



**CITY OF GRAIN VALLEY**  
**BOARD OF ALDERMEN MEETING MINUTES**  
Regular Session

**04/12/2021**  
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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 April 12, 2021 at 7:00 p.m. in the Council Chambers located at Grain Valley City Hall
- The meeting was called to order by Mayor Johnston

**ITEM II: ROLL CALL**

- City Clerk Jamie Logan called roll
- *Present: Bass, Cleaver, Headley, Knox, Stratton, Totton*
- *Absent:*

**-QUORUM PRESENT-**

**ITEM III: PLEDGE OF ALLEGIANCE**

- The Pledge of Allegiance was led by Alderman Cleaver

**ITEM IV: APPROVAL OF AGENDA**

- No Changes

**ITEM V: PROCLAMATIONS**

- A proclamation was presented to Andrew Genasci for earning his Eagle Scout

**ITEM VI: CITIZEN PARTICIPATION**

- Justin Tyson, 439 Folkwood Lane; thanked the board for the food truck Fridays approval; He stated he was there to clear up the discrepancy on the insurance cost for the food truck Fridays and the correct amount is \$1026.00 as originally stated by Ms. Lindsey

**ITEM VII: CONSENT AGENDA**

- March 22, 2021 – Board of Aldermen Regular Meeting Minutes
- March 31, 2021 – Board of Aldermen Workshop Minutes
- April 12, 2021 – Accounts Payable
- *Alderman Headley made a Motion to Accept the Consent Agenda*
- *The Motion was Seconded by Alderman Totton*
  - *None*
- *Motion to Approve the Consent Agenda was voted on with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**ELECTED OFFICIALS PRESENT**

Mayor Chuck Johnston  
Alderman Shea Bass  
Alderman Tom Cleaver  
Alderman Bob Headley  
Alderman Rick Knox  
Alderman Jayci Stratton  
Alderman Nancy Totton

**ELECTED OFFICIALS ABSENT**

**STAFF OFFICIALS PRESENT**

City Administrator Ken Murphy  
Deputy City Administrator Theresa Osenbaugh  
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**-MOTION APPROVED: 6-0-**

**ITEM VIII: PREVIOUS BUSINESS**

- None

**ITEM IX: NEW BUSINESS**

- Fireworks Permit Applications
- City Clerk Logan stated the Grain Valley Band Parent Association had submitted all items necessary for approval of their 2021 Application for a permit to sell fireworks and the Grain Valley Partnership has only one set of minutes still needed in order to be complete; requested a motion to approve
- *Alderman Headley made a Motion to Approve Grain Valley Band Parent Association's Application and the Grain Valley Partnership's Permits to Sell Fireworks.*
- *The Motion was Seconded by Alderman Stratton*
  - *No discussion*
- *Motion to Approve Grain Valley Band Parent Association's Application for Permit to Sell Fireworks was voted on with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**-MOTION APPROVED: 6-0-**

**ITEM X: PRESENTATIONS**

- None

**ITEM XI: PUBLIC HEARING**

*-Mayor Johnston Opened the Public Hearing for Capital Paving and Construction Materials Conditional Use Permit - at 7:07 p.m.-*

- *Mr. Trosen spoke on behalf of Capital Paving and Construction Materials; A4 Holdings LLC is the owner of the property; they have requested to use this location in 2021 for several MODOT projects in the area; they would begin work in May 2021 and conclude in November 2021; at that time, they will remove the portable plant; this will be equivalent to 3 years of truck traffic in the 7 months of work; proper notice was provided in the Examiner, Planning and Zoning Commission voted 5-2 for this plant with 8 conditions on the ordinance that will be presented tonight*

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- *Mayor Johnston asked about the review of the condition of the road; asked if road conditions (not just visual inspection) will be performed before and after; Mr. Trosen stated that would be the purpose of the bond and it would rely on the professional opinion of the City’s staff and they would rely on the study done within the last two years as well to assess prior condition*
- *Alderman Knox asked when the repairs would be made if needed; Mr. Trosen stated it would be done while the plant is still there; Staff does not recommend approval of this Conditional Use Permit; this type of use is allowed via conditional use permit and this is to determine if this is the right location for it*
- *Alderman Headley asked if there were any conversations regarding smells that would come from the plants and trucks in that area; Mr. Trosen stated there were discussions during the planning and zoning commission*
- *Brandon Reed; Capital Paving and Construction Materials; he responded to the smell questions regarding the plants; and there have been concerns in the past and he feels that smell is a personal opinion as to how bad it was; Alderman Headley estimated 10.4 trucks an hour as it will be running by residences and the intersections in that area when the plant is in operation; Mr. Reed stated the numbers provided were for peak operation and felt the calculation Alderman Headley estimated would be a little off as the overnight traffic is not at full operation at all times*
- *Alderman Knox worries about the roads in that area as they would deteriorate rapidly*
- *Mayor Johnston asked if there would be enough noise that would disturb residents; Mr. Reed stated it wouldn’t be louder than I-70 noise*
- *Mr. Reed was asked to state what the benefit to Grain Valley would be of this plant being located in Grain Valley; Mr. Reed stated they pick cost effective locations for MODOT; and he doesn’t know if there is a direct benefit, but it would be the most cost-effective roads for this area*
- *Alderman Bass asked where the projects will be*

*-Mayor Johnston opened the floor to citizens for comment at 7:30 pm-*

- *Cindy Bell; suggested that if the projects were that far away, there should be another location for the plant*

*-Mayor Johnston Closed the Public Hearing for a Capital Paving and Construction Materials Conditional Use Permit - at 7:30 p.m.-*

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**ITEM XII: RESOLUTIONS**

**Amended Resolution No. R21-28:** A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Appointing James Hofstetter to the Grain Valley Planning and Zoning Commission to Fulfill the Unexpired Term of Commission Member Paul Loving

- *Alderman Totton moved to approve Amended Resolution No. R21-28*
- *The Motion was Seconded by Alderman Knox*
  - *This is the administrative clean up to update the term for Mr. Hofstetter*
- *Resolution No. R21-28 was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**-Amended Resolution No. R21-28 Approved: 6-0-**

**Resolution No. R21-29:** A Resolution by the Board of Aldermen of the City of Grain Valley Authorizing the City Administrator to Enter into an Agreement with the Missouri Department of Transportation for Grant Funded Overtime for DWI Enforcement and Hazardous Moving Violation Enforcement

- *Alderman Cleaver moved to approve Resolution No. R21-29*
- *The Motion was Seconded by Alderman Knox*
  - *This is something that is done annually to accept grant funding for these purposes*
- *Resolution No. R21-29 was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**-Resolution No. R21-29 Approved: 6-0-**

**Resolution No. R21-30:** A Resolution by the Board of Aldermen of the City of Grain Valley, Missouri Authorizing the City Administrator to Approve the Midwest Public Risk (MPR) 2021-2022 Plan Elections and Rates for Employee Health, Dental and Vision Benefit Coverage

- *Alderman Headley moved to approve Resolution No. R21-30*
- *The Motion was Seconded by Alderman Bass*

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- The city budgeted for a 12% increase and the increases were lower this coming plan year
- *Resolution No. R21-30 was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**-Resolution No. R21-30 Approved: 6-0-**

**ITEM XIII: ORDINANCES**

**Bill No. B21-06:** An Ordinance Vacating 50-foot Right-of-Way for Capelle Street Between 215 Front Street and 303 Front Street

**Bill No. B21-06** was read by City Clerk Jamie Logan for the second reading by title only

- *Alderman Stratton moved to accept the second reading of Bill Number B21-06 and approve it as Ordinance #2542*
- *The Motion was Seconded by Alderman Knox*
  - None
- *Motion to accept the second reading of Bill No. B21-06 and approve it as Ordinance number #2542 was voted on by roll call vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay:*
  - *Abstain: None*

**-Bill No. B21-06 BECAME ORDINANCE #2542: 6-0-**

**Bill No. B21-07:** An Ordinance Amending Chapter 600 of the Code of Ordinances of the City of Grain Valley, Missouri, Pertaining to Issuance of Liquor Licenses Near Schools and Churches

**Bill No. B21-07** was read by City Clerk Jamie Logan for the second reading by title only

- *Alderman Totton moved to accept the second reading of Bill Number B21-07 and approve it as Ordinance #2543*
- *The Motion was Seconded by Alderman Headley*
  - Alderman Totton asked what has changed with this code; Mr. Murphy stated state

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statute updated the process of approving/waiving these types of licenses

- Alderman Headley asked if there would be similar issues as establishments have had in the past; they would have applied to the board for an exception versus a church
- *Motion to accept the second reading of Bill No. B21-07 and approve it as Ordinance number #2543 was voted on by roll call vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay:*
  - *Abstain: None*

**-Bill No. B21-07 BECAME ORDINANCE #2543: 6-0-**

**Bill No. B21-08:** An Ordinance Approving a Conditional Use Permit to Operate a Portable Asphalt Plant

City Clerk Jamie Logan read **Bill No. B21-08** for its first reading by title only

- *Alderman Cleaver moved to accept the first reading of Bill No. B21-08 bringing it back for a second reading by title only at the next regularly scheduled meeting*
- *The Motion was not seconded and the bill died*

**-Bill No. B21-08 Died-**

**Bill No. B21-09:** An Ordinance Amending the Grain Valley Municipal Code Chapter 500: Buildings and Building Regulations, Articles I, II, III, IV, V, VII, VIII, IX, X, XI and Adopting the 2018 International Swimming Pool and Spa Code

City Clerk Jamie Logan read **Bill No. B21-09** for its first reading by title only

- *Alderman Headley moved to accept the first reading of Bill No. B21-09 bringing it back for a second reading by title only at the next regularly scheduled meeting*
- *The Motion was Seconded by Alderman Knox*
  - Building Official Mike Russell stated he reviewed these parts of the code as well as other surrounding municipalities and they are already following the 2018 building code; he also reached out to the CJCFPD and they had requested a few amendments to the fire code; this also went to the Construction Board of Appeals for approval and there were no issues; this was also presented to the builders in this area and they did not have any issues; He requested this would have gone into effect

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on 5/1, but this will now sit due to state statute in the city clerk’s office for 90 days

- Alderman Cleaver asked if the pools code would be for personal pools; Mr. Russell shared all the codes they are looking to update
- Mr. Murphy stated this process is very labor intensive and Mr. Russell performed an extensive review and personalized to our community and our builders and developers
- *Bill No. B21-09 was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**-Motion Approved 6-0-**

**ITEM XIV: CITY ATTORNEY REPORT**

- City Attorney Sarah Carnes shared the City Officials Training is coming up on April 30<sup>th</sup> at the MPR building

**ITEM XV: CITY ADMINISTRATOR & STAFF REPORTS**

- City Administrator Ken Murphy
  - Asked the Board to let himself or City Clerk Logan know if they were interested in attending the City Official’s Training
- Deputy City Administrator Theresa Osenbaugh
  - None
- Chief James Beale
  - 4/24 10-2pm National Drug Takeback event
- Finance Director Steven Craig
  - None
- Parks & Recreation Director Shannon Davies
  - Friday 4/2 the pedestrian bridge at Blue Branch Creek was installed and connects neighborhoods to high schools, Main street corridor, etc.; This is Phase II of the project; They are heading into Park’s department busy season
  - Mayor Johnston asked if handicap motorized wheelchairs are allowed; Yes, they are permitted
- Community Development Director Mark Trosen
  - Written report in the packet
- City Clerk Jamie Logan

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- None

**ITEM XVI: BOARD OF ALDERMEN REPORTS & COMMENTS**

- Alderman Shea Bass
  - None
- Alderman Tom Cleaver
  - None
- Alderman Bob Headley
  - None
- Alderman Rick Knox
  - Alderman Knox requested the planning and zoning commission member replacements be added to the next meeting
- Alderman Jayci Stratton
  - None
- Alderman Nancy Totton
  - None

**ITEM XVII: MAYOR REPORT**

- Mayor Chuck Johnston
  - Stated he is planning to have a discussion with the new Amazon Facility going in on RD Mize and it isn't meant for that kind of traffic to get some concerns addressed

**ITEM XVIII: EXECUTIVE SESSION**

- Mr. Murphy stated an executive session was needed for Legal Actions, Causes of Action of Litigation Pursuant to Section 610.021(1), RSMo. 1998, as Amended, 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, Pursuant to Section 610.021(13), RSMo 1998, as Amended
- *Alderman Headley moved to close the Regular Meeting for items related Legal Actions, Causes of Action of Litigation Pursuant to Section 610.021(1), RSMo. 1998, as Amended, Sealed bids and related documents, until the bids are opened; 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, Pursuant to Section 610.021(13), RSMo 1998, as Amended*

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- *The motion was seconded by Alderman Bass*
  - No Discussion
- *The motion was voted on with the following roll call vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**-MOTION CARRIED: 6-0-**

**-THE REGULAR MEETING CLOSED AT 7:54 PM-**

- *Alderman Headley moved to open the Regular Meeting*
- *The motion was seconded by Alderman Knox*
  - No Discussion
- *The motion was voted on with the following roll call vote:*
  - *Aye: Bass, Cleaver, Headley, Knox, Stratton, Totton*
  - *Nay: None*
  - *Abstain: None*

**-MOTION CARRIED: 6-0-**

**-THE REGULAR MEETING OPENED AT 8:16 PM-**

**ITEM XIX: ADJOURNMENT**

- The meeting adjourned at 8:17 P.M.

Minutes submitted by:

\_\_\_\_\_  
 Jamie Logan  
 City Clerk

\_\_\_\_\_  
 Date

Minutes approved by:

\_\_\_\_\_  
 Chuck Johnston  
 Mayor

\_\_\_\_\_  
 Date

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