

ITEM I: Call to Order

- The Board of Aldermen of the City of Grain Valley, Missouri, met in Regular Session on July 25, 2022, at 7:01 p.m. in the Board Chambers located at Grain Valley City Hall
- The meeting was called to order by Mayor Mike Todd

ITEM II: Roll Call

- City Clerk Jamie Logan called roll
- *Present: Arnold, Bass, Cleaver, Knox, Mills, Skinner*
- *Absent:*

-QUORUM PRESENT-

ITEM III: Invocation

- Invocation was given by Pastor Darryl Jones of Crossroads Church

ITEM IV: Pledge of Allegiance

- The Pledge of Allegiance was led by Alderman Shea Bass

ITEM V: Approval of Agenda

- Item VII will be moved until later in the evening when the officer arrives from a call

ITEM VI: Proclamations

- None

ITEM VIII: Citizen Participation

- None

ITEM IX: Consent Agenda

- July 11, 2022 – Board of Aldermen Regular Meeting Minutes
- July 25, 2022 – Accounts Payable
- *Alderman Skinner made a Motion to Accept the Consent Agenda*
- *The Motion was Seconded by Alderman Knox*
 - *No discussion*
- *Motion to Approve the Consent Agenda was voted on with the following voice vote:*
 - *Aye: Arnold, Bass, Cleaver, Knox, Mills, Skinner*
 - *Nay:*
 - *Abstain:*

-Motion Approved: 6-0-

ITEM X: Previous Business

- None

ELECTED OFFICIALS PRESENT

Mayor Mike Todd
Alderman Dale Arnold
Alderman Shea Bass
Alderman Tom Cleaver
Alderman Rick Knox
Alderman Darren Mills
Alderman Ryan Skinner

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT

City Administrator Ken Murphy
Deputy City Administrator Theresa Osenbaugh
Captain Scott Hedger
Community Development Director Mark Trosen
Parks and Recreation Director Shannon Davies
Finance Director Steven Craig
City Clerk Jamie Logan
City Attorney Joe Lauber

ITEM XI: New Business

- Motion to rescind vote on first reading of B22-21
- At the past meeting, this ordinance was presented and there were two aldermen absent; it was requested to have this Bill to be reconsidered by the full board and be placed on a future agenda
- *Alderman Mills moved to rescind the vote on the first reading of Bill No. B22-21*
- *The Motion was Seconded by Alderman Skinner*
 - Alderman Arnold states the research he has done relating to failed motions and the process of rescinding a failed motion would typically occur with a motion that was passed vs. failed; he believes to rescind a failed motion would be in error; he would like research to be done by a registered parliamentarian
 - Mayor Todd asked the City Attorney if the proper procedure is being followed; Mr. Lauber states yes; and a vote can be nulled; the rule Alderman Arnold sees was from a parliamentary procedure vs a state statute which is what caused the motion to fail; Under Robert's Rules, the vote would have passed at 3-1, under state statute it failed; a motion to rescind is in order and it was previously notified; a simple majority is all that is needed to pass the vote
 - Alderman Arnold does not think those that were not present at the past meeting can make a motion on this reconsideration; Mr. Lauber stated there is not a rule stating who can and cannot make motions to rescind; states a prevailing party doesn't apply as this is not a Robert's Rules issue; Alderman Arnold would like a parliamentarian review of this issue; Mr. Lauber suggested for the mayor to request a motion from the board if they would like to have a parliamentarian review of the issue
- *Alderman Arnold motioned to go forward with a parliamentarian review of this issue*
 - There was not second
- Mayor Todd brought the board back to the original motion to rescind
 - No further discussion
- *Motion to rescind the vote on Bill No. B22-21 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Knox, Mills, Skinner*
 - *Nay: Arnold*
 - *Abstain:*

-Motion Approved 5-1-

ITEM VII: Police Officer Oath of Office

- Oath of Office was given to Nicholas W. Jeffries

ITEM XI: New Business

- Citizen Participation Guidelines Review were discussed

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- The examples were sent out prior to the meeting and a copy is in front of the board for their reference
- Mr. Murphy stated policy is set by the board on how they would like to proceed as there is no requirement for public comment/citizen participation and the Board of Aldermen can decide what they would like to put into place
- Mayor Todd has reviewed and noted two items stood out to him; he recommended that there is a set time/timer going forward and secondly, from a clerical standpoint, that there is a sign in sheet for the night of the meeting where the name/address is written for the minutes
- Alderman Cleaver suggested the time limit be raised to 3 minutes and Alderman Knox and Skinner agreed Alderman Skinner recommended 3 minutes up to 5 minutes
- City Attorney Lauber stated many cities he works with have a lower time limit and an alderman can request a vote to extend the time limit; generally, 3 minutes; some will allow those that sign up to speak and they can yield their time to another speaker
- Alderman Skinner asked if it is a motion to extend the time; yes, it is a vote to extend
- Alderman Bass agreed with the time frame and clarified if there should be a digital clock timer or like to be transparent for the board and the speaker; Mayor Todd would like this as well
- Alderman Bass doesn't oppose the sign in sheet and asked if they'd still state their name/address as they come to the podium to speak; yes, written and verbally
- City Attorney Lauber mentioned at least two other cities have a policy where they found it effective to request a citizen with a potential issue/problem to attempt to work it out with staff first before presenting to the board; City Attorney Lauber stated they have an advance sign up to help monitor this; If the sign up is the night of- then this method might be less effective; Mr. Murphy feels the staff always tries to work with citizens; Mayor Todd asked how those cities communicate that requirement; Mr. Lauber stated they have a deadline prior to a meeting and make it part of the agenda
- Mayor Todd doesn't want to make the process more difficult for citizens to speak and the city may not be at that point yet or in need of that kind of policy yet
- Alderman Cleaver requested we move forward with the night of sign in
- Alderman Bass suggested the time be enforced consistently; Mayor Todd stated the timer would help with this
- City Attorney stated a resolution is appropriate; the board agrees that 3 minutes with the option to extend by a board member; name and address on the sign in sheet

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ITEM XII: Presentations

- None

ITEM XIII: Public Hearing

- None

ITEM XIV: Resolutions

- None

ITEM XV: Ordinances

Bill No. B22-20: An Ordinance Amending Traffic Code Schedule II Stop Intersections of the City of Grain Valley Municipal Code

Bill No. B22-20 was read by City Clerk Jamie Logan for the second reading by title only

- *Alderman Arnold moved to accept the second reading of Bill No. B22-20 and approve it as ordinance #2592*
- *The Motion was Seconded by Alderman Knox*
 - None
- *Motion to accept the second reading of Bill No. B22-20 and approve it as ordinance #2592 was voted upon with the following roll call vote:*
 - *Aye: Arnold, Bass, Cleaver, Knox, Mills, Skinner*
 - *Nay:*
 - *Abstain:*

-Bill No. B22-20 Became Ordinance #2592 6-0-

Bill No. B22-22: An Ordinance Amending Title IV (Land Use) of the Municipal Code of Ordinances in Section 400.230 (Accessory Uses) Pertaining to Garages and Accessory Buildings

Bill No. B22-22 was read by City Clerk Jamie Logan for a first reading by title only

- *Alderman Bass moved to accept the first reading of Bill No. B22-22 and bring it back for a second reading at the next regularly scheduled meeting*
- *The Motion was Seconded by Alderman Skinner*
 - City Administrator Murphy stated this was from the public hearing at the last meeting and this provides some clarity; this is just the building aspect/Conex buildings without the parking; the current structures that are currently legal would be grandfathered in

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- City Attorney stated so long as the scope is not expanded and the use is not destroyed or, if the use is abandoned, then it cannot be brought back at a later date
- Alderman Cleaver asked if there is a second structure brought in, is that okay; no, this would be expanding the scope
- Alderman Arnold feels this would challenge the 4th amendment of what we can do with our personal properties; he feels this is intrusive government control and agrees that if an individual lives in a neighborhood with a HOA, you know that going into it; he feels should not control behind the front of a residence
- Alderman Cleaver feels we need guidelines for the whole city and there should be some conformity within city limits within neighborhoods and he has had conversations with constituents with strong opinions the other way
- Alderman Knox agrees with Alderman Arnold and agrees the city does not want a junkyard in the backyards and feels the language is not clear in this ordinance; brought up an example of a nice building T1-11 vs. a sided house; feels the language should be cleaned up and it should be directed towards Conex boxes if that is what the goal is
- Mr. Trosen states “should” vs. “shall” offering flexibility to work with property owners; the goal is to make sure it is consistent with the neighborhood such as trimmed out like the home; Alderman Knox doesn’t like the language and feels this could be too subjective; feels the architectural design match- there wouldn’t be a lot of barn style homes
- Alderman Arnold feels more clarity may be needed; Mr. Trosen stated “H” could be taken out and leave “I” in
- Alderman Skinner asked the question to clarify: if a brick house, does the shed need to be brick?
- Mr. Murphy stated H is what is desired, I is what is covered; he feels okay to express the perfect world desire is; cannot just say Conex as there are lots of scenarios that don’t fit that exact mold/desire
- Alderman Knox wants the language cleaned up; there used to be no wiggle room with prior inspector and didn’t want to be back in that situation; Mr. Trosen stated remove H and keep letter I
- *Alderman Knox motioned to remove section H*
- *Alderman Arnold seconded the motion*
 - Mr. Murphy read section H to the board
 - With H removed, I would still list what types of buildings not allowable
- *Motion to remove section H from the ordinance was voted upon with the following voice vote:*
 - *Aye: Arnold, Bass, Knox, Mills, Skinner*
 - *Nay: Cleaver*
 - *Abstain:*

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-Motion Approved 5-1-

- *Motion to accept the first reading removing "H" of Bill No. B22-22 and bring it back for a second reading at the next regularly scheduled meeting was voted upon with the following voice vote:*
 - *Aye: Arnold, Bass, Knox, Mills, Skinner*
 - *Nay: Cleaver*
 - *Abstain:*

-Motion Approved 5-1-

ITEM XVI: City Attorney Report

- Staff attended Missouri Municipal Attorney's meeting this past week; they are with 9 full time attorneys, and they are adding a new attorney 8/1; the new person will focus on litigation; they have a contract on a new location in Lee's Summit to move in November

ITEM XVII: City Administrator & Staff Reports

- City Administrator Ken Murphy
 - None
- Deputy City Administrator Theresa Osenbaugh
 - None
- Captain Palecek Police Department
 - None
- Finance Director Steven Craig
 - None
- Parks & Recreation Director Shannon Davies
 - None
- Community Development Director Mark Trosen
 - None
- City Clerk Jamie Logan
 - None

ITEM XVIII: Board of Aldermen Reports & Comments

- Alderman Dale Arnold
 - None
- Alderman Shea Bass
 - None
- Alderman Tom Cleaver
 - None
- Alderman Rick Knox
 - Thanked the City for his new branded shirt

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- Alderman Darren Mills
 - None
- Alderman Ryan Skinner
 - Last weekend he did a ride along with Sgt. Stratton's squad, he said thank you for allowing him to ride along and thank you to those that serve; said the Board supports them and appreciate them

ITEM XIX: Mayor Report

- Off the Clock with Mayor Todd at Iron Kettle on August 2 from 4:30-6:30 invitation was sent to all those with a business license in the City of Grain Valley; this is an opportunity to meet with Mayor Todd to discuss anything that can be done to support their business
- Mayor Todd asked Mr. Trosen to review parking requirements compared to other cities; some cities do require ½ space for every unit for visitor parking; is the board interested in increasing the parking requirement; Alderman Arnold agreed with this and wants to make sure sidewalks are clear and people are not parking over that
- Mr. Trosen stated this would pertain to multi-family development where a parking lot requirements for a complex and the number of spaces is based on the number of units; currently calculated at 2 spaces per unit; In Lee's summit and Lenexa- .5 spaces per unit is added for visitor parking; Alderman Arnold would like to see the parking increased; Mayor requested that Planning and Zoning review this
- Mayor Todd mentioned with the newly connecting streets in Woodbury Drive where the duplexes are and it connects through the subdivision; there are cars parking on both sides of the street; with all the cars, kids cannot be seen playing in the street around all of the cars; no parking could be looked at on one side of the street if the board would like to address this; Alderman Bass knows there is an issue, but does not have any suggestions
- Alderman Arnold agrees the only way to do this allowing parking on only 1 side of the street; he suggested this years ago for the whole city unless otherwise noted
- Mayor Todd asked if staff should look into this; Captain Hedger stated this is similar to Sni-A-Bar and there is no parking there; stated even if parking reduced to one side, only 50% solved
- Mr. Murphy stated all properties are given notice of a potential change if the board chose to go down this path

ITEM XX: Executive Session

- *Mr. Murphy stated an executive session was needed for Legal Actions, Causes of Action of Litigation Pursuant to Section 610.021(1), RSMo. 1998, as Amended and Individually Identifiable Personnel Records, Personnel Records, Performance Ratings or Records Pertaining to Employees or Applicants for Employment, Pursuant to Section 610.021(13), RSMo 1998, as Amended.*

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- *Alderman Bass moved to close the Regular Meeting for items related to Legal Actions, Causes of Action of Litigation Pursuant to Section 610.021(1), RSMo. 1998, as Amended and Individually Identifiable Personnel Records, Personnel Records, Performance Ratings or Records Pertaining to Employees or Applicants for Employment, Pursuant to Section 610.021(13), RSMo 1998, as Amended.*
- *The motion was seconded by Alderman Knox*
 - No Discussion
- *The motion was voted on with the following roll call vote:*
 - *Aye: Arnold, Bass, Cleaver, Knox, Mills, Skinner*
 - *Nay: None*
 - *Abstain: None*

-Motion Carried:6-0-

- The regular meeting closed at 7:53 PM-

- *Alderman Knox moved to open the Regular Meeting*
- *The motion was seconded by Alderman Arnold*
 - No Discussion
- *The motion was voted on with the following roll call vote:*
 - *Aye: Arnold, Bass, Cleaver, Knox, Mills, Skinner*
 - *Nay: None*
 - *Abstain: None*

- Motion Carried: 6-0-

- The regular meeting opened at 8:18 PM-

ITEM XXI: Adjournment

- The meeting adjourned at 8:18 P.M.

Minutes submitted by:

Jamie Logan
City Clerk

Date

Minutes approved by:

Mike Todd
Mayor

Date

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City Attorney Joe Lauber

Unofficial

ELECTED OFFICIALS PRESENT

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