

**MINUTES**  
**RAYTOWN BOARD OF ALDERMEN**  
**JANUARY 20, 2015**  
REGULAR SESSION NO. 43  
RAYTOWN CITY HALL  
10000 EAST 59<sup>TH</sup> STREET  
RAYTOWN, MISSOURI 64133

**OPENING SESSION**  
**7:00 P.M.**

Mayor David Bower called the January 20, 2015 Board of Alderman meeting to order at 7:00 p.m. Sue Klotz provided the invocation and led the pledge of allegiance.

**Roll Call**

The roll was called and the attendance was as follows:

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

**Proclamations & Presentations**

Mayor Bower presented a proclamation recognizing Angela Roberts and the MCC Longview Lakers.

**Public Comments**

Alderman Janet Emerson introduced Becky Bottoms. Ms. Bottoms won the Martin Luther King Essay Contest. Ms. Bottoms spoke regarding why she wrote the essay and how the money she raised would benefit the family in her essay.

Alderman Janet Emerson spoke regarding the final Raytown Charter document.

**Communication from the Mayor**

Mayor David Bower spoke regarding the Martin Luther King Celebration at Graceway Church. The Mayor thanked all the volunteers and participants for making the event a success.

**Communication from the City Administrator**

Mahesh Sharma, City Administrator announced the final list of candidate filing for the April 2015 election.

Mr. Sharma reported that Missouri Department of Health & Senior Services Bureau of Emergency Medical Services conducted an audit of Raytown's EMS training courses and services. Raytown EMS passed the audit and retains its accreditation with the agency.

Mr. Sharma announced the City had launched its new phone system.

**Committee Reports**

Alderman Emerson thanked volunteers for their help in making the Martin Luther King Celebration a success.

Alderman Melson announced the First Suburbs Coalition was scheduled to meet January 23, 2015 at the Matt Ross Community Center in Overland Park, KS.

## 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 January 6, 2015 Board of Aldermen meeting minutes.

**R-2735-15: A RESOLUTION** AUTHORIZING AND APPROVING THE APPOINTMENT OF MARYJO SIMMONS TO THE COUNCIL ON AGING. Point to Contact: Teresa Henry, City Clerk.

**R-2736-15: A RESOLUTION** AUTHORIZING AND APPROVING THE APPOINTMENT OF RICK THODE TO THE POLICE PENSION BOARD. Point to Contact: Teresa Henry, City Clerk.

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

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

### REGULAR AGENDA

2. **R-2737-15: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF MW810 MOBILE DATA TERMINALS FOR POLICE DEPARTMENT VEHICLES FROM MOTOROLA IN AN AMOUNT NOT TO EXCEED \$31,392.00 FOR FISCAL YEAR 2014-2015. Point of Contact: Jim Lynch, Chief of Police.

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

Captain Doug Goode, Raytown Police Department, provided the Staff Report and remained available for discussion.

Discussion included number of terminals to be purchased and when does the rotation cycle begin before other terminals are purchased

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, Aziere, Mock, Jason Greene, Ertz, Emerson, Lightfoot, Josh Greene, Melson  
Nays: None

3. **R-2738-15: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF A POWERED AMBULANCE COT WITH MOUNTING AND ASSOCIATED HARDWARE FROM STRYKER EMS EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$15,995.00. Point of Contact: Doug Jonesi, Emergency Medical Services Director.

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

Kim LeSage, EMS Administrative Assistant, provided the Staff Report and remained available for discussion.

Discussion included the life expectancy of a power cots, design of the cot and where the funding for the purchase is coming from.

Alderman Ertz, seconded by Alderman Melson made a motion to adopt. The motion was approved by a vote of 10-0.

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

4. **R-2739-15: A RESOLUTION** AUTHORIZING AND APPROVING THE REPAIR SERVICES OF WASTEWATER AND STORM WATER INFRASTRUCTURE IN THE CITY OF RAYTOWN, MISSOURI FROM WIEDENMANN, INC. UTILIZING THE CITY OF LEE'S SUMMIT, MISSOURI COOPERATIVE PURCHASE CONTRACT AND APPROVING PROJECT EXPENSES FOR A SEWER SEGMENT REPLACEMENT AT 9309 E. 82ND STREET IN AN AMOUNT NOT TO EXCEED \$46,800.00. Point of Contact: Jim Melvin, Interim Public Works Director.

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

Jim Melvin, Interim Public Works Director, provided the Staff Report and remained available for discussion.

No discussion.

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

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

5. **R-2740-15: A RESOLUTION** AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH LEATH & SONS INC. FOR THE 79th STREET AND ELM STORM DRAINAGE IMPROVEMENT PROJECT WITHIN THE CITY IN AN AMOUNT NOT TO EXCEED \$78,930.00 AND AMENDING THE FISCAL YEAR 2014-2015 BUDGET BY \$78,930.00. Point of Contact: Jim Melvin, Interim Public Works Director.

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

Jim Melvin, Interim Public Works Director, provided the Staff Report and remained available for discussion.

Discussion included local contractor awarded the project, if insurance money from accident will help fund the project, repair will make the existing infrastructure wider and who determined the estimate for the cost of the project.

Alderman Mock, seconded by Alderman Emerson made a motion to adopt. The motion was approved by a vote of 10-0.

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

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

6a. **SECOND 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 63<sup>rd</sup> 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 re-opened the public hearing and called for any ex parte' discussion(s); none was noted.

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

Mayor Bower re-opened the floor for public comment.

Without further comments; Mayor Bower closed the floor for public comment.

Discussion included signage for the building, state regulations for youth occupancy in a building, state regulations for security, time frame for youth to be out of the parking lot after an event is over.

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

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

Nays: None

#### **It Became ORDINANCE NO.: 5512-15**

**7. SECOND 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 updated overview of the Staff Report and remained available for questions.

Discussion included why the ordinance was developed, positive image, limiting number of shops would limit potential small business coming to the City, whether or not gas stations fell under the proposed ordinance, how would City track tobacco sales, how can the City regulate something and not have hardcore facts to assist in regulating the process of tracking sales, how quickly would ordinance be implemented if passed, limited number of sites available for new shops to set up business, the ability to amend the ordinance in the future and whether or not there is a market in the City for increased number of smoke shops.

Alderman Josh Greene, seconded by Alderman Lightfoot, made a motion to amend ordinance to delete sub sections 1-4 of Section 3.

There was additional discussion.

Alderman Creamer made a motion to Call the Question. The motion was approved by a vote of 10-0 by Alderman Creamer

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

Nays: None.

The roll call vote was taken on the motion made by Alderman John Greene, seconded by Alderman Lightfoot. The motion failed by a vote of 3-7.

Ayes: Josh Greene, Lightfoot, Jason Greene

Nays: Melson, Van Buskirk, Creamer, Aziere, Emerson, Ertz, Mock

Alderman Ertz, seconded by Alderman Aziere, made a motion to adopt. The motion was approved by a vote of 6-4.

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

**It Became ORDINANCE NO.: 5513-15**

8. **Public Hearing:** A public hearing to consider an application for Chapter 353 tax abatement for property located at 10014 E. 63<sup>rd</sup> Street.

8a. **FIRST Reading: Bill No. 6381-15, Section XXXVI. AN ORDINANCE** ADOPTING AND APPROVING THE SIXTH AMENDED DEVELOPMENT PLAN SUBMITTED BY THE RAYTOWN MUNICIPAL REDEVELOPMENT CORPORATION, ESTABLISHING A DECLARATION THAT THE REDEVELOPMENT AREA DESCRIBED WITHIN THE SIXTH AMENDED DEVELOPMENT PLAN IS A BLIGHTED AREA IN NEED OF DEVELOPMENT AND REDEVELOPMENT, AND AUTHORIZING CERTAIN TAX ABATEMENTS WITHIN THE REDEVELOPMENT AREA DESCRIBED WITHIN THE SIXTH AMENDED DEVELOPMENT PLAN. Point of Contact: Tom Cole, Economic Development Administrator.

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); Aldermen Melson and Ertz had communication regarding the issue but would weigh all facts before making a decision.

Tom Cole, Economic Development Administrator, provided the Staff Report and remained available for discussion.

Mayor Bower opened the floor for public comment; no comments provided.

Steve Guenther, on behalf of the applicant, was available to questions.

Without further comments; Mayor Bower closed the floor for public comment.

Discussion included whether or not owner would act as the general contractor, if Wendy's received the tax abatement incentive, what the façade of the building would look like, how tall the façade would be, whether or not the air conditioning unit would be visible with new façade, whether or not all businesses in the downtown area knew about the tax abatement program, estimated date of completion for the work, estimate of tax money that would be lost, whether or not Raytown Plaza owners used the 353 tax abatement incentive, boundaries for tax abatement project area, how many eligible businesses had taken advantage of the incentive, how does the state calculates tax abatement amounts, program is incentive for downtown proprietors to improve their businesses, if state tracks gross receipts for the work done on these projects, what happens if the project is not completed; will business still receive incentive and design standards and materials that may be used for the project.

Alderman Van Buskirk, seconded by Alderman Melson made a motion to continue to a date certain of February 3, 2015. The motion was approved by a vote of 10-0.

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

## **ADJOURNMENT**

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

The meeting adjourned at 8:58 p.m.

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Teresa M. Henry, MRCC  
City Clerk  
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