



CITY OF GRAIN VALLEY
BOARD OF ALDERMEN MEETING MINUTES
 Regular Session

07/08/2019
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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 July 8, 2019 at 7:03 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 Jamie Logan called roll
- *Present: Bass, Cleaver, Headley, Stratton, Totton, West*
- *Absent:*

-QUORUM PRESENT-

ITEM III: INVOCATION

- Invocation was given by Khalilah Holland

ITEM IV: PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance was led by Alderman Headley

ITEM V: APPROVAL OF AGENDA

- No changes

ITEM VI: PROCLAMATIONS

- None

ITEM VII: CITIZEN PARTICIPATION

- Robert Delaet 1294 Phelps Drive discussed ongoing drainage issue at his daughter's home; Community Development Director Trosen visited the home on June 26 and reviewed engineering drawings, how it was constructed, how it was placed, how it is operating, and said that Public Works will continue to monitor this issue and make necessary improvements as needed
- Rayfield Turner 304 SW Crestview Drive shared his respect for the police department and all that they do; he has an issue with fireworks in the city being shot off in neighborhoods; shared information where he believes his neighbors are making their own fireworks; suggested fireworks should be done in a designated spot such as Monkey Mountain; he has a concern of homes catching on fire; Suggested he call the police department and report it when he suspects those shooting guns in celebration or making homemade fireworks

ELECTED OFFICIALS PRESENT

Mayor Mike Todd
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Jayci Stratton
 Alderman Nancy Totton
 Alderman Yolanda West

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT

Deputy City Administrator Ken Murphy
 Finance Director Steven Craig
 Chief James Beale
 Community Development Director Mark Trosen
 City Clerk Jamie Logan
 City Attorney Joe Lauber



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ITEM VIII: CONSENT AGENDA

- June 24, 2019 – Board of Aldermen Regular Meeting Minutes
- June 2019 – Court Report
- July 8, 2019 – Accounts Payable
- *Alderman West made a Motion to Approve the Consent Agenda*
- *The Motion was Seconded by Alderman Cleaver*
 - No Discussion
- *Motion to Approve the Consent Agenda was voted on with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-MOTION APPROVED: 6-0-

ITEM IX: PREVIOUS BUSINESS

- None

ITEM X: NEW BUSINESS

- None

ITEM XI: PRESENTATIONS

- None

ITEM XII: PUBLIC HEARING

-Mayor Todd Opened the Public Hearing for the zoning change of certain land from M-1 Light Industrial to C-2 General Commercial at 7:28 p.m.-

- The City became aware of work being done at a property, 206 Harris, in 2018; Applicant was notified what she was doing was not allowed by code due to zoning; Applicant applied for variance to the zoning regulations; Hearing conducted October 2018 before the Board of Zoning adjustment and the variance was denied; Applicant applied for conditional use permit to operate a bar and grill and this was not allowed due to code; Applicant applied again for a conditional use permit and public hearing was held; City’s legal counsel shared that the Planning and Zoning commission did not have authority per code to approve such a request, and applicant withdrew her request for a conditional use permit and applied for change in zoning; Applicant applied for a zoning change and the Planning and Zoning Commission did approve with a 3-2 vote with parking lot striping conditions; City Staff does not recommend spot zoning as a rule

ELECTED OFFICIALS PRESENT

Mayor Mike Todd
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Jayci Stratton
 Alderman Nancy Totton
 Alderman Yolanda West

ELECTED OFFICIALS ABSENT

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- Tina Brunner 206 Harris B stated she started this process in August 2018; her attorney stated she is rooted in the community and has ran a business here before; He said this zoning change request is not the same concern as if she was asking to put a bar and grill next to a daycare or similar; He said in a perfect world she wouldn't have put all the blood, sweat, tears into updating the place if she had known it wouldn't be allowed; Ms. Brunner said she's done all she's been asked to do by the Planning and Zoning Commission and she's asking for a chance; Ms. Brunner's attorney shared the property in question has traditionally been a bar and that she checked everything off the list that was asked of her; He said they could appeal if it was necessary

Mayor Todd opened the floor to citizens for comment:

- Dennis Shrout, property owner of building in question; said the property was originally built as a bar and restaurant and cannot be used for anything else; Ms. Brunner is going in the half that Bobby Lee's Bar was in; Alderman Totton asked if Dennis would allow people to use the street; Dennis shared it is not a through street and there is no trouble going in and out
- Allan Hanaway 408 Main; shared the building in question has always been a bar and grill and said it was off the beaten path and wants it to be considered for this use again
- Mayor paraphrased an email sent in from a citizen, Brandon Stewart, not in favor of the rezoning; In the past, when this property was a bar and grill, there was trash on the street, intoxicated individuals at his building, previous police activity at the building; If spot zoning is allowed, he could look to rezone his property to residential and rent his space out for more money than the way it is currently being used

-Mayor Todd Closed the Public Hearing for the zoning change of certain land from M-1 Light Industrial to C-2 General Commercial at 7:50 p.m.-

ITEM XIII: ORDINANCES

Bill No. B19-17: An Ordinance Approving a Standard Fine Schedule for the Grain Valley Municipal Court

- *Alderman Cleaver motioned to bring up Bill No. B19-17 for a second reading*
- *The Motion was Seconded by Alderman West*
 - No Discussion
- *Motion to bring up Bill No. B19-17 for a second reading was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*

ELECTED OFFICIALS PRESENT
 Mayor Mike Todd
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Jayci Stratton
 Alderman Nancy Totton
 Alderman Yolanda West

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT
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- *Nay: None*
- *Abstain: None*

-Motion Approved: 6-0-

Bill No. B19-17: An Ordinance Approving a Standard Fine Schedule for the Grain Valley Municipal Court

- City Attorney Joe Lauber read **Bill No. B19-17** for its second reading by title only
- *Alderman Headley moved to accept the second reading of Bill No. B19-17 making it ordinance #2470*
- *The Motion was Seconded by Alderman Cleaver*
 - No Discussion
- *Bill No. B19-16 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Totton, West*
 - *Nay: None*
 - *Abstain: None*
- *The motion was voted on with the following roll call vote:*
 - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Bill No. B19-17 BECAME ORDINANCE #2470: 6-0-

Bill No. B19-18: An Ordinance Changing the Zoning for Certain Land in Grain Valley from M-1 Light Industrial to C-2 General Commercial

- *Alderman Cleaver moved to bring up Bill No. B19-18 the first reading*
- *The Motion was Seconded by Alderman Totton*
 - No Discussion
- *Motion to make the first reading of Bill No. B19-18 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

Bill No. B19-18: An Ordinance Changing the Zoning for Certain Land in Grain Valley from M-1 Light Industrial to C-2 General Commercial

- City Attorney Joe Lauber read **Bill No. B19-18** for its first reading by title only
- *Alderman Totton moved to accept the first reading of Bill No. B19-18*
- *The Motion was Seconded by Alderman Cleaver*

ELECTED OFFICIALS PRESENT
 Mayor Mike Todd
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Jayci Stratton
 Alderman Nancy Totton
 Alderman Yolanda West

ELECTED OFFICIALS ABSENT

STAFF OFFICIALS PRESENT
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- Mayor Todd questioned Mr. Lauber if the City starts spot zoning, where does the city stand for future spot zoning issues; Mr. Lauber clarified spot zoning has many challenges and improper when out of harmony with public welfare or implemented without reference to public welfare; in what way would rezoning promote the public welfare; If not a clear reason, it could open city up to a challenge on a future request;; At what point is the zoning too far of a deviation from what is zoned
- Mayor asked what if the applicant would be willing to accept conditions on her liquor license such as food sales at a certain percentage; Mr. Lauber said a Conditional Use Permit is not available from a zoning standpoint, but from a licensing standpoint; Current zoning must be resolved before licensing can be discussed
- Alderman Bass requested clarification about the difference between C-2 & M-1; Mr. Murphy shared C-2 is general commercial and base for Main street or around the interchange and M-1 is light industrial with warehouses and light manufacturing; Alderman Bass asked Mr. Lauber how much liability this opens the city up to for future rezoning requests; shared the further up the zoning scale the more difficult and challenging to pass; Alderman Totton asked how many of these requests we've received in the past; Mayor shared he doesn't recall any spot zoning requests in the past; Ms. Brunner shared she chose this location because it has a train behind it and a dead end vs. residential as she had in the past; Her lawyer shared this space was built as a bar and this is an unusual situation and precedent already set
- Alderman Cleaver asked if zoning change would effect their property values; Mr. Lauber said it would be speculation on city's part and would only know if someone challenged this in the future and said their property was devalued as a result of the spot zoning; Mr. ShROUT said he has a building that can't be used for anything as it was built as a bar; Ms. Brunner shared this would get rid of some of the issues with break ins in that area

- **Bill No. B19-18** was voted upon with the following roll call vote:

Aye: Totton

Nay: Stratton, Bass, Headley, West, Cleaver

Abstain: None

-BILL NO. B19-18 FAILED: 1-5-

ITEM XIV: RESOLUTIONS

Resolution No. R19-33: A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing the City Administrator to enter into agreement with Victor L. Phillips for the annual skid steer lease

- Mayor moved to approve Resolution No. R19-33

ELECTED OFFICIALS PRESENT

Mayor Mike Todd
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Jayci Stratton
 Alderman Nancy Totton
 Alderman Yolanda West

ELECTED OFFICIALS ABSENT

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- *Alderman Headley moved to accept Resolution No. R19-33 as read*
- *The Motion was Seconded by Alderman Cleaver*
 - Alderman Cleaver asked benefit of leasing vs. purchasing; Each year you would get a new piece of equipment
- *Resolution No. R19-33 was voted upon with the following voice vote:*
 - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
 - *Nay: None*
 - *Abstain: None*

-Resolution No. R19-33 Approved: 6-0-

ITEM XV: CITY ATTORNEY REPORT

- Mr. Lauber shared the Lauber Municipal Law team was attending an upcoming MO Municipal Meeting/Conference to obtain their legal education for the year all in a weekend and their office will be closed Friday

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ryan Hunt
 - Absent
- Deputy City Administrator Ken Murphy
 - Mr. Murphy, Ms. Osenbaugh, & Mr. Trosen attended the Medical Marijuana Seminar and it opened their eyes to things that haven't been considered yet; the staff internally will work with the law firm on the next steps
- Shared Ms. Holland's report on the health benefit enrollment
- Assistant City Administrator Theresa Osenbaugh
 - Absent
- Chief James Beale
 - Camp Focus is next week July 15-19 at the high school; 32 kids enrolled and encouraged the board and the Mayor to stop in to see how the camp is going
- Finance Director Steven Craig
 - Started the process for the 2020 budget; budget worksheets and calendar were distributed today
 - Property tax evaluation received from Jackson County Assessor; 18% increase from July 2018
- Parks & Recreation Director Shannon Davies
 - Absent

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- Community Development Director Mark Trosen
 - Public Works pothole patching continued, and the fire sprinkler system inspection for City Hall and the Community Center will be on July 11
- City Clerk Jamie Logan
 - None

ITEM XVII: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Shea Bass
 - None
- Alderman Tom Cleaver
 - None
- Alderman Bob Headley
 - Thanked the City for having potholes fixed
- Alderman Jayci Stratton
 - None
- Alderman Nancy Totton
 - None
- Alderman Yolanda West
 - None

ITEM XVIII: MAYOR REPORT

- Mayor Mike Todd
 - State of the City will be shown at the GV Partnership luncheon and the Senior Citizen's luncheon this week; asked Mr. Lauber if a notice should be posted of these meetings since several elected officials could be present; Mr. Lauber recommended notice be posted just to be safe in case business is discussed and keep quorum-ness at a minimum; and to not give appearance of doing business outside public meeting unless there is a notice posted
 - City of Grain Valley took back the rib eating contest victory; As a result, the prize was split \$2000 was donated to the Grain Valley Yes Committee and \$2000 to Alzheimers Foundation for Blue Springs
 - GV Yes Pool Party first of two is this Friday; tremendous response; 6th & 7th grade one almost full; 4th & 5th grade party is close to 80 kids; could use more volunteers
 - The amount of days to legally shoot fireworks this year was cut back to 3 days; This was confusing to some due to the days it fell on; It went better than in the past; There were some citations written as a result of extra fireworks patrol that started 9pm Friday; A few news stations were releasing the wrong fireworks detonation dates this year; and next year Mayor suggested a press release be done in addition to our social media posts; Need to put on water bills next year; Posting dates in the fireworks tents helped

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-THE REGULAR MEETING CLOSED AT 8:40 PM-

ITEM XX: ADJOURNMENT

- The meeting adjourned at 8:40 P.M.

Minutes submitted by:

 Jamie Logan
 City Clerk

 Date

Minutes approved by:

 Mike Todd
Mayor

 Date

non-official

ELECTED OFFICIALS PRESENT
 Mayor Mike Todd
 Alderman Shea Bass
 Alderman Tom Cleaver
 Alderman Bob Headley
 Alderman Jayci Stratton
 Alderman Nancy Totton
 Alderman Yolanda West

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