

BOARD OF ALDERMEN MEETING MINUTES Regular Session

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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 November 13, 2017 at 7:01 p.m. in the Council Chambers located at Grain Valley City Hall
- The meeting was called to order by Mayor Mike Todd

ITEM II: ROLL CALL

- City Clerk Theresa Osenbaugh called roll
- Present: Arnold, Bamman, Coleman, Headley, Totton, West
- Absent:

-QUORUM PRESENT-

ITEM III: INVOCATION

• Invocation was given by Mike Cassidy

ITEM IV: PLEDGE OF ALLEGIANCE

• The Pledge of Allegiance was led by Alderman Bob Headley

ITEM V: APPROVAL OF AGENDA

No Changes

ITEM VI: PROCLAMATIONS

• Dawn Buckallew, on behalf of Mr. Allen Lefko, Bank of Grain Valley, and Mr. Jeff Smith, State Bank of Missouri, received proclamations for their support of the community shredding event

ITEM VII: CITIZEN PARTICIPATION

- Mike Switzer and Norm Combs with Pathways of Honor presented City Attorney Jim Cook with a brick for the Legacy Plaza in Grain Valley
- Paul Prue, 861 SW Woodland Drive, asked for the Board to consider an amendment to the Municipal Code, allowing for code variances of those with disabilities; Mr. Prue shared concerns of a recent fence construction experience in Grain Valley; Mr. Hunt shared there is a variance process in place for this purpose and state statute sets zoning requirements; City Attorney Jim Cook felt that City procedures needed to be followed and in this instance, the property owner needed to give consent for the property change; Mr. Prue was concerned about the variance fee being non-refundable; Alderman Totton asked for contact information for Mr. Prue; Mr. Arroyo noted the fee covers the statue

ELECTED OFFICIALS PRESENT

Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT



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required certified notices that must be given to individuals within a specified distance of the property with the variance requested; this fee has not been waived in the past; in this case the property owner did not want a fence; Mr. Hunt noted the fee was so other residents would not have to bear the cost of the request; Mr. Prue asked if anything can be done to ease the process; Mayor Todd reminded all that if the request is covered by the Code nothing needs to be done, however, if it is outside of the Municipal Code, the variance process is the appropriate path to follow; Mr. Arroyo shared the spirit of the code is for properties to maintain a property value and residents have the right to comment on any variances in their neighborhood

ITEM VIII: CONSENT AGENDA

- September 12, 2017 Park Board Meeting Minutes
- October 23, 2017 Board of Aldermen Regular Meeting Minutes
- October 24, 2017 Board of Aldermen Special Meeting Minutes
- October, 2017 Court Report
- November 1, 2017 Board of Aldermen Special Meeting Minutes
- November 13, 2017 Accounts Payable
- Alderman West made a Motion to Approve Consent Agenda
- The Motion was Seconded by Alderman Arnold
 - No Discussion
- Motion to Approve Consent Agenda was voted on with the following voice vote:
 - o Aye: Arnold, Bamman, Coleman, Headley, Totton, West
 - o Nay: None
 - o Abstain: None

-MOTION APPROVED: 6-0-

ITEM X: PREVIOUS BUSINESS

- Cosentino Enterprises, Inc. d/b/a Price Chopper #325 has requested a Retail and Retail Sunday liquor license; first discussion of the request occurred on 10/23/2017; all paperwork has been completed; Chief Starbuck has approved the request
 - Alderman Headley made a Motion to Approve the Liquor License Application for Price Chopper #325
 - ,0 The Motion was Seconded by Alderman Coleman
 - No Discussion

Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT



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- Motion to Approve the Liquor License Application for Price Chopper #325 was voted on with the following voice vote:
- o Aye: Arnold, Bamman, Coleman, Headley, Totton, West
- o Nay: None
- o Abstain:

-MOTION APPROVED: 6-0-

- 2018 Budget Discussion
 - City Administrator Hunt reviewed adjustments made during the 2017 budget workshops
 - General Fund: positions for a part-time victim advocate and a full-time police officer were added to budget; short term disability has been added to the budget; additional expenses total \$87,812
 - Park Fund: funds for trail design and engineering were added; short term disability was added; additional expenses total \$41,650
 - Transportation: funds were removed for one pavement sensor; loader rebuild was removed; purchase of a new loader was added; short term disability was added; changes total \$20,188
 - Water and Sewer: loader rebuild was removed; purchase of the new loader was added; short term disability was added; additional expenses total \$95,700
 - General Fund has net surplus of \$15,390; Tourism Tax Fund has a net surplus of \$500; Parks and Recreation Department has a net surplus of \$42,527; Transportation has a net surplus of \$52,435; Public Health has a net surplus of \$1,000; Old Towne TIF breaks even as money comes in and is then taken back out; Capital Improvement Fund has a surplus of \$20,000; GO Bonds have no net increase or decrease; Project 2 also has no net increase or decrease; Marketplace TIF reserve has a surplus of \$100,000; Marketplace TIF Project 2 Special Allocation has no net increase or decrease; Marketplace TIF IDA bonds has a surplus of \$68,000; Marketplace NID Project 2 has no net increase or decrease; Marketplace NID debt is \$0; Marketplace CID sales and use has a \$870 surplus; Marketplace CID Project 3 has no net increase or decrease; Interchange TIF for projects 1,3 and 4 has a net surplus of \$104,000; Debt Service Fund has a surplus of \$256,000; Water and Sewer Fund has a surplus of \$36,609; Approved budget has surplus of \$697,332 citywide
 - Mr. Hunt asked for an indication that staff have permission to prepare the final budget documents in accordance to the above changes with a first reading on 11/27

ELECTED OFFICIALS PRESENT

Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT



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- Alderman West asked how documents were sent out; documents were sent in an email this afternoon
- Paul Prue asked if surplus money could be used for variance process waivers;
 Mayor Todd responded that the issue was complex and there is a process
- Alderman Totton asked if a new loader was being purchased; money is budgeted but final approval will still come before the Board
- Alderman Arnold asked about additional Engineering Inspector position in Public Works; would like more justification before being approved for posting
- Alderman Headley asked if the intent of the added Police Officer position was to send a hire through the police academy; budget does included the costs of sponsoring a recruit
- Alderman West asked for the variance from the projected 2017 budget to the proposed 2018 budget; forecasts aren't complete for 2017 and an answer will be provided at a later date

ITEM X: NEW BUSINESS

None

ITEM XI: PRESENTATIONS

None

ITEM XII: PUBLIC HEARING

- Mayor Todd opened the Public Hearing for TIF Progress: Mall at Sni-A-Bar- Old Towne Market at 7:35 p.m.-
- Mr. Hunt provided a presentation on the performance of the TIF for Mall at Sni-A-Bar-Old Towne Market; every five years a public hearing is held to determine if satisfactory progress has been made toward the original TIF plan; this public hearing is the third for the project with Ward Development and Investment Co, Inc. which was approved in June, 2002; contract was approved in August, 2002; project is a single TIF plan with one TIF project
- Mr. Hunt reviewed the status of TIF Plan and Project Construction; traffic signal not warranted; lake improvements have not been completed and is now being completed with federal conservation funds

Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West

ELECTED OFFICIALS ABSENT



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- o Alderman Bamman asked what the implications of the plan not being completed as proposed are; the developer is out of compliance with the TIF plan and no refunds for the improvements that were made are refundable;
- o Alderman Bamman asked if the lack of completion changes any other reimbursements of the whole project; property has actually been exchanged; Mr. Hunt noted that for TIF plans there is a process to sale property which includes notifying the City and this did not happen; no notice of sale occurred but GIS shows a change of ownership has occurred; TIF attorney will be reviewing the project for further clarification;
- o Alderman West asked where the traffic signal was to be placed; signal was to be placed at Rock Creek and Buckner Tarsney and another considered at Garden but neither were warranted; Jackson County owns the roadway to south and MoDot would have owned Eagles Parkway in 2003
- Mr. Hunt reviewed private improvements; these improvements have not been completed to date; 25% less retail and office and villa-style residences have been completed than projected
- Alderman Bamman clarified that the lawyer will review the project accountability; Mr. Hunt confirmed and shared that specific penalty provisions are in place and an entire series of things that have to be done; TIF lawyer will review and give recommendations for moving forward
- Project Cost was \$16,000,000 and later was revised to \$15,850,000 due to traffic light not warranted; unclear to tell what actual project cost by type have accrued; audit has been conducted and now staff are working with Mr. Ward to get up to date information; reimbursable project cost was \$6,142,500 and was revised to \$5,992,500 due to the traffic signal; the actual reimbursement has been \$4,058,428 (32% less than projected)
- Mr. Hunt reviewed TIF Revenues through year 15; the total project is for 23 years; if the plan was followed the total revenues should be at \$14,730,893 and the revenue actuals are \$6,249,895; project is not on track as total revenues are only 42% of what was projected
- Mr. Hunt reviewed the Financing Plan; the City has been asked to issue debt to finance the project costs twice; City does have the ability to do that although there is too much risk and it is not advisable



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- Staff recommends that the developer is encouraged to fill development with business that will help meet reimbursable costs and completes the project according to TIF plan; final recommendation is that Board of Aldermen use extreme caution before approving reimbursement through the issuance of TIF revenue bonds
- Alderman Arnold asked for reimbursed amount; developer has been reimbursed for the agreed upon project cost and the City is determining how to calculate the financing costs; Ms. Bowden clarified that the developer has only received project costs for what was spent not what was in the plan; Alderman Arnold shared concerns about providing reimbursement and would like to discuss withholding future payments until documentation is received; Mr. Hunt shared that some costs have not been reimbursed due to lack of formal paperwork but it is unclear if payments can be stopped completely
- Alderman Totton asked what will happen if the City doesn't work with developer; the City should continue to encourage the developer to develop the area; the risk is completely on the developer as the costs are reimbursed out of the revenue that the developer creates; if the City issues debt on behalf of the developer then the City is taking on the risk; Alderman Totton felt Grain Valley has this issue all over; Mr. Hunt noted that tenants are being consistently looked for to fill lots
- Alderman Headley asked for clarification on the timeline for reimbursement; after 2026 the opportunity to recapture funds is over
- Alderman Bamman asked where the remaining square footage and villas would be placed based on the original plan; the plan that was built was not the original plan; Mayor Todd noted that some lots are still available, Edward Jones is included in the development; EATS are low because several businesses in the development don't generate sales tax

Mayor Todd opened the floor to citizens for comment:

• None

- Mayor Todd closed the Public for TIF Progress: Mall at Sni-A-Bar- Old Towne Market at 8:01 p.m.-



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ITEM XIII: ORDINANCES

Bill No. B17-24: An Ordinance Calling an Election in the City of Grain Valley, Missouri on April 3, 2018

City Attorney Jim Cook read **Bill No. B17-24** for its first reading by title only

- Alderman Bamman moved to accept first reading of Bill No. B17-24 bringing it back for a second reading by title only
- The Motion was Seconded by Alderman West
 - O Mr. Hunt informed the Board that this allows for City to meet filing deadlines in April, 2018; research found that the Municipal Code has not been updated to reflect when the City switched to a lottery process to determine the order of candidates on the ballot; current code states the City Clerk shall keep a permanent record of candidates, the office for which they seek election and the date of their election filing and their name shall appear on ballot in that order; in order to follow the Municipal Code, names will be placed on ballot in the order they were filed unless the Board chooses to pass an ordinance to update the section of the Code, changing to a lottery
 - O Alderman Arnold doesn't feel a need to change; Alderman Totton reminded all that it was changed because of an early registration; Alderman West proposed candidates comes to the front door to register and doesn't feel the need to move to a lottery system; Alderman Headley didn't have a strong opinion either way
 - Election will be for positions of Alderman Ward I, II, III and Mayor for a two year term
- *Bill No. B17-24 was voted upon with the following roll call vote:*
 - o Aye: Arnold, Bamman, Coleman, Headley, Totton, West
 - o Nay: None
 - o Abstain: None

-Bill No. B17-24 Approved for a Second Reading: 6-0-

ITEM XIV: RESOLUTIONS

Resolution No. R17-39: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing the Allocation of One (1) 2017 Fiscal Year Meeting Salary from Each Elected Official, Totaling \$450, as a Donation Toward the Senior Holiday Gift Basket Program

ELECTED OFFICIALS PRESENT

Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West **ELECTED OFFICIALS ABSENT**

STAFF OFFICIALS PRESENT



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City Attorney Jim Cook read **Resolution No. R17-39** by title only

- Alderman Coleman moved to accept Resolution No. R17-39 as read
- The Motion was Seconded by Alderman Bamman
 - This is the resolution, as directed by Board to prepare, for senior holiday basket contributions
- Resolution No. R17-39 was voted upon with the following voice vote:
 - o Aye: Arnold, Bamman, Coleman, Headley, Totton, West
 - o Nav:
 - o Abstain: None

-Resolution No. R17-39 Approved: 6-0-

Resolution No. R17-40: A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the City Administrator to Amend the Agreement for Environmental Services Between the City of Grain Valley and Jackson County, Missouri to Include Aquatic Venue Inspections

City Attorney Jim Cook read **Resolution No. R17-40** by title only

- Alderman Headley moved to accept Resolution No. R17-40 as read
- The Motion was Seconded by Alderman Coleman
 - O Mr. Davies reminded the Board of a presentation from Deb Sees with Jackson County Environmental Health on a new initiative for inspecting aquatic venues; currently the health department inspects food establishments and has a sanitation program, animal control and a waste water program for municipalities within Jackson County; City entered into an agreement with Jackson County for those services in 2007; this resolution would amend that agreement to include inspection of pools, water parks, hot tubs, and spas in different categories such as municipalities, hotels, home owner's associations, splash pads, etc.; offers inspections for lifeguards, water chemistry, chemical storage, and facility design and safety standards
 - Alderman Bamman asked if there is a cost associated with this; municipalities will not incur a fee but privately owned facilities will incur a cost
 - Alderman Arnold asked if not approved would the county still be allowed to conduct inspections in Grain Valley; Mr. Davies will need to find out more details about this
 - o Mayor Todd felt the City couldn't stop food inspections so wasn't sure this would be different; Mr. Davies felt it could open the City up to liability; Mr. Cook felt it was wise to have someone providing the inspections; likely they would have

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authority in interest of public health and welfare; Mr. Davies felt inspections are long overdue; City facility contracts with a company who handles this and a third party is watching over this now but other facilities are likely not as thorough as the City; Alderman Totton felt it was better for insurance and liability

- Alderman Arnold had concerns for the additional costs on HOA's and the
 potential that they would be closed down; would like more information before
 making a decision; felt it may be a revenue generator for Jackson County; would
 like to table discussion until an answer is received on whether or not Jackson
 County will have authority regardless
- Alderman Arnold made a Motion to Table Resolution No. R17-40
- The Motion was Seconded by Alderman Bamman
 - Mr. Hunt asked for specific direction; staff was directed to report back if Jackson County has the authority to perform these inspections regardless if the resolution is passed and if they do not have the authority, does the City wish to operate an aquatic inspection program
 - o Alderman Bamman would like to know the fees imposed on the HOA's and what other classifications of private bodies of water would be impacted
- Motion was voted upon with the following voice vote:
- Aye: Arnold, Bamman, Coleman, Headley, Totton, West
- *Nay:*
- Abstain: None

-Resolution Tabled: 6-0-

Resolution No. R17-41: A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the City Administrator to Enter Into a Contract with BKM Construction LLC for Grain Valley's "SW Eagles Parkway Sidewalk Improvements"

City Attorney Jim Cook read Resolution No. R17-41 by title only

- Alderman Totton moved to accept Resolution No. R17-41 as read
- The Motion was Seconded by Alderman Headley
 - Resolution is the approval to enter into agreement which allows construction of a sidewalk from Old Towne Market to the High School
 - Mr. Arroyo shared the City approached MoDOT in 2014 for funds to extend the sidewalk; project is now ready to be completed; 7 bids were received; BKM Construction was the low bid; references were checked and MoDOT concurred with the selection; this is an 80/20 grant so the state covers 80% of cost; \$31,651.98 is the City's portion; this is a reimbursable grant so the full cost must

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be approved

- Alderman Bamman asked if this was the previously discussed easement with the school district; this includes the sidewalk and the pedestrian crosswalks at Kirby
- Resolution No. R17-41 was voted upon with the following voice vote:
 - o Aye: Arnold, Bamman, Coleman, Headley, Totton, West
 - o Nav:
 - o Abstain: None

-Resolution No. R17-41 Approved: 6-0-

ITEM XV: CITY ATTORNEY REPORT

None

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ryan Hunt
 - o None
- Community Development Director Rick Arroyo
 - o None
- Finance Director Cathy Bowden
 - O Have been researching the ability to email water bills; currently troubleshooting on how to get fliers that are typically included in the mailing within the email; working on a hyperlink on the bill that will go directly to webpage where the flier is listed; hoping enrollment options will go out at the end of the year; Alderman Totton was concerned about the Post Office in town not receiving the mail; Ms. Bowden noted that lots of request from citizens are coming for email bills; email bills are only one option and paper bills are still available
- None City Clerk Theresa Osenbaugh
 - o None
- Chief David Starbuck
 - o None
- Parks and Recreation Director Shannon Davies
 - Trail or Treat was held on October 27th; temperatures were low and the high school football game was occurring but it was still a great turnout; lots of staff time was put into the event; event was enhanced including the hayride route which now includes scenes; citizens enjoyed the event and 30 vendors were present on the trail; donations were taken for GVAC as well
 - Trail along Dillingham Road which will connect Rosewood Hills and Woodbury neighborhoods, with Prairie Branch Elementary in between, was started about a month ago; the pedestrian bridge has been installed; Public Works has started

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laying the asphalt; planning to have the section filled by the end of the week to connect the sidewalk on Duncan to Persimmon with a crosswalk that adds safety to crossing the road; ribbon cutting will occur in the next few weeks

ITEM XVII: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Dale Arnold
 - November 21st, 2PM Central Jackson County Board will be recognizing Alderman Arnold's retirement at Station 3
- Alderman Chris Bamman
 - School District will have an \$11.5 million bond issue which will go towards expansion of the high school; bids are also out for an addition to the Early Childhood Center
 - O School District's annual performance report is out; the data is embargoed for 30 days; early indications show that metrics such as attendance, graduation rates, etc. are continuing to trend upward; Alderman Arnold asked if this report will be available on the website; it will be after the embargo is released
 - O Alderman Bamman brought up the public feedback received after the Animal Control vote; asked if there was a way to become more transparent to public about RFP's that are available so the public is more aware of when an opportunity to provide input is available; Mr. Hunt felt bids could be made through social media; currently bids are on website and the newspaper of record; a provision in the Sunshine Law makes bidder requirements and information sealed until contract is executed so City doesn't get taken advantage of; Alderman Bamman noted that it is hard to voice an opinion if the public does not know about it
 - School district has hired a consultant to do an extensive demographics study for master planning; the time is coming when another elementary school or additions to middle school will be needed
- Alderman Jeff Coleman
 - O Shared a concern from a citizen who is responsible for cleaning and mowing by the theater; concerned about the theater not putting trash inside the dumpsters-instead they are leaving the trash on top of the dumpster; Alderman Coleman will be visiting the theater but would like City to be make contact too
 - Dillingham Trail bridge looks great and Alderman Coleman enjoyed watching the process of it being installed
- Alderman Bob Headley
 - o None
- Alderman Nancy Totton
 - None

Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West

ELECTED OFFICIALS ABSENT



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- Alderman Yolanda West
 - o None

ITEM XIII: MAYOR REPORT

 Thanked staff for the hard work on Trail or Treat; Mayor Todd shared he was pleasantly surprised with turnout despite the cold weather

ITEM XIX: EXECUTIVE SESSION

- Mayor Todd stated a need to hold an Executive Session for 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
- Alderman Arnold moved to close the Regular Meeting for items related to Section 610.021(13), RSMo 1998, As Amended
- The motion was seconded by Alderman Coleman
 - No Discussion
- The motion was voted on with the following roll call vote:
 - o Aye: Arnold, Bamman, Coleman, Headley, Totton, West
 - o Nay: None
 - o Abstain: None

-MOTION CARRIED: 6-0-

-THE REGULAR MEETING CLOSED AT 8:35 PM

- Alderman Bamman moved to open the Regular Meeting
- The motion was seconded by Alderman West
 - No Discussion
- The motion was voted on with the following roll call vote:
 - o Aye: Arnold, Bamman, Coleman, Headley, Totton, West
 - o Nay: None
 - Abstain: None

-MOTION CARRIED: 6-0-

-THE REGULAR MEETING OPENED AT 8:52 PM

ITEM XX: ADJOURNMENT

• The meeting adjourned at 8:52 P.M.

ELECTED OFFICIALS PRESENT

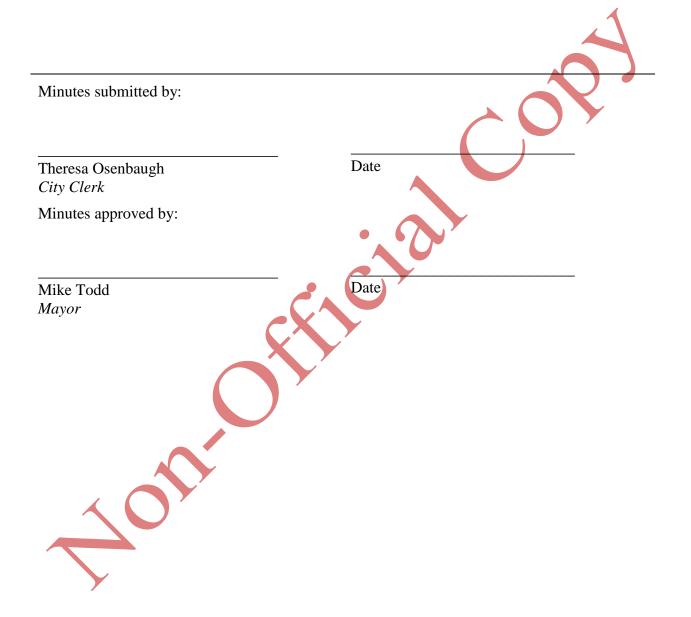
Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West **ELECTED OFFICIALS ABSENT**

STAFF OFFICIALS PRESENT



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Mayor Mike Todd Alderman Dale Arnold Alderman Chris Bamman Alderman Jeff Coleman Alderman Bob Headley Alderman Nancy Totton Alderman Yolanda West

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STAFF OFFICIALS PRESENT