



CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

08/28/2017
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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 August 28, 2017 at 7:02 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 Darryl Jones

ITEM IV: PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance was led by Alderman Dale Arnold

ITEM V: APPROVAL OF AGENDA

- No Changes

ITEM VI: PROCLAMATIONS

- None

ITEM VII: CITIZEN PARTICIPATION

- Rayefield Turner, 304 SW Crestview Drive shared concerns about contractors not following employment eligibility laws; would like City to start requesting additional paperwork; Mayor Todd asked for clarification regarding the City's responsibility in the situation brought forth; City Attorney Matt Geary confirmed that immigration enforcement is a federal responsibility; Chief Starbuck has met with Mr. Turner previously, has met with the company concerned and the complaint was provided to Immigration and Customs Enforcement (ICE)

ITEM VIII: CONSENT AGENDA

- August 14, 2017 – Board of Aldermen Regular Meeting Minutes
- August 28, 2017 – Accounts Payable
- August 28, 2017 – Police Destruction Certificate

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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- *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 X: PREVIOUS BUSINESS

- Stop Sign Placement Discussion
 - Alderman Arnold previously inquired about adding four-way stops to the intersections of Montana Ridge and Stockman Drive, Montana Ridge and Hillsboro Drive, and Nelson and Lee Ann Drive
 - Mr. Arroyo provided a memo to the Board with data collected in a study of these roads, based of the Manual Uniform Traffic Control Devices; volume, type of vehicle, speed of traffic and other data was collected; accident data was also reviewed; traffic volumes did not meet the guidelines for four-way stops at these intersection
 - Mr. Arroyo noted stop control is not looked at for speed control; stop control is used for traffic flow and proper turning times; purpose of this study is to see if the traffic volumes meet conditions for stop sign placements
 - Mr. Arroyo pointed out when pulling onto Montana Ridge from Hillsboro, heading south, there could be a site distance issue if speed is posted at 30 mph; in this case, a four way stop would be recommended because site distance is not great enough for travel at that speed; if speed is posted at 25 and enforced at 25 then site distance is not a problem and no stop signs are needed; it is not uncommon for roads to be designed at one speed but posted at a lower speed; Montana Ridge is a street that people feel comfortable driving at a speed faster than what is posted; Mr. Arroyo recommends that speed remain posted at 25 mph
 - Alderman Totton asked if roads discussed were strictly residential; Montana Ridge is a collector, others are residential streets
 - Traffic volumes were increased by a recognized standard of 25% to account for pedestrian and bicycle traffic
 - Speeding is occurring on these roads but this study determines if a four way stop will help in this situation and it is not recommended as a solution
 - Alderman Bamman asked about liability to the City if stop signs are placed where

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 Chief David Starbuck Parks & Recreation Director Shannon Davies Finance Director Cathy Bowden
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they aren't recommended; when you divert from recommended design process there is potential for liability

- Alderman Arnold would like more time to review the documents provided; although documents don't recommend the stop signs, the Board can still make the decision to place the stop signs; history shows it is a safety issue and people are speeding
- Alderman Arnold believes at least one stop sign on Montana Ridge is warranted and the intersection at Nelson has had a stop sign in the past; when the stop sign was removed at Nelson, speeds increased
- Alderman Arnold felt that controlling speed with speed humps had budget concerns and liability; stop sign placement would alleviate concerns for less long-term expense
- Alderman Arnold would like to see stop sign placement occur; next step is for the Board to make a decision but with the information just being presented, a decision does not have to be made immediately

ITEM X: NEW BUSINESS

- None

ITEM XI: PRESENTATIONS

- Sni Valley Fire Protection District
 - City Administrator Hunt introduce Chief Scarborough with the Sni Valley Fire Protection District; Chief Scarborough has been in his position for almost a year and was with Central Jackson County Fire Protection District previously
 - Sni Valley Fire Protection District covers the territory within Grain Valley's potential growth area; Sni Valley Fire Protection District is directly to the East of Grain Valley's current district and covers nearly 80 square miles of land
 - Mr. Hunt and Chief Scarborough have remained in touch to sustain relationships as the City grows
- Fire Engine Design
 - Jonathan Bowyer with Fire Engine Design gave a presentation; Fire Engine Design is the firm the Grain Valley School District has retained for their rebranding
 - Mr. Bowyer noted that the firm brings more than a logo; the firm also brings brand identify with a focus on how the City of Grain Valley wants to be portrayed moving forward over the next five to seven years; elements are situated to gradually replace current brand on things such as business cards, vehicles, etc.;

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- process takes two to three months for initial phase; examples were provided
- Alderman Coleman asked why focus five to seven years in the future; Mr. Bowyer shared it could be even longer (ex: decade) for a City and the brand would likely last approximately that long before needing to be refreshed
- Alderman Headley questioned how long the process would take; process would take 8-10 weeks
- Alderman West asked the average cost; approximately \$7,500 would be the cost
- Alderman Totton asked about samples; Mr. Bowyer will provide samples electronically
- Mr. Hunt asked for the deliverable at the end of project; deliverable is digital files in various formats (print, website, etc.) and a guideline for using the brand asset as well as an elevator speech for the City
- Alderman Bamman felt the proposal addressed branding, growth, and economic development
- Mayor Todd asked if the firm has ever worked with a municipality; Mr. Bowyer hasn't seen a municipality in his tenure but is confident that someone in the firm has worked with a municipality in the past

ITEM XII: PUBLIC HEARING

- Mayor Todd opened the Public Hearing for the Community Improvement District- Northwest Corner of I-70 and Buckner Tarsney at 7:51 p.m.-

- Ms. Jennifer Baird with Lauber Municipal Law located at 250 NE Tudor Road, Lee's Summit MO, presented to the Board of Alderman the petition to establish the Village of Grain Valley Community Improvement District (CID) at the NW corner of I-70 and Buckner Tarsney Road; lots are currently vacant and located in Project Area 3 of the TIF
 - SMAS Investors, sole owner, filed petition on August 1st; funding mechanism will be in the form of a sales tax; term is for 20 years; blight determination was made in 2010 with TIF;
 - Ms. Lauber reviewed the reimbursement costs; improvements are primarily in order to get site ready for development; includes grading, sewer lines, etc.; proposal allows the district to retain the full 1% tax; currently Project area 3 is not activated and collecting any Payment-in-Lieu-of-Tax (PILOT) or Economic Activity Taxes (EATs)
 - Springsted Incorporated analyzed if the City could still make payment on bonds for the interchange improvement attributed to Project Area 3 without the CID

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sales tax; Springsted was conservative with numbers but still felt enough revenue was generated to pay the debt service

- Ms. Lauber shared the next steps are to approve ordinance and then move into a cooperative agreement
- Alderman Totton asked what businesses will occupy the site; restaurants and/or retail are being sought for the site
- Spencer Thomson, Thomson Walker Law Firm, 4700 Belleview Avenue, Suite 404 Kansas City, MO addressed the Board on behalf of the developer; discussions are occurring with multiple potential users for the site and most tend to be restaurant users;
- Alderman Bamman asked how the blight determination was made; Board of Aldermen made that determination in 2010
- Alderman Arnold asked what would happen if the money generated did not cover the costs presented; the developer takes the risk and there is no obligation from the City; the CID gives authority to tax up to 1% on sales within the CID; if citizens have an objection to the tax they can choose to not shop the district; developer pays costs up front and seeks reimbursement once operating sales are occurring
- Alderman Arnold expressed concern giving up the funds; currently there is no economic activity occurring and the value of the property is not at what it would be if development were to occur; Mr. Thomson explained that by approving the CID, development will be spurred and only the CID portion of Project Area 3 will be effected; Mr. Hunt explained that the City does not plan to assume any additional risk and are just funding road improvements with surrounding project areas; the only way the project will work without additional TIF funds is to give the recapture back to the developer; Mayor Todd felt it was a win-win as it was encouraging retail development;
- Alderman Headley asked if another developer could request a CID for the rest of the project area; additional CIDs could be created later
- Mr. Hunt informed the Board that conservative numbers were used to make sure that the City was not overcommitting on the repayment of the TIF
- Alderman Totton asked how many businesses were being considered; land is about 5.5 acres and with parking requirements and there is an existing billboard on site that isn't owned by the developer and design will have to be made around that
- Alderman West asked the timeframe being considered; developer would like to move as quickly as possible but a full build-out will likely take two to three years
- Alderman Bamman asked for next steps; next is to allow for public comment and then move into approving the ordinance
- Alderman Arnold asked about the timeline limitation; remaining areas must be activated by 2020

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Mayor Todd opened the floor to citizens for comment:

- Rayefield Turner, 304 SW Crestview Drive, Grain Valley Missouri shared concerns about using taxpayer money for startup costs
- Mike Switzer, 210 Cannon Street, Grain Valley Missouri asked for clarification on the difference between Project Area 2 and Project Area 3; 9.6% will be the sales tax in the CID and all the TIF money will come to the City

- Mayor Todd closed the Public for the Community Improvement District- Northwest Corner of I-70 and Buckner Tarsney at 8:32 p.m.-

- Mayor Todd opened the Public Hearing for establishing the Grain Valley Property Tax Levy at 8:33 p.m.-

- Ms. Bowden presented to the Board of Aldermen regarding the Property Tax Levy
 - Tax valuation received from Jackson County is approximately 194 million which is an increase of about 6% over last year; proposing tax levy remains at rate of 1.7294; rate could be as high as 2.0667 but the City has been fiscally diligent and believes it can operate under the same rate; revenue supports general fund, park fund, public health fund and debt service fund; every penny of increase in the levy increases revenue about \$19,000
- Alderman Bamman asked for confirmation that by leaving the rate the same, those paying taxes would still see increased amounts; values have gone up so amounts will increase slightly; Alderman Bamman asked what the levy rate would be to stay revenue neutral; City Administrator Hunt shared that it would drop about ten cents, however, with the steep growth trend the City is experiencing the funds will need revenue growth as well; Ms. Bowden noted that a City must have increased revenue in order to provide increased services
- Alderman Totton questioned where the growth being discussed is occurring; over 100 new homes will be built this year; homes are being sold as quickly as they are being built

Mayor Todd opened the floor to citizens for comment:

- No Comments

- Mayor Todd closed the Public Hearing for establishing the Grain Valley Property Tax Levy at 8:38 p.m.-

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Alderman Jeff Coleman		City Clerk Theresa Osenbaugh
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ITEM XIII: ORDINANCES

Bill No. B17-14: An Ordinance Establishing the Zoning for Certain Land in Grain Valley as R-1 Single Family for Logan Sousley and Larry Yancik

City Attorney Matt Geary read **Bill No. B17-14** for its second reading by title only

- *Alderman Arnold moved to accept the second reading of **Bill No. B17-14** making it Ordinance #2416*
- *The Motion was Seconded by Alderman Headley*
 - No Discussion
- *Bill No. B17-14 was voted upon with the following roll call vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-BILL NO. B17-14 BECAME ORDINANCE #2416: 6-0-

Bill No. B17-15: An Ordinance Approving a Petition to Establish the Village of Grain Valley Community Improvement District

City Attorney Matt Geary read **Bill No. B17-15** for its first reading by title only

- *Alderman West moved to accept the first reading of **Bill No. B17-15** bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Headley*
 - This is the first read of the ordinance that would approve the Community Improvement District for which the Public Hearing was just held
- *Bill No. B17-15 was voted upon with the following voice vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-BILL NO. B17-15 APPROVED FOR A SECOND READING: 6-0-

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 Mayor Mike Todd
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 Alderman Nancy Totton
 Alderman Yolanda West

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Bill No. B17-16: An Ordinance to Establish the City of Grain Valley, Missouri's Annual Tax Levies for the 2017 Calendar Year for General Municipal Government Operations; the Retirement of General Obligation Debt; Park Maintenance; and Public Health Purposes

City Attorney Matt Geary read **Bill No. B17-16** for its first reading by title only

- *Alderman West moved to accept the first reading of **Bill No. B17-16** bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Arnold*
 - This is the first read of the ordinance approving the Grain Valley Tax Levy for which the Public Hearing was just held, setting levy at same rates as previous year
- *Bill No. B17-16 was voted upon with the following voice vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-BILL NO. B17-16 APPROVED FOR A SECOND READING: 6-0-

Bill No. B17-17: An Ordinance Annexing Certain Adjacent Territory into the City of Grain Valley, Missouri for Justin Larkin

City Attorney Matt Geary read **Bill No. B17-17** for its first reading by title only

- *Alderman Arnold moved to accept the first reading of **Bill No. B17-17** bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman West*
 - Ordinance will annex property just north of Greystone Subdivision; public hearing occurred on August 14th, 2017
 - Alderman Arnold asked if this annexation could stipulate the property be limited to single family development; Mr. Murphy shared that zoning isn't established at this time; City Attorney Matt Geary advised that this should be established during the zoning process; Mr. Murphy showed that the preliminary plan is mixed used with the possibility for commercial along Buckner Tarsney
 - Alderman Arnold referred to a previous property that was annexed and a discussion around it being single versus multi-family housing
 - Mayor Todd asked if land was annexed and the developer asks for a zoning that the Board does not agree with, can the developer claim the Board is hurting the value of the property; Mr. Geary explained that once annexed, the City has full

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statutory authority to set the zoning

- Alderman Arnold addressed Mr. Larkin regarding his intention for the property; Mr. Larkin shared that the plan is for single family homes
- *Bill No. B17-17 was voted upon with the following voice vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-BILL NO. B17-17 APPROVED FOR A SECOND READING: 6-0-

Bill No. B17-18: An Ordinance Amending Chapter 635 of the Code of Ordinances of the City of Grain Valley, Missouri, Pertaining to Peddlers and Solicitors Regulations

City Attorney Matt Geary read **Bill No. B17-18** for its first reading by title only

- *Alderman Totton moved to accept the first reading of Bill No. B17-18 bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Bamman*
 - Ordinance provides for an amendment of the Peddler/ Solicitor code based on multiple complaints of aggressive solicitors in the City; amendment provides more specifics prohibitions and more clarifications on issuance of ID cards
 - Mr. Geary recommends an addition that provides an appeal procedure through written application if a denial or revocation occurs; exhibit provided outlines new language to be included; City Attorney Jim Cook identified that there was no process for appeal after the agenda was already distributed; first read can be approved with language added for the second read or the ordinance can be tabled for a first read at the next meeting
 - Alderman Arnold questioned who has the authority for a revocation if the Chief wasn't available such as during weekends or on vacation; Mr. Geary noted that whoever is acting as Chief of Police would by default have this authority
 - License was originally issued for a period of one year, changes now limit licenses to be issued for 120 days
- *Bill No. B17-18 was voted upon with the following voice vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-BILL NO. B17-18 APPROVED FOR A SECOND READING: 6-0-

ELECTED OFFICIALS PRESENT	ELECTED OFFICIALS ABSENT	STAFF OFFICIALS PRESENT
Mayor Mike Todd		City Attorney Matt Geary
Alderman Dale Arnold		City Administrator Ryan Hunt
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ITEM XIV: RESOLUTIONS

Resolution No. R17-33: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Reappointing Joe Panza to the Board of Zoning Adjustment For a Five Year Term

- City Attorney Matt Geary read **Resolution No. R17-33** by title only
- *Alderman Arnold moved to accept Resolution No. R17-33 as read*
- *The Motion was Seconded by Alderman Totton*
 - No Discussion
- *Resolution No. R17-33 was voted upon with the following voice vote:*
 - *Aye: Arnold, Bamman, Coleman, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R17-33 Approved: 6-0-

ITEM XV: CITY ATTORNEY REPORT

- None

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ryan Hunt
 - Truman Heartland Dinner will be on October 14th; headcount was taken for attendance at the event
- Assistant City Administrator Ken Murphy
 - City View will be arriving in the mail this week
- Community Development Director Rick Arroyo
 - Work will begin at the Sni-A-Bar traffic circle
- Finance Director Cathy Bowden
 - None
- None City Clerk Theresa Osenbaugh
 - None
- Chief David Starbuck
 - Catherine Reynolds has been hired as the Grain Valley victim advocate; still recruiting for a part-time victim advocate
- Parks and Recreation Director Shannon Davies
 - Construction has started on Phase I of the veteran's tribute at Butterfly Trail

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ITEM XVII: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Dale Arnold
 - None
- Alderman Chris Bamman
 - School year is off to a good start; district is moving forward with additions to Early Childhood Center and Central office; RFQ has been put out for an upcoming bond issue for the next phase of the high school
- Alderman Jeff Coleman
 - Mr. O’Hare, Ward 3 resident, has brought forth a concern regarding a nuisance property and an absent property owner behind his home; developer has decided not to pursue construction and grass has become a nuisance; Alderman Coleman requested the City mow the property twice per year
 - Park Board had previously decided they did not want to pursue obtaining the property when it was presented as an option
 - Alderman Arnold reminded the Board that there is a process for abatement which would recoup costs but without following that process, the City would be entering on private property
 - Mr. Hunt shared that the City has followed the abatement process but it only allows for mowing 20 feet from adjacent owners; two liens are currently against the property and a third will be coming
 - Mr. Geary advised that the abatement procedures need to be followed; City cannot mow property without owner’s permission, outside of the abatement process
 - Property is 16 acres and 20 foot perimeter has been mowed-any more than that will be time consuming and costly
 - Alderman Coleman shared concerns about property directly South of the lake and would like to commit to mowing that portion only; Mayor Todd asked if the City can mow more than the 20 foot perimeter as stated in the ordinance; Mr. Geary clarified two scenarios- one is abating a nuisance and the other is mowing private property because it is an eyesore; nuisances can include more than high grass (ex: rodents); Alderman Coleman clarified that this is more than high grass and includes rodents and snakes coming into yards; Mr. Geary said if mowing without permission then the City must follow the ordinance; Mr. Hunt did not feel that mowing further back will take care of this issue and the use of public funds is not appropriate in this situation; Alderman Coleman felt since the owner is not taking responsibility and there are liens on the property this

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instance warrants intervention; discussion ensued regarding foreclosure of the property due to the liens

- Mr. Murphy has reached out to the property owner in the past and was under the impression that the owner no longer wanted the property; Mayor Todd asked what the hesitation as for the Park Board to take over the property; it would cost more to upkeep the property than what is brought in over extended period of time in taxes; recreational value versus maintenance costs were not equal
- Aldermen West asked if the HOA was interested in the land; Mr. O’Hare was not sure if the HOA was interested in the land
- Mr. O’Hare felt the City allowed a hole to be dug when the movie theater was being built and now would like the problem to be taken care of; Mr. O’Hare reviewed the Code of Ordinances and believes the City is responsibility to manage the problem
- Alderman Coleman asked to take a vote regarding mowing the property; Mr. Geary stated there is nothing to vote on
- Alderman Totton expressed a similar situation in her neighborhood
- Property owner can be cited if ordinance violations are found but if the owner lives out of state, serving the citation can be difficult; Mr. Geary reminded the Board that public funds cannot be used for a private purpose
- Alderman Coleman asked that a report be brought back to the next Board meeting
- Alderman Headley asked if the property could be fixed so it is valuable in the future
- The abatement process and the taxes will be reviewed and the City will reach out to the property owner- a report will be brought back to the September 25th meeting
- Streets in Creekside Village are narrow; during school pick up and drop off it has been requested that parking is only allowed on one side of the street; the kids have to walk to the main road to get on the bus because the bus cannot make it down the roads
 - Alderman Arnold noted that emergency equipment has issues with the roads as well
 - Mayor Todd would like all homeowners notified if a change is made; Mr. Arroyo shared the process-typically a petition needs to be made and if approximately 70% of homeowners are in favor, the change can be made; a petition doesn’t have to made and the City can bring forth an ordinance

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- Alderman Arnold noted there are several areas in town that have this issue
 - Alderman Bob Headley
 - None
 - Alderman Nancy Totton
 - Thanked the citizens
 - Alderman Yolanda West
 - None

ITEM XIII: MAYOR REPORT

- Grain Valley Fair will be on the 8th and 9th; KMBZ will be live on the 8th from 10AM-6PM; parade is at 1:00pm on the 9th and City has a float; over 80 vendors will be at the fair; baby and toddler contest has had a large number of entries

ITEM XIX: EXECUTIVE SESSION

- None

ITEM XX: ADJOURNMENT

- The meeting adjourned at 9:33 P.M.

Minutes submitted by:

 Theresa Osenbaugh
City Clerk

 Date

Minutes approved by:

 Mike Todd
Mayor

 Date

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
 Chief David Starbuck
 Parks & Recreation Director Shannon Davies
 Finance Director Cathy Bowden