuilt as a single family residential. This application is due to the intent to sell the property however, the lender will not finance the property without the reassurance they could rebuild the 4-plex and not a single family residential. John Simmons read through the specifics of the staff recommendation. Staff recommendation is to deny the rezoning application. Terry McDermott made the motion to approve the rezoning. NO – 6; YES – 0; ABSTAIN – 2. This recommendation will go to Council on October 16, 2023.

- Open Public Hearing – 204 E 24th – Special Use Permit application from Nicholas Dilthey. Public Hearing opened at 6:27. John Simmons indicated the property is currently zoned C-1. Applicant had originally requested rezoning to C-3, staff recommended after the cancelled September meeting, that this would be better served as a Special Use Permit. C-3 is too broad of a category to allow that zoning in that area. Nicholas Dilthey, owner was present for the meeting. He purchased this property in 2017 & has been selling cars ever since. Hasn't had any problems, no complaints. Ever since he was growing up there has always been a car business there. Just purchased the property knowing he could sell cars there & now all of a sudden it's become a problem. That business is what supports his family & supports Sedalia by the revenue it brings in. Val wanted to know if he's had the license to sell cars there. Nick said he's had city license there for the last 5 years. He bought the property knowing he could sell vehicles there.

Gary Lahmeyer, 201 E 24th - two properties across the street & have been there for probably 70 years. This property has always been a car lot or retail lot. He has no complaints or problems with the place & to his knowledge none of his neighbors have any complaints.

John said he did receive one phone call before the September meeting for the rezoning application, property owner across the street to the north was opposed to it. Public Hearing closed at 6:32. John said in the packet was a letter from Baker Legal Services, Daniel Baker, on behalf of the applicant. John also drove passed the property in mid-September & took some pictures of the property. Applicant requests Special Use Permit to continue the use of the property for automobile sales. Currently used for the sale of used automobiles and carport structures. This use is in conflict with the zoning & applicant has received a notice of violation of the city code. In the last few years have changed the way of communication between departments. He was issued a business license before code enforcement noticed was in conflict of zoning ordinance. Commercial building was erected in 1977 & housed an automobile implement service. Current owner has been selling automobiles since 2019 until code enforcement revealed this was in violation of the zoning code. Applicant submitted rezoning application for the September Planning & Zoning meeting but that meeting was cancelled due to lack of quorum. The recommendation at that time was to deny the rezoning to C-3 commercial. Staff recommended that a Special Use Permit be applied for as a special use permit is tied to the applicant and not the land. Should the land change hands, the special use permit ceases. The new owner has the opportunity to approach the board for another special use permit. Staff recommends the application for the Special Use Permit be approved due to the used car lot is not obtrusive to the neighborhood & does not increase traffic; the use would be attached to the applicant & not the land. Should the applicant ever sell the property the use

would be invalidated whereas with rezoning to C-3 Commercial, other uses intrusive to residential neighborhoods would be allowed. Under Article V of the City of Sedalia's zoning code, "automobile or trailer sales rooms or yards, other than premises where used vehicles are dismantled" are eligible to apply for a Special Use permit. Making this recommendation with some stipulations. Building Official, Devin Lake explained the conditions she's concerned with. Code Enforcement issued a violation letter for motor vehicles in February 2023, accumulation of trash & rubbish & zoning violation. To date the motor vehicles & zoning is still not compliant. The trash & rubbish has been taken care of. Also realized the carport constructed there did not obtain a building permit to be constructed there so a new violation letter was sent out last week. He has appeared in municipal court for these violations so seeing that the property is still in violation of the International Property Maintenance Code staff has made the recommendation of stipulations of this special use permit including: occupant must maintain the property in compliance with the International Property Maintenance Code; City may revoke special use permit upon violation of that code; sale of goods on that lot is limited to used vehicles, any other use of the exterior of the property is prohibited and preparation of sale of vehicles must be conducted inside the building and not on the exterior. Devin's recommendation all of these must be in compliance within 30 days. Mayor Dawson asked if there is any type of notice if found in violation or does the revocation happen automatically? Devin said if found in violation again they would be issued another violation letter & per code they have 10 days to take care of the issue. Rhonda said he's selling carports as well, Devin said the sale of carports would be prohibited. Devin said there would be an appeals process for the revoking of the business license because of the revoking of the special use permit from having violations. John said the case of the carport is there was no building permit for it. Nick said he didn't know he had to have a permit. Devin said since this violation has been open since February that's why her recommendation would be that all those violations need to be corrected within 30 days. Ann said she doesn't feel comfortable having all these questions. Terry said her question is that he has to maintain his property according to the International Property Maintenance Code is the owner aware of everything entailed in this IPMC? Devin said it's available on our City's website. John said the violations he received in the past are what the concern in. Terry said she just didn't know if there is anything else in there that he may not be aware of that might just pop up. Nick said the carport is just for display. It is anchored to the ground. Nick sells the carports for Coast to Coast. He didn't know you had to have a permit for this carport. Mr. Baker asked if it's possible to get a carport to keep it. Devin said as long as a sale isn't occurring and as long as it meets all the setbacks that would have been addressed during the building permit process. Not moving carports in & out, used as a display building only. Jerry Ross made a motion to table for 30 days, seconded by Rhonda Ahern for Mr. Dilthey to come into compliance with these issues.

- Old Business – None

Next meeting – November 8, 2023

Jerry Ross made the motion to adjourn the meeting. Chris Marshall seconded. All approved.

Meeting adjourned.