



CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

02/08/2021
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ITEM I: CALL TO ORDER

- The Board of Aldermen of the City of Grain Valley, Missouri, met in Regular Session on February 8, 2021 at 7:00 p.m. via video conference of the elected officials as a result of the COVID-19 pandemic
- The meeting was called to order by Mayor Johnston

ITEM II: ROLL CALL

- City Clerk Jamie Logan called roll
- *Present: Bass, Cleaver, Headley, Knox, Stratton, Totton*
- *Absent:*

-QUORUM PRESENT-

ITEM III: APPROVAL OF AGENDA

- No Changes

ITEM IV: PROCLAMATIONS

- None

ITEM V: CONSENT AGENDA

- January 25, 2021 – Board of Aldermen Regular Meeting Minutes
- February 8, 2021 – Accounts Payable
- *Alderman Headley made a Motion to Accept the Consent Agenda*
- *The Motion was Seconded by Alderman Totton*
 - No Discussion
- *Motion to Approve the Consent Agenda was voted on with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

-MOTION APPROVED: 6-0-

ITEM VI: PREVIOUS BUSINESS

- None

ITEM VII: NEW BUSINESS

- None

ELECTED OFFICIALS PRESENT

Mayor Chuck Johnston
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Rick Knox
 Alderman Jayci Stratton
 Alderman Nancy Totton

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT

City Administrator Ken Murphy
 Deputy City Administrator Theresa Osenbaugh
 Chief James Beale
 Finance Director Steven Craig
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ITEM VIII: PRESENTATIONS

- None

ITEM IX: PUBLIC HEARING

*-Mayor Johnston Opened the Public Hearing for a **Vehicle Tow Yard Conditional Use Permit** - at 7:08 p.m.-*

- *Mr. Trosen shared the applicant is Kustom Cruzers at 350 NW Jefferson Street; requesting a CUP for a tow yard for 1.4 acres; Ordinance 1648 in 2004 was a CUP for a salvage/tow yard for block 2 of Squire Court and around 15 years ago the business moved to Jefferson Street under the assumption the CUP would transfer; the property owner would like to continue to operate in this manner at the Jefferson Street address; the Planning and Zoning commission recommends approval of a CUP at the Jefferson Street address with conditions for up to one year; one of the conditions*
- *Alderman Totton asked if they would be coming in off the freeway; Mr. Trosen showed on the map where the gated existing entrance is*
- *Mayor Johnston asked why this permit is only for one year; the Planning Commission focused on the type of use and considered the future retail development around it before making a long term decision; there was also an environmental concern and what leaking fluids might have on the surrounding area*
- *Alderman Cleaver clarified if the permit is for 1 year; yes, 1 year per the recommendation by the Planning Commission*
- *Alderman Headley asked what happens if the permit is not reapproved at one year; they couldn't use as a tow lot, but could be used as their primary business which is a collision repair business*
- *Mayor Johnston asked if the lot is already zoned properly for this business; Mr. Trosen said the code requires CUP for tow yard or salvage yards a CUP is required*

-Mayor Johnston opened the floor to citizens for comment at 7:16 pm:-

- No Comments

*-Mayor Johnston Closed the Public Hearing for a **Vehicle Tow Yard Conditional Use Permit** - at 7:17p.m.-*

*-Mayor Johnston Opened the Public Hearing to **Amend Eagle Convenient Storage Conditional Use Permit** - at 7:17 p.m.-*

ELECTED OFFICIALS PRESENT

Mayor Chuck Johnston
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Rick Knox
 Alderman Jayci Stratton
 Alderman Nancy Totton

ELECTED OFFICIALS ABSENT

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- *Mr. Trosen stated the applicant is requesting an amendment to their current approved CUP; they would like to change the roof pitch, roof color and siding construction materials with the purpose to reduce the construction costs in Phase II; requested changes to the construction materials for buildings 9 & 10; Phase II has not been built yet; requesting a pitch roof instead of a gable roof which is a flat top and all those with the pitch roof could have a galvanized finish vs. a brown color as it was approved in the past; prior development has a stone stack on the lower part of the building and siding on the upper half; asking for full metal paneling for buildings 9 & 10; the commission recommended approval to amend the CUP and would approve the roof pitch and color changes; the plan commission requested stone stack on the lower half and metal panel on the upper half of the side of building; the staff would like to see the sides remain as originally approved by the initial conditional use permit*
- *Alderman Headley asked if these buildings would be hidden from a fence; there is no fence currently proposed*
- *Mayor Johnston asked if the buildings are currently exposed to Eagles Parkway; if the two houses removed, will they be exposed; Mr. Risinger said there is a potential that the property would be more valuable to a future development if the houses were torn down; he said they are producing income at this point and he has no plans to tear them down now until there are plans for development; Mayor Johnston asked what is the cost to brick the front; Mr. Risinger said tens of thousands and he didn't have an exact figure right now; construction costs have gone up significantly and a ballpark is around \$50,000-\$60,000 if the construction was to stay the same as the first phase*
- *Alderman Cleaver asked if they were off the road; they are set back 200 feet from the road; there will be development in front of them eventually; Mr. Risinger stated he initially met with Mr. Trosen to discuss the roofs; if looking at a flat roof, why must they be brown if you cannot see them and the original CUP states they must be; and that is where this discussion began*
- *Mayor Johnston asked if the Board can go against the original request and against the Planning and Zoning Commission; Mr. Trosen shared the Board of Aldermen can modify any recommendation by P&Z regarding the CUP; Mr. Murphy stated the code states 300 feet visibility of the road and the City has not broken that in the past; there is a lot of development in that area and if we went to metal paneling it might not match the new construction in that area and the board does not need to grant the request*
- *Alderman Headley asked if Stucco could be used and provide a similar aesthetic; yes it would be cheaper*
- *Mayor Johnston asked if it was exposed to Eagles Parkway with the houses there; Mr. Murphy said if standing in front of the houses no, but any other angle it is exposed*

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 Alderman Rick Knox
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 Alderman Nancy Totton

ELECTED OFFICIALS ABSENT

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- *Alderman Bass asked if the construction has begun on the new Phase; not yet per Mr. Risinger and the buildings have not been ordered yet*
- *Alderman Knox asked if the brick façade would only be on the buildings facing Eagles Parkway; Mr. Risinger stated all other buildings in Phase II would be the same as Phase I construction; Alderman Knox asked if other buildings are flat roofed in the complex; Mr. Risinger said all others are proposed flat roofs*
- *Alderman Bass asked what the next cost-effective option past metal would be considered; Mr. Risinger stated stucco would be \$5 a sq ft and the stone is \$5 sq ft to install only plus cost of the stone*
- *Mr. Trosen stated the ordinance in front of them is as recommended by the Planning and Zoning commission*
- *Mr. Risinger asked if this is a variance; Mr. Trosen stated this is an amendment*
- *Alderman Cleaver asked if the Planning and Zoning commission recommended approval; they recommended approval on roof pitch and color of roof; and requested stone on the lower half and metal on the upper half of the wall versus the prior construction materials used; there would be an aesthetic difference in what was used initially*
-Mayor Johnston opened the floor to citizens for comment at 7:34 pm:-
- No Comments

-Mayor Johnston Closed the Public Hearing to Amend Eagle Convenient Storage Conditional Use Permit - at 7:34 p.m.-

ITEM X: RESOLUTIONS

Resolution No. R21-09: A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the City Administrator to Sign an Extension Agreement with Lamp Rynearson, Inc., to Extend the Term of the On-call Professional Services Agreement for Engineering Services

- *Alderman Knox moved to approve Resolution No. R21-09*
- *The Motion was Seconded by Alderman Headley*
 - *Lamp Rynearson is our on-call engineer since 2019 and Mr. Trosen and City Engineer Dick Tuttle have been happy with the work they have done; the agreement allowed for one - 2 year extension to the agreement*
- *Resolution No. R21-09 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

ELECTED OFFICIALS PRESENT

Mayor Chuck Johnston
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Rick Knox
 Alderman Jayci Stratton
 Alderman Nancy Totton

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT

City Administrator Ken Murphy
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-Resolution No. R21-09 Approved: 6-0-

Resolution No. R21-10: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing an Application for Grant Funding Through the Land & Water Conservation Fund for an All-Inclusive Playground in Armstrong Park

- *Alderman Stratton moved to approve Resolution No. R21-10*
- *The Motion was Seconded by Alderman Totton*
 - Mr. Davies stated this is a grant application and part of the process includes authorization from the city's board to be able to apply; the City has received these grant funds in the past; the City is familiar of this LCWF grant; the Armstrong Park equipment has almost reached its useful life; the grant funds could help offset the costs to update the equipment in 2021
- *Resolution No. R21-10 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R21-10 Approved: 6-0-

Resolution No. R21-11: A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the City Administrator to Purchase Two New Patrol Cars and Equipment for Two New Patrol Cars

- *Alderman Totton moved to approve Resolution No. R21-11*
- *The Motion was Seconded by Alderman Headley*
 - To replace two police patrol vehicles and these would be rolled to the SROs
 - Alderman Totton asked if these are in the budget; yes they are
 - Alderman Knox asked why the vehicles are being purchased from Shawnee Mission Ford instead of someone local or on the Missouri side; Mr. Murphy shared MARC goes out to bid for these types of bids and they had the best deal
- *Resolution No. R21-11 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R21-11 Approved: 6-0-

ELECTED OFFICIALS PRESENT

Mayor Chuck Johnston
Alderman Shea Bass
Alderman Tom Cleaver
Alderman Bob Headley
Alderman Rick Knox
Alderman Jayci Stratton
Alderman Nancy Totton

ELECTED OFFICIALS ABSENT

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Resolution No. R21-12: A Resolution by the Board of Aldermen Authorizing the City Administrator to Enter into an Agreement with Jackson County, Missouri for an Addendum to the Distribution Agreement of Coronavirus Relief Funds

- *Alderman Bass moved to approve Resolution No. R21-12*
- *The Motion was Seconded by Alderman Knox*
 - This is an addendum to our previous agreement; the federal rulings changed the date to use the funds using the same money allocated previously, but with an extended deadline
- *Resolution No. R21-12 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R21-12 Approved: 6-0-

Resolution No. R21-13: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Appointing Mike Switzer to the Grain Valley Park Board for a Three-Year Term

- *Alderman Cleaver moved to approve Resolution No. R21-13*
- *The Motion was Seconded by Alderman Totton*
 - This will fill the empty seat on the park board
- *Resolution No. R21-13 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R21-13 Approved: 6-0-

ITEM XI: ORDINANCES

Bill No. B21-01: An Ordinance Approving a Petition to Establish the Grain Valley Mercado Community Improvement District

Bill No. B21-01 was read by City Clerk Jamie Logan for the second reading by title only

ELECTED OFFICIALS PRESENT

Mayor Chuck Johnston
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Rick Knox
 Alderman Jayci Stratton
 Alderman Nancy Totton

ELECTED OFFICIALS ABSENT

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- *Alderman Totton moved to accept the second reading of Bill Number B21-01 and approve it as Ordinance #2537*
- *The Motion was Seconded by Alderman Knox*
 - No Discussion
- *Motion to accept the second reading of Bill No. B21-01 and approve it as Ordinance number #2537 was voted on by roll call vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B21-01 BECAME ORDINANCE #2537: 6-0-

Bill No. B21-02: An Ordinance Approving a Conditional Use Permit for a Vehicle Tow Yard

City Clerk Jamie Logan read **Bill No. B21-02** for its first reading by title only

- *Alderman Bass moved to accept the first reading of Bill No. B21-02 bringing it back for a second reading by title only at the next regularly scheduled meeting*
- *The Motion was Seconded by Alderman Knox*
 - Mr. Murphy stated this is the ordinance that goes along with the public hearing we just
 - Alderman Stratton asked if this approves the Ordinance with the stipulations as set forth and recommended by staff and the planning commission
 - Laura Pearce, the applicant clarified what the 3 stipulations of the CUP were; asked if the price of the permit can be discussed at the next meeting and realized she didn't speak up during the public hearing
 - Mr. Trosen stated the application fee is \$500 and when this expires, this application will need to be reapplied for and Mrs. Pearce asking if the fee can be waived
 - Alderman Stratton asked how long this current CUP has been expired; Mr. Trosen said there has not been a valid CUP at the existing location for the last 15 years as she states she was given incorrect information from a prior city employee; and operated as if her prior permit was still valid and transferred with their business
 - Laura Pearce stated they just use as a tow lot and the GV Police have the vehicles towed there and this would keep the vehicles local
 - Alderman Cleaver asked if these are typically purchased annually; Mr. Murphy shared these are case by case and the time frames can vary and is part of this process; these conditional uses are not by right and differ Mr. Cleaver stated a new permit has not been purchased for the past 15 years

ELECTED OFFICIALS PRESENT

Mayor Chuck Johnston
Alderman Shea Bass
Alderman Tom Cleaver
Alderman Bob Headley
Alderman Rick Knox
Alderman Jayci Stratton
Alderman Nancy Totton

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- Alderman Totton confirmed this was because of an employee mistake; Mrs. Pearce shared multiple tow lot issues in the past
- Mayor Johnston was unaware of the fee of a CUP and asked if an alderman would be willing to amend to a longer permit; Mr. Murphy stated the planning and zoning commission's concerns with the development around that area and that was the reason for a 1 year timeframe; Alderman Stratton stated she'd be leery about giving more than a year due to the development in that area; Alderman Cleaver agreed
- Alderman Cleaver stated after this year timeframe it would be revisited after seeing some of the development in that area; this was the planning commission's intent behind a 1 year permit and then look at that point if they want a tow lot to continue there depending on what is in the area at that time
- Mayor Johnston stated he didn't see that much changing in a year and didn't see why it was being put on the business if it serves no purpose; he said with or without a permit the business would look the same
- Alderman Cleaver asked if they would have had a CUP 15 years ago, would they be doing this right now
- Mr. Bill Pearce said with or without a permit the lot would look the same; he said the permit is for impounds for the Grain Valley Police Department
- Alderman Totton asked if it could be extended to 3 years and see if is okay then; Laura Pearce stated she was good with that
- Alderman Cleaver asked if this changes what our original vote was for
- Alderman Headley asked if this had to go back through the planning and zoning; no it does not; the Board can take the recommendation and change it
- Alderman Cleaver stated this should have taken place during the public hearing & not in the middle of an ordinance
- Alderman Knox said the operations wouldn't change so he didn't feel like the aesthetics or development back there shouldn't matter since it will be the same with or without impound
- Alderman Bass asked if there is a charge; Laura Pearce stated she pays a fee for the permit and the tow company charges for tow; Mayor Johnston stated there is a storage fee; Laura Pearce stated she does this because they've done this for 15 years and she says it is easier for the citizens as well as there are accidents that get towed in and they can get business from it
- Alderman Cleaver asked if there are any requirements for a tow lot regarding surfaces to store vehicles on such as asphalt, gravel, hard surfaced, etc.; Mrs. Pearce said according to the old recommendations; Mr. Murphy said per code it should be an improved surface (asphalt or concrete)
- To amend this, there would need to be a motion to amend the ordinance and then if

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accepted, there would need to be another motion to accept the amended ordinance

- *Alderman Knox motioned to amend the ordinance to update the timeframe to 3 years instead of 1 year*
- *The Motion was Seconded by Alderman Knox*
 - No Discussion
- *Motion to amend the Bill No. B21-02 to reflect 3-year time frame instead of one was voted on by roll call vote:*
 - *Aye: Bass, Headley, Knox, Stratton, Totton*
 - *Nay: Cleaver*
 - *Abstain: None*

-Motion to amend Approved 5-1-

- *Alderman Headley motioned to accept amended Bill No. B21-02 and bring back for a second reading at the next regularly scheduled meeting*
- *The Motion was Seconded by Alderman Knox*
 - No Discussion
- *Amended Bill No. B21-02 was voted upon with the following voice vote:*
 - *Aye: Bass, Headley, Knox, Stratton, Totton*
 - *Nay: Cleaver*
 - *Abstain: None*

-Motion Approved 5-1-

Bill No. B21-03: An Ordinance Amending the Conditional Use Permit Approved in Ordinance 2448 for the Eagle Convenient Storage, LLC

City Clerk Jamie Logan read **Bill No. B21-03** for its first reading by title only

- *Alderman Cleaver moved to accept the first reading of Bill No. B21-03 bringing it back for a second reading by title only at the next regularly scheduled meeting*
- *The Motion was Seconded by Alderman Totton*
 - This is the ordinance that goes along with prior public hearing tonight
 - Alderman Stratton asked if approving as recommended by planning and zoning commission; yes, this would follow their recommendation
- *Bill No. B21-03 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
 - *Nay: None*
 - *Abstain: None*

ELECTED OFFICIALS PRESENT

Mayor Chuck Johnston
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Rick Knox
 Alderman Jayci Stratton
 Alderman Nancy Totton

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT

City Administrator Ken Murphy
 Deputy City Administrator Theresa Osenbaugh
 Chief James Beale
 Finance Director Steven Craig
 Parks and Recreation Director Shannon Davies
 City Clerk Jamie Logan
 City Attorney Sarah Carnes



-Motion Approved 6-0-

ITEM XII: CITY ATTORNEY REPORT

- None

ITEM XIII: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ken Murphy
 - The City Administrator and Deputy City Administrator are attending the MML Legislative Conference tomorrow in Jefferson City
- Deputy City Administrator Theresa Osenbaugh
 - None
- Chief James Beale
 - None
- Finance Director Steven Craig
 - None
- Parks & Recreation Director Shannon Davies
 - None
- Community Development Director Mark Trosen
 - Written report in the packet
- City Clerk Jamie Logan
 - None

ITEM XIV: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Shea Bass
 - None
- Alderman Tom Cleaver
 - None
- Alderman Bob Headley
 - None
- Alderman Rick Knox
 - None
- Alderman Jayci Stratton
 - None
- Alderman Nancy Totton
 - None

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ITEM XV: MAYOR REPORT

- Mayor Chuck Johnston
 - He questioned the entrance to Valley Hills where there are joints that narrow to two lanes and asked if there is a warranty on that work; Mr. Murphy asked if this is entering from Meadow onto 40 hwy; Mr. Trosen stated the contractor will be coming back to redo the whole section and it was too late in the season to do this year as the asphalt plants were closed; the remaining amount on the contract has not been paid and will not be until they come back and complete the work
 - Mr. Murphy stated the road maintenance bid will be handled differently this year to catch items like that sooner and before they run out of good weather

ITEM XVI: EXECUTIVE SESSION

- *None*

ITEM XX: ADJOURNMENT

- The meeting adjourned at 8:14 P.M.

Minutes submitted by:

 Jamie Logan
 City Clerk

 Date

Minutes approved by:

 Chuck Johnston
 Mayor

 Date

ELECTED OFFICIALS PRESENT

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