



CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
Regular Session

10/08/2018
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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 October 8, 2018 at 7:02 p.m. in the Council Chambers located at Grain Valley City Hall
- The meeting was called to order by Mayor Todd

ITEM II: ROLL CALL

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

-QUORUM PRESENT-

ITEM III: INVOCATION

- Invocation was given by Wayne Geiger

ITEM IV: PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance was led by Alderman West

ITEM V: APPROVAL OF AGENDA

- None

ITEM VI: PROCLAMATIONS

- None

ITEM VII: CITIZEN PARTICIPATION

- None

ITEM VIII: CONSENT AGENDA

- September 24, 2018 – Board of Aldermen Regular Meeting Minutes
- September, 2018 – Court Report
- October 8, 2018 – Accounts Payable
- *Alderman West made a Motion to Approve the Consent Agenda*
- *The Motion was Seconded by Alderman Bamman*
 - No Discussion
- *Motion to Approve the Consent Agenda was voted on with the following voice vote:*
 - *Aye: Bamman, Coleman, Stratton, Totton, West*
 - *Nay: None*

ELECTED OFFICIALS PRESENT

Mayor Mike Todd
Alderman Chris Bamman
Alderman Jeff Coleman
Alderman Jayci Stratton
Alderman Nancy Totton
Alderman Yolanda West

ELECTED OFFICIALS ABSENT

Alderman Bob Headley

STAFF OFFICIALS PRESENT

City Attorney Jim Cook
City Administrator Ryan Hunt
Assistant City Administrator Ken Murphy
City Clerk Theresa Osenbaugh
Community Development Director Rick Arroyo
Finance Director Cathy Bowden
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- *Abstain: None*

-MOTION APPROVED: 5-0-

ITEM IX: PREVIOUS BUSINESS

- Outerbelt Entertainment, LLC Liquor License
 - City Administrator Hunt reintroduced the discussion regarding Outerbelt Entertainment, LLC’s request for liquor license; City Clerk Osenbaugh recapped the requested license
 - Chief Beale passed out a document entitled “Whiskey Tango Improvement Plan Agreement” to the Board of Aldermen, the applicant, and the applicant’s legal representation, Mr. Curtis Holland; City Administrator Hunt informed the Board of Aldermen that the items listed would outline the probationary period and help to define what would be considered successful; document captures the items discussed throughout the process of this license application and is given for the Board of Aldermen’s consideration; original recommendation was made by Chief Beale to deny the license and that recommendation has since been withdrawn; Chief Beale has confirmed his recommendation to allow applicants to come back to the Board of Aldermen and seek the license
 - Alderman Bamman clarified that tonight’s action would be a vote on a Class M (3AM) as there is no interest by the applicants to receive a license which only allows the sale of alcohol until 1:30AM; motion this evening needs to encompass the varying viewpoints and opinions when deciding a vote
 - Alderman Coleman asked Chief Beale to clarify the change of position regarding the license recommendation; Chief Beale confirmed that he recommends moving forward with the license at this time; Alderman Coleman asked what the reason is that the position has been changed; Chief Beale provided that additional information received since the recommendation answers the concerns initially found; concerns about the definition of what constitutes a charge versus violation was a main issue
 - Alderman Coleman shared one of his biggest concerns has been that the facility has taken a lot of resources from the police department; Aldermen Coleman asked Chief Beale if enough information was provided to maintain confidence that those resources would not be as tied up moving forward; Chief Beale noted that a relationship was established with the applicants and this will have to continue by meeting quarterly; applicants have agreed to be cooperative and they will be held accountable to the information on the agreement
 - Mayor Todd asked if the agreements are not met to the satisfaction of the Board

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of Aldermen what repercussions exist; Alderman Bamman asked if this becomes an addendum to the license and if the changes listed will be in place before business is open or if not, what the time frame for the improvements is; City Attorney Cook felt some of the items listed were to be expected of all applicants, however putting time frames and dates on the document provides for accountability; if license is granted, given the background with the prior operator of the establishment, you can attach the agreed upon improvements and make these improvements a condition of the license; Municipal Code provides for a probationary period but Whiskey Tango has not been a typical business in the past; City Attorney Cook is comfortable with the document if some perimeters are placed with it

- Mr. Curtis Holland, Polsinelli and representative for the applicants addressed the Board of Aldermen sharing that the applicants are agreeable to the improvement plan document provided; the goal is to clean up the establishment and not have the issues that have been seen in the past; applicants understand that a 6 month probationary term exists and recognize that the 3AM license could become in jeopardy; 3AM license is very important to the business model; goal is to start improvements immediately-some can be accomplished quickly and others will need the City’s cooperation; 30-90 days with cooperation is reasonable; Mayor Todd clarified the applicants would be comfortable with 90 days to make the improvements; City Administrator Hunt felt the intention wasn’t for measurables to be completed before the opening but the City should anticipate seeing some movement forward on the items during the probationary period; progress can be addressed during quarterly meetings with Chief Beale; Mr. Holland clarified that the applicants can’t address the improvements until the business is purchased and the applicants won’t purchase the business until the license is approved; to move forward a good faith effort is needed from both parties; applicants are willing to meet monthly if that is necessary
- Alderman Totton had concerns about the weather interfering with completing the improvements during the winter; Mayor Todd suggested a 6 month probationary period with the license presented for renewal in July; if movement hasn’t been seen on improvements by that time then the license does not have to be renewed in July; City Attorney Cook recommended against a deadline of July 1st and felt some improvements should be immediate such as removing oversized cocktails and completing training; some will take more time but deadlines are necessary and they shouldn’t go longer than 6 months; some should be immediate-City Attorney Cook would prefer to see deadlines set in the 30-60 day range

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- Alderman Bamman asked if the city is culpable if occurrences happen; City Attorney Cook noted that the City could be sued for almost anything but is comfortable that the City is doing everything that it can as a governmental body and there is a certain immunity; the City is not ignoring the issues so a lawsuit could happen but City Attorney Cook is comfortable with the steps taken that the City would be protected as they haven't been negligent
- Mr. Holland reminded the Board of Aldermen that there is a license already on the property and it will remain for the rest of the license year; approving the applicants license will provide a chance for new owners to step in and make changes
- Alderman Totton asked how long it will take to get a fence and lightening completed; Mayor Todd suggested that items on the Whiskey Tango Improvement Plan Agreement listed under "Outside of Business" be completed within 6 months of license issuance, items listed under "Inside Of Business" be completed within 30 days of license issuance, items listed under "Employees" be completed within 30 days of license issuance and items listed under "Owner's Agreement" be adhered to from the date the license is issued and beyond; training provided by the State will need to be set up by Chief Beale; Mr. Holland agreed to those stipulations
- Alderman Coleman brought forth a discussion regarding meeting monthly or meeting quarterly; Chief Beale prefers to meet quarterly
- Alderman Stratton asked if a 1:30 license was approved would the probation period apply; City Attorney Cook felt it would be difficult to approve anything less than what was been applied for and would be uncomfortable approving the license only in partial; Mayor Todd clarified that the motion needs to approve all classes requested or none
- *Alderman Coleman made a Motion to Approve the Liquor License Application for Outerbelt Entertainment, LLC to include a 6 month probationary period and adherence to the Whiskey Tango Improvement Plan Agreement*
- *The Motion was Seconded by Alderman Totton*
 - No Discussion
- *Motion to Approve the Liquor License Application for Outerbelt Entertainment, LLC to include a 6 month probationary period and adherence to the Whiskey Tango Improvement Plan Agreement was voted on with the following voice vote:*
 - *Aye: Coleman, Totton, West*
 - *Nay: Bamman, Stratton*

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-MOTION APPROVED: 3-2-

ITEM X: NEW BUSINESS

- None

ITEM XI: PRESENTATIONS

- None

ITEM XII: PUBLIC HEARING

- None

ITEM XIII: ORDINANCES

Bill No. B18-17: An Ordinance Approving the Final Plat of Rosewood Hills 9th Plat, Phase A

City Attorney Jim Cook read **Bill No. B18-17** for its second reading by title only

- *Alderman Totton moved to accept the second reading of **Bill No. B18-17** making it Ordinance #2444*
- *The Motion was Seconded by Alderman West*
 - Approval of final plat for Rosewood 9th Plat
- *Bill No. B18-17 was voted upon with the following voice vote:*
 - *Aye: Bamman, Coleman, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B18-17 Became Ordinance #2444: 5-0-

ITEM XIV: RESOLUTIONS

Resolution No. R18-42: A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the Write Off of Doubtful Utility Account Balances

- City Attorney Jim Cook read **Resolution No. R18-42** by title only
- *Alderman West moved to accept Resolution No. R18-42 as read*
- *The Motion was Seconded by Alderman Coleman*
 - Resolution reflects utility billing account balances from 2012 and 2013; this is a housekeeping item to identify balances that collection is doubtful for; total amount of uncollected balances from presented years is \$44,317.15

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Alderman Bob Headley

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- Alderman Stratton asked for clarification on what makes an account uncollectable; accounts listed have been submitted to the collection agency and haven't been collected on to this point; receivables need to be brought down to a true number; the money in discussion was due 5-6 years ago; the longer the balances are held as uncollectable the more artificially inflated the receivables become; a lot of the accounts are likely from those who have moved and didn't pay their final water bills; these accounts have been with collection agencies for 5-6 years and are unlikely to be collected at this point
- *Resolution No. R18-42 was voted upon with the following voice vote:*
 - *Aye: Bamman, Coleman, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R18-42 Approved: 5-0-

ITEM XV: CITY ATTORNEY REPORT

- None

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ryan Hunt
 - City Administrator Hunt provided the Board of Aldermen with a letter received from Central Jackson County Fire Protection District; SB870 authorized fire protection districts to set the rate at which they would participate in projects
 - City Administrator Hunt provided an overview of the types of projects SB870 affects; Chapter 99 authorizes TIF; Chapter 100 is for Industrial Development Bonds; Chapter 353 is for Urban Development Cooperation projects where blight is used
 - City Administrator Hunt reviewed the letter from Chief Grote; Central Jackson County Fire Protection District decided to increase their tax incentive reimbursements, effective August 29, 2018 to the following:
 - Chapter 99: 75%
 - Chapter 100: 75%
 - Chapter 353: 75%
 - Central Jackson County will hold 75% of any economic development project new to the city or amended from August 29, 2018 forward
 - Board of Aldermen Budget Workshop will be held on October 29th at 6:00PM in the Winona Burgess room of the Grain Valley Community Center
 - November 12th Board of Aldermen meeting has been rescheduled for November

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Mayor Mike Todd	Alderman Bob Headley	City Attorney Jim Cook
Alderman Chris Bamman		City Administrator Ryan Hunt
Alderman Jeff Coleman		Assistant City Administrator Ken Murphy
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13th due to the observation of Veterans Day

- Assistant City Administrator Ken Murphy
 - None
- Parks & Recreation Direction Shannon Davies
 - None
- Community Development Director Rick Arroyo
 - Household Hazardous Waste program will be held on October 20th at the Jackson County Public Works Facilities; accepting mostly paint and chemicals; electronics are not accepted
- Finance Director Cathy Bowden
 - None
- Interim Chief of Police James Beale
 - None
- City Clerk Theresa Osenbaugh
 - None

ITEM XVII: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Chris Bamman
 - None
- Alderman Jeff Coleman
 - None
- Alderman Jacyi Stratton
 - None
- Alderman Nancy Totton
 - Raised \$600 for food pantries and thanked the race track for their participation
- Alderman Yolanda West
 - None

ITEM XVIII: MAYOR REPORT

- Mayor Mike Todd
 - None

ITEM XIX: EXECUTIVE SESSION

- Mayor Todd stated a need to hold an Executive Session for Hiring, Firing, Disciplining or Promoting of Employees (personnel issues), Pursuant to Section 610.021 (3), RSMo. 1998, as Amended and Individually Identifiable Personnel Records, Personnel Records, Performance Ratings or Records Pertaining to Employees or Applicants for Employment,

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Pursuant to Section 610.021 (13) RSMo 1998, as Amended

- *Alderman Coleman moved to close the Regular Meeting for items related to Section 610.021(3), RSMo. 1998, As Amended and Section 610.021 (13), RSMo. 1998, As Amended*
- *The motion was seconded by Alderman Totton*
 - No Discussion
- *The motion was voted on with the following roll call vote:*
 - *Aye: Bamman, Coleman, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-MOTION CARRIED: 5-0-

-THE REGULAR MEETING CLOSED AT 7:48PM-

- *Alderman Coleman 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:*
 - *Aye: Bamman, Coleman, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-MOTION CARRIED: 5-0-

-THE REGULAR MEETING OPENED AT 9:06 PM

ITEM XX: ADJOURNMENT

- The meeting adjourned at 9:07 P.M.

Non-Official Copy

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 Mayor Mike Todd
 Alderman Chris Bamman
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 Alderman Jayci Stratton
 Alderman Nancy Totton
 Alderman Yolanda West

ELECTED OFFICIALS ABSENT
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Minutes submitted by:

 Theresa Osenbaugh
City Clerk

 Date

Minutes approved by:

 Mike Todd
Mayor

 Date

Non-Official Copy

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