

AMENDED
(CLARIFICATION OF PUBLIC HEARINGS ON BILLS 6552-20, 6553-20 AND 6554-20)

TENTATIVE AGENDA
RAYTOWN BOARD OF ALDERMEN
SEPTEMBER 1, 2020
REGULAR SESSION NO. 34
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
7:00 P.M.

During Jackson County's Recovery Plan, the City of Raytown has chosen to continue to follow the County's social distancing guidelines and other recommendations. The public may attend under the following guidelines:

- All attendees (Board/Staff/Public) will use the main entrance door.
- Temperature will be taken prior to entrance into the building.
- Masks are required, per the modified Phase 2 guidelines of the Jackson County Recovery Plan. Masks will be provided to those without a personal mask to wear.
- Seating limited. Approximately six (6) seats will be available for the public to attend.
- Limited access to dais/table for Aldermen and Staff.

We are urging citizens to view the meeting via livestream as the meeting will be streamed on Google Ch. 145, Comcast Ch. 7 and online at www.raytown.mo.us

Members of the public are invited to give public comments in-person in accordance with the City's procedures for public comments. Once the available seats in the Council Chamber are full, members of the public present to give public comments are asked to wait outside of the Council Chamber until called to the podium to give their public comment. City staff will be present to assist with the County's social distancing guidelines.

Public Comments can also be made remotely by sending comments to the City Clerk at thenry@raytown.mo.us by 12:00 p.m. (noon) on Monday, August 31, so that the comments can be provided to the Board of Aldermen during the Public Comments section of the September 1, 2020 meeting agenda. All Public Comments received will be kept on file in the City Clerk's office.

OPENING SESSION

Invocation/Pledge of Allegiance

Roll Call

Public Comments

Communication from the Mayor

Communication from the City Administrator

Committee Reports

LEGISLATIVE SESSION

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda.

Approval of the Regular August 18, 2020 Board of Aldermen meeting minutes.

R-3323-20 A RESOLUTION AUTHORIZING AND APPROVING THE APPOINTMENT OF CAROLYN WHITNEY TO THE HUMAN RELATIONS COMMISSION. Point of Contact: Mayor McDonough

R-3324-20 A RESOLUTION RESCINDING RESOLUTION R-3320-20 REGARDING THE REAPPOINTMENT OF ANTHONY MOORE TO THE HUMAN RELATIONS COMMISSION. Point of Contact: Mayor McDonough

REGULAR AGENDA

NEW BUSINESS

2. **R-3325-20 A RESOLUTION** AUTHORIZING AND APPROVING AN AGREEMENT WITH MIDWEST ANIMAL RESQ FOR VETERINARY AND ADOPTION SERVICES IN EXCESS OF \$50,000.00 BUT WITHIN BUDGETED AMOUNTS. Point of Contact: Ray Haydaripoor, Community Development Director
3. Public Hearing: A public hearing to consider text amendments to the Raytown Municipal Code, Chapter 50, regarding Establishment and Membership of the Planning & Zoning Commission.
 - 3a. **FIRST READING: Bill No. 6552-20, SECTION XIII. AN ORDINANCE** AMENDING CHAPTER 50, ARTICLE II, SECTION 50-38, ENTITLED, "ESTABLISHMENT AND MEMBERSHIP", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI. Point of Contact: Chris Gilbert, Planning & Zoning Coordinator
4. Public Hearing: A public hearing to consider text amendments to the Raytown Municipal Code, Chapter 50 regarding Neighborhood Information Meeting.
 - 4a. **FIRST READING: Bill No. 6553-20, SECTION XIII. AN ORDINANCE** AMENDING CHAPTER 50, ARTICLE XI, SECTION 50-560.01, ENTITLED, "NEIGHBORHOOD INFORMATION MEETING", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI. Point of Contact: Chris Gilbert, Planning & Zoning Coordinator
5. Public Hearing: A public hearing to consider text amendments to the Raytown Municipal Code, Chapter 50 regarding the Land Use Table.
 - 5a. **FIRST READING: Bill No. 6554-20, SECTION XIII. AN ORDINANCE** AMENDING CHAPTER 50, ARTICLE IV, SECTION 50-107, ENTITLED, "LAND USE TABLE", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI. Point of Contact: Chris Gilbert, Planning & Zoning Coordinator
6. **CARES Act Funds – Update**
Damon Hodges, City Administrator

ADJOURNMENT

MINUTES
RAYTOWN BOARD OF ALDERMEN
AUGUST 18, 2020
REGULAR SESSION NO. 33
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
7:00 P.M.

OPENING SESSION

Mayor Michael McDonough called the August 18, 2020 Board of Aldermen meeting to order at 7:02 p.m. Tim Hensel, of The River Church, provided the invocation and led the pledge of allegiance.

Roll Call

Roll was called by Jennifer Baird, City Attorney, and the attendance was as follows:

Present: Alderman Greg Walters, Alderman Frank Hunt, Alderman Jim Aziere, Alderman Jason Greene, Alderman Ryan Myers, Alderman Janet Emerson, Alderman Mary Jane Van Buskirk, Alderman Bill Van Buskirk, Alderman Bonnaye Mims, Alderman Derek Ward

Public Comments

Tony Jacob, Raytown, Mo

Communication from the Mayor

Mayor McDonough spoke on recent events and City business.

Communication from the City Administrator

Damon Hodges, City Administrator, provided an update on the City's current projects and plans.

Committee Reports

Reports were given by Aldermen Ward, Walters and Emerson.

LEGISLATIVE SESSION

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda.

Approval of the Regular August 11, 2020 Board of Aldermen meeting minutes.

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Mims, Mary Jane Van Buskirk, Ward, Hunt, Bill Van Buskirk, Emerson, Myers, Greene, Aziere, Walters

Nays: None

REGULAR AGENDA

NEW BUSINESS

1. **FIRST READING: Bill No. 6551-20, SECTION V-A. AN ORDINANCE APPROVING AN AGREEMENT BY AND BETWEEN THE CITY OF RAYTOWN, MISSOURI AND JACKSON COUNTY, MISSOURI FOR PREPAYMENT DISTRIBUTION OF CARES ACT FUNDS.** Point of contact: Damon Hodges, City Administrator

The item was read by title only by Jennifer Baird, City Attorney.

Damon Hodges, City Administrator, presented the item and remained for any discussion along with Russ Petry, Finance Director.

Alderman Myers, seconded by Alderman Emerson, made a motion to suspend the rules and hold an immediate second reading.

The item was discussed.

The motion to suspend the rules and hold an immediate second reading was approved by a vote of 10-0.

Ayes: Aldermen Myers, Emerson, Hunt, Greene, Bill Van Buskirk, Ward, Walters, Aziere, Mary Jane Van Buskirk, Mims
Nays: None

The item was read by title only for a second time by Jennifer Baird, City Attorney.

Alderman Aziere, seconded by Alderman Mims, made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Aziere, Mims, Bill Van Buskirk, Hunt, Ward, Greene, Emerson, Walters, Mary Jane Van Buskirk, Myers
Nays: None

Become Ordinance 5647-20.

Alderman Myers, seconded by Alderman Mary Jane Van Buskirk, made a motion to take departmental budget presentations from the table. The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Mary Jane Van Buskirk, Mims, Hunt, Ward, Emerson, Greene, Bill Van Buskirk, Walters, Aziere
Nays: None

Alderman Mims, seconded by Alderman Walters, made a motion to adjourn the Regular Session.

The motion was approved unanimously.

ADJOURNMENT

The Regular Session adjourned at 7:47 p.m.

Following a short recess, departmental budget presentations were resumed by the Committee of the Whole (see the August 18, 2020 Committee of the Whole meeting minutes).

CITY OF RAYTOWN
Request for Board Action

Date: August 5, 2020

Resolution No.: R-3323-20

To: Mayor and Board of Aldermen

From: Teresa Henry, City Clerk

Department Head Approval: _____

City Administrator Approval: _____



Action Requested: Appointment of Carolyn Whitney to the Human Relations Commission.

Recommendation: Approve the appointment.

Analysis: The Human Relations Commission was re-established and reorganized pursuant to Ordinance 5332-09, which provides for the appointment of 13, plus one voting student member from each high school and adding an additional non-voting student advisory member from each high school. The members are appointed by the Mayor with the approval of the Board of Aldermen.

The term of the members is for three years and the terms are supposed to be staggered to provide consistent and experienced leadership.

Mayor McDonough recommends that Carolyn Whitney be appointed to a term which will expire October 1, 2021.

The applicant

Alternatives: Appoint someone else.

A RESOLUTION AUTHORIZING AND APPROVING THE APPOINTMENT OF CAROLYN WHITNEY TO THE HUMAN RELATIONS COMMISSION

WHEREAS, the City of Raytown established a Human Relations Commission pursuant to Ordinance 4911-03 adopted September 2, 2003; and

WHEREAS, the Human Relations Commission was re-established pursuant to Ordinance 5332-09 adopted December 1, 2009 which provides for the appointment of 13 regular members, plus 1 voting student member from each high school and 1 non-voting student advisory member from each high school appointed by the Mayor with the approval of the Board of Aldermen; and

WHEREAS, the Mayor desires to appoint Carolyn Whitney to a 3-year term on the Human Relations Commission, expiring October 1, 2021 or until a successor is duly appointed; and

WHEREAS, the Board of Aldermen find it is in the best interest of the City to approve such appointment;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT Carolyn Whitney, 9001 E. 62nd Terrace, is hereby appointed as a member of the Human Relations Commission to fill a vacant unexpired three-year term ending October 1, 2021 or until a successor is duly appointed;

FURTHER THAT this resolution shall be in full force and effect from and after the date of its passage and approval and any resolutions in conflict herewith are hereby superseded.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 1st day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

Date: 7/22/2020

Last Name: Whitney

First Name: Carolyn

Middle Name: I

Address: 9001 E. 62nd Terrace

Phone: Day: 816 651-5898

Phone: Evening: 816 651-5898

Cell Phone Number: 816 651-5898

Fax No.:

Email Address: cwhitney@sistersinchristkc.org

Which board would you like to serve on?: Mayor Michael McDonough

Because: Mayor McDonough invited me.

My strength(s) on this Board/Commission will be:: Commitment Education:High School/City/State/Date:

St. Cecilia's Academy (Washington, D.C.)

Trade/College/University/Degree/Date: Tuskegee College Post Graduate/College/Degree/Date:

Current: Employer/Address/Position: Sisters In Christ

6317 Evanston

Raytown, MO 64133

Executive Director

Past Employer/Address/Position/Dates:

Past Employer/Address/Position/Dates:

Organization/Leadership Position(s)/Membership Dates (s):

If so, please explain.: No.

If yes, how often do you anticipate this would occur?: No.

Michael Stolze

From: Carolyn Whitney <cwhitney@sistersinchristkc.org>
Sent: Friday, August 28, 2020 2:24 PM
To: Michael Stolze
Cc: Mayor Mike McDonough; Missy Wilson
Subject: Re: City of Raytown - HRC Application Question

Michael, I do not owe any personal or property taxes.

Carolyn Whitney

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Carolyn Whitney
Executive Director, Sisters In Christ &
Coordinator of Jackson County COMBAT/Raytown Strivin' Hub
6317 Evanston Avenue, Raytown, MO 64133
Office: (816) 772-3398
Cell: (816) 651-5898
cwhitney@sistersinchristkc.org

"I am no longer accepting the things I cannot change. I'm changing the things I cannot accept." Angela Davis

CITY OF RAYTOWN
Request for Board Action

Date: August 27, 2020

Resolution No.: R-3324-20

To: Mayor and Board of Aldermen

From: Mayor McDonough

Department Head Approval: _____

City Administrator Approval: _____



Action Requested: Rescind resolution R-3320-20 which reappointed Anthony Moore to the Human Relations Commission.

Recommendation: Approve the requested action.

Analysis: Resolution R-3320-20 reappointed Anthony Moore as a voting member of the Human Relations Commission on August 11, 2020. Further clarification finds that Mr. Moore is the Raytown School District's liaison to the Human Relations Commission and per City code, serves as an ex officio, non-voting member of the commission.

As a liaison, he shall be designated for the purpose of providing additional information, encouraging communication, and assisting the commission in the execution of its powers and duties.

A RESOLUTION RESCINDING RESOLUTION R-3320-20 REGARDING THE REAPPOINTMENT OF ANTHONY MOORE TO THE HUMAN RELATIONS COMMISSION

WHEREAS, the City of Raytown established a Human Relations Commission pursuant to Ordinance 4911-03 adopted September 2, 2003; and

WHEREAS, the Human Relations Commission was re-established pursuant to Ordinance 5332-09 adopted December 1, 2009 which provides for the appointment of 13 regular members, plus 1 voting student member from each high school and 1 non-voting student advisory member from each high school appointed by the Mayor with the approval of the Board of Aldermen; and

WHEREAS, Resolution R-3320-20 approved the reappointment of Anthony Moore to the Human Relations Commission on August 11th, 2020; and

WHEREAS, Anthony Moore is the Raytown School District’s liaison to the Human Relations Commission serving as an ex officio, nonvoting member of the commission;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT resolution R-3320-20, pertaining to the reappointment of Anthony Moore to the Human Relations Commission, is hereby rescinded and repealed;

FURTHER THAT this resolution shall be in full force and effect from and after the date of its passage and approval and any resolutions in conflict herewith are hereby superseded.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 1st day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

**CITY OF RAYTOWN
Request for Board Action**

Date: September 1, 2020

Resolution No.: R-3325-20

To: Mayor and Board of Aldermen

From: Ray Haydaripoor, Director of Community Development

Department Head Approval: _____

Finance Director Approval: _____

City Administrator Approval: _____

Action Requested: Board of Aldermen approval for an Animal Control Services Contract in excess of \$50,000.00 but within budgeted amounts.

Recommendation: Staff recommends approval of the agreement with Midwest Animal ResQ.

Analysis: The Community Development Department requested bids from qualified firms interested in providing animal veterinary and adoption services. Midwest Animal ResQ was the only firm to submit a bid. The agreement is for a two (2) year period with the City having the option to extend the contract for an additional two (2) year period thereafter. The Community Development budget for the current fiscal year is intended to pay for the costs of animal boarding, veterinary and adoption services.

The costs relating to the services of each animal will be billed to the City each month by Midwest Animal ResQ in accordance with the fees provided in the attached Agreement and proposal. When animals are returned to their owner, these costs are passed on to the pet owner.

Alternatives: Reject the proposed agreement and direct staff to release a new request for bids for animal veterinary and adoption services.

Budgetary Impact:

- Not Applicable
- Budgeted item with available funds
- Non-Budgeted item with available funds through prioritization
- Non-Budgeted item with additional funds requested

Additional Reports Attached:

- Agreement for Veterinary and Adoption Services

A RESOLUTION AUTHORIZING AND APPROVING AN AGREEMENT WITH MIDWEST ANIMAL RESQ FOR VETERINARY AND ADOPTION SERVICES IN EXCESS OF \$50,000.00 BUT WITHIN BUDGETED AMOUNTS

WHEREAS, the City of Raytown issued an invitation to bid for the provision of veterinary and adoption services; and

WHEREAS, the Community Development Department received one (1) response to the invitation, submitted by Midwest Animal ResQ; and

WHEREAS, the purchasing policy adopted by the City of Raytown requires that any expenditure of funds with a single vendor in excess of \$50,000.00 annually be approved by the Board of Aldermen; and

WHEREAS, the City anticipates spending in excess of \$50,000.00 on veterinary and adoption services associated with Animal Control; and

WHEREAS, the Board of Aldermen find it is in the best interest of the City to approve an agreement with Midwest Animal ResQ for the provision of veterinary and adoption services in excess of \$50,000 but within budgeted amounts.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the Agreement by and between the City of Raytown and Midwest Animal ResQ for the provision of veterinary and adoption services within the City in excess of \$50,000 but within budgeted amounts, attached hereto, is hereby authorized and approved;

FURTHER THAT the City Administrator, or his designee, is hereby authorized to execute any and all documents and to take any and all actions necessary to effectuate the terms of the Agreement and exercise the authority granted herein on behalf of the City.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 1st day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Approved as to Form:

Teresa M. Henry, City Clerk

Jennifer M. Baird, City Attorney

**AGREEMENT FOR VETERINARY AND ADOPTION SERVICES
BY AND BETWEEN
THE CITY OF RAYTOWN, MISSOURI
AND
MIDWEST ANIMAL ResQ**

THIS AGREEMENT is entered into by and between the City of Raytown, Missouri and Midwest Animal ResQ, entered into as of this 1st day of September 2020.

WHEREAS, the City of Raytown solicited proposals for the procurement of Animal Control Services necessary for the provision of veterinary and adoption services; and

WHEREAS, one (1) proposal, submitted by Midwest Animal ResQ, we received; and

WHEREAS, the Board of Aldermen desires to authorize and approve a contract by and between the City of Raytown and Midwest Animal ResQ for the provision of veterinary and adoption services.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

1. That Midwest Animal ResQ (hereinafter "Contractor") shall provide Veterinary, Boarding and Adoption services to the City of Raytown (hereinafter "City"), in accordance with the terms of the City of Raytown, Veterinary Services Request for Proposals, attached hereto as **Exhibit A** and incorporated herein, and the Contractor's response to the Request For Proposals, attached hereto as **Exhibit B** and incorporated herein. Where there is any conflict between the terms of the Request for Proposals and the Contractor's response, the terms of the Request for Proposals shall prevail. Where there is any conflict between the terms of the Agreement and the Request for Proposals and the Contractor's response, the terms of the Agreement shall prevail. Unit cost for services shall be as provided in **Exhibit C**, attached hereto and incorporated herein.
2. This Agreement shall be in effect for a period of two (2) years beginning on September 1, 2020 and ending on August 31, 2022. This Agreement may be renewed for one (1) additional two-year term at the discretion of the Community Development Director.
3. The City shall compensate the Contractor in accordance with the proposed fee structure as set forth in **Exhibit C**. Payment shall be due and payable 30 days from receipt of a valid invoice for services.
4. All other terms and conditions, including but not limited to insurance requirements and provisions for termination shall be as stated in the Request for Proposal.

This Agreement shall be in full force and effect, as of September 1, 2020, upon proper authorization and execution by the parties.

City of Raytown

Midwest Animal ResQ

Damon Hodges, City Administrator

Erin Morse, Owner/ President

Attest:

Teresa Henry, City Clerk

Approved as to form

Jennifer Baird, City Attorney

Exhibit A

CITY OF RAYTOWN, MISSOURI VETERINARY AND PET ADOPTION SERVICES REQUEST FOR PROPOSAL

The City of Raytown, Missouri (City) will accept sealed proposals from qualified firms interested in providing veterinary and pet adoption services for the City of Raytown Community Development Department. The RFP document can be obtained from the City of Raytown's website at: www.raytown.mo.us on the BIDS tab.

Proposals must be received in the City of Raytown City Clerk's Office by **2:00 p.m.** Central Standard Time on June 10, 2020. Proposals shall be mailed to the City of Raytown, Attn: City Clerk, 10000 East 59th St., Raytown, MO 64133.

The City reserves the right to reject any and all proposals, to waive technical defects in the proposals, and to select the proposal deemed most advantageous to the City of Raytown.

Questions relating to this Request for Proposals should be directed to Teresa Henry, City Clerk at therry@raytown.mo.us. Any requests for clarification, and/or additional information deemed necessary by any responding firm shall be submitted in writing via email to the City Clerk at: therry@raytown.mo.us. No requests will be accepted after 2:00 pm June 10, 2020. All information requests and/or RFP clarifications received prior to 5:00 pm on June 5, 2020 will be responded to in writing by the City addressed to all known interested firms.

Exhibit A

DESCRIPTION OF SERVICES REQUIRED

1. The City of Raytown is soliciting veterinarian and pet adoption services to assist the Community Development Department with animal control services. The services include, but are not limited to:
 - ❖ Animal control officers delivering animals that are picked-up in the City to the service provider and notifying the service provider of said animals;
 - ❖ Animal control officers will attempt to verify ownership of the animal during the hold period;
 - ❖ Service provider, within two (2) hours of the animal being delivered to the service provider's facility, shall do a detailed inspection of the animal so that the service provider can make a medical determination on a course of action ranging from providing additional medical treatment to euthanizing the animal. Service provider shall provide details to the City on who at the service provider's office performed the intake exam and details regarding the inspection. The detailed inspection of the animal shall include the following;
 - If the animal does not appear to be injured, then the type of care and attention the service provider shall give the animal shall include, but is not limited to:
 - General inspection of the animal to make sure there are no broken bones or possible internal injuries that are not visible to the naked eye;
 - Feeding the animal;
 - Giving the animal water;
 - Flea bath (if needed);
 - Frequent monitoring and documentation (pictures, written notes, etc.) of the animal while in the service provider's care.
 - If the animal is injured (injured animals are animals that are bleeding, malnourished, have obvious wounds, neglected, etc.), and a medical determination is made, service provider will contact the Director of Community Development and obtain consent as to a course of action;
 - Upon receiving confirmation of a course of action from the Director of Community Development, service provider will proceed with said course of action.
 - ❖ Quarantine and test bite case animals for 10-days;
 - ❖ Impound animal up to 5-days until owner is located and animal is redeemed;
 - ❖ Disease testing, vaccinations, spay/neutering, euthanasia, emergency field service (livestock tranquilization / euthanization); and
 - ❖ Performing necropsy for cruelty cases (testify in court when necessary).
 - ❖ Provide adoption services for all animals, except the animals that are returned to their owners or animals that have a substantial bite history.
2. The successful veterinary service provider will also need to have the capacity to provide impoundment services relating to the services described in Section 1.0 above for primarily cats, dogs, and / or access to a facility on rare occasions for smaller livestock and wildlife (chickens, goats, horses, etc.). Animal Control officers respond to service requests 24-hours

Exhibit A

per day, 7 days per week, and 365 days per year. Regular hours are Monday through Friday 8:00 a.m. – 5:00 p.m. Animal control officers respond to after hours and weekend emergency calls also.

3. The City is also seeking a service provider that can provide adoption services. If the responding firm cannot provide adoption services, please provide information on how you would subcontract this service out. Such information should include: (1) the name of the organization that service provider will work with to provide adoption services, (2) contact person at the organization; (3) contact information for the organization and contact person; (4) services the organization provides as part of the adoption services; and (5) any fees the organization charges for said adoption services. It is important to note that the firm providing adoption services will be a subcontractor of the responding firm. Further, the City expects that the subcontractor comply with the terms of the adoption services listed in this Request for Proposals as well as provisions in the Contract related to adoption services.
4. This contract shall be in effect for period of two (2) years and two (2) months. After the first two (2) year and two (2) month contract period, this contract may be renewed for not more than one (1) additional (2) two-year contract period thereafter at the discretion of the Community Development Director. The initial term of the contract would be August 1, 2020 until October 31, 2022.

Exhibit A

INSTRUCTIONS TO RESPONDING VETERINARIAN FIRMS

1.0 MINIMUM QUALIFICATIONS

- 1.1 The responding veterinary firm(s) shall include references from other municipalities or agencies for which your firm is currently providing similar services or has in the past. Please include reference name, address, and contact information.
- 1.2 The veterinarian firm(s) shall detail proposed facility location for use by City animal control officers. The facility shall be located no more than 20-miles from the City Hall (10000 E. 59th St). City personnel shall be provided access to inspect existing facilities prior to entering into an agreement. Further, during the term of the agreement, city personnel shall be provided access to inspect the veterinary firm's facility (without prior notice) to ensure facilities are adequate to provide the expected level of service and care to the animals brought to the facility. The ability to inspect the facility extends to a subcontractor providing adoption services, if the veterinarian firm does not offer said service.
- 1.3 The responding veterinary firm(s) and firms providing adoption services, if applicable, shall include all federal, state, and local licenses, certifications, and documents included but not limited to the most recent USDA inspection report as part of this proposal.

2.0 SELECTION PROCESS

- 2.1 A selection committee comprised of City of Raytown personnel shall evaluate the veterinary firm(s) responses.
- 2.2 The overall process will consist follow these steps:
 - 2.2.1 The selection committee will review and evaluate all responsive proposals based on criteria included in the evaluation criteria section.
 - 2.2.2 The selection committee shall select the top-rated firm(s) based upon the following criteria, and the City will begin negotiating the specific terms of the contract.
 - 2.2.2.a. Capacity to provide the services described herein.
 - 2.2.2.b. Proximity to the corporate limits of the City of Raytown.
 - 2.2.2.c. References from other municipalities or agencies that your firm has provided similar services for currently or in the past.
 - 2.2.2.d. Price of services.

3.0 VETERINARIAN FIRM COST TO DEVELOP PROPOSAL

- 3.1 All cost for preparing and submitting this RFP proposal response are the responsibility of the responding veterinarian firm(s) and shall not be chargeable in any manner to the City.
- 3.2 Any future contract agreements resulting from this proposal submittal shall be negotiated individually with the veterinarian firm awarded the contract.

Exhibit A

4.0 RESPONDING VETERINARIAN FIRM RESPONSE TO THIS RFP

- 4.1 Page 1 - The cover letter is limited to 1 page
- 4.2 Page 2 – The Table of Contents is limited to 1 page
- 4.3 Page 3 –Veterinarian Firm(s) Profile is limited to 1 page that is provided in the RFP packet.
- 4.4 Page 4 – Firm(s) Experience is limited to two pages and shall only include the most recent similar services provided in scope and services to the description to other municipalities or agencies. A brief description, the entity’s name in which the services were provided, contact information for the entity referenced and years provided.
- 4.5 Page 5 - Project key personnel list limited to 1 page per resume
- 4.6 Page 6 through page 12 – General conditions governing veterinarian firm(s) responses and subsequent contracts. Each page requires the veterinarian firm principal personnel to initial.
- 4.7 Page 13 through page 20- Animal Adoption Subcontractor-If animal adoption service is being subcontracted, the name of the subcontracting firm, experience, most recent similar services provided in scope and services to the description, contact information, years of service, references, resume of key personnel list limited to these eight pages.
- 4.8 Responding firm shall quote net costs of all goods and services requested, and shall include all transportation, shipping, and other expenses necessary to provide the services as detailed in this proposal.
- 4.9 The City reserves the right to award this contract in its entirety or to split the contract between bidders, whichever is in the best interest of the City. The City may accept any item or group of items of the bid unless qualified by specific limitation of the bidder.

Exhibit A

GENERAL CONDITIONS GOVERNING VETERINARIAN FIRMS RESPONSES AND SUBSEQUENT CONTRACTS

CITY OF RAYTOWN, MISSOURI

1. GENERAL CONDITIONS SCOPE:
 - a. The following terms and conditions, unless otherwise modified by the City of Raytown in writing, shall govern the submission of proposals and subsequent contracts. The City of Raytown reserves the right to reject any proposal that takes exception or deviates to these conditions.

2. COMPLETING THIS REQUEST for PROPOSAL:
 - a. All information must be legible, up to date, and relevant to the RFP project.
 - b. An authorized representative shall sign each proposal in ink, and all required information included in the veterinarian firm(s) proposal response.
 - c. The contents of the proposal submitted by the successful veterinarian firm will become part of any contract award as a result of this solicitation.

3. REQUEST FOR INFORMATION:
 - a. Any requests for clarification, and/or additional information deemed necessary by any responding veterinarian firm shall be submitted in writing via email to the City Clerk at: thenry@raytown.mo.us. No requests will be accepted after 2:00 pm June 10, 2020. All information requests and/or RFP clarifications received prior to 5:00 pm on June 5, 2020 will be responded to in writing by the City in the form of an addendum addressed to all known interested veterinarian firms.

4. CONFIDENTIALITY OF PROPOSAL INFORMATION:
 - a. Each proposal must be submitted in a sealed envelope to provide confidentiality of the proposal information. The envelope shall be sealed and clearly marked with "City of Raytown Veterinary Services RFP" on the outside of the envelope.
 - b. All proposals and supporting documents will remain confidential until a final contract has been executed. Information that discloses proprietary or financial information submitted in response to qualification statements may become public information. This is in accordance with the Missouri Sunshine law.

5. SUBMISSION OF PROPOSAL:
 - a. Proposals must be received in the City of Raytown City Clerk's Office by 2:00 p.m. Central Standard Time on June 10, 2020. Proposals shall be mailed to the City of Raytown, Attn: City Clerk, 10000 East 59th St., Raytown, MO 64133.
 - b. The opening of the submitted proposals will only record the name and address of firms submitting responses.

Exhibit A

6. ADDENDA:

- a. The City of Raytown in the form of a written addendum may issue all changes, additions, subtractions, and/or clarifications to this Request for Proposal.
- b. All RFP responses shall acknowledge each addendum by including a respondent signed addendum in the response submittal.

7. LATE PROPOSAL RESPONSES AND MODIFICATION OR WITHDRAWALS:

- a. All proposals received after the response opening date and time (**June 10, 2022 at 2:00 p.m.**) shall not be considered.
- b. All proposal withdrawal requests shall be in writing and submitted to the City of Raytown, City Clerk's Office.

8. NEGOTIATION:

- a. The City reserves the right to negotiate all elements of this proposal.

9. TERMINATION:

- a. Subject to the provisions below, any contract derived from this Request For Proposal may be terminated by either party upon sixty (60) days advanced written notice to the other party; but if any work or services hereunder is in progress, but not completed as of the draft of termination, then said contract may be extended upon written approval of the City until the work and/or services are completed and accepted by the City.
- b. In the event that the agreement is Terminated or Cancelled for Convenience by the City, without the required sixty (60) days advanced written notice, then the City shall negotiate reasonable termination costs if applicable.
- c. In the event that this agreement is terminated for Cause by the City, termination shall be preceded by a fourteen (14) day correction period effective upon delivery to the veterinarian firm receiving written notification from the City. Termination "for Cause" means that the service provider failed to comply with the terms of the contract, negligent in the treatment of animals, misappropriation of city funds, violation of Section 18, etc. In the event of Termination for Cause by the City, compensation for services rendered by the veterinarian firm up to the date of written termination shall be offset by the City's reasonable cost to mitigate or correct the effects of such termination.
- d. When funds are not appropriated or otherwise made available to support continuation in a subsequent fiscal year, or project funding is not available at any time during the project, if terminated due to unavailability of funds, the City and veterinarian firm shall negotiate a reasonable value for any cost incurred by the veterinarian, but not amortized in the price of the supplies and/or services delivered under the agreement terms.

10. TAX EXEMPT:

- a. The City is exempt from state and local sales taxes. All transactions resulting from an executed agreement shall be deemed to have been accomplished within the State of Missouri.

Exhibit A

11. SAFETY:
 - a. All activities, materials, supplies, and equipment shall comply with any applicable federal, state, and local safety or environmental regulations.

12. PROPOSAL RESPONDENT PROHIBITED:
 - a. Proposal responders are prohibited from assigning, transferring, conveying, subletting, or otherwise disposing of this proposal or any resulting agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, firm, company, or corporation without the previous written approval of the City.

13. DISCLAIMER OF LIABILITY:
 - a. The City or any of agencies will not hold harmless or indemnify any firm responding for any liability whatsoever.

14. HOLD HARMLESS:
 - a. The veterinarian firm shall agree to protect, defend, indemnify, and hold the City of Raytown, it's Board of Aldermen, officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character resulting from the error, omission or negligent act of the veterinarian firm, it's agents, subcontractors, sub-consultants, employees, or representatives, in the performance of the veterinarian firm's responsibilities under any executed agreement resulting from this Request For Proposal.

15. LAW GOVERNING:
 - a. All contractual agreements shall be subject to, governed by, and constructed according to the laws of the State of Missouri.

16. CONFLICTS of INTEREST:
 - a. The City of Raytown, its Board of Aldermen, officers, employees or representatives, shall not have a financial interest, direct or indirect, in this Request for Proposal response or any future contract agreements resulting from this proposal submittal. A violation of this provision renders the contract void. Federal, state, and local conflict of interest regulations shall not be violated. Responding veterinarian firm covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of this Request for Proposal response or any future contract agreements resulting from this proposal submittal. The veterinarian firm further covenants that no person having such interest shall be employed in the performance of this or any future contract agreements resulting from this proposal submittal.

Exhibit A

17. ANTI-DISCRIMINATION CLAUSE:

No respondent submitting a proposal shall in any way, directly or indirectly discriminate against any person because of age, race, color, handicap, sex, national origin, or religious creed.

18. GRIEVANCES:

In the event service provider or subcontractor has an issue with the contract, providing the services outlined in this Agreement; or in any way related to this Agreement, service provider or subcontractor shall contact the Community Development Director to discuss the issue and the parties will work diligently to resolve the matter. If the service provider or subcontractor chooses not to contact or work with the Community Development Director to resolve the matter, but instead, conveys the issue to social media, news media, etc., such actions are grounds for the City to terminate this Agreement for Cause.

Exhibit A

SPECIAL CONDITIONS GOVERNING RESPONSES AND SUB SEQUENTIAL CONTRACTS

1. INSURANCE REQUIREMENTS:

- a. Veterinarian firm and subcontractor shall maintain at the consultant' expense the following insurance coverage during the Request for Proposal response period or any future contract agreement periods resulting from this proposal submittal.
- b. Veterinarian firm and subcontractor shall provide the CITY with certificates of insurance from an insurance company licensed to do business in Missouri. The certificate of insurance shall name the CITY as an additional insured.
- c. PROFESSIONAL LIABILITY – Professional Liability, or Errors and Omissions Insurance protection in the minimum amount of \$1,000,000.00 per claim and annual aggregate.
- d. COMMERCIAL GENERAL LIABILITY –LIMITS:
Each Occurrence..... \$ 1,000,000.00
Personal and Advertising Injury..... \$ 1,000,000.00
Products-Completed/Operations Aggregate..... \$ 1,000,000.00
General Aggregate..... \$ 2,000,000.00
- e. Policy must include the following conditions:
 - i. Contractual Liability
 - ii. Products/Completed Operations
 - iii. Personnel/Advertising Injury
 - iv. Independent Contractors
 - v. Additional Insured: City of Raytown, Missouri
- f. Veterinarian firm and their subcontractor shall supply the CITY with current WORKERS COMPENSATION insurance certificates against all claims under applicable State Workers' Compensation laws. The veterinarian firm shall provide evidence to the CITY that the sub consultants shall maintain comprehensive general liability, automotive liability, workers' compensation, and professional liability insurance, for not less than the period of services under the subcontract agreements, and in not less than the amounts outlined for the veterinarian firm. The comprehensive general liability policy of the sub consultant shall name the CITY as an additional insured.
- g. Certificate Holder
City of Raytown, Missouri
Community Development Department
10000 East 59th Street
Raytown, Missouri 64133
- h. INSURANCE CANCELLATION CLAUSE
The veterinarian firm and its subcontractor shall notify the CITY Thirty (30) days prior to any changes in the insurance requirements listed in the above paragraphs or insurance carriers. The veterinarian and their subcontractor firm shall require their insurance carrier to notify the CITY thirty (30) days prior to the cancellation date.

Exhibit A

PLEASE REFER TO PROPOSAL

SPECIFIC BID SPECIFICATIONS AND PRICING

- 1.0 Payments shall be made monthly. For prompt payment reference “Raytown Veterinary Services” on all invoices, and send directly to Community Development Department, 10000 E. 59th Street, Raytown, Missouri 64133.
- 2.0 Invoices shall include the following:
 - a. Case number
 - b. Date of Case Start date and Case ending date
 - c. Cost per day
 - d. Type of service rendered, include brief description
 - e. Animal description: dog, cat, female, male, etc.
 - f. Sub-total of each animals’ expenses
 - g. If after-hours call, invoice shall note the type of service(s) provided
 - h. Monthly Report –
 - 1.Number and type of animals delivered to service provider by the City for the previous month;
 - 2.Number of animals that were adopted in the previous month (only include the animals delivered to service provider by the City);
 - 3.Number of animals not otherwise adopted and the resolution of said animals (only include the animals delivered to service provider by the City);
- 3.0 Service Specifications and Bidders pricing: Bidder to fill in unit price column.

Service Description	Unit Price	Units	Approx Quantities
Initial Inspection (non-injured animal)			
Initial Inspection (injured animal)			
Daily Boarding Fee		\$/ea.	
Quarantine Boarding		\$/day	
Euthanasia Services		\$/ea.	
Dead Animal Disposal (if applicable)		\$/ea.	
Rabies Testing		\$/ea.	
Rabies Vaccination Fee		\$/ea.	
Bordetella Vaccine		\$/ea.	
Microchip Administering Fee		\$/ea.	
Sedation (Dart Charges)		\$/ea.	
Adoption assistance* See description below		\$/ea.	
Necropsy report for cruelty cases		\$/ea.	
Quarantine bite case animals & testing		\$/ea.	
Emergency treatment & on-call		\$ea.	
Livestock field visit / treatment		\$ea.	

Bidder’s Initials 

Exhibit A

PLEASE REFER TO PROPOSAL

- a. Euthanasia Services – Provide the labor and the drugs necessary to euthanasia an animal when requested or agreed upon by the Director of Community Development or his / her designee.
- b. Dead Animal Disposal Fee – Provide the freezer or other necessary equipment for the storing and disposal of dead animals.
- c. Rabies Testing – Provide the necessary services to prepare animal to ship rabies specimens as needed. The veterinary service provider is responsible for the cost of shipping and handling.
- d. Quarantine Bite Case Animals & Testing – Provide the necessary caging and testing. Provide secured cages, food, water and general care. Animal Control officers will need 24 hours/day, 7 days/week, and 365 days/year access. Any quarantined animal shall be boarded for a period of up to ten (10) days.
- e. Emergency Treatment & On-Call – On occasion, Animal Control officers will be called to emergency situations involving injured animals at hours not normally associated with the veterinary clinic’s regular working business hours (i.e. evenings or weekends). Included in this unit cost the veterinarian shall provide emergency treatment at all hours needed by the Animal Control division, on an emergency call-out basis.
- f. Livestock Field Visit/treatment – on rare occasions Animal Control personnel encounter injured livestock or livestock that belongs to an unknown owner. Under such contract, the veterinarian shall be required to provide treatment for such animals in the field or be able to provide service from another qualified veterinarian.
- g. Adoption Services – The service provider(s) or the service provider’s subcontractor shall provide adoption services for those animals that have not been returned to their owners or been deemed by the City to have a substantial bite history. The City and service provider(s) shall work together to advertise and promote adoption of said animals.

4.0 Describe below any additional services and the associated costs that may be incurred.

Description	Unit Cost

5.0 It’s a requirement for your clinic to have a backup for days your clinic is closed or when you are not available. List name, phone number, and provide current veterinarian license for your backup. Your backup must have a MINIMUM of 3 years experience providing similar services. Please attach a firm reference to the submittal detailing the backup’s number of years in business, location where services shall be provided, doctors and technicians’ credentials, certifications, degrees, and any additional pertinent information, etc. The service provider’s

Exhibit A

PLEASE REFER TO PROPOSAL

backup will be subject to the same conditions, fees, and costs as the service provider.

6.0

Indicate regular hours of operation for clinic. The Community Development Department will need to be notified of any change to the regular hours of operation, including but not limited to holiday hours, vacations, etc. Such notification needs to be in writing and will need to be provided not less than 48 hours in advance of any change. In the event you will be closed and your back-up is not available, the City is not responsible for paying boarding fees for animals that are redeemable during the days that you are closed.

Exhibit A

RENEWAL OPTION

- 1.0 After the first two (2) year and two (2) month contract period, this contract may be renewed for not more than one (1) additional (2) two-year contract period thereafter at the discretion of the Community Development Director.
- 2.0 The City shall reserve the right to terminate the current contract upon its stated expiration and solicit new bids. The option to renew is at the discretion of the Community Development Department.
- 3.0 If the option(s) is exercised, the veterinarian firm shall charge the City the same prices quoted originally except as modified below. Each renewal modification shall be computed against original unit cost bid prices.
- 4.0 Bidders are to state if prices are firm for these renewal periods.

Yes _____ No XX

If no, please indicate percentage of increase for two-year renewal period.

0.0% to 5 % increase from original unit price bid.

Individual service costs may be reviewed after initial contract period.

- 5.0 The veterinarian firm shall not increase prices until after receiving written approval from the City.

Exhibit A

BID PAGE

- 1.0 Bidder must complete the following section in its entirety, and sign and date where indicated. This agreement shall take effect upon the approval of the City's Board of Aldermen, and written approval from the Community Development Department.
- 2.0 Payment terms: Net 30 (after receipt of invoice)

The undersigned certifies that she/he has the authority to bind this veterinary firm in an agreement to supply the services in accordance with all terms, conditions, and pricing specified herein.

Midwest Animal Res
Company Name

10312 East 63rd Street
Address

Raytown, MO 64133
City/State/Zip

816-919-1364
Telephone #

45-3676666
Tax ID #

Erin Morse
Please Print Name


Signature

Founder, President & CEO
Title

310-350-2053
Telephone Number if Different

June 10, 2020
Date

Exhibit B

RECEIVED MS

JUN 10 2020

June 10, 2020

City of Raytown
Attention: City Clerk's Office
10000 East 59th Street
Raytown, MO 64133

CITY OF RAYTOWN

Regarding: Midwest Animal ResQ Veterinary and Pet Adoption Services Proposal

Midwest Animal, located at 10312 East 63rd Street in Raytown, Missouri, is excited to propose a complete solution for animal services from impoundment to outcome, for the animals of Raytown, MO. At Midwest Animal ResQ our mission is to 'complete families one tail at a time' and, whether we are caring for an animal in need of a family, or an animal waiting to be reunited with his family, we pride ourselves in providing the most compassionate and humane care possible.

By changing the fee structure and base level of care, we believe we are able to provide a greater value to the city with more services to ALL animals, including (but not limited to) the following: species specific preventative vaccines, external and internal parasite treatment and prevention, exams, stabilizing care, and microchip registration.

Thank you for your consideration.

Initials zm

Exhibit B

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Exhibit B

Profile for Midwest Animal ResQ

Midwest Animal ResQ (MARQ) was founded in 2009 as a small foster-based rescue group focused on saving dogs from inhuman conditions at local large scale breeding facilities. We incorporated in the state of Missouri in 2010 and, in May of 2012, we were granted our tax exempt status as a 501(c)(3) organization by the IRS (*tax ID 45-3676666*).

As MARQ grew and expanded, we opened our adoption center in the city of Raytown (*10312 East 63rd Street*) to support the animals and community members of the greater Kansas City area. Our sanctuary property on 6 acres provides safe housing for animals needing special medical or behavioral help prior to going to their forever homes. We also have an amazing network of fosters who open their hearts and homes to help us provide loving care until permanent homes are found for the animals.

MARQ's mission statement is "Completing families one tail at a time," and we work hard to get to know our pets and customers so we can make a perfect match. Our dedicated team is available from 7AM to 7PM to support the citizens of Raytown to find or be reunited with their pets. We are completely committed to provide the best quality of care for all animals that pass through our doors.

Exhibit B

Experience

May 2020 to Present
City of Raytown

Contact: Ray Haydaripoor
Director of Community Development Department
rayh@raytown.mo.us
816-737-6093

Services Provided: MARQ is currently providing animal intake services for animals brought in by Animal Control officers for the city of Raytown. We inspect the animals, provide appropriate medical care and/or vaccines, monitor and ensure daily quality health and well-being, manage and provide transport for veterinarian care including spay/neuter, complete microchipping, provide quarantine, and otherwise tend to all needs of the animals until they are reunited with their owners or placed in forever homes via our adoption services.

April 2016 to May 2020
City of Raytown

Contact: Ray Haydaripoor
Director of Community Development Department
rayh@raytown.mo.us
816-737-6093

Services Provided: Vaccination, veterinarian coordination, general daily care, microchipping, and adoption services were provided to the City of Raytown for unclaimed animals for nearly 4 years.

Exhibit B

Key Personnel

In the event that city personnel needs to reach a member of the leadership team at Midwest Animal ResQ, we ask that the city uses the following contacts:

Erin Morse Founder/President/CEO
(310)-350-2053
erin@marqkc.org

Sydney Mollentine
Shelter Manager (816)-719-0708
sydney@marqkc.org

Radena Hampton
Treasurer & Finance Officer
(408)-838-3836
radena@marqkc.org

Exhibit B

General Conditions & Proposal

1. **GENERAL:** Midwest Animal ResQ (MARQ) agrees to receive at its Shelter (located at 10312 E 63rd Street in the City of Raytown, Missouri 64133) all live dogs, cats, or other domesticated animals, delivered by the Animal Control officers or other officials of the city of Raytown (City). MARQ agrees to shelter, feed, care for, and provide other services as outlined in this proposal, and as required by the applicable Raytown Code and ordinances. MARQ also agrees to subcontract with its broad network of licensed veterinary partners, selected by MARQ, to provide any necessary, emergency, or required medical treatment of said animals not able to be provided directly by MARQ and its Shelter facility.
2. **ANIMALS HELD ACCORDING TO CITY ORDINANCE:** MARQ shall keep and maintain its Shelter in a clean and sanitary condition. It shall properly care for, protect and harbor all animals delivered to it as herein provided in a humane and decent manner including providing adequate food, clean water, health monitoring, necessary grooming, etc. All stray animals delivered to MARQ will be kept and sheltered in accordance with the terms of the ordinances of the City of Raytown and, said animals shall be confined for the time provided in said ordinances for stray hold of (five (5) business days), during which time Animal Control officers will attempt to verify the ownership of the animal. Animals quarantined under the provisions of the ordinances relating to mandatory bite hold, rabies or other diseases shall be sheltered by MARQ in accordance with the terms of said ordinances for the length of time required (ten (10) consecutive days) under the direction of the City and/or at a licensed veterinarian selected by MARQ for the purpose of observation. As per City ordinance, animals may serve the bite quarantine at a veterinarian of the owner's choosing and expense, or within the owner's own home. Animals requiring a rabies vaccine will be transported to a licensed veterinarian as needed.
3. **ANIMAL INSPECTION AND CARE FOR HEALTHY ANIMALS:** For all healthy and behaviorally sound animals, MARQ will perform a detailed inspection of all animals within two (2) business hours of the animal being delivered to its facility. MARQ will provide the following to animals upon intake: flea prevention, a broad spectrum dewormer to all cats and dogs; DHPP and Bordatella vaccinations to all dogs deemed healthy and FVRCP vaccination to all cats deemed healthy. These services, as well as the standard care outlined in paragraph 2, are included in the standard initial inspection fee proposed in this contract.
4. **ANIMAL INSPECTION AND CARE FOR UNHEALTHY ANIMALS:** Animals picked up by Animal Control officers during MARQ business hours that are delivered to MARQ's facility and, after initial inspection described in paragraph 3, determined by MARQ to be injured or unhealthy (i.e., malnourished, symptomatic of disease, obvious wounds or injuries, neglected, etc.) MARQ will, at MARQ's expense, transport the animal to one of MARQ's selected licensed veterinary partners. The veterinarian shall inspect the animal and contact MARQ to discuss what treatment options are available for the animal. MARQ will then contact the Director of Community Development with a proposed treatments. If the City authorizes treatment, MARQ will notify the veterinarian to proceed with treatment at City's cost. If the City does not authorize treatment, MARQ may still proceed with treatment at MARQ's expense. These services are included in the injured animal inspection fee proposed in this contract.
5. **EMERGENCY CARE:** If upon inspection by a licensed veterinarian, an animal is determined by the veterinarian to require emergency care, and awaiting confirmation from the Director of Community Development Department would result in significant suffering or death of the animal, MARQ may, prior to receiving said confirmation, authorize the

Initials 

Exhibit B

veterinarian to proceed with immediate emergency treatment required to stabilize the animal, as outlined in paragraph 14, at the City's cost. This applies for emergency treatment required after business hours.

6. **QUARANTINE AND TESTING:** MARQ will quarantine animals when requested for the period outlined by the city ordinance (ten (10) consecutive days) and/or euthanize and test said animal if deemed appropriate by the Director of Community Development. MARQ, at MARQ's discretion, may choose to subcontract the direct housing and care of a quarantined animal at no additional cost to the City. MARQ agrees to process and ship any small animal (up to and including dogs and cats) delivered, to a licensed laboratory for rabies testing.
7. **CRUELTY CASES:** MARQ will work closely with city employees and partner veterinarians to provide detailed reports including, necropsy reports when requested, evidence, and testimony, if necessary, in potential cruelty cases.
8. **ADOPTION SERVICES:** MARQ will provide proactive adoption services for all unclaimed domestic animals who have not been deemed medically or behaviorally unfit for placement. All animals available for adoption will be spayed/neutered and microchipped prior to being adopted. MARQ will not re-home animals with extensive bite histories. The City will not incur any additional charges related to these services.
9. **DEDICATED SPACE AVAILABLE AND LIVESTOCK FIELD VISITS:** MARQ agrees to dedicate sufficient animal containment necessary for the City Animal Control officers to routinely, throughout the day or night, place the animals delivered to MARQ. Animal Control officers will be provided with necessary keys and/or codes to deliver animals to the MARQ facility outside business hours. Animals placed in dedicated runs will be subsequently moved to other long-term animal runs to keep these dedicated runs free for regular animal delivery. MARQ will select and utilize veterinary partners for Livestock field visits and treatment as needed and requested by the City. MARQ is unable to manage or support any treatment or services associated with native wildlife.
10. **ANIMAL INTAKE/DISPOSITION LOG AND MONTHLY REPORT:** MARQ shall keep a daily log, in a mutually agreed format, of all animals delivered to it by the City under the terms of this Agreement. Each animal received by MARQ shall be identified on such log by the case number, and the disposition of such animal shall be recorded so that, at all times, both parties shall have and maintain a record of all animals received and the disposition thereof. Not later than the 12th of each month after the effective date of this Agreement, MARQ shall deliver to the Director of Community Development a report, in a mutually agreed format, providing details about incoming animal data as well as animal disposition data for the animals received during the preceding calendar month. This report will include (at minimum) case number, case start and end date, costs incurred per day, fee based services rendered including on-call or after-hours services, animal description, and total cost for each case.
11. **RELEASE OF ANIMALS UPON PAYMENT OF FEES AND MICROCHIP:** MARQ shall release animals to their owners only after the owners have complied with the ordinances of City, with respect to the payment of impoundment fees and other charges unless authorized by the Director of Community Development, or appropriate acting city employee. If requested by the City, MARQ can collect such fees and charges for the use of the City, after/before the normal city business hours, impoundment fees collected by MARQ shall be submitted to City on an agreed upon frequency. MARQ shall account for all collections at such times and in such manner as may be directed by the Director of

Initials 

Exhibit B

Community Development. MARQ shall also release animals to owners if such owners deliver to MARQ evidence of direct payment to City of such fees and charges on forms to be provided by City. MARQ is available to redeem animals 7:00 AM to 7:00 PM, seven (7) days a week. MARQ will administer a microchip and REGISTER said chip at no additional fee to the city or the reclaimer. MARQ will transport animals needing a rabies vaccine to a contracted veterinarian prior to releasing said animal.

12. **EUTHANASIA AND DECEASED ANIMALS:** MARQ will provide labor and drugs directly, or through licensed veterinarians selected by MARQ, necessary to euthanize an animal when requested or agreed upon by the Director of Development or his/her designee. MARQ agrees to manage and coordinate the removal of any deceased animals held in freezer or cold facilities located offsite from MARQ's facility.
13. **OPERATING ACCORDING TO LAW:** MARQ agrees that its shelter facility shall be maintained in accordance with reasonable standards adopted by and under the direction of its Board of Directors. MARQ shall operate the Shelter and provide care for all animals in compliance with all state and federal regulations applicable to such facility. MARQ shall make the Shelter facilities available during regular business hours for inspection by the Director of Community Development and his designee(s) to monitor compliance with this Agreement. MARQ agrees that it will provide the City, in a timely manner, any copies of inspections of the Shelter completed by any regulatory authority having jurisdiction over the facility.
14. **EMERGENCY TREATMENT:** MARQ is available 7:00 AM to 7:00 PM, seven (7) days a week. If a medical emergency is encountered outside those hours, the following protocol will be utilized: Animal Control officer will contact a MARQ representative, if the animal is deemed stable by both parties, care will start at 7:00 AM the next day. If animal is deemed to be in a life threatening and unstable condition, the animal will be transported directly by the Animal Control officer to BluePearl Emergency Vet Hospital, located at 3495 NE Ralph Powell Road, Lee's Summit, MO 64064, where the City will incur the veterinary costs required to stabilize the animal.
15. **HOURS OF OPERATION:** MARQ has staff at our Shelter facility from 7:00 AM to 7:00 PM, seven (7) days a week, 365 days a year. Additionally we have veterinary partners available to us 24 hours per day, 365 days a year.
16. **INSURANCE COVERAGE:** MARQ shall carry and provide the City with evidence of liability insurance coverage in an amount of at least \$1,000,000 per occurrence, including contractual liability, operations, independent contractors, and worker compensation coverage.
17. **LIABILITY:** MARQ shall indemnify and hold City harmless for any other claim caused by the actions of MARQ. MARQ agrees to add the City as an additional insured on its comprehensive general liability insurance policy provided City pays any additional premium charged. Such policy shall provide that it may not be cancelled without 30 day's advance written notice.
18. **FEE STRUCTURE:** The below table provides the detailed fee structure for all services to be provided by MARQ. MARQ will provide monthly summary invoicing to the City of Raytown in addition to the detailed reporting outlined in paragraph 10.

Exhibit B

Proposed Fee Structure

Service Description	Unit Price	Unit
Standard Initial Inspection (healthy animal)	\$ 42.00	Each
Injured Animal Inspection (with licensed veterinarian exam)	\$ 75.00	Each
Daily Standard Boarding Fee	\$ 7.50	Per Day
Daily Quarantine Boarding Fee (including bite cases)	\$ 35.00	Per Day
Euthanasia Services	\$ 25.00	Each
Dead Animal Disposal Fee	\$ 27.00	Each
Rabies Testing	\$ 280.00	Each
Rabies Vaccination Fee	\$ 16.50	Each
Bordetella or Other Vaccines	\$ 0.00	Each
Microchip Admin & Registration Fee	\$ 0.00	Each
Sedation	\$ 60.00	Each
Adoption Services	\$ 0.00	Each
Necropsy Report	\$ 350.00	Each
Bite Case Testing (Rabies)	\$ 280.00	Each
Emergency & On-call Treatment	\$ 225.00	Each
Livestock Field Visit/Treatment	\$ 225.00	Each

Initials zm

Exhibit B

Insurance Certificates

	CERTIFICATE OF LIABILITY INSURANCE	DATE(MM/DD/YYYY) 11/14/2019
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.		
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).		
PRODUCER	HOLLIDA INSURANCE AGENCY LLC 1018 S Westwood Blvd Ste 3 Poplar Bluff, MO 63901	CONTACT NAME PHONE (573) 727-9700 FAX (573) 727-9701 E-MAIL johnnyrhowe@gmail.com ADDRESS
INSURED	Midwest Animal Resq 10312 East 63rd Street Raytown, MO 64133	INSURER(S) AFFORDING COVERAGE INSURER A Alliance of Nonprofits NAIC# 10023 INSURER B The Hartford INSURER C INSURER D INSURER E INSURER F

INS LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBROGATION	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER	X		2019-34504	01/15/2019	01/15/2020	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA occurrence) \$ 500,000 MED EXP (Any one person) \$ 20,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANYAUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	X		2019-3504	01/15/2019	01/15/2020	COMBINED SINGLE LIMIT (EA accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	N/A	84WBCAD9K64	09/09/2019	09/09/2020	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101. Additional Remarks Schedule, may be attached if more space is required)							
Certificate holder is an additional insured to the extent of insureds' involvement.							

CERTIFICATE HOLDER City of Raytown Community Development Department 10000 East 59th Street Raytown, MO 64133	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS AUTHORIZED REPRESENTATIVE
---	--

Initials *JM*

Exhibit B

Addendum: City Documents

The additional attached pages are the signed and initialed documents provided by the City of Raytown within the RFP.

PLEASE NOTE: Addendum pages 11-13 of the City's documents are completed within the content of the proposal details (pages 6-9).

Exhibit C

Proposed Fee Structure

Service Description	Unit Price	Unit
Standard Initial Inspection (healthy animal)	\$ 42.00	Each
Injured Animal Inspection (with licensed veterinarian exam)	\$ 75.00	Each
Daily Standard Boarding Fee	\$ 7.50	Per Day
Daily Quarantine Boarding Fee (including bite cases)	\$ 35.00	Per Day
Euthanasia Services	\$ 25.00	Each
Dead Animal Disposal Fee	\$ 27.00	Each
Rabies Testing	\$ 280.00	Each
Rabies Vaccination Fee	\$ 16.50	Each
Bordetella or Other Vaccines	\$ 0.00	Each
Microchip Admin & Registration Fee	\$ 0.00	Each
Sedation	\$ 60.00	Each
Adoption Services	\$ 0.00	Each
Necropsy Report	\$ 350.00	Each
Bite Case Testing (Rabies)	\$ 280.00	Each
Emergency & On-call Treatment	\$ 225.00	Each
Livestock Field Visit/Treatment	\$ 225.00	Each

CITY OF RAYTOWN
Request for Board Action

Date: September 1, 2020

Bill No.: 6552-20

To: Mayor and Board of Aldermen

Section No.: XIII

From: Chris Gilbert, Planning & Zoning Coordinator

Department Head Approval: _____

Finance Director Approval: _____ (Only if funding is requested)

City Administrator Approval: _____

Action Requested: Board of Aldermen approval to amend the Raytown MO Code of Ordinances Chapter 50, Article II, Section 50-38, entitled, "Establishment and Membership"

Recommendation: Staff recommends approval of the attached ordinance as written.

Analysis: Membership of the Planning & Zoning Commission has been dwindling since the summer of 2019 when Tina Cochran resigned, followed by Tommy Bettis in early 2020, and Mary Phil Dwight will be resigning in 2020. It became necessary to look at the available options to keep the Raytown Planning & Zoning Commission operational. At present, the Planning & Zoning Commission should consist of 9 members, with 5 being a quorum. The Commission is presently down to 7 members (6 when Ms. Dwight steps down) but 5 is still a quorum so just making quorum is going to be harder in the future without additional volunteers stepping forward. In the absence of volunteers wanting to serve, reducing the Planning & Zoning Commission size from 9 members to 7 members is one method of maintaining a high level of customer service by reducing the possibility of no quorum meetings. By reducing the commission to 7 members, the two current vacancies would not need to be replaced and a quorum would drop to 4 members present. This would make a no-quorum situation far less likely to occur, particularly when Commissioner Dwight steps down. In this event, the Mayor would need to replace just one position instead of 3.

Municipal Code Section 50-38, Ordinance 5551-16, and the Planning & Zoning Commission By-Laws all establish the commission as needing a minimum of 5 citizen members, plus the Mayor (if he/she decides to serve) and a Board of Aldermen representative (if the Board appoints one, which it has, Alderwoman Emerson). The Ordinance does state 7 is the minimum size which is consistent with the current makeup of the commission anyways (6 citizen members, 1 Board of Aldermen member).

What the Zoning Ordinance does not presently state, and the purpose for this Community Development Department initiated amendment, is to establish Board of Aldermen Resolutions as the method for either increasing or decreasing the size of the Planning & Zoning Commission, as necessary, within the already codified range of 7 to 15 members. At present the Ordinance does not state how a size change is to be accomplished so this amendment will be a process clarification.

Alternatives: Do not approve the Ordinance and Planning & Zoning Commission continues as a 9-member body with multiple vacancies, hampering applicant efforts to get timely resolution of their applications due to a greater chance of no quorum meeting reschedulings.

Budgetary Impact:

Not Applicable

Additional Reports Attached:

Ordinance with Exhibit

Planning & Zoning Commission Staff Report, August 6, 2020

Planning & Zoning Commission Draft Minutes, August 6, 2020

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE II, SECTION 50-38, ENTITLED, "ESTABLISHMENT AND MEMBERSHIP", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI

WHEREAS, application PZ-2020-07, submitted by the City of Raytown, proposes to amend Chapter 50, Article I, Section 50-38, entitled "Establishment and Membership"; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on August 6, 2020 and by a vote of 6 in favor and 0 against, recommended approval of the amendment to Chapter 50, Article II, Section 50-38, entitled "Establishment and Membership", of the Code of Ordinances; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on September 1, 2020 and rendered a decision on September 15, 2020, to approve the amendment to Chapter 50, Article II, Section 50-38, entitled "Establishment and Membership", of the Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF AMENDMENTS. That the amendment to Chapter 50, Article II, Section 50-38, entitled "Establishment and Membership", of the Code of Ordinances is hereby amended as provided in Section 2.

SECTION 2 – AMENDMENTS. The following amendment as shown on Exhibit A is hereby adopted.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ____ day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE II, SECTION 50-38, ENTITLED, "ESTABLISHMENT AND MEMBERSHIP", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI

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BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

EXHIBIT A

Sec. 50-38. - Establishment and membership.

- (a) *Created.* There shall be a planning commission, also known as "the planning and zoning commission," and as "the commission" shall consist of not more than 15 nor less than seven members, including:
1. The mayor, if the mayor chooses to be a member;
 2. A member of the council selected by the council, if the council chooses to have a member serve on the commission; and
 3. Not more than 15 nor less than five citizens appointed by the mayor and approved by the council. All citizen members of the commission shall serve without compensation. The term of each of the citizen members shall be for four years, except that the terms of the citizen members first appointed shall be for varying periods so that succeeding terms will be staggered. Any vacancy in a membership shall be filled for the unexpired term by appointment as aforesaid. The council may remove any citizen member for cause stated in writing and after public hearing. **At any time, the Mayor may present to the Board of Aldermen a Resolution, which, upon approval by the Board of Aldermen, shall alter the size of the planning Commission, within the range and makeup of membership as set forth in this Section.**
- (b) *Term.* The term of each of the citizen members shall be for four years, except that the terms of the citizen members first appointed shall be for varying periods so that succeeding terms will be staggered. Any vacancy in a membership shall be filled for the unexpired term by appointment as aforesaid.
- (c) *Compensation.* All members of the planning commission shall serve without compensation.
- (d) *Dismissal.* The board of aldermen may remove any citizen member for cause stated in writing and after public hearing.

(Code 1969, § 16-2; Ord. No. 139, § 2, 7-19-1966; Ord. No. 5551-16, § 1, 8-16-2016)

**CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
REGULAR MEETING
MINUTES**

**August 6, 2020
7:00 pm**

**Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133**

1. Welcome by Acting Chair DeeAnn Stock

2. Call meeting to order and Roll Call

Wilson:	Absent	Thurman:	Present	Emerson:	Present
Robinson:	Present	Frazier:	Present	Stock:	Present
Dwight:	Present				

3. Approval of Minutes: Minutes of March 5, 2020, approved 6-0 upon motion by Ms. Dwight and second by Mr. Robinson.

4. New Business. All persons providing testimony for all public hearing items on the agenda were sworn in by Jennifer Baird, City Attorney.

A. Case No.: PZ 2020-07: Text Amendment to Municipal Code Chapter 50, Section 50-38, Regarding Modification of planning Commission Size.

1. Introduction of Application by Acting Chairman.

Acting Chair DeeAnn Stock opened the public hearing and introduced the application.

2. Explanation of any Ex Parte Communications Regarding the Application.

No commissioners reported Ex Parte communications with the applicant regarding this application.

3. Enter Relevant Exhibits into the Record.

Acting Chair DeeAnn Stock entered the staff report into the record as an exhibit.

4. Staff Presentation of proposed Text Amendments.

Chris Gilbert, Planning & Zoning Coordinator, presented the staff report, explaining the reasons for the text amendment being necessary.

5. Request for Public Comment by Acting Chairman.

Acting Chair DeeAnn Stock asked if anyone was present to speak on this application. No one presented themselves.

6. Commission Discussion.

None.

7. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Chris Gilbert provided the staff recommendation to recommend approval of the proposed text amendment as written.

Mr. Frazier moved and Ms. Emerson seconded to recommend approval of the application to the Board of Aldermen. Motion passed 6-0.

B. Case No.: PZ 2020-08: Text Amendments to Municipal Code Chapter 50, Sections 50-560.01, Regarding Courtesy Noticing Procedures and 50-107, Regarding A Use Table Note Requiring Architectural Analysis for Assembly Uses.

1. Introduction of Application by Acting Chairman.

Acting Chair DeeAnn Stock opened the public hearing and introduced the application.

2. Explanation of any Ex Parte Communications Regarding the Application.

No Commissioners reported any Ex Parte communications regarding this application.

3. Enter Relevant Exhibits into the Record.

Acting Chair DeeAnn Stock entered the staff report into the record as an exhibit.

4. Staff Presentation of proposed Text Amendment on Noticing Procedures.

Chris Gilbert, Planning & Zoning Coordinator presented the staff report, explaining the reasons for this text amendment being necessary. Mr. Gilbert asked that the Planning Commission make separate motions on each of the two minor text amendments addressed by this staff report.

5. Request for Public Comment by Acting Chairman.

Acting Chair DeeAnn Stock asked for comments from the public on the application.

Alderman Greg Walters, Ward 1, spoke in support of the application, providing examples of situations in the past several years where some neighbors did not receive notice of hearings.

6. Commission Discussion.

Planning Commission discussion with questions for staff.

7. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Chris Gilbert provided the staff recommendation to recommend approval of the text amendment to the Board of Aldermen as written.

Ms. Thurman moved and Mr. Frazier seconded to recommend approval to the Board of Aldermen as recommended in the staff report. Motion passed 6-0.

8. Staff Presentation of proposed Text Amendment on Requiring an Architectural Analysis for certain Assembly Type Uses.

Chris Gilbert, Planning & Zoning Coordinator presented the staff report, explaining the reasons for this text amendment being necessary.

Planning Commission discussion with questions for staff.

9. Request for Public Comment by Chairman.

Acting Chair DeeAnn Stock asked for comments from the public on the application.

Alderman Greg Walters, Ward 1, spoke in favor of the proposed amendment.

10. Commission Discussion.

Planning Commission discussion with questions for staff and the applicant.

11. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Chris Gilbert provided the staff recommendation to recommend approval of the text amendment to the Board of Aldermen as written.

Mr. Frazier moved and Ms. Thurman seconded to recommend approval to the Board of Aldermen as recommended in the staff report. Motion passed 5-1 with Ms. Emerson opposed.

5. **Other Business-** Chris Gilbert provided a status update on several recent cases reviewed by the Planning Commission.
6. **Set Future Meeting Date – Next regular meeting on September 3, 2020.**
7. **Adjourn at 8:15 PM upon motion by Ms. Dwight and second by Ms. Thurman.**

DRAFT



PZ 2020-07

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: August 6, 2020

Re: Zoning Text Amendment, Section 50-38, Entitled "Establishment and Membership"

TEXT AMENDMENT SUMMARY

With the membership of the Planning Commission dwindling since the summer of 2019 when Tina Cochran resigned, followed by Tommy Bettis in early 2020, and Mary Phil Dwight considering stepping down in 2020 as well, it became necessary to look at the available options to keep the Raytown Planning Commission operational. At present, the Planning Commission should consist of 9 members, with 5 being a quorum. The Commission is presently down to 7 members but 5 is still a quorum so just making quorum is going to be harder in the future without additional volunteers stepping forward (the Mayor is reporting great difficulty recruiting volunteers for open board or commission seats of any type). If Commissioner Dwight does step down then it gets even more difficult to ensure quorums for any given meeting, which causes delays for applicants and projects.

In the absence of volunteers wanting to serve, reducing the Planning Commission size from 9 members to 7 members is one method of maintaining a high level of customer service by reducing the possibility of no quorum meetings. By reducing the commission to 7 members, the two current vacancies would not need to be replaced and a quorum would drop to 4 members present. This would make a no-quorum situation far less likely to occur, particularly if Commissioner Dwight does step down as well. In this event, the Mayor would need to replace just one position instead of 3.

Municipal Code Section 50-38, Ordinance 5551-16, and the Planning Commission By-Laws all establish the commission as needing a minimum of 5 citizen members, plus the Mayor (if he/she decides to serve) and a Board of Aldermen representative (if the Board appoints one, which it has, Alderwoman Emerson). The Ordinance does state 7 is the minimum size which is consistent with the current makeup of the commission anyways (6 citizen members, 1 Board of Aldermen member).

What the Zoning Ordinance does not presently state, and the purpose for this Community Development Department initiated amendment, is to establish Board of Aldermen Resolutions as the method for either increasing or decreasing the size of the Planning Commission, as necessary, within the already codified range of 7 to 15 members. At present the Ordinance does not state how a size change is to be accomplished so this amendment will be a process clarification.



Staff Report

Community Development
Planning and Development Services

Attachments:

- Notice of Public Hearing
- Proposed Zoning Ordinance Text Amendment to Sec 50-38

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Page 1 of 2

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE DAILY RECORD, KANSAS CITY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **July 17, 2020** edition and ending with the **July 17, 2020** edition, for a total of 1 publications:

07/17/2020

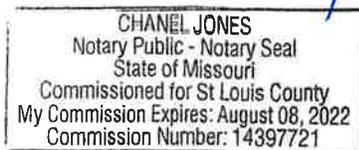
Karie Clark

Karie Clark

Subscribed & sworn before me this 17th day of July, 2020
(SEAL)

Chanel Jones

Notary Public



Notice of Public Hearing

The City of Raytown is in the process of amending Chapter 50 of the Raytown Municipal Code, entitled "Zoning", to consider changes to the following Sections within the aforementioned Chapter 50, to be applicable city-wide:

Section 50-560.01, regarding requiring courtesy notices to nearby property owners to be mailed via US Postal Service Certified Letter;

Section 50-38, regarding establishing Board of Aldermen Resolutions as the method for either increasing or decreasing the size of the Planning Commission as necessary within the already codified range of 7 to 15 members;

Section 50-107, regarding adding a use table note and explanation requiring a life safety architectural analysis be provided to the City with any application for either a use permit or Planning Commission action applicable to all uses that commonly involve assemblies of people.

Section 50-107, regarding changing the use table note for home occupations to reduce the distance separation requirement between licensed home day care businesses.

Section 50-127, regarding changing the Low Density Residential District Use Regulations to reduce the distance separation requirement between licensed home day care businesses.

A public hearing to consider these proposed new regulations will be held by the Raytown Planning & Zoning Commission at **7:00 p.m. on Thursday, August 6, 2020**. A copy of the agenda and packet including a staff report with the proposed changes will be available for viewing on the City of Raytown's website, www.raytown.mo.us, on Friday, July 31, 2020.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described new regulations, tentatively scheduled for **7:00 p.m. on Tuesday, September 1, 2020**.

AFFIDAVIT OF PUBLICATION

Page 2 of 2

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59 th St., Raytown, MO 64133.

The public is invited to attend the public hearings to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59 th Street, by telephone at (816) 737-6059 or by e-mail at chrisg@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) in order to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

11901034 Jackson Jul. 17, 2020

NOTICE OF PUBLIC HEARING

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CITY OF RAYTOWN
Request for Board Action

Date: September 1, 2020

Bill No.: 6553-20

To: Mayor and Board of Aldermen

Section No.: XIII

From: Chris Gilbert, Planning & Zoning Coordinator

Department Head Approval: _____

Finance Director Approval: _____ (Only if funding is requested)

City Administrator Approval: _____



Action Requested: Board of Aldermen approval to amend the Raytown MO Code of Ordinances Chapter 50, Article XI, Section 50-560.01, entitled, "Neighborhood Information Meeting"

Recommendation: Alderman Walters requested this amendment and action on it was directed by the Board of Aldermen to the Planning Commission for review and recommendation at its next meeting with regular business due to the COVID-19 pandemic. The Planning Commission reviewed this amendment at its August 6, 2020, meeting and recommended approval by a vote of 6-0. This amendment will require courtesy notices to nearby property owners to be mailed via US Postal Service Certified Letter instead of the current method of mailing regular mail service letters to provide a better chance of nearby property owners being aware of public meetings in their vicinity. The applicant(s) for Planning Commission action will be responsible for sending out the mailings by Certified Letter and providing 'proof of mailing' receipts from the US Postal service. Staff will continue to provide the mailing lists to the applicant(s) of all owners within 185 feet of a subject property in addition to any other individuals that requested notice and known Homes Association Presidents.

Alternatives: Do not approve the Ordinance and required notices will continue to be mailed by regular U.S. Mail service.

Budgetary Impact:

Not Applicable

Additional Reports Attached:

Ordinance with Exhibit

Planning Commission Staff Report, August 6, 2020

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE XI, SECTION 50-560.01, ENTITLED, "NEIGHBORHOOD INFORMATION MEETING", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI

WHEREAS, application PZ-2020-08, submitted by the City of Raytown, proposes to amend Chapter 50, Article XI, Section 50-560.01 entitled "Neighborhood Information Meeting"; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on August 6, 2020 and by a vote of 6 in favor and 0 against, recommended approval of the amendment to Chapter 50, Article XI, Section 50-560.01, entitled "Neighborhood Information Meeting", of the Code of Ordinances; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on September 1, 2020 and rendered a decision on September 15, 2020, to approve the amendment to Chapter 50, Article XI, Section 50-560.01, entitled "Neighborhood Information Meeting", of the Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

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BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

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SECTION 2 – AMENDMENTS. The following amendment as shown on Exhibit A is hereby adopted.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this _____ day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

EXHIBIT A

Sec. 50-560.01. - Neighborhood information meeting.

- (a) Purpose. Citizen participation in the planning process is essential to the successful growth of the community.

This citizen participation requirement is designed to inform and involve neighboring residents in the process of community change. It is not intended that complete consensus be achieved on all applications, but neighborhood concerns can be identified early on and addressed to some degree prior to the public hearing. Specifically, the purpose of citizen participation is to:

- (1) Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
- (2) Ensure that the citizens and property owners of Raytown have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early state of the process; and
- (3) Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff and elected officials throughout the application review process.

- (b) This section applies to rezoning, preliminary plat, planned development, conditional use and site plan applications.

- (c) ~~Applicants shall send a courtesy notice to property owners within 185 feet of the applicant property; the president of any home owners association or registered neighborhood within 500 feet of the application; and other interested parties who have requested that they be placed on the interested parties notification list maintained by the city.~~

~~The notice will provide a brief description of the application and will establish a date and location for a meeting to discuss the issues regarding the application. The meeting shall be held at least two weeks prior to the planning commission meeting for which the application is scheduled.~~

Applicants shall send a courtesy notice by Certified Letter through the United States Postal Service to each of the following:

- (1) Property owners within 185 feet of the applicant property;**
- (2) The president of any active homeowners association within 500 feet of the applicant's property for which the contact information is known; and**
- (3) Other interested parties who have requested that they be notified.**

The notice shall provide a brief description of the application and shall establish a date and location for a neighborhood meeting to discuss the issues regarding the application. The meeting shall be held at least two weeks prior to the Planning Commission meeting for which the application is scheduled. Proof that these notices were mailed by Certified

Letter to all required parties enumerated above shall be provided to the City prior to the neighborhood meeting time. The City Hall Council Chambers may be reserved for this neighborhood meeting by the applicant, if desired, or held at another location accessible to the public.

- (d) The applicant will submit a written summary report identifying the number of persons attending the meeting, the issues raised, and the resolution to any issues solved. The report shall be submitted to the secretary of the planning commission at least ten days prior to the date of the planning commission meeting scheduled to discuss the application.

(Ord. No. 5567-17, § 2, 1-3-2017)



PZ 2020-08

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: August 6, 2020

Re: Zoning Text Amendments, Section 50-560.01, Entitled, "Neighborhood Information Meeting", and 50-107, Entitled, "Land Use Table"

TEXT AMENDMENTS SUMMARY

From time to time, changes to the existing Zoning Ordinance become necessary. The Ordinance was last amended in March, 2020, to adequately regulate uses that the Board of Aldermen had placed under Moratorium in 2019. This set of changes addresses issues that have come up in 2020 since the last set of amendments that need to be addressed adequately as follows:

Changes to Municipal Code Chapter 50 contained in this staff report:

1. **Section 50 Section 50-560.01.** Alderman Walters requested this amendment and action on it was directed by the Board of Aldermen to the Planning Commission for review and recommendation at its next meeting with regular business due to the COVID-19 pandemic. This amendment will require courtesy notices to nearby property owners to be mailed via US Postal Service Certified Letter instead of the current method of mailing regular letters to provide a better chance of nearby property owners being aware of public meetings in their vicinity.

Applicant(s) for Planning Commission action will be responsible for sending out the mailings by Certified Letter and providing 'proof of mailing' receipts from the US Postal service. Staff will continue to provide the mailing lists to the applicant(s) of all owners within 185 feet of a subject property in addition to any other individuals that requested notice and known Homes Association Presidents.

2. **Section 50-107.** Community Development Department initiated amendment that will add a use table note for commercial uses that commonly involve significant assemblies of people in enclosed spaces, requiring that an architectural analysis shall be provided to the City with any application for either a commercial use permit or Planning Commission action, upon request by the Director of Community Development or designated representative. This will help with ensuring that commercial buildings and lease spaces that are used or reused for activities involving assemblies of people are safe for patrons and employees to occupy. Additionally, the applicants will benefit by a greater level of awareness of such issues earlier in the process so they can decide whether to move forward with a particular building or space before the investment gets too significant.



Staff Report

Community Development
Planning and Development Services

The primary driver behind this amendment involves situations that have come up recently where buildings in Raytown were acquired and intended to be repurposed for churches or event spaces without any changes to the buildings. Each of these situations involved large enough spaces that they crossed Building Code and Fire Code thresholds adopted by both the City and the Raytown Fire District that would require potentially extremely costly improvements to the spaces to address life safety and emergency exiting standards. This amendment will provide a tool for an architectural analysis to be provided at the beginning of the process if it appears likely that such an analysis is necessary. It won't be required in every situation but gives staff and extra tool for managing the reutilization of Raytown's commercial and industrial buildings. This provision will not apply to any residential structures.

The uses on the attached use table that have the note proposed to be added to them display as red text for Note (29). These are all uses that can commonly (but not always) find themselves in a situation where a large number of people are in an enclosed space. Other uses listed on the table that are not labeled with the proposed new Note (29) could potentially also have this situation occur but it is far less likely and thus staff believes it is not necessary to place this requirement beyond the uses so noted with it.

3. **Section 50-107 and 50-127.** These two amendments regarding a use table note and change to Low Density Residential District use regulations for home day cares to reduce the distance separation requirement between licensed home day care businesses has been postponed as staff studies additional amendments beyond this one issue. These proposed amendments will be presented at a later meeting.

Attachments:

- Notice of Public Hearing
- Proposed Zoning Ordinance Text Amendments
- Section 50-107 Use Table with Proposed Note (29) added

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Page 1 of 2

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE DAILY RECORD, KANSAS CITY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **July 17, 2020** edition and ending with the **July 17, 2020** edition, for a total of 1 publications:

07/17/2020

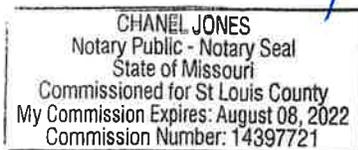
Karie Clark

Karie Clark

Subscribed & sworn before me this 17th day of July, 2020
(SEAL)

Chanel Jones

Notary Public



Notice of Public Hearing

The City of Raytown is in the process of amending Chapter 50 of the Raytown Municipal Code, entitled "Zoning", to consider changes to the following Sections within the aforementioned Chapter 50, to be applicable city-wide:

Section 50-560.01, regarding requiring courtesy notices to nearby property owners to be mailed via US Postal Service Certified Letter;

Section 50-38, regarding establishing Board of Aldermen Resolutions as the method for either increasing or decreasing the size of the Planning Commission as necessary within the already codified range of 7 to 15 members;

Section 50-107, regarding adding a use table note and explanation requiring a life safety architectural analysis be provided to the City with any application for either a use permit or Planning Commission action applicable to all uses that commonly involve assemblies of people.

Section 50-107, regarding changing the use table note for home occupations to reduce the distance separation requirement between licensed home day care businesses.

Section 50-127, regarding changing the Low Density Residential District Use Regulations to reduce the distance separation requirement between licensed home day care businesses.

A public hearing to consider these proposed new regulations will be held by the Raytown Planning & Zoning Commission at **7:00 p.m. on Thursday, August 6, 2020**. A copy of the agenda and packet including a staff report with the proposed changes will be available for viewing on the City of Raytown's website, www.raytown.mo.us, on Friday, July 31, 2020.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described new regulations, tentatively scheduled for **7:00 p.m. on Tuesday, September 1, 2020**.

AFFIDAVIT OF PUBLICATION

Page 2 of 2

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59 th St., Raytown, MO 64133.

The public is invited to attend the public hearings to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59 th Street, by telephone at (816) 737-6059 or by e-mail at chrisg@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) in order to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

11901034 Jackson Jul. 17, 2020

NOTICE OF PUBLIC HEARING

The City of Raytown is in the process of amending Chapter 50 of the Raytown Municipal Code, entitled "Zoning," to consider changes to the following Sections within the aforementioned Chapter 50, to be applicable city-wide: Section 50-560.01, regarding requiring courtesy notices to nearby property owners to be mailed via US Postal Service Certified Letter;

Section 50-38, regarding establishing Board of Aldermen Resolutions as the method for either increasing or decreasing the size of the Planning Commission as necessary within the already codified range of 7 to 15 members; Section 50-107, regarding adding a use table note and explanation requiring a life safety architectural analysis be provided to the City with any application for either a use permit or Planning Commission action applicable to all uses that commonly involve assemblies of people.

Section 50-107, regarding changing the use table note for home occupations to reduce the distance separation requirement between licensed home day care businesses.

Section 50-127, regarding changing the Low Density Residential District Use Regulations to reduce the distance separation requirement between licensed home day care businesses.

A public hearing to consider these proposed new regulations will be held by the Raytown Planning & Zoning Commission at 7:00 p.m. on Thursday, August 6, 2020. A copy of the agenda and packet including a staff report with the proposed changes will be available for viewing on the City of Raytown's website, www.raytown.mo.us, on Friday, July 31, 2020.

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CITY OF RAYTOWN
Request for Board Action

Date: September 1, 2020

Bill No.: 6554-20

To: Mayor and Board of Aldermen

Section No.: XIII

From: Chris Gilbert, Planning & Zoning Coordinator

Department Head Approval: _____

Finance Director Approval: _____ (Only if funding is requested)

City Administrator Approval: _____

Action Requested: Board of Aldermen approval to amend the Raytown MO Code of Ordinances Chapter 50, Article IV, Section 50-107, entitled, "Land use Table"

Recommendation: This amendment proposes to add a use table note for commercial uses that commonly involve significant assemblies of people in enclosed spaces, requiring that an architectural analysis be provided to the City with any application for either a commercial use permit or Planning Commission action, upon request by the Director of Community Development or designated representative. This will help with ensuring that commercial buildings and lease spaces that are used or reused for activities involving large assemblies of people are safe for patrons and employees to occupy. Additionally, the applicants will benefit by a greater level of awareness of such issues earlier in the process so they can decide whether to move forward with a particular building or space before the investment gets too significant. The Planning Commission voted 5-1 to recommend approval of this text amendment. The primary driver behind this amendment involves situations that have come up recently where buildings in Raytown were acquired and intended to be repurposed for churches or event spaces without any changes to the buildings. Each of these situations involved large enough spaces that they crossed Building Code and Fire Code thresholds adopted by both the City and the Raytown Fire District that would require potentially extremely costly improvements to the spaces to address life safety and emergency exiting standards. This amendment will provide a tool for an architectural analysis to be provided at the beginning of the process if it appears likely that such an analysis is necessary. It won't be required in every situation but gives staff an extra tool for managing the reutilization of Raytown's commercial and industrial buildings. This provision will not apply to any residential structures. The uses on the use table included with Exhibit A that have this note proposed to be added to them display as Note (29).

Alternatives: Do not approve the Ordinance and no special life safety analysis will be automatically requested for certain types of uses that typically place large numbers of people in confined spaces.

Budgetary Impact:

Not Applicable

Additional Reports Attached:

Ordinance with Exhibit

Planning Commission Staff Report, August 6, 2020

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE IV, SECTION 50-107, ENTITLED, "LAND USE TABLE", OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI

WHEREAS, application PZ-2020-08, submitted by the City of Raytown, proposes to amend Chapter 50, Article IV, Section 50-107 entitled "Land Use Table"; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on August 6, 2020 and by a vote of 5 in favor and 1 against, recommended approval of the amendments to Chapter 50, Article IV, Section 50-107 entitled "Land Use Table", of the Code of Ordinances; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on September 1, 2020 and rendered a decision on September 15, 2020, to approve the amendments to Chapter 50, Article IV, Section 50-107 entitled "Land Use Table", of the Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF AMENDMENTS. That the amendments to Chapter 50, Article IV, Section 50-107 entitled "Land Use Table", of the Code of Ordinances are hereby amended as provided in Section 2.

SECTION 2 – AMENDMENTS. The following amendments as shown on Exhibit A are hereby adopted.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ____ day of September, 2020.

Michael McDonough, Mayor

ATTEST:

Teresa M. Henry, City Clerk

Approved as to Form:

Jennifer M. Baird, City Attorney

EXHIBIT A

CHAPTER 50, ARTICLE IV. – DISTRICTS AND DISTRICT MAP

Sec. 50-107. – Land Use Table.

(a) *Generally.* The following land use table identifies uses that are either permitted by right, require approval of a conditional use permit or are not allowed in each of the applicable districts. Many of the uses are defined in [section 50-4](#). Any uses that are not defined in [section 50-4](#) shall be given their common meaning.

(1) *Permitted (allowed by right).* Uses identified in a zoning district column of the Use Table with a "P" are "permitted by-right" and shall be permitted in such zoning district, subject to such special use regulations as may be indicated in the "conditions" column and all other requirements of this article.

(2) *Conditional uses.* Uses identified in a zoning district column of the Use Table with a "C" are "conditional uses" and shall be permitted in such zoning district if reviewed and approved in accordance with the standards of article V of this chapter. Conditional uses shall be subject to such special regulations as may be specified in article V of this chapter and all other requirements of the city Code.

(3) *Not permitted.* Uses not identified in a zoning district column of the Use Table as permitted by-right or by conditional use are not allowed in such zoning district unless otherwise expressly permitted by other regulations of the city Code.

(4) *Conditions.* A letter in the "conditions" column of the Land Use Table refers to standards applicable to a particular use in one or more of the districts in which such use is allowed. The referenced regulations appear in subsection (b) of this section.

(b) *Land use conditions.* The following standards shall apply to permitted, conditional and accessory uses:

****NOTES (1) to (28) already codified****

(29) Uses that commonly involve assemblies of large numbers of persons in a small area may require additional architectural analysis to ensure compliance with the adopted Building and Fire Codes of the City. The Director of Community Development or designated representative may determine that such documentation is required to be submitted for review prior to consideration of approval of a Commercial Use Permit by staff or consideration of a Conditional Use Permit by the Planning Commission.

(Ord. No. 5498-14, § 2A—C, 7-15-2014; Ord. No. 5579-17, §§ 1, 2(Exh. A), 9-5-2017; Ord. No. 5575-17, § 1, 5-2-2017)

USES	ZONING DISTRICTS															Conditions
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	
Accessory uses	P	P	P	P	P	P	P		P		P	P			P	(6), (11),(26)
Adult Book Store												P			P	(15)
Adult Day Care	C	C	C		P				P			P			P	(12)
Adult Entertainment Establishment												P			P	(15)
Adult Mini-Motion Picture Theater												P			P	(15), (29)
Adult Motion Picture Theater												P			P	(15)
Agriculture	P	P	P	P	P	P	P	P	P	P		P				
Airports and aviation fields including helicopter pads.							C									(11),(29)
Amusement Parks					C		C									
Animal Care, General							P		P							(13)
Animal Care, Limited							P		P			P				(13)
Arenas					C		C									(29)
Art Galleries					P	P			P			P				(5),(29)
Assembly Rooms					C		C									(29)
Athletic Fields					C		C									

USES	ZONING DISTRICTS															Conditions
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	
Auction Facilities					C		C									(29)
Auditorium or Stadium							P		P			P				(13),(29)
Auditoriums																
Bakery, Retail					P	P			P							(10), (11)
Bed and breakfast homes with or without a related tearoom	C	C	C													
Boat Sales						C	C									
Camps								P	P			P				
Car Wash					C	C	C					P				(13)
Cemeteries, crematories and mausoleums	C	C	C	C	C	C	C	C								
Churches, chapels, mosques, synagogues, temples and other places of religious assembly	P	P	P	P	P	P	P		P			P			P	(3), (10), (11),(29)
College or University							P		P			P				(13),(29)

USES	ZONING DISTRICTS															Conditions
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	
Commercial and retail uses that are not permitted by district regulations					C	C	C	C								
Communications towers	C	C	C	C	C	C	C	C	C							(16)
Condominium dwelling containing more than two household condominium dwellings			C									P	P			(17)
Construction Sales and Service							P		P			P				(13)
Convenience Stores					P	P	P		P			P				(13),(28)
Craft Brewery					C	P	P									(29)
Cultural Service							P		P			P				(13)
Dance halls, discotheques, and night clubs					C	C										(29)
Day care center					P				P			P				(12),(29)

USES	ZONING DISTRICTS														Conditions	
	Residential Districts				Nonresidential Districts						Overlay Districts					
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP		AE
Dormitories and fraternity or sorority houses		C	C													(29)
Drive-In Theater						P			P			P				(11)
Drive-through restaurants					P	P										
Dwelling, Large group living	C	C	P		P				P			P				(9)
Dwelling, Small group living	P	P	P						P		P	P				(2)
Equipment Sales							P					P				
Exhibit hall					C		C									(29)
Financial institutions					P	P										
Food/Bakery Product Manufacturing							P		P			P				
Fortune Tellers, palm readers, psychics, tarot card readers and similar uses						C										
Foster homes	P	P	P						P			P				

USES	ZONING DISTRICTS															Conditions
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	
Fraternal club, service club, private club and/or tavern	C	C	C	C	C	C	C	C								(29)
Golf course	P	P	P				P		P			P			P	(4), (13)
Golf-driving, commercial or illuminated						C										
Government Uses, including but not limited to police station, fire station, emergency medical services	C	C	C	C	P	C	P		P			P			P	(13)
Group day care home					P				P			P			P	(12)
Group Home	C	C	C													
Health Club					P	P	P		P			P				(13),(29)
Home occupations	P	P	P						P		P	P				(7)
Hospital						P	P		P			P			P	(11), (13),(29)
Hotel or motel						P	P		P			P			P	(11), (13)
Junk yards or salvage yards							C									(18)
Kennels						C	C									(19)

USES	ZONING DISTRICTS														Conditions	
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP		AE
Laundry						P			P			P			P	(11)
Laundry Service							P		P			P				(13)
Liquor Sales, Package					P	P										(25)
Manufactured home without a permanent foundation				P					P			P				(13)
Manufacturing and Assembly							P		P			P				(13)
Mobile Homes				P					P			P				
Modular Home	P	P	P	P												
Mortuaries					P	P			P			P			P	(11)
Motorcycle sales and service						P			P			P			P	(11)
Multi-household buildings			P						P			P	P			
Multi-household dwellings (i.e., communes)	C	C	C	C	C	C	C									
Museums	C	C	C		P				P			P				(29)
Nursery or Garden Center						P			P			P			P	(11)
Offices					P	P			P			P			P	(11)
Outdoor Gun Clubs						C										

USES	ZONING DISTRICTS															Conditions
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	
Outdoor Storage Uses						C	C									
Parking Lot, Commercial							P		P			P				(13)
Parks and Recreation- Public	P	P	P	P			P	P	P			P				(13)
Penal, reformatory or other correctional uses				C		C										(29)
Pharmacy					P	P			P			P			P	(11)
Pitch and putt or miniature golf courses	P	P	P		C	C			P			P				
Pre-schools, nursery schools, children's day care or facilities of five persons but not more than ten persons	C	C	C													(29)
Printing and Publishing					P	P	P		P			P				(13)
Private swimming pools	P	P	P						P			P				(6)

USES	ZONING DISTRICTS															Conditions	
	Residential Districts				Nonresidential Districts							Overlay Districts					
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE		
Public and private resource recycling centers not involving any hazardous or toxic waste				C		C	C										
Race Tracks							C										(29)
Recreation and Entertainment, Indoor					P	P	P		P			P					(13),(29)
Repair Service					P		P		P			P					(13)
Research Service							P		P			P					(13)
Residential care facility	C	C	P		P				P			P				P	(9)
Residential or outpatient facilities for the treatment of alcohol or drug abuse	C	C	C	C	C	C	C	C									
Restaurants					P	P			P			P				P	(11),(29)
Retail store or shop					P	P			P			P				P	(11),(29)
Riding stable (private)					C		C										(20)
Riding stable and academy (public)					C		C										(21)

USES	ZONING DISTRICTS															Conditions
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	
Schools, private or parochial and non-profit	C	C	C	C	C	C	C	C								(29)
Service stations					C	C										
Single-household dwellings	P	P	P						P		P	P				(1)
Tobacco or Vape/E-cigarette Product Sales					P	P										(24)
Studio, Television or Film							P		P			P				(14)
Swimming pools, public or commercial					C											(29)
Tattoo parlors and body-piercing businesses					C	C										
Temporary Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	(22)
Transit Facility							P		P			P				(14)
Two-household condominium dwellings		P	P						P			P				(9), (15)
Two-household dwellings		P	P						P			P				(9), (15)

USES	ZONING DISTRICTS															Conditions
	Residential Districts				Nonresidential Districts							Overlay Districts				
	R-1	R-2	R-3	MH	NC	HC	M	N	TS	FP	HO	P	CD	HP	AE	
Utility, Minor							P		P			P				(14)
Vehicle and Equipment Rental					C	C	C									
Vehicle Sales, New or Used						C	C					P				(27)
Vehicle Repair, General						C	P									
Vehicle Repair, Limited						C	P		P			P				(14)
Vehicle/Equipment Storage Yard						C	C									
Veterinary and small animal hospitals with outdoor containment						C	P									
Vocational School							P		P			P				(14),(29)
Warehousing and Wholesale							P		P			P				(14),(29)
Water towers	C	C	C	C	C	C	C	C								



PZ 2020-08

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: August 6, 2020

Re: Zoning Text Amendments, Section 50-560.01, Entitled, "Neighborhood Information Meeting", and 50-107, Entitled, "Land Use Table"

TEXT AMENDMENTS SUMMARY

From time to time, changes to the existing Zoning Ordinance become necessary. The Ordinance was last amended in March, 2020, to adequately regulate uses that the Board of Aldermen had placed under Moratorium in 2019. This set of changes addresses issues that have come up in 2020 since the last set of amendments that need to be addressed adequately as follows:

Changes to Municipal Code Chapter 50 contained in this staff report:

1. **Section 50 Section 50-560.01.** Alderman Walters requested this amendment and action on it was directed by the Board of Aldermen to the Planning Commission for review and recommendation at its next meeting with regular business due to the COVID-19 pandemic. This amendment will require courtesy notices to nearby property owners to be mailed via US Postal Service Certified Letter instead of the current method of mailing regular letters to provide a better chance of nearby property owners being aware of public meetings in their vicinity.

Applicant(s) for Planning Commission action will be responsible for sending out the mailings by Certified Letter and providing 'proof of mailing' receipts from the US Postal service. Staff will continue to provide the mailing lists to the applicant(s) of all owners within 185 feet of a subject property in addition to any other individuals that requested notice and known Homes Association Presidents.

2. **Section 50-107.** Community Development Department initiated amendment that will add a use table note for commercial uses that commonly involve significant assemblies of people in enclosed spaces, requiring that an architectural analysis shall be provided to the City with any application for either a commercial use permit or Planning Commission action, upon request by the Director of Community Development or designated representative. This will help with ensuring that commercial buildings and lease spaces that are used or reused for activities involving assemblies of people are safe for patrons and employees to occupy. Additionally, the applicants will benefit by a greater level of awareness of such issues earlier in the process so they can decide whether to move forward with a particular building or space before the investment gets too significant.



Staff Report

Community Development
Planning and Development Services

The primary driver behind this amendment involves situations that have come up recently where buildings in Raytown were acquired and intended to be repurposed for churches or event spaces without any changes to the buildings. Each of these situations involved large enough spaces that they crossed Building Code and Fire Code thresholds adopted by both the City and the Raytown Fire District that would require potentially extremely costly improvements to the spaces to address life safety and emergency exiting standards. This amendment will provide a tool for an architectural analysis to be provided at the beginning of the process if it appears likely that such an analysis is necessary. It won't be required in every situation but gives staff and extra tool for managing the reutilization of Raytown's commercial and industrial buildings. This provision will not apply to any residential structures.

The uses on the attached use table that have the note proposed to be added to them display as red text for Note (29). These are all uses that can commonly (but not always) find themselves in a situation where a large number of people are in an enclosed space. Other uses listed on the table that are not labeled with the proposed new Note (29) could potentially also have this situation occur but it is far less likely and thus staff believes it is not necessary to place this requirement beyond the uses so noted with it.

3. **Section 50-107 and 50-127.** These two amendments regarding a use table note and change to Low Density Residential District use regulations for home day cares to reduce the distance separation requirement between licensed home day care businesses has been postponed as staff studies additional amendments beyond this one issue. These proposed amendments will be presented at a later meeting.

Attachments:

- Notice of Public Hearing
- Proposed Zoning Ordinance Text Amendments
- Section 50-107 Use Table with Proposed Note (29) added

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF JACKSON

} S.S.

Before the undersigned Notary Public personally appeared **Karie Clark** on behalf of **THE DAILY RECORD, KANSAS CITY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **July 17, 2020** edition and ending with the **July 17, 2020** edition, for a total of 1 publications:

07/17/2020

Notice of Public Hearing

The City of Raytown is in the process of amending Chapter 50 of the Raytown Municipal Code, entitled "Zoning", to consider changes to the following Sections within the aforementioned Chapter 50, to be applicable city-wide:

Section 50-560.01, regarding requiring courtesy notices to nearby property owners to be mailed via US Postal Service Certified Letter;

Section 50-38, regarding establishing Board of Aldermen Resolutions as the method for either increasing or decreasing the size of the Planning Commission as necessary within the already codified range of 7 to 15 members;

Section 50-107, regarding adding a use table note and explanation requiring a life safety architectural analysis be provided to the City with any application for either a use permit or Planning Commission action applicable to all uses that commonly involve assemblies of people.

Section 50-107, regarding changing the use table note for home occupations to reduce the distance separation requirement between licensed home day care businesses.

Section 50-127, regarding changing the Low Density Residential District Use Regulations to reduce the distance separation requirement between licensed home day care businesses.

A public hearing to consider these proposed new regulations will be held by the Raytown Planning & Zoning Commission at **7:00 p.m. on Thursday, August 6, 2020**. A copy of the agenda and packet including a staff report with the proposed changes will be available for viewing on the City of Raytown's website, www.raytown.mo.us, on Friday, July 31, 2020.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described new regulations, tentatively scheduled for **7:00 p.m. on Tuesday, September 1, 2020**.

Karie Clark

Karie Clark

Subscribed & sworn before me this 17th day of July, 2020
(SEAL)

Chanel Jones

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

AFFIDAVIT OF PUBLICATION

Page 2 of 2

All public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59 th St., Raytown, MO 64133.

The public is invited to attend the public hearings to ask questions and provide comment regarding this application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59 th Street, by telephone at (816) 737-6059 or by e-mail at chrisg@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) in order to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

11901034 Jackson Jul. 17, 2020

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