



CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
Regular Session

03/11/2019
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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 March 11, 2019 at 7:00 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, Bass, Headley, Stratton, Totton, West*
- *Absent:*

-QUORUM PRESENT-

ITEM III: INVOCATION

- Invocation was given by Jason Williams

ITEM IV: PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance was led by Alderman Headley

ITEM V: APPROVAL OF AGENDA

- None

ITEM VI: PROCLAMATIONS

- None

ITEM VII: CITIZEN PARTICIPATION

- None

ITEM VIII: CONSENT AGENDA

- December 12, 2018 – Planning and Zoning Meeting Minutes
- February 2019 – Court Report
- February 21, 2019 – Board of Aldermen Workshop Meeting Minutes
- February 25, 2019 – Board of Aldermen Regular Meeting Minutes
- March 11, 2019 – Accounts Payable
- *Alderman West made a Motion to Approve the Consent Agenda*
- *The Motion was Seconded by Alderman Totton*
 - No Discussion
- *Motion to Approve the Consent Agenda was voted on with the following voice vote:*
 - *Aye: Bamman, Bass, Headley, Stratton, Totton, West*

ELECTED OFFICIALS PRESENT

Mayor Mike Todd
Alderman Chris Bamman
Alderman Shea Bass
Alderman Bob Headley
Alderman Jayci Stratton
Alderman Nancy Totton
Alderman Yolanda West

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT

Deputy City Administrator Ken Murphy
City Clerk Theresa Osenbaugh
Finance Director Cathy Bowden
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Interim City Attorney Jeremy Cover



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- *Nay: None*
- *Abstain: None*

-MOTION APPROVED: 6-0-

ITEM IX: PREVIOUS BUSINESS

- Motion to Rescind Action Taken at the Meeting on 1/28/19
 - Mayor Todd advised the Board of Aldermen that the action taken to disengage the services of the City Attorney and City Prosecutor in closed session on 1/28/19 should have occurred in open session as the person in these roles is an independent contractor and not an employee of the City
 - *Alderman Headley made a Motion to Rescind the Action Taken in the Closed Session on January 28, 2019, to Disengage the Services of James Cook as the City's City Attorney and City Prosecutor*
 - *The Motion was Seconded by Alderman Stratton*
 - No Discussion
 - *Motion to Rescind the Action Taken in the Closed Session on January 28, 2019, to Disengage the Services of James Cook as the City's City Attorney and City Prosecutor was voted on with the following voice vote:*
 - *Aye: Bamman, Bass, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-MOTION APPROVED: 6-0-

- Mayor Todd informed the Board of Aldermen that by City Ordinance the City Attorney and City Prosecutor serve at the pleasure of the Board of Aldermen, and Missouri lawyer's ethics rules make clear that a client always has its choice of legal council; the Board of Aldermen may choose to end the services of its legal counsel at any time for any reason, or no reason at all; Board of Aldermen has decided to seek requests for qualifications for the City Attorney and City Prosecutor positions, bringing in an interim counsel in the process; proposals were due on February 28th and it is the hope that the decision for a decision to be made soon; with this assumption, a motion was entertained to disengage the services of James Cook as City Attorney and City Prosecutor
 - *Alderman Headley made a Motion to Disengage the Services of James Cook as the City's City Attorney and City Prosecutor*
 - *The Motion was Seconded by Alderman Bamman*
 - No Discussion
 - *Motion to Disengage the Services of James Cook as the City's City Attorney and City Prosecutor was voted on with the following voice vote:*

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- *Aye: Bamman, Bass, Headley, Stratton, Totton, West*
- *Nay: None*
- *Abstain: None*

-MOTION APPROVED: 6-0-

- Mayor Todd shared that this decision is not a punishment or poor reflection of Mr. Cook's service to the City

ITEM X: NEW BUSINESS

- None

ITEM XI: PUBLIC HEARING

-Mayor Todd Opened the Public Hearing for the Valley Speedway Conditional Use Permit at 7:06p.m.-

- Deputy City Attorney Murphy introduced Dennis ShROUT with Valley Speedway to the Board of Aldermen
- Mr. Murphy shared that sound tests would continue to occur and the permit sets the number of events as well as the start and end dates for the year based on the public meetings held in the past; the number of compliments have dwindled to a minimal amount; two sounds tests are conducted-one in the Spring and one in the Fall with at least 8 studies being conducted in total; all have been favorable
- Staff feels the current Conditional Use Permit is working but as it is the end of the 4 year period the permit needs to be brought back up for consideration; notices were sent to property owners within 185 feet and notification of public hearing was advertised in The Examiner
- Alderman Headley asked Mr. ShROUT to highlight the things that have been done since the original public hearings complaints are noticeably less than in years past; Mr. ShROUT shared that a curfew is met, mufflers are on all cars that meets the sound decibel requirements; Mr. ShROUT intends to adhere to the rules
- Alderman Totton shared that Mr. ShROUT is a good partner for her community efforts
- Alderman Stratton asked if there were any complaints besides the noise; Deputy City Administrator Murphy shared that the original permit didn't outline things such as dates for operation; Mr. ShROUT shared that a lot of issues were cleaned up that could happen occur under the old permit; Alderman Headley shared that there is a drag strip which is loud-this is not under Mr. ShROUT's control

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- Mr. Shrout shared that the booster club raised \$15,000 with the concession stand; Alderman Stratton asked when events come in are the same rules followed; the rules are the same

-Mayor Todd opened the floor to citizens for comment-

- No comments

-Mayor Todd Closed the Public Hearing for the Valley Speedway Conditional Use Permit at 7:15p.m.-

ITEM XII: ORDINANCES

Bill No. B19-06: An Ordinance Amending Section 115.270 of the Code of Ordinances of the City of Grain Valley, Missouri, Pertaining to the Municipal Judge Qualifications for Office

- City Attorney Jeremy Cover read **Bill No. B19-06** for its first reading by title only
- *Alderman Bass moved to accept first reading of Bill No. B19-06 bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Totton*
 - Deputy City Administrator Murphy shared that this cleans up the Municipal Code which does not match the age requirements listed in the state statute
- *Bill No. B19-06 was voted upon with the following voice vote:*
 - *Aye: Bass, Bamman, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B19-06 Approved for a Second Reading: 6-0-

Bill No. B19-07: An Ordinance Approving the Renewal of a Conditional Use Permit to Operate a Racetrack Facility at 348 East Old US 40 Highway

- City Attorney Jeremy Cover read **Bill No. B19-07** for its first reading by title only
- *Alderman Headley moved to accept first reading of Bill No. B19-07 bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Totton*
 - Deputy City Administrator Murphy reminded the Board of Aldermen that this is an ordinance to approve the Conditional Use Permit approved four years ago for an additional four year term; Mr. Shrout has requested that when the next four year period comes up it would be helpful to hold the renewal closer to the end of the

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season to allow for any adjustments to be made

- Alderman Bamman asked when the season start; season runs from April to October
- *Bill No. B19-07 was voted upon with the following voice vote:*
 - *Aye: Bass, Bamman, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B19-07 Approved for a Second Reading: 6-0-

Bill No. B19-08: An Ordinance Approving the Final Plat of Rosewood Hills 9th Plat, Phase B

- City Attorney Jeremy Cover read **Bill No. B19-08** for its first reading by title only
- *Alderman Headley moved to accept first reading of Bill No. B19-08 bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman Bamman*
 - Deputy City Administrator Murphy shared that in February of last year preliminary plats 8, 9, and 10 were approved; the 9th plat phase was split so this is 9th plat phase B and covers the land farthest north of the current subdivision; it will include 24 lots with another ingress/egress point on Dillingham and the trail will be continued on Dillingham
- *Bill No. B19-08 was voted upon with the following voice vote:*
 - *Aye: Bass, Bamman, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B19-08 Approved for a Second Reading: 6-0-

ITEM XIV: RESOLUTIONS

Resolution No. R19-13: A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the City Administrator to Purchase a John Deere Z997r Commercial Mower for use by Park Maintenance Staff for Daily Park Maintenance

- City Attorney Jeremy Cover read **Resolution No. R19-13** by title only
- *Alderman Stratton moved to accept Resolution No. R19-13 as read*
- *The Motion was Seconded by Alderman Headley*
 - *This is a budgeted item and was taken from the National Joint Powers Association contract which is competitively bid*
 - *Alderman Headley asked if the other tractor would be auctioned off; that will be*

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traded in and will bring \$6,000 back

- *Resolution No. R19-13 was voted upon with the following voice vote:*
 - *Aye: Bamman, Bass, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R19-13 Approved: 6-0-

Resolution No. R19-14: A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the City Administrator to Purchase a 2019 Ford F-350 for use by Park Maintenance Staff for Daily Park Maintenance

- City Attorney Jeremy Cover read **Resolution No. R19-14** by title only
- *Alderman Stratton moved to accept Resolution No. R19-14 as read*
- *The Motion was Seconded by Alderman Totton*
 - *Vehicle was approved in the 2019 budget and will replace a 2008 F250 that was due for replacement last year but was pushed off for one additional year*
- *Resolution No. R19-14 was voted upon with the following voice vote:*
 - *Aye: Bamman, Bass, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R19-14 Approved: 6-0-

Resolution No. R19-15: 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 Jeremy Cover read **Resolution No. R19-15** by title only
- *Alderman Totton moved to accept Resolution No. R19-15 as read*
- *The Motion was Seconded by Alderman Bass*
 - *Resolution is for annual grant funding which allows for extra officers on DWI and hazardous moving violations patrol*
- *Resolution No. R19-15 was voted upon with the following voice vote:*
 - *Aye: Bamman, Bass, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R19-15 Approved: 6-0-

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ITEM XV: CITY ATTORNEY REPORT

- None

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- Deputy City Administrator Ken Murphy
 - None
- Parks & Recreation Director Shannon Davies
 - None
- Finance Director Cathy Bowden
 - None
- Chief of Police James Beale
 - None
- City Clerk Theresa Osenbaugh
 - None

ITEM XVII: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Chris Bamman
 - None
- Alderman Bob Headley
 - Asked who is responsible for Tyer Road; some is the City; Tyer Road at the Outer Road has issues with the shoulder; Mr. Murphy will look at the area to see what can be done
- Alderman Jacyi Stratton
 - None
- Alderman Nancy Totton
 - None
- Alderman Bass
 - None
- Alderman Yolanda West
 - Asked Mr. Davies if the hours of the Community Center can be revisited; this was just changed in January after multiple years of evaluation; between utility use and staff labor a minimal amount of users were using the fitness center in the early morning hours and most of those customers were receiving free memberships

ITEM XVIII: MAYOR REPORT

- Mayor Mike Todd
 - None

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ITEM XIX: EXECUTIVE SESSION

- None

ITEM XX: ADJOURNMENT

- The meeting adjourned at 7:27 P.M.

Minutes submitted by:

 Theresa Osenbaugh
City Clerk

 Date

Minutes approved by:

 Mike Todd
Mayor

 Date

Non-Official Copy

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