

MINUTES
RAYTOWN BOARD OF ALDERMEN
JANUARY 6, 2015
REGULAR SESSION NO. 42
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133

OPENING SESSION
7:00 P.M.

Roll Call

The roll was called and the attendance was as follows:

Present: Alderman Jason Greene, Alderman Bill Van Buskirk, Alderman Josh Greene, Alderman Pat Ertz, Alderman Jim Aziere, Alderman Steve Mock, Alderman Joe Creamer, Alderman Charlotte Melson, Alderman Janet Emerson, Alderman Michael Lightfoot.

Proclamations & Presentations

Mayor David Bower presented the Reverend Dr. Martin Luther King, Jr.'s proclamation to Pat Jackson. Mayor Bower thanked Mr. Jackson and the Interfaith Alliance for their work toward putting together the celebration.

Public Comments

Donald Main spoke regarding Raytown Sewer's deposit policy.

Steve Guenther spoke regarding the Charter Commission's use of the City Logo.

Communication from the City Administrator

Mahesh Sharma, City Administrator announced the National Weather Advisory issued a severe weather warning due the wind chill factors. Mr. Sharma advised City residents to take precaution during the bitterly cold weather.

Mr. Sharma reminded City residents that January 20, 2015 is the last day for candidates to file for the April 7, 2015 election. Mr. Sharma announced the names of the candidates who had filed for the various City offices.

Committee Reports

Alderman Aziere announced that 150 years ago Congress began the historical debate to abolish slavery in the United States.

Alderman Emerson announced the Martin Luther King Celebration is scheduled for January 18, 2015 at 3:00 p.m. Graceway Church will host the event this year.

Alderman Emerson reminded residents that during the cold weather to check pipes and make sure that they do no burst.

Alderman Mock thanked the Board of Aldermen for their assistance while he led the previous BOA meeting.

Alderman Lightfoot reported the 45th Annual Legislative Conference in Jefferson City is scheduled for February 10-11, 2015.

Alderman Jason Greene, seconded by Alderman Ertz made a motion to add a discussion item regarding the Charter Commission using the City Logo. The motion was approved by a vote of 9-1.

Ayes: Aldermen Jason Greene, Ertz, Melson, Lightfoot, Aziere, Mock, Josh Greene, Van Buskirk, Emerson
Nays: Alderman Creamer

Alderman Melson, seconded by Alderman Josh Greene made a motion to add a Closed Session. The motion was approved by a vote of 10-0.

Ayes: Aldermen Melson, Josh Greene, Mock, Lightfoot, Jason Greene, Creamer, Aziere, Emerson, Lightfoot
Nays: None

LEGISLATIVE SESSION

1. CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the Board of Aldermen and will be enacted by one motion without separate discussion or debate. The Mayor or a member of the Board of Aldermen may request that any item be removed from the consent agenda. If there is no objection by the remaining members of the board, such item will be removed from the consent agenda and considered separately. If there is an objection, the item may only be removed by a motion and vote of the board.

Approval of the Regular December 16, 2014 Board of Aldermen meeting minutes.

Alderman Creamer, seconded by Alderman Melson made a motion to approve the Consent Agenda. The motion was approved by a vote of 10-0.

Ayes: Aldermen Creamer, Melson, Lightfoot, Mock, Van Buskirk, Ertz, Emerson, Jason Greene, Aziere, Josh Greene
Nays: None

REGULAR AGENDA

2. **R-2734-15: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF FOUR 2015 FORD POLICE UTILITY INTERCEPTORS FROM DICK SMITH FORD OFF THE MID-AMERICA COUNCIL OF PUBLIC PROCUREMENT JOINT BID IN AN AMOUNT NOT TO EXCEED \$110,716.00. Point of Contact: Jim Lynch, Chief of Police.

The resolution was read by title only by Teresa Henry, City Clerk.

Jim Lynch, Chief of Police and Captain Michelle Rogers, provided the Staff Report and remained available for discussion.

Discussion included utilization of the Capital Sales Tax money to fund the purchase, whether or not the purchased vehicle would come equipped with the basic police package add-ons and police cars used in off-duty situations.

Alderman Van Buskirk, seconded by Alderman Creamer made a motion to adopt. The motion was approved by a vote of 10-0.

Ayes: Aldermen Van Buskirk, Creamer, Josh Greene, Jason Greene, Melson, Lightfoot, Aziere, Emerson, Ertz, Mock
Nays: None

3. Public Hearing: A public hearing to consider a Conditional Use Permit for an Event Space on property located at 10028 E. 63rd Street.

3a. **FIRST Reading: Bill No. 6378-15, Section XIII. AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO OPERATE AN EVENT SPACE ON PROPERTY LOCATED AT 10028 EAST 63rd STREET IN RAYTOWN, MISSOURI.** Point of Contact: John Benson, Development & Public Affairs Director.

The bill was read by title only by Teresa Henry, City Clerk.

Mayor Bower opened the public hearing and called for any ex parte' discussion(s); Alderman Lightfoot noted he had communication regarding the issue but would weigh all facts before making a decision.

John Benson, Development & Public Affairs Director and applicants, Melanie Morrissey and Nathan Prather provided the Staff Report and remained available for discussion.

Mayor Bower opened the floor for public comment;

No comments.

Mayor Bower closed the floor for public comment.

Discussion included adults present during activities, grade level of students attending activities, security issues, capacity limit for the building, whether or not business was non-profit or for-profit and estimated sales tax revenue generated from the business.

Alderman Creamer, seconded by Alderman Ertz made a motion to continue to a date certain of January 20, 2015. The motion was approved by a vote of 10-0.

Ayes: Aldermen Creamer, Ertz, Aziere, Mock, Jason Greene, Emerson, Lightfoot, Josh Greene, Van Buskirk, Melson
Nays: None

4. Public Hearing: A public hearing to consider a Conditional Use Permit to operate a Financial Institution on property located at 9480 Highway 350.

4a. **FIRST Reading: Bill No. 6379-15, Section XIII. AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO OPERATE A FINANCIAL INSTITUTION ON PROPERTY LOCATED AT 9480 HIGHWAY 350 IN RAYTOWN.** Point of Contact: John Benson, Development & Public Affairs Director.

★ **Applicant is requesting a suspension of the rules.**

The bill was read by title only by Teresa Henry, City Clerk.

Mayor Bower opened the public hearing and called for any ex parte' discussion(s); Alderman Mock had communication regarding the issue, but would weigh all facts before making a decision.

John Benson, Development & Public Affairs Director and Jennifer Ann Wander, representing the applicant from Springleaf Financial and remained available for discussion.

Mayor Bower opened the floor for public comment.

No Comments.

Mayor Bower closed the floor for public comment.

Alderman Josh Greene, seconded by Alderman Mock made a motion to suspend the rules. The motion was approved by a vote of 9-1.

Ayes: Aldermen Josh Greene, Mock, Van Buskirk, Lightfoot, Jason Greene, Melson, Aziere, Creamer, Ertz,
Absent: Alderman Emerson

4b. Second Reading: Bill No. 6379-15, Section XIII. AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO OPERATE A FINANCIAL INSTITUTION ON PROPERTY LOCATED AT 9480 HIGHWAY 350 IN RAYTOWN. Point of Contact: John Benson, Development & Public Affairs Director.

The bill was read by title only by Teresa Henry, City Clerk.

Mayor Bower re-opened the public hearing and called for any ex parte' discussion(s); Alderman Mock had communication regarding the issue, but would weigh all facts before making a decision.

John Benson, Development & Public Affairs Director, provided an update of the Staff Report and remained available for discussion.

Mayor Bower re-opened the floor for public comment.

No comments.

Without comments, Mayor Bower closed the floor for public comment.

Discussion included number of years the business has been in Raytown.

Alderman Josh Greene, seconded by Alderman Creamer made a motion to approve. The motion was approved by a vote of 10-0.

Ayes: Aldermen Josh Greene, Creamer, Emerson, Melson, Ertz, Jason Greene, Josh Greene, Van Buskirk, Aziere, Lightfoot, Mock
Nays: None

It Became ORDINANCE NO.: 5511-15

5. FIRST Reading: Bill No. 6380-15. Section XVII. AN ORDINANCE ADDING ARTICLE XVII TO CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, FOR THE PURPOSE OF DEFINING SMOKE AND TOBACCO STORES AND LIMITING THEIR OCCURRENCE IN THE CITY LIMITS. Point of Contact: John Benson, Development & Public Affairs Director.

The bill was read by title only by Teresa Henry, City Clerk.

John Benson, Development & Public Affairs Director, presented an overview of the Staff Report and remained available for questions.

Discussion included if there is a law regulating the age of a person who can enter into a tobacco shop, whether or not distance requirement affects existing shops, how many stores in Raytown would fit the definition of smoke shop as defined in the ordinance, concerns about potential revenue loss for the City, whether or not vapor shops are included in the ordinance and concerns about limiting small business opportunities.

6. DISCUSSION ITEM: Use of City Logo by the Raytown Charter Commission

Alderman Jason Greene spoke to the Board of Aldermen regarding the Raytown Charter Commission utilizing the City Logo on the final charter document.

Discussion included whether or not the City owned the logo, the use of the logo on past charter documents and whether or not the Board of Aldermen should endorse a document it has not seen and did not initiate.

Alderman Jason Greene, seconded by Alderman Emerson made a motion to allow Raytown Charter Commission to utilize the City logo. Motion failed by a vote of 3-7.

Ayes: Aldermen Jason Greene, Emerson, Josh Greene

Nays: Aldermen Mock, Lightfoot, Melson, Van Buskirk, Creamer, Aziere, Ertz

CLOSED SESSION

Notice is hereby given that the Mayor and Board of Aldermen may conduct a closed session, pursuant to the following statutory provisions:

610.021(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information relating to the performance or merit of an individual employee is discussed or recorded; and/or

610.021(13) individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.

Aldermen Creamer, seconded by Alderman Melson made a motion to move into closed session at 8:52 p.m. The motion was approved by a vote of 10-0.

Ayes: Aldermen Creamer, Melson, Lightfoot, Aziere, Mock, Josh Greene, Van Buskirk, Ertz, Jason Greene, Emerson

Nays: None

ADJOURNMENT

Alderman Mock, seconded by Alderman Emerson made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 9:41 p.m.

Teresa M. Henry, MRCC
City Clerk