

MINUTES
RAYTOWN BOARD OF ALDERMEN
SEPTEMBER 20, 2016
REGULAR SESSION No. 35
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133

OPENING SESSION
7:00 P.M.

Mayor Michael McDonough called the September 20, 2016 Board of Aldermen meeting to order at 7:00 p.m. Sue Klotz of the Raytown Community Interfaith Alliance provided the invocation and led the pledge of allegiance.

Roll Call

The roll was called and the attendance was as follows:

Present: Alderman Janet Emerson, Alderman Mark Moore, Alderman Karen Black, Alderman Steve Meyers, Alderman Jason Greene, Alderman Josh Greene, Alderman Bill Van Buskirk, Alderman Jim Aziere, Alderman Eric Teeman
Absent: None

Public Comments

None.

Communication from the Mayor

Mayor McDonough stated he attended the Federated Garden Clubs of America Meeting; the "Hay" Day at Hy-Vee, where the Police and Fire were showing off their equipment and interacting with the community; the 2nd Annual Craft Beer Festival of the Lost Township; the ribbon-cutting ceremony at Morgana's Gluten-Free Bakery on 63rd Street; and The Truman Heartland Foundation Toast of the Towns. The Paynes were honored for their philanthropy to the City of Raytown. He stated that a tree had been planted outside the building in honor of the late Alderman Steve Mock. Roberta Bonnewitz recently passed away at the age of 105; she was a local historian who lived an active life of service in the city of Raytown. Visitation will be Friday, September 23 at 6:00-8:00pm, and Services will be Saturday, September 24 at 10:00 am at Floral Hills Funeral Home on Blue Ridge. In lieu of flowers, please make donations to the Raytown Historical Society.

Communication from the City Administrator

Mark Loughry reported a sink hole had developed at the corner of 63rd and Northern when a storm water pipe washed out and caved in on itself. While inspecting this, another sink hole was noted up the line from it, and this is being evaluated. These will be emergency repairs that will need to be dealt with before the next Board Meeting. He stated that the City Clerk had provided information to each of the on the dais for the Compensation Review prior to next week's meeting. Mr. Loughry also thanked the Aldermen for providing clear communications and working so cooperatively with staff on city projects.

Committee Reports

Alderman Janet Emerson reported the Raytown Chamber Senior Celebration was Saturday evening. The Chamber's regular monthly dinner will be at the Wellness Center on September 28 between 11:00 and 1:00; the topic will be "Words make all the difference," presented by Laura Schmidt. Raytown Main Street is hosting a giant sale on September 28, 29, and 30 at the store behind Wendy's. Alderman Bill Van Buskirk reported the Police Pension Board met on September 7 at 8:00 am. If anyone has questions relative to that meeting, they

should contact him or anyone on the Board. Alderman Eric Teeman reported the Parks Department met last night. The Rice-Tremonti Ice Cream Social was this Sunday, September 25 from 2:00 to 6:00 pm at the Rice-Tremonti home. The Raytown Basketball League is doing on-line registration on the Parks website. Alderman Jason Greene reported Raytown Main Street elected new board members last night. Mr. Steve Guenther was re-elected President.

COURT BUDGET PRESENTATION

Judge Fann stated that the Court Budget is very similar to last year. The Senate Vote 572 on August 28, 2016 compelled us to change one of the Court Clerk positions into a Court Clerk/Probation Officer to oversee the community service option for people who are unable to pay their fines. We are working with several agencies to provide community service projects for these individuals.

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 September 6, 2016 Board of Aldermen meeting minutes.

Alderman Josh Greene, seconded by Alderman Mark Moore, made a motion to approve the consent agenda. The motion was approved by a vote of 8-0-1.

Ayes: Aldermen Josh Greene, Mark Moore, Steve Meyers, Jason Greene, Bill Van Buskirk, Janet Emerson, Jim Aziere, Eric Teeman.

Nays: None

Absent: None

Abstain: Alderman Karen Black

Alderman Steve Meyers, seconded by Alderman Jason Greene, made a motion to move item 4 up to the beginning of the Legislative Agenda. The motion was approved by a vote of 8-1.

Ayes: Aldermen Steve Meyers, Jason Greene, Eric Teeman, Mark Moore, Janet Emerson, Jim Aziere, Josh Greene, and Karen Black.

Nays: Alderman Bill Van Buskirk

Absent: None

REGULAR AGENDA

2. **SECOND Reading: Bill No. 6418-16, Section XV. AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, ARTICLE IV, LICENSES, SECTION 4-244, RELATING TO THE LOCATIONS AND OTHER RESTRICTIONS ON LICENSES, ARTICLE IV, SECTION 4-244, REQUIREMENTS FOR ALL LICENSES.** Point of Contact: Ray Haydaripoor, Acting Development & Public Affairs Director.

Scott Peterson, Permit Technician, provided the Staff Report and remained available for discussion.

Alderman Bill Van Buskirk, seconded by Alderman Janet Emerson, offered an amendment to the ordinance which would read as follows: "No alcoholic beverage license shall be issued for any premise when said premises are within 300 feet of a school, church, or other building regularly used as a place of religious worship, measured from the nearest point of the enclosing wall of the premises to the nearest point of the school or church building, except that an alcoholic license may be issued to an establishment located within 100 feet of a school or church, as defined above, if the establishment meets the legal requirements for a restaurant/bar as defined in section 4.2 of this code. A licensee legally established shall not become disqualified by reason of the establishment of a church or school subsequent to the establishment of the issuance of the original license."

Discussion followed. City Attorney Joe Willerth stated that this would be the correct wording to meet the intent discussed at a prior meeting. It was stated that the City Attorney does not endorse the idea, but the wording is appropriate. "Restaurant Bar" means any establishment having a restaurant or similar facility on the premises, at least 50% of the gross income of which is derived from the sale of prepared meals or food consumed on such premises or which has an annual gross income of at least \$275,000 from the sale of such prepared meals or food consumed on such premises. This would be monitored by the annual report submitted for the business license. There are three choices available: 1) Raytown can match the state requirements, 2) the Amendment can be adopted, or 3) the current statute can remain.

Several aldermen voiced a concern to avoid creating a burden for the staff. There is no audit process for this type of ordinance. It will be difficult to back this ordinance up. There are some constituents and churches who do object to lowering the distance required. The school district itself does not have an objection to the change. Current businesses likely to be impacted are close to schools but not churches.

The primary difference in regulations regarding liquor stores and bar/restaurants is the amount of money they pay for their liquor licenses. The state can issue a liquor license based on state requirements regardless of the establishment's compliance with Raytown standards.

The motion made to adopt the amendment made by Alderman Bill Van Buskirk, seconded by Alderman Janet Emerson failed by a vote of 4-5.

Ayes: Aldermen Bill Van Buskirk, Janet Emerson, Jason Greene, Jim Aziere.

Nays: Aldermen Josh Greene, Mark Moore, Eric Teeman, Karen Black, Steve Meyers.

Alderman Steve Meyers, seconded by Alderman Mark Moore, made a motion to adopt. The motion was approved by a vote of 6-3.

Ayes: Aldermen Steve Meyers, Mark Moore, Jason Greene, Josh Greene, Karen Black, Eric Teeman

Nays: Aldermen Bill Van Buskirk, Jim Aziere, Janet Emerson

Absent: None

It became **ORDINANCE NO.: 5551-16**

3. **R-2904-16: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF COMPUTER EQUIPMENT AND SUPPLIES FROM DELL MARKETING, L.P. OFF THE MIDWESTERN HIGHER EDUCATION COMMISSION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$20,864.79 FOR FISCAL YEAR 2015-2016. Point of Contact: Dan Berry, Senior Information Systems Project Manager.

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

Mark Loughry, Interim City Manager, provided the Staff Report and remained available for discussion.

Alderman Bill Van Buskirk, seconded by Alderman Jason Greene, made a motion to adopt. The motion was approved by a vote of 9-1.

Ayes: Aldermen Bill Van Buskirk, Jason Greene, Josh Greene, Eric Teeman, Mark Moore, Karen Black, Jim Aziere, Janet Emerson, Steve Meyers

Nays: None

4. **R-2905-16: A RESOLUTION** AUTHORIZING AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN RAYTOWN 350 INV GROUP LLC AND THE CITY OF RAYTOWN FOR THE PURPOSE OF DEVELOPING THE REAL PROPERTY LEGALLY KNOWN AS LOTS 2 AND 3, RAYTOWN CROSSING EAST—SECOND PLAT, A SUBDIVISION IN RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Ray Haydaripoor, Interim Development & Public Affairs Director.

Scott Peterson, Permit Technician, provided the Staff Report and remained available for discussion.

Discussion included this was an access drive agreement at the proposed Freddie's location. It was identified in the 350 Corridor Plan as part of a cross-access road. The agreement states that as soon as the neighboring property, currently occupied by Bank of America, gets redeveloped, the drive will be constructed and the developer will be responsible for their half. Currently, Bank of America is in the way and the drive cannot be built.

Alderman Janet Emerson, seconded by Alderman Karen Black, made a motion to adopt. The motion was approved by a vote of 9-0.

Ayes: Aldermen Janet Emerson, Karen Black, Mark Moore, Eric Teeman, Jim Aziere, Josh Greene, Bill Van Buskirk, Steve Meyers, Jason Greene

Nays: None

5. **FIRST Reading: Bill No. 6419-16, Section IV-D-2. AN ORDINANCE AMENDING THE BENEFIT PROGRAM OF COVERED CITY OF RAYTOWN, MISSOURI EMPLOYEES PARTICIPATING IN THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM (LAGERS).** Point of Contact: Mark Loughry, Interim City Administrator.

Mark Loughry, Interim City Administrator, provided the Staff Report and remained available for discussion.

Discussion included this would amend the retirement system from the current LT5 (65) non-participatory LAGERS plan to the L-12 participatory plan. There is an additional cost which would be absorbed by the employees through a 4% employee match. This match is not currently required. Employees who leave before they are vested in the retirement plan are able to recoup their 4% contribution at their termination. It would be a significantly better retirement program for the employees. It requires a 45-day review.

Under the current plan and the L-14 plan, when a civilian employee retires 5 years early or a commissioned officer retires 10 years early, there is a 2% bump multiplier until the individual reaches the age of 65. If they continue to work until age 65, there would be no additional benefit. Very few people take advantage of this, due to the need for health insurance benefits. The cost far outweighs any potential benefit.

6. **FIRST READING: Bill No. 6420-16, Section VIII: AN ORDINANCE ESTABLISHING THE ANNUAL PROPERTY TAX LEVY RATE FOR THE CITY OF RAYTOWN GENERAL OPERATING FUND AND THE PARK FUND FOR THE YEAR 2016.** Point of Contact: Mark Loughry, Interim City Administrator.

Mark Loughry, Interim City Manager, provided the Staff Report and remained available for discussion.

Discussion included the City is required to annually set the property tax levy rate for both the Park Fund and the General Fund. The numbers were updated by the State, but the changes were very small. With the amended change, the levy will decrease overall by 0.0002 and will still generate approximately the same amount of revenue for the city.

ADJOURNMENT

Alderman Josh Greene, seconded by Alderman Eric Teeman, made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 8:00 p.m.

Teresa M. Henry, City Clerk