

CITY OF FARMINGTON

City Council Minutes of Meeting May 22, 2017 6:30 p.m.

The City Council of the City of Farmington met on May 22, 2017, at Long Memorial Hall, 110 West Columbia Street, Farmington, Missouri, 63640. The meeting was called to order by Mayor Forsythe.

Councilor Robinson gave the invocation.

The roll was called with the following Councilors present: Dale Wright, Darrel Holdman, Vanessa Pegram, Wayne Linnenbringer, John Crouch, John Robinson and Cody Eaves.

City Counselor, Scott Reid, was present.

Officials present were: Greg Beavers, Chris Conway, Travis Trokey, Todd Mecey, Larry Lacy, Rick Baker, Michelle Daniel, Floyd Massey and Ashley Bischoff.

Councilor Holdman made a motion to approve the agenda, seconded by Councilor Crouch, and passed unanimously.

Keith Holland, BSCB - Attorneys at Law, addressed the Council stating that the request relating to Rafi Kthiri is reasonable. He stated that he and Rafi would be ready, willing and able to pursue any and all avenues under the law for him to be vindicated and that it was in the Council's hands to make the decision. He stated that Rafi would also be ready, willing and able to work with the neighbors if the PUD passes.

John White, 725 Janey Drive, addressed the Council asking "What is the right thing to do?". He stated that this is a neighborhood; it isn't zoned for commercial use. He said a mistake was made and the mistake can be fixed but it would have to be fixed by the Council. He stated that if the PUD was approved, he would be very motivated to sell his house and move to a different location that he can call his neighborhood and it would not be Farmington, Missouri.

Howard Gilliam, 710 Janey Drive, addressed the Council stating that what the neighborhood is after is to keep it the same way it is – one family, one residence, one dwelling in each of those lots – nothing else.

Judy Colligan, 805 Janey Drive, addressed the Council stating that they chose the neighborhood because of their kids and the location. She also stated that she was frustrated that Rafi's business was allowed to continue to operate after the rezoning request was turned down. She stated that it's a neighborhood and she thinks that is what it should be.

Stephanie Belser, 849 Potosi Street, addressed the Council letting them know that she believes the request is unreasonable because it is out of character with the neighborhood. She also thanked the members of the City Council for listening to everyone on this matter.

Chip Allison, 718 Janey Drive, addressed the Council letting them know that he was adamantly opposed to any changes – a PUD, a rezoning or due process even. He stated that it is a neighborhood, he didn't zone it, he moved into it as it was zoned.

Vonne Karraker, 722 Janey Drive, addressed the Council in opposition of the PUD for Rafi Kthiri. She stated that this isn't the first time that Mr. Kthiri has embarked on a business venture without doing the proper research.

Keith Holland, BSCB – Attorney at Law, addressed the Council a second time explaining that the request is for a PUD on the edge of the neighborhood, not right in the middle of the neighborhood. He asked, "What are the positives that will come from this?" Mr. Kthiri can continue to run his business. He asked the Council to please vote in favor of Mr. Kthiri's Planned Unit Development.

Kevan Karraker, 722 Janey Drive, addressed the Council stating that this is a residential neighborhood and that putting any business in that neighborhood is a change in the character of the neighborhood. Mr. Karraker requested that the Council vote against the PUD.

Rafi Kthiri, 510 North Carleton Street, addressed the Council stating that this is getting old. He asked that the Council understand what's going on. He said he has not been doing anything on Janey Street nor have they even driven down Janey Street once since all of this started. Rafi stated that he hopes the Council will make the right call.

Reports were given by Committee Chairs with discussion.

Larry Lacy, Public Works Director, spoke in place of Councilor Kellogg about the Public Works Committee. He also addressed the Council explaining the bid tab for Resolution R29-2017 that would be up for approval under the Consent Agenda later in the meeting.

Greg Beavers, City Administrator, provided an update and answered questions from the Council.

Councilor Holdman made a motion to approve the consent agenda, seconded by Councilor Robinson, and passed unanimously.

1. Consent Agenda
 - A. Department Reports
 - B. Minutes of Previous Meetings (May 11, 2017)
 - C. **Resolution R29-2017:** A Resolution of the City of Farmington, Missouri, Authorizing the Mayor to Enter Into and Execute a Contract for the Installation of a Box Culvert (Liberty Street/Maple Valley Drive).
 - D. **Resolution R30-2017:** A Resolution For the Purpose of Appointing a Member to Serve on the Historic Preservation Commission of the City of Farmington, Missouri. (Nancy Cozean-Jacobs)

Councilor Crouch made a motion for the second reading by title only of Bill 21052017, seconded by Councilor Eaves, and passed unanimously.

Counselor Reid read the following Bill once by title only.

BILL 21052017: AN ORDINANCE GRANTING APPROVAL TO RAFI KTHIRI FOR A PLANNED UNIT DEVELOPMENT AT 709-713 JANEY STREET. The roll was called as follows: Councilor Wright, nay; Councilor Holdman, nay; Councilor Pegram, nay; Councilor Linnenbringer, aye; Councilor Crouch, nay; Councilor Robinson, nay; and Councilor Eaves, aye. Two (2) ayes, and five (5) nays. Bill failed. Councilor Kellogg absent and not voting.

Councilor Crouch made a motion for the first reading by title only of Bill 23052017, seconded by Councilor Eaves, and passed unanimously.

Counselor Reid read the following Bill once by title only.

BILL 23052017: AN ORDINANCE OF THE CITY OF FARMINGTON, MISSOURI, AMENDING THE MUNICIPAL CODE OF THE CITY OF FARMINGTON, TITLE I: GOVERNMENT CODE, CHAPTER 117: INDUSTRIAL DEVELOPMENT AUTHORITY BY DELETING SECTION 117.020. EXECUTIVE COMMITTEE – I.D.A. TO APPOINT COMMITTEE.

Councilor Robinson made a motion to adjourn into Closed Session to discuss matters pursuant to Litigation as authorized by Section 610.021 (1) RSMo, seconded by Councilor Eaves, and passed unanimously.

The roll was called as follows: Councilor Wright, aye; Councilor Holdman, aye; Councilor Pegram, aye; Councilor Linnenbringer, aye; Councilor Crouch, aye; Councilor Robinson, aye; and Councilor Eaves, aye. Seven (7) ayes, and no (0) nays, Motion passed. Councilor Kellogg absent and not voting.

Adjourn to Closed Session

Reconvene in Open Session

Councilor Wright made a motion to adjourn, seconded by Councilor Crouch, and passed unanimously.

Meeting adjourned.

Paula Cartee
Paula Cartee, City Clerk

June 8, 2017
Date Approved by Council
Larry D. Forsythe
Larry D. Forsythe, Mayor

6/9/17
Date