



CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

03/26/2018
 PAGE 1 OF 11

ITEM I: CALL TO ORDER

- The Board of Aldermen of the City of Grain Valley, Missouri, met in Regular Session on March 26, 2018 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 Chris Allen

ITEM IV: PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance was led by Alderman Bob Headley

ITEM V: APPROVAL OF AGENDA

- No changes were made

ITEM VI: PROCLAMATIONS

- None

ITEM VII: CITIZEN PARTICIPATION

- Autumn Chambers, 109 W. Broadway, and Rose McLaughlin, 111 Broadway, shared their concerns with noise levels and activities at Charley's Roadhouse which is located behind their homes; shared concerns about bar patrons congregating outside of the building, offensive events occurring in the backlot, urination on residential property; multiple complaints have been filed with the Police Department; concerns were brought to the Board of Aldermen's attention in May of 2016 and problems have persisted; would like a resolution to the noise level first and foremost; a petition from neighbors who also have concerns was provided for the record
- Mayor Todd asked Chief Starbuck for the volume of calls; calls have been numerous and citations have been given

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
 City Attorney Matt Geary
 City Administrator Ryan Hunt
 Assistant City Administrator Ken Murphy
 City Clerk Theresa Osenbaugh
 Community Development Director Rick Arroyo
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CITY OF GRAIN VALLEY
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 Regular Session

03/26/2018
 PAGE 2 OF 11

- Alderman Totton asked how long residents have lived in the area and if they knew the bar was operating when they moved in; length of residency varied and although the bar was known, additional concerns have occurred since moving in
- Mr. Arroyo noted that multiple code violations are in progress; additions to the building have been non-permitted and are in process for General Ordinance Summons; Charley’s Roadhouse has two pending Disturbing the Peace Charges; additional calls will be added to the case file
- Mr. Hunt asked the Board to consider what decisions need to be made between the citations and the police calls; when granted a 3AM license it was agreed upon that no activity would occur outside of the building
- Mayor Todd has been on the phone with Ms. Chambers and could hear the noise level and music through the phone
- Mr. Geary advised that the citations needed to go through the court process and violations of liquor license permits should go through the Board of Aldermen
- Ms. Chambers asked if there was a specific noise ordinance; Disturbing the Peace is the option the City has; Conditional Use Permits with noise restrictions only apply to special zoning areas
- Members of the board discussed convening to review the continued violations and whether or not a Public Hearing should occur for Revocation of License; Mr. Geary would like time to review the Ordinances and advise on future proceedings
- Chief Starbuck noted that last year the owner was cited for Disturbing the Peace but the case was dismissed
- Chief Starbuck and Captain Beale met with the owner and night manager last week and laid out expectations; Mayor Todd asked if the Board would prefer to wait and see if things improve since the meeting with the police occurred or if the Board would like to meet with the owner(s); Alderman Bamman would like a hearing to listen to both sides regarding the action as the complaints are clear
- Mr. Hunt will bring an executive summary with violations to the April 9th Board of Aldermen meeting and at that time, a decision on the next course of action can be made; Alderman Headley would like to see the Building Code violations included in the summary

ITEM VIII: CONSENT AGENDA

- March 12, 2018 – Board of Aldermen Regular Meeting Minutes
- March 26, 2018 – Accounts Payable

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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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 Regular Session

03/26/2018
 PAGE 3 OF 11

- *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:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-MOTION APPROVED: 6-0-

ITEM IX: PREVIOUS BUSINESS

- None

ITEM X: NEW BUSINESS

- Chief Starbuck recognized Curtis Vander Linden for his promotion to Sergeant

ITEM XI: PRESENTATIONS

- None

ITEM XII: PUBLIC HEARING

-Mayor Todd Opened the Public Hearing for the zoning change of city owned property at 7:30p.m.-

- Mr. Murphy asked the Board to refer to the aerial photo provided of the property in discussion; the property is 16 acres north of Tisha Lane and is currently zoned Agricultural; request is to change zoning to R1 Single family which mirrors land around the area; North side of the property cannot be built on as it is a streamline restoration site; it was planned for this to be developed in the early 2000's but with the economic downturn this was not completed; city currently owns the land and felt R1 single family would be the best use
- Mayor Todd shared, in the order of transparency, that he owns a lot that backs up to the property
- Alderman Totton shared her conversation with a resident unhappy with the homes being built; Mr. Murphy spoke to the same resident who was under the impression that the field would remain undeveloped; Mr. Murphy shared the various options for the lots with the resident and how it was decided that residential lots would be the best option for those already residing in the area

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 Alderman Jeff Coleman
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 Alderman Nancy Totton
 Alderman Yolanda West

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CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

03/26/2018
 PAGE 4 OF 11

Mayor Todd opened the floor to citizens for comment:

- Jeff Bell, 608 SW Lakeview Drive, questioned if this would be single family homes only; shared concerns about duplexes being built in the past; the entire 16 acres will be for single family homes and duplexes are not allowed in this zoning

-Mayor Todd Closed the Public Hearing for the zoning change of city owned property at 7:35 p.m.-

- Alderman Bamman asked for clarification on aerial drawing provided; clarification was given
- Alderman Arnold shared that this was brought to Planning and Zoning committee and one gentlemen shared concerns; Alderman Arnold shared alternative options discussed and how it makes most sense for the community to build more homes which are in high demand
- Alderman Totton asked the value of the homes which will be built; minimum square footage is 1,500 square foot and all will have basements

ITEM XIII: ORDINANCES

Bill No. B18-03: An Ordinance by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing the City Administrator to Amend the 2018 Budget to Allocate Funding from General Fund, Park Fund, and Water/Sewer Fund Reserves for the Completion of 2017 Capital Projects

- City Attorney Matt Geary read **Bill No. B18-03** for its second reading by title only
- *Alderman Headley moved to accept the second reading of Bill No. B18-03 making it Ordinance #2431*
- *The Motion was Seconded by Alderman Bamman*
 - Allows for the transfer of funds budgeted in 2017 to 2018 for projects that were scheduled for completion in 2017 but delayed by contractors
- *Bill No. B18-03 was voted upon with the following roll call vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-BILL NO. B18-03 BECAME ORDINANCE #2431: 6-0-

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 Alderman Jeff Coleman
 Alderman Bob Headley
 Alderman Nancy Totton
 Alderman Yolanda West

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CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
Regular Session

03/26/2018
PAGE 5 OF 11

Bill No. B18-04: An Ordinance Changing the Zoning for Certain Land in Grain Valley from Agricultural to R-1 Single Family

- City Attorney Matt Geary read **Bill No. B18-04** for its first reading by title only
- *Alderman Arnold moved to accept first reading of **Bill No. B18-04** bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Headley*
 - Property in this ordinance was the property discussed in the public hearing held this evening
 - Alderman Totton asked how close these homes will be to the houses that are already there; minimum space required is 30 feet from property line to the back of the house; rules will be the same as the rest of the city
 - Alderman Headley asked when paperwork would be available; bids have been received and will be discussed
- *Bill No. B18-04 was voted upon with the following roll call vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B18-04 Approved for a Second Reading: 6-0-

Bill No. B18-05: An Ordinance Amending Chapter 242 of the Code of Ordinances of the City of Grain Valley, Missouri, Pertaining to Background and Records Checks for Coaches and Volunteers of Youth Recreational Programs

- City Attorney Matt Geary read **Bill No. B18-05** for its first reading by title only
- *Alderman Headley moved to accept first reading of **Bill No. B18-05** bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Arnold*
 - Ordinance makes screening process for volunteers more comprehensive; Mr. Davies shared background screenings done through Division of Family Services are free, however, this search only relates to the mistreatment of a child; other criminal charges at the state or federal level could be missed

ELECTED OFFICIALS PRESENT

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

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CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

03/26/2018
 PAGE 6 OF 11

- *Bill No. B18-05 was voted upon with the following roll call vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B18-05 Approved for a Second Reading: 6-0-

ITEM XIV: RESOLUTIONS

Resolution No. R18-14: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing the City Administrator to Enter Into an Agreement with Utility Service Company, Inc. to Provide Maintenance for City Owned Water Towers

- City Attorney Matt Geary read **Resolution No. R18-14** by title only
- *Alderman Totton moved to accept Resolution No. R18-14 as read*
- *The Motion was Seconded by Alderman Arnold*
 - Agreement is an annual contract to serve and maintain water towers and storage facilities
 - Mr. Arroyo shared since 2005 the city has partnered with Utility Services to do maintenance including inspections; interior and exterior paint; replacing screens, filters, valves, etc.; agreement ensures DNR requirements are met in order to maintain a safe water system
- *Resolution No. R18-14 was voted upon with the following voice vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R18-14 Approved: 6-0-

Resolution No. R18-15: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing the City Administrator to Purchase Water Meters for the 2018 Meter Replacement Program

- City Attorney Matt Geary read **Resolution No. R18-15** by title only
- *Alderman Totton moved to accept Resolution No. R18-15 as read*
- *The Motion was Seconded by Alderman Bamman*
 - City is in the 8th year of a 15 year perpetual cycle for meter replacement; this is an annual program where meters are replaced so there will never be infrastructure

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Mayor Mike Todd		City Attorney Matt Geary
Alderman Dale Arnold		City Administrator Ryan Hunt
Alderman Chris Bamman		Assistant City Administrator Ken Murphy
Alderman Jeff Coleman		City Clerk Theresa Osenbaugh
Alderman Bob Headley		Community Development Director Rick Arroyo
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CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

03/26/2018
 PAGE 7 OF 11

that is over 15 years old

- *Resolution No. R18-15 was voted upon with the following voice vote:*
 - *Aye: Arnold, Coleman, Bamman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R18-15 Approved: 6-0-

Resolution No. R18-16: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing the Board of Aldermen to Enter Into an Agreement with the Missouri Department of Transportation for Grant Funded Overtime for DWI Enforcement and Hazardous Moving Violation Enforcement

- City Attorney Matt Geary read **Resolution No. R18-16** by title only
- *Alderman West moved to accept Resolution No. R18-16 as read*
- *The Motion was Seconded by Alderman Headley*
 - Grants are annual funding received from MODOT for additional DWI and hazardous moving violations
 - Alderman Totton asked for clarification on the enforcement program; overtime officers are utilized to issue citations for DWI and Hazardous Moving Violations
- *Resolution No. R18-16 was voted upon with the following voice vote:*
 - *Aye: Arnold, Coleman, Bamman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R18-16 Approved: 6-0-

ITEM XV: CITY ATTORNEY REPORT

- None

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ryan Hunt
 - None
- Assistant City Administrator Ken Murphy
 - None
- Community Development Director Rick Arroyo
 - Provided an update on Eagles Parkway Sidewalk Improvements; signal work needs to be completed before it can be opened for use; Mayor Todd asked about signal for turn arrow; looking into creating a green turn arrow at peak hours

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

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CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

03/26/2018
 PAGE 8 OF 11

- Finance Director Cathy Bowden
 - None
- City Clerk Theresa Osenbaugh
 - Election will be held next Tuesday, April 3rd
- Chief David Starbuck
 - None
- Parks and Recreation Director Shannon Davies
 - Youth Spring Baseball and Softball numbers show 502 registrations; this is approximately 30 more registrants than last season

ITEM XVII: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Dale Arnold
 - None
- Alderman Bob Headley
 - Asked Chief Starbuck to provide an update on the purchase of a radar trailer
 - Radar speed trailers run from \$6,000-\$8,000; signs which are commonly attached to a light pole run from \$2,500-\$3,200
 - Chief Starbuck shared that other cities have a program where citizens are trained as volunteers to run radar and take a reading only-if vehicle is over 10 mph license plate numbers are taken down and some departments will send warning notice; Chief Starbuck would like to research more about the program-several agencies are doing it but would like to learn more about potential liabilities or downsides to the program; shared concerns about potential for confrontations when citizens aren't aware of the program
 - Alderman Coleman asked if the radar trailer or radar signs are preferred; trailer units can be moved but are easily damaged; signs have a shorter battery life
- Alderman Nancy Totton
 - Asked Chief to provide rules for businesses participating in neighborhood watch program; Chief will see if there are guidelines to follow
 - Thanked people of her neighborhood as well as the Grain Valley School District baseball team who helped with cans
 - Thanked Public Works Department for their work
- Alderman Yolanda West
 - None

ELECTED OFFICIALS PRESENT	ELECTED OFFICIALS ABSENT	STAFF OFFICIALS PRESENT
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Regular Session

03/26/2018
PAGE 9 OF 11

- Alderman Chris Bamman
 - Candidate Forum is tomorrow evening
 - Next school Board meeting is on April 12th and Jared English will be sworn in
 - General Election will have a bond issue for an expansion to the high school
- Alderman Jeff Coleman
 - Asked staff to look into pothole in front of Papa Murphy's Pizza; staff have already been in contact with MODOT and are asking MODOT to consider concrete instead of asphalt

ITEM XVIII: MAYOR REPORT

- Discussed possibility of adding a crosswalk signal on Main Street with increase in business
 - It is easier to add crosswalk at Walnut and Main as the railroad isn't a factor
 - Mr. Arroyo shared approval from MODOT can take several months
 - Mayor Todd estimated this would cost approximately \$29,000
 - Alderman Totton shared concerns about traffic on Front Street; Alderman Arnold asked if any negative issues would come from not providing both crossings (Front and Walnut); Alderman Headley asked if it was required with the parking lot by Front Street; crosswalk is currently present but without a signal, cars are not stopping; makes most sense to have crossing at Front street but the process with the railroad needs to be determined
 - Mr. Arroyo will begin the process with both MODOT and the railroad and see what options are available
- Citizens have asked about a crosswalk at Armstrong Park, crossing over Buckner Tarsney; discussion occurred about signage pointing community members to the current crosswalk closer to 40 HWY; Alderman Coleman didn't think signage would help; Mayor Todd would like to make an attempt to direct people to the crosswalk

ITEM XIX: EXECUTIVE SESSION

- Mayor Todd stated a need to hold an Executive Session for Legal Actions, Causes of Action of Litigation Pursuant to Section 610.021 (1), Leasing, Purchase or Sale of Real Estate Pursuant to Section 610.021(2), RSMo. 1998, as Amended, 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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 Regular Session

03/26/2018
PAGE 10 OF 11

- *Alderman Headley moved to close the Regular Meeting for items related to Sections 610.021(1), 610.021(2), and 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:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-MOTION CARRIED: 6-0-

-THE REGULAR MEETING CLOSED AT 8:06 PM

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

-MOTION CARRIED: 6-0-

-THE REGULAR MEETING OPENED AT 10:42 PM

ITEM XX: ADJOURNMENT

- The meeting adjourned at 10:43 P.M.

ELECTED OFFICIALS PRESENT	ELECTED OFFICIALS ABSENT	STAFF OFFICIALS PRESENT
Mayor Mike Todd		City Attorney Matt Geary
Alderman Dale Arnold		City Administrator Ryan Hunt
Alderman Chris Bamman		Assistant City Administrator Ken Murphy
Alderman Jeff Coleman		City Clerk Theresa Osenbaugh
Alderman Bob Headley		Community Development Director Rick Arroyo
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 Regular Session

03/26/2018
 PAGE 11 OF 11

Minutes submitted by:

 Theresa Osenbaugh
City Clerk

 Date

Minutes approved by:

 Mike Todd
Mayor

 Date

Non-Official Copy

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