

CITY OF FARMINGTON
110 West Columbia
Farmington, MO 63640

FEBRUARY 24, 2020
6:30 P.M.

TENTATIVE AGENDA

NOTICE is hereby given to all citizens and parties of interest that the Farmington City Council will meet on Monday, February 24, 2020, at 6:30 p.m. at Long Memorial Hall, 110 West Columbia, Farmington, Missouri 63640.

The tentative agenda of this meeting includes:

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance
3. Roll Call
4. Approve Agenda

II. VISITORS TO ADDRESS THE CITY COUNCIL

1. Public Participation for Non-Agenda Items (3 minutes per person)
2. Kevin Berry – Baptizo Class

III. REPORTS

1. Committee Reports, Presentation of Legislation and Discussion
 - A. Public Safety (D. Robinson)
 - B. Public Works (Parks)
 - C. Public Services (Hampton)
 - D. Administrative Services (Joyce)
2. Finance Director Report
3. City Administrator Report

IV. NEW BUSINESS

1. Consent Agenda
 - A. Department Reports
 - B. Minutes of Previous Meeting (February 13, 2020)

CITY OF FARMINGTON

City Council Minutes of Meeting February 13, 2020 6:30 p.m.

The City Council of the City of Farmington met on February 13, 2020, at Long Memorial Hall, 110 West Columbia Street, Farmington, Missouri, 63640.

The meeting was called to order by Mayor Forsythe.

Councilor John Robinson gave the invocation.

The roll was called with the following Councilors present: Edward Felker, John Robinson, Dennis Robinson, Tom Joyce, Vanessa Pegram and Wayne Linnenbringer.

City Counselor, Scott Reid, was present.

Officials present were: Tim Porter, Larry Lacy, Michelle Daniel, Paula Cartee, Todd Mecey, Floyd Massey, Rick Baker, Ashley Bischoff and Greg Beavers.

Reports were given by Committee Chairs with discussion.

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

Councilor Joyce made a motion for the disposal of surplus property (31 iPhone 7s), seconded by Councilor Pegram, and passed unanimously.

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

1. Consent Agenda

- A. Department Reports
- B. Minutes of Previous Meetings (January 9, 2020 and January 27, 2020)
- C. Minutes of Planning Session (January 14, 2020)
- D. **R01-2020:** A Resolution of the City of Farmington, Missouri, Authorizing the Mayor to Enter Into and Execute a Special Warranty Deed for the Donation of Property from D & L Developers for a Storm Water Basin in Phase 2 of Ridge Haven Subdivision.
- E. **R02-2020:** A Resolution of the City of Farmington, Missouri, Authorizing the Mayor to Enter Into and Execute a Lease with East Missouri Action Agency. (607 Wallace Road)
- F. **R03-2020:** A Resolution of the City of Farmington, Missouri, Authorizing and Supporting an Application to the Missouri Department of Natural Resources Land and Water Conservation Fund for the "Play It Forward in the Parkland" All Inclusive Playground Project.

Councilor Joyce made a motion for the first and second reading by title only of Bill 09012020, seconded by Councilor Pegram, and passed unanimously.

Counselor Reid read the following Bill twice by title only.

BILL 09012020-ORDINANCE 12-775: AN ORDINANCE OF THE CITY OF FARMINGTON, MISSOURI, AUTHORIZING FARMINGTON POLICE DEPARTMENT PERSONNEL TO PARTICIPATE IN THE MAJOR CASE SQUAD COMPRISED OF LAW ENFORCEMENT AGENCIES IN ST. FRANCOIS, WASHINGTON, IRON AND MADISON COUNTIES. The roll was called as follows: Councilor Felker, aye; Councilor John Robinson, aye; Councilor Dennis Robinson, aye; Councilor Joyce, aye; Councilor Pegram, aye; and Councilor Linnenbringer, aye. Six (6) ayes and no (0) nays, Bill Passed. Councilor Parks and Councilor Hampton absent and not voting.

Councilor Joyce made a motion for the first reading by title only of Bill 10022020, seconded by Councilor Pegram, and passed unanimously.

Counselor Reid read the following Bill once by title only.

BILL 10022020: AN ORDINANCE OF THE CITY OF FARMINGTON, MISSOURI, APPROVING AND ACCEPTING A FINAL RECORD PLAT AT 901 AND 917 VALLEY CREEK DRIVE. (CASE FRP-19-011)

Councilor Joyce made a motion for the first and second reading by title only of Bill 11022020, seconded by Councilor Pegram, and passed unanimously.

Counselor Reid read the following Bill twice by title only.

BILL 11022020-ORDINANCE 1-634: AN ORDINANCE OF THE CITY OF FARMINGTON, MISSOURI, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A DEED OF RELEASE FOR A SPECIAL TAX BILL LIEN AT 246 VALLEY DRIVE. The roll was called as follows: Councilor Felker, aye; Councilor John Robinson, aye; Councilor Dennis Robinson, aye; Councilor Joyce, aye; Councilor Pegram, aye; and Councilor Linnenbringer, aye. Six (6) ayes and no (0) nays, Bill Passed. Councilor Parks and Councilor Hampton absent and not voting.

Councilor Joyce made a motion to adjourn, seconded by Councilor Pegram, and passed unanimously.

Meeting adjourned.

Ashley Bischoff, City Clerk

Date Approved by Council

Larry D. Forsythe, Mayor

Date

CITY OF FARMINGTON

Public Hearing Minutes of Hearing February 13, 2020 6:30 p.m.

The City Council of the City of Farmington met on February 13, 2020 at Long Memorial Hall. The hearing was called to order by Mayor Forsythe.

The roll was called with the following Councilors present: Edward Felker, John Robinson, Dennis Robinson, Tom Joyce, Vanessa Pegram and Wayne Linnenbringer.

City Counselor, Scott Reid, was present.

Officials present were: Tim Porter, Larry Lacy, Michelle Daniel, Paula Cartee, Todd Mecey, Floyd Massey, Rick Baker, Ashley Bischoff and Greg Beavers.

Mayor Forsythe stated that a Public Hearing is being held to gain input regarding an:

An application for a Final Record Plat at 901 and 917 Valley Creek Drive (Case FRP-19-011). The property is currently zoned as "C-2: General Commercial". Submitted by GBT Realty Corporation on behalf of Realty Income Corporation.

Tim Porter, Director of Development Services, explained the request.

Hearing closed 6:34 p.m.

Ashley Bischoff, City Clerk

Date Approved by Council

Larry Forsythe, Mayor

Date

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3 **CITY OF FARMINGTON**

4 **BILL 10022020**

5 **AN ORDINANCE OF THE CITY OF FARMINGTON, MISSOURI, APPROVING AND**
6 **ACCEPTING A FINAL RECORD PLAT AT 901 AND 917 VALLEY CREEK DRIVE.**
7 **(CASE FRP-19-011)**
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9 **WHEREAS**, there has been presented on this date a final record plat at 901 AND 917 Valley
10 Creek Drive; and,
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12 **WHEREAS**, the final record plat has been recommended for approval by the Planning and Zoning
13 Commission; and,
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15 **WHEREAS**, a public hearing was held on February 13, 2020 at 6:30 p.m. wherein all interested
16 parties were afforded the opportunity to comment on the proposed amendment; now therefore,
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18 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMINGTON,**
19 **MISSOURI, AS FOLLOWS:**
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21 **SECTION 1.** That the Final Record Plat at 901 and 917 Valley Creek Drive as shown on the
22 attached plat is hereby approved and accepted as a subdivision of the City of Farmington,
23 Missouri.
24

25 **SECTION 2.** The officers, agents and employees of the City are hereby authorized and directed
26 to execute all documents and take such necessary steps as they deem necessary and advisable in
27 order to carry out and perform the purpose of this Ordinance.
28

29 **SECTION 3.** The sections of this Ordinance shall be severable. If any section of this Ordinance
30 is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain
31 valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected
32 with and dependent upon the void section that it cannot be presumed that the City Council has or
33 would have enacted the valid sections without the void ones; and (b) the valid sections, standing
34 alone, are incomplete and are incapable of being executed in accordance with the legislative intent.
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36 **SECTION 4.** This Ordinance shall be in full force and effect from and after the date of its passage.
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38 **DULY READ AND PASSED THIS 24TH DAY OF FEBRUARY, 2020.**
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43 Larry D. Forsythe, Mayor
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47 *ATTEST:*

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Ashley Bischoff, City Clerk

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54 Approved this ____ day of _____, 2020.

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Larry D. Forsythe, Mayor

APPROVED AS TO FORM:

R. Scott Reid, City Counselor

EXHIBIT A

PARENT PARCEL:

ALL THAT PART OF U.S. SURVEY #2969 AND PART OF U.S. SURVEY #340, TOWNSHIP 36 NORTH; RANE 5 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF U.S. SURVEY #340, TOWNSHIP 36 NORTH, RANGE 5 EAST; THENCE SOUTH $85^{\circ} 37' 45''$ WEST, 829.41 FEET TO A FOUND IRON ROD ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 32 MARKING THE NORTH CORNER OF A TRACT OF LAND RECORDED IN DEED BOOK 961 AT PAGE 554; THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 32, NORTH $53^{\circ} 51' 45''$ WEST, 337.66 FEET TO THE CENTERLINE OF MAPLE VALLEY DRIVE (60 FEET RIGHT OF WAY); THENCE DEPARTING THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 32 AND ALONG THE CENTERLINE OF MAPLE VALLEY DRIVE; SOUTH $36^{\circ} 08' 15''$ WEST, 190.00 FEET TO THE CENTERLINE OF VALLEY CREEK DRIVE (50 FEET RIGHT OF WAY); THENCE DEPARTING THE CENTERLINE OF MAPLE VALLEY DRIVE AND ALONG THE CENTERLINE OF VALLEY CREEK DRIVE, NORTH $53^{\circ} 51' 45''$ WEST, 301.00 FEET TO A POINT; THENCE DEPARTING THE CENTERLINE OF VALLEY CREEK DRIVE, NORTH $36^{\circ} 08' 15''$ EAST, 25.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF VALLEY CREEK DRIVE MARKING THE SOUTHWEST CORNER OF A 1.1478 ACRE TRACT OF LAND CONVEYED BY WARRANTY DEED TO FOODMAKER, INC. AND RECORDED IN DEED BOOK 1057 AT PAGE 381 OF THE LAND RECORDS OF ST. FRANCOIS COUNTY, MISSOURI AND THE POINT OF BEGINNING; THENCE NORTH $36^{\circ} 08' 15''$ EAST, 205.32 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF HIGHWAY 32 MARKING THE NORTHWEST CORNER OF SAID 1.1478 ACRE TRACT; THENCE ALONG THE SOUTH LINE OF HIGHWAY 32, NORTH $53^{\circ} 47' 31''$ WEST, 423.78 FEET; THENCE DEPARTING SAID LINE, SOUTH $36^{\circ} 08' 15''$ WEST, 205.84 FEET TO A POINT ON THE NORTH LINE OF VALLEY CREEK DRIVE; THENCE ALONG SAID NORTH LINE, SOUTH $53^{\circ} 51' 45''$ EAST, 423.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.00 ACRES.

ALSO, A NON EXCLUSIVE 50.00 FEET WIDE INGRESS-EGRESS EASEMENT OVER AND ACROSS PART OF U.S. SURVEY 2969, TOWNSHIP 36 NORTH, RANGE 5 EAST OF THE 5TH PRINCIPAL MERIDIAN, ST. FRANCOIS COUNTY, MISSOURI, AND BEING PART OF PROPERTY DESCRIBED IN DEED RECORDED IN BOOK 990, PAGE 193 OF THE ST. FRANCOIS COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF U.S. SURVEY 340, TOWNSHIP 36 NORTH, RANGE 5 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. FRANCOIS COUNTY, MISSOURI; THENCE SOUTH $85^{\circ} 37' 45''$ WEST, 829.41 FEET TO THE NORTH CORNER OF A TRACT OF LAND DESCRIBED IN DEED BOOK 961, PAGE 554 OF THE ST. FRANCOIS COUNTY RECORDS, SAID POINT ALSO BEING LOCATED ON THE SOUTH LINE OF MISSOURI HIGHWAY 32; THENCE ALONG SAID SOUTH LINE OF MISSOURI HIGHWAY 32 NORTH $53^{\circ} 51' 45''$ WEST,

367.66 FEET TO A POINT ON THE WESTERLY LINE OF MAPLE VALLEY DRIVE (60 FEET WIDE) AS DESCRIBED IN DEED RECORDED IN BOOK 1020, PAGE 581 OF THE ST. FRANCOIS COUNTY RECORDS, AND FROM SAID POINT THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED IN DEED BOOK 550, PAGE 96 OF THE ST. FRANCOIS COUNTY RECORDS BEARING SOUTH 53° 51' 43" EAST 5.00 FEET; THENCE DEPARTING THE SOUTH LINE OF ABOVE SAID MISSOURI HIGHWAY 32 AND ALONG THE WESTERLY LINE OF ABOVE SAID MAPLE VALLEY DRIVE SOUTH 36° 08' 15" WEST, 135.00 FEET TO A POINT OF CURVATURE TO THE RIGHT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 50.00 FEET WIDE INGRESS-EGRESS EASEMENT, SAID CURVE HAVING A RADIUS OF 30.00 FEET; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID CURVE AN ARC DISTANCE OF 47.13 FEET TO A POINT OF TANGENCY; THENCE NORTH 53° 51' 45" WEST, 664.77 FEET; THENCE SOUTH 36° 08' 15" WEST, 50.00 FEET; THENCE SOUTH 53° 51' 45" EAST, 664.77 FEET TO A POINT OF CURVATURE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET; THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID CURVE AN ARC DISTANCE OF 47.13 FEET TO A POINT ON THE WESTERLY LINE OF ABOVE SAID MAPLE VALLEY DRIVE (60 FEET WIDE); THENCE NORTH 36° 08' 15" EAST ALONG THE WESTERLY LINE OF SAID MAPLE VALLEY DRIVE 110.00 FEET TO THE POINT OF BEGINNING.

LOT 1 PARCEL:

ALL THAT PART OF U.S. SURVEY 2969 AND PART OF U.S. SURVEY 340, TOWNSHIP 36 NORTH; RANGE 5 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF U.S. SURVEY 340, TOWNSHIP 36 NORTH, RANGE 5 EAST; THENCE NORTH 82° 55' 13" WEST ON A BEARING SYSTEM ADOPTED FROM THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 1983, EAST ZONE, 1451.01 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF VALLEY CREEK DRIVE, A 50 FOOT WIDE INGRESS/EGRESS EASEMENT AS RECORDED IN BOOK 1161, PAGE 135 AND MARKING THE SOUTHWEST CORNER OF A 1.1478 ACRE TRACT OF LAND CONVEYED BY WARRANTY DEED TO JACK IN THE BOX EASTERN DIVISION, L.P. AS RECORDED IN DEED BOOK 1432 AT PAGE 1426 OF THE LAND RECORDS OF ST. FRANCOIS COUNTY, MISSOURI AND THE POINT OF BEGINNING; THENCE NORTH 53° 57' 19" WEST, 133.32 FEET; THENCE NORTH 36° 02' 41" EAST, 205.59 FEET TO A POINT ON THE SOUTH LINE OF HIGHWAY 32; THENCE SOUTH 53° 52' 54" EAST, 133.32 FEET; THENCE SOUTH 36° 02' 41" WEST, 205.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.63 ACRES, MORE OR LESS.

LOT 2 PARCEL:

ALL THAT PART OF U.S. SURVEY 2969 AND PART OF U.S. SURVEY 340, TOWNSHIP 36 NORTH; RANGE 5 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND ALUMINUM MONUMENT MARKING THE SOUTHEAST CORNER OF U.S. SURVEY 340, TOWNSHIP 36 NORTH, RANGE 5 EAST; THENCE NORTH 82° 55' 13" WEST ON A BEARING SYSTEM ADOPTED FROM THE MISSOURI STATE PLANE COORDINATE SYSTEM, NAD 1983, EAST ZONE, 1451.01 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF VALLEY CREEK DRIVE, A 50 FOOT WIDE INGRESS/EGRESS EASEMENT AS RECORDED IN BOOK 1161, PAGE 135 AND MARKING THE SOUTHWEST CORNER OF A 1.1478 ACRE TRACT OF LAND CONVEYED BY WARRANTY DEED TO JACK IN THE BOX EASTERN DIVISION, L.P. AS RECORDED IN DEED BOOK 1432 AT PAGE 1426 OF THE LAND RECORDS OF ST. FRANCOIS COUNTY, MISSOURI; THENCE NORTH 53° 57' 19" WEST, 133.32 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 53° 57' 19" WEST, 290.46 FEET; THENCE NORTH 36° 02' 41" EAST, 205.97 FEET TO A POINT ON THE SOUTH LINE OF HIGHWAY 32; THENCE ALONG SAID SOUTH LINE, SOUTH 53° 52' 54" EAST, 290.46 FEET; THENCE SOUTH 36° 02' 41" EAST, 205.59 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.37 ACRES, MORE OR LESS.

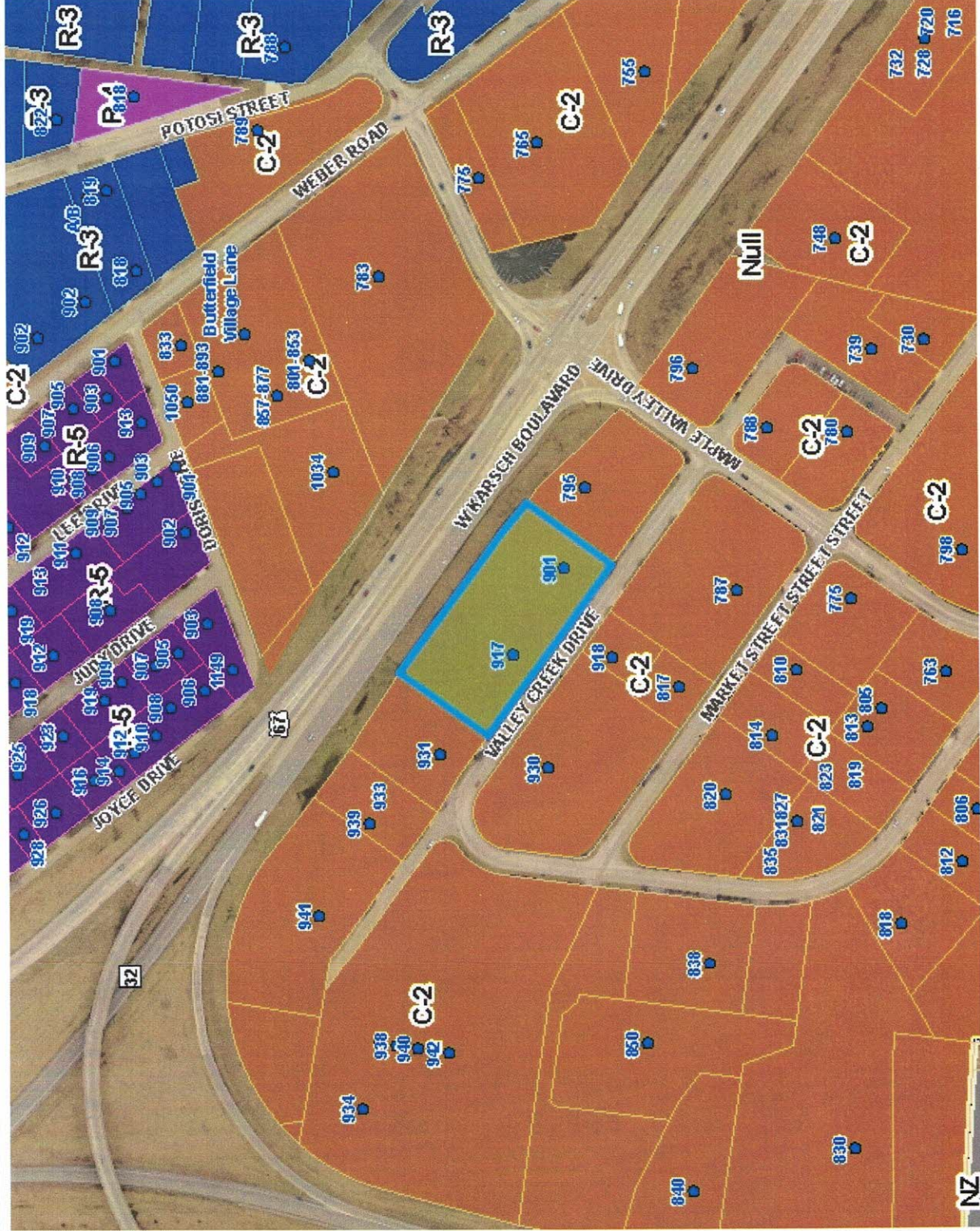
Farmington, MO



Legend

- Address Point**
- In City Limits
 - Out of City Limits
- Parcel**
- Parcel
 - Corporate Limit
 - Road Label
- Zoning**
- Proposed Designation
 - C-1: Central Business District
 - C-2: General Commercial District
 - C-3: Neighborhood Commercial District
 - I-1: General Industrial District
 - I-2: Heavy Industrial District
 - I-3: Planned Industrial Park District
 - I-4: Light Industrial/Heavy Commercial
 - R-1: Residential Single Family
 - R-2: Residential Single Family
 - R-3: Residential Single Family
 - R-4: General Residential
 - R-5: Manufactured and Recreation
 - R-6: Two-Family Dwellings
 - R-7: Multiple Single-Family Dwellings
 - OA-1: Office and Apartment District
 - OP-1: Office and Professional District
 - Not Zoned

Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Farmington, MO



Legend

Address Point

In City Limits

Out of City Limits

Parcel

Corporate Limit

Road Label

Notes



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588.9 Feet

294.44

0

588.9





MEMORANDUM

January 9, 2020

To: Planning and Zoning Commission

From: Tim Porter, Development Services Director

A handwritten signature in black ink, appearing to read "Tim Porter", with a horizontal line extending to the right.

Subject: An application for a Final Record Plat at 901 and 917 Valley Creek Drive (Case FRP-19-011). The property is currently zoned as "C-2: General Commercial". Submitted by GBT Realty Corporation on behalf of Realty Income Corporation.

An application for a final record plat was received on behalf of the owner of the property (formally Ryan's and China Buffet) to split the lot into two lots.

A final record plat is required because the lot has never been subdivided since Farmington adopted zoning ordinances circa 1963-64.

The purpose of the smaller of the two lots appears to be for the construction of a Starbucks. The other lot includes the restaurant building. It is not certain as to the use on the other lot or whether the building will be repurposed or demolished.

Staff recommends a favorable recommendation of the application for a Final Record Plat of a boundary adjustment to be forwarded to City Council for a public hearing and Council action.

AUTHORIZED AGENT FORM

I, Realty Income Corp., as owner of the real estate described in the attached application, hereby authorize GBT Realty Corporation c/o Jason Horowitz to act as my authorized agent pursuant to section 405.320 of the Municipal Code of the City of Farmington to apply for and to take any and all action on my behalf as may be required to obtain the desired permit as described in the attached application.

Jason Horowitz
Owner's Signature

12/18/19
Date

Realty Income Corp
Owner's Name Printed

Note: All owners required to sign the authorization.