

TENTATIVE AGENDA
RAYTOWN BOARD OF ALDERMEN
JUNE 20, 2017
REGULAR SESSION NO. 5
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133

OPENING SESSION
7:00 P.M.

Mayor Michael McDonough called the June 20, 2017 Board of Aldermen meeting to order at 7:01 p.m. Reverend Jackson of Blue Ridge Presbyterian provided the invocation and led the pledge of allegiance.

Roll Call

Roll was called by Teresa Henry, City Clerk, and the attendance was as follows:

Present: Alderman Frank Hunt, Alderman Karen Black, Alderman Jason Greene, Alderman Jim Aziere, Alderman Mark Moore, Alderman Ryan Myers, Alderman Bill Van Buskirk, Alderman Steve Meyers, Alderman Eric Teeman, Alderman Bonnaye Mims

Public Comments

Allie Lueke, 8830 E 52 Terrace, spoke regarding Super Splash on behalf of former employees and the public.

Mae Leslie, 5728 Lane Ave, spoke regarding the Neighborhood Services' documentation of the parties involved in a complaint and its response.

Communication from the Mayor

The Mayor participated in Operation Handshake with Missy Wilson and Alderman Meyers.
June 10, an apartment fire displaced many residents at 7402 Overton.
June 15, attended the 100th Anniversary of the Jackson County Election Commission.
June 15, attended the annual Safety Fair at Kenagy Park
June 16, helped with the 9th annual Three Trails Kiwanis/Raytown Schools Joe Herndon Memorial Golf Tournament.

Communication from the City Administrator

Thank you to the Public Works department for its timely and effective response to the past weekend's storms. Welcome to Damon Hodges, Public Works director.

Committee Reports

Alderman Greene announced Poets in Autumn, a Christian poetry event August 4, 7:00 p.m., at Graceway Church.

Alderman Meyers, looks forward to continuing Operation Handshake and will report more in the future. The Joe Herndon Memorial Golf Tournament was successful and brought together many members of the community.

Alderman Teeman, reported that the Parks Department is working to maintain the Kenagy pond retaining wall. Raytown Christian Church is sponsoring the Free Summer Lunch program being held at Kenagy, Colman-Livengood, and Kritser parks July 5 – August 11. The Raytown Arts and Music Festival committee

is seeking event sponsors. Movies in the park will be held in Kenagy park June 23, July 21 and August 18. The Parks Department office has discounted tickets to Worlds of Fun, Oceans of Fun, Silver Dollar City and Schlitterbahn Water Park. Little Libraries in the Parks have been established in Colman-Livengood and Kenagy.

Alderman Van Buskirk attended the Police Departments Public Safety Fair. The Raytown Amateur Radio Club, KØGQ, will hold their annual field day event June 23-25 behind the Police Department.

Alderman Mims attended the Police Departments Public Safety Fair. The recent Budget Committee meeting was productive. Saturday, 10 a.m. – 2 p.m., Heaven Sent Community Baptist Church is holding a health and wellness fair. Representative Brandon Ellington is being contacted to speak about his Body-Worn Camera Bill, HB 1516.

STUDY SESSION

Data-Driven Approaches to Crime and Traffic Safety
(DDACTS)
Kyle Stoker, Crime Analyst

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 June 6, 2017 Board of Aldermen meeting minutes.

R-2980-17: A RESOLUTION AUTHORIZING AND APPROVING THE APPOINTMENT OF JANET EMERSON TO THE PLANNING & ZONING COMMISSION. Point of Contact: Teresa Henry, City Clerk

Teresa Henry, City Clerk, remained available for any discussion.

Janet Emerson was thanked for serving as a member of the Planning & Zoning Commission.

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

Ayes: Aldermen Mims, Moore, Myers, Black, Meyers, Greene, Hunt, Van Buskirk, Aziere, Teeman
Nays: None

REGULAR AGENDA

NEW BUSINESS

- BILL NO. 6444-17, SECTION IV-C-8: AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE III, DIVISION 1, OFFICERS AND EMPLOYEES, SECTION 2-105, RELATING TO THE ADOPTION OF PERSONNEL MANUAL.** Point of Contact: Teresa Henry, City Clerk.

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

Teresa Henry, City Clerk, stated that this Bill clarifies that the Personnel Manual is no longer a part of the City's code of ordinances and remained available for discussion.

Alderman Van Buskirk, seconded by Alderman Mims, made a motion to amend Bill No. 6444-17 with additional language stating that “the personnel manual may be amended from time to time, and such amendment of the personnel manual shall be approved by a three-fourths vote of the entire elected board”.

Further discussion included that a three-fourths vote is proposed because it will require more than a simple majority and shows that the board is unified in their support of the City’s personnel policies.

The motion was approved by a vote of 10-0.

Ayes: Aldermen Van Buskirk, Mims, Meyers, Greene, Myers, Moore, Aziere, Hunt, Black, Teeman
Nays: None

Alderman Teeman, seconded by Alderman Mims, made a motion to suspend the rules and have an immediate second reading of Bill 6444-17. The motion was approved by vote of 10-0.

Ayes: Aldermen Teeman, Black, Moore, Aziere, Hunt, Mims, Van Buskirk, Meyers, Greene, Myers
Nays: None

The ordinance was read by title only for a second time by Teresa Henry, City Clerk.

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

Ayes: Aldermen Van Buskirk, Black, Greene, Hunt, Meyers, Aziere, Mims, Moore, Myers, Teeman
Nays: None

Became Ordinance 5576-17

3. **R-2981-17: A RESOLUTION** AUTHORIZING AND APPROVING AN AGREEMENT WITH DUKE’S ROOT CONTROL, INC. UTILIZING THE HOUSTON-GALVESTON AREA COOPERATIVE CONTRACT IN AN AMOUNT NOT TO EXCEED \$18,000.00 FOR FISCAL YEAR 2016-2017. Point of Contact: Jason Hanson, Interim Public Works Director.

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

Damon Hodges thanked the Board and the City for his appointment. He also thanked Jason Hanson for his work as interim Director of Public Works and for presenting the Public Works items on the night’s agenda.

Jason Hanson, interim Public Works Director, remained available for any discussion.

Discussion included that this purchasing cooperative is part of the MARC system of purchasing cooperatives. The targeted locations for this program are identified through observations during the routine sewer maintenance program.

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

Ayes: Aldermen Greene, Mims, Hunt, Teeman, Moore, Van Buskirk, Meyers, Aziere, Black, Myers
Nays: None

4. **R-2982-17: A RESOLUTION** AUTHORIZING AND APPROVING AN AGREEMENT WITH INDEPENDENT SALT COMPANY FOR THE PURCHASE OF SALT FOR THE PURPOSE OF TREATING ROADS AND BRIDGES IN INCLEMENT WEATHER. Point of Contact: Jason Hanson, Interim Public Works Director

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

Jason Hanson, Interim Public Works Director, remained available for any discussion

Discussion detailed that this resolution is for approval to enter into a guaranteed-price contract with Independent Salt Company, and another resolution will be brought before the Board in the Fall regarding an actual purchase.

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

Ayes: Aldermen Mims, Moore, Teeman, Aziere, Hunt, Van Buskirk, Black, Meyers, Greene, Myers
Nays: None

5. **R-2983-17: A RESOLUTION** AUTHORIZING AND APPROVING THE PROFESSIONAL SERVICES OF SANITARY SEWER INFRASTRUCTURE REPAIR 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 9404 AND 9406 E. 82ND STREET IN AN AMOUNT NOT TO EXCEED \$20,548.00. Point of Contact: Jason Hanson, Interim Public Works Director

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

Jason Hanson, Interim Public Works Director, remained available for any discussion.

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

Ayes: Aldermen Mims, Aziere, Greene, Van Buskirk, Hunt, Meyers, Black, Moore, Myers, Teeman
Nays: None

6. **R-2984-17: A RESOLUTION** AUTHORIZING AND APPROVING THE PROFESSIONAL SERVICES OF STORM WATER INFRASTRUCTURE REPAIR 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 5736 AND 5802 MANNING IN AN AMOUNT NOT TO EXCEED \$52,130.00. Point of Contact: Jason Hanson, Interim Public Works Director.

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

Jason Hanson, Interim Public Works Director, remained available for any discussion.

Discussion included that currently there are three Storm Water Fund projects, one completed and two planned.

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

Ayes: Aldermen Teeman, Greene, Van Buskirk, Hunt, Mims, Moore, Aziere, Black, Meyers, Myers
Nays: None

Recess

Following a recess, the Mayor called the meeting to order at 8:27 p.m.

7. **R-2985-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED DECEMBER 20, 2016 RELATING TO SECTION 1-IN GENERAL. Point of Contact: Tom Cole, City Administrator.

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

Tom Cole, City Administrator, remained available for any discussion.

Alderman Greene, seconded by Alderman Moore, made a motion to adopt.

Further discussion included that most of the amendments are acceptable but the MOU line of section 1-5 should be removed because it would enable a single department to operate separately from the rest of the City and this defies the Personnel Manual's principle of uniformity. Any departmental manuals will remain in effect, but should be subservient to the City's Personnel Manual.

Alderman Teeman, seconded by Alderman Van Buskirk, made a motion to remove the MOU line of section 1-5. The motion was approved by a vote of 10-0.

Ayes: Aldermen Teeman, Van Buskirk, Black, Hunt, Aziere, Greene, Myers, Moore, Meyers, Mims
Nays: None

Alderman Greene's motion to adopt, seconded by Alderman Moore, was approved by a vote of 10-0.

Ayes: Aldermen Greene, Moore, Meyers, Van Buskirk, Myers, Mims, Aziere, Hunt, Black, Teeman
Nays: None

8. **R-2986-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED ON DECEMBER 20, 2016 RELATING TO SECTION 2-PROVISIONS APPLICABLE TO ALL OFFICERS AND EMPLOYEES. Point of Contact: Tom Cole, City Administrator

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

Tom Cole, City Administrator, remained available for any discussion.

Discussion included that Section 6, Article 7 of the Missouri Constitution includes a nepotism clause that some cities have cited in their personnel codes. No current personnel have been transferred, hired, and promoted in contradiction to the City's current personnel code adopted in December 2016. The policy adopted in the current Personnel Manual was reviewed by Ensz & Jester, P.C.

Alderman Van Buskirk, seconded by Alderman Teeman, made a motion to table the resolution indefinitely. The motion was approved by a vote of 10-0.

Ayes: Aldermen Van Buskirk, Teeman, Mims, Hunt, Moore, Greene, Black, Aziere, Meyers, Myers
Nays: None

9. **R-2987-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED ON DECEMBER 20, 2016 RELATING TO SECTION 3- PROVISIONS APPLICABLE TO UNCLASSIFIED EMPLOYEES. Point of Contact: Tom Cole, City Administrator

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

Tom Cole, City Administrator, remained available for any discussion.

Alderman Van Buskirk made a motion to table the resolution indefinitely.

Discussion included that it is important to ensure employees as well as their supervisors and department heads have an equal right to receive performance reviews and consideration for merit-based raises.

Alderman Van Buskirk withdrew the motion to table the resolution indefinitely.

Further discussion included that evaluation forms will be created at a later date.

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

Ayes: Aldermen Teeman, Moore, Black, Hunt, Aziere, Greene, Myers, Van Buskirk, Mims

Nays: Alderman Meyers

10. **R-2988-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED ON DECEMBER 20, 2016 RELATING TO SECTION 4- PROVISIONS APPLICABLE TO CLASSIFIED EMPLOYEES. Point of Contact: Tom Cole, City Administrator

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

Tom Cole, City Administrator, remained available for any discussion.

Alderman Van Buskirk, seconded by Alderman Mims, made a motion to approve only amendments to 4-19 and 4-40 of the resolution.

Discussion clarified that the Police Department has a separate policy and handles all complaints directly through Internal Affairs investigations. The Police Department adheres to the City's Personnel Manual and is free to follow their own policies so long as, at a minimum, those Police Department policies satisfy the policies detailed by the Personnel Manual.

In 4-17 number 2, if an employee has accrued more than the maximum number of hours of sick and vacation leave, their accrual will halt until their hours drop below the allowed maximum.

Currently the Police Department does not have a, explicit policy dictating that the City Administrator be made aware of all complaints against the Police Department, but this remains an unwritten practice between the Chief of Police and the City Administrator.

Alderman Teeman, made a motion to table the resolution to a date certain of July 11, 2017.

Further discussion clarified that employees can accrue 12 days of sick leave per year and the cap for accrued sick leave of 1040 hours is based on FMLA regulations. All sick leave can be sold back to the City at a reduced percentage rate.

Alderman Mims withdrew her second to Alderman Van Buskirk's motion to amend the resolution.

Final discussion included a detailed list of the approved and rejected amendments to resolution 2988-17.

Alderman Teeman withdrew his motion to table the resolution to a date certain of July 11, 2017.

Alderman Van Buskirk's motion to approve only items 4-19 and 4-40 did not receive a second.

Alderman Mims, seconded by Alderman Myers, made a motion to adopt R-2988-17 with the approved and rejected changes made during discussion of the resolution's amendments. The motion was approved by a vote of 10-0.

Ayes: Aldermen Mims, Myers, Greene, Hunt, Meyers, Aziere, Black, Moore, Teeman, Van Buskirk
Nays: None

Alderman Greene, seconded by Alderman Aziere, made a motion to carry over items 11-18 to a date certain of July 18, 2017.

Discussion of this motion clarified that the amendments to the Personnel Manual will stand in effect while they are sent for review by Ensz & Jester, P.C.

Alderman Greene's motion to carry over items 11-18 to a date certain of July 18, 2018, seconded by Alderman Aziere, was approved by a vote of 6-5.

Ayes: Aldermen Greene, Aziere, Moore, Hunt, Black, Mayor McDonough
Nays: Teeman, Mims, Van Buskirk, Meyers, Myers

11. **R-2989-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED ON DECEMBER 20, 2016 RELATING TO SECTION 5-COMPENSATION AND CLASSIFICATION PLAN. Point of Contact: Tom Cole, City Administrator
12. **R-2990-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED ON DECEMBER 20, 2016 RELATING TO SECTION 6-VIOLENCE IN THE WORKPLACE. Point of Contact: Tom Cole, City Administrator
13. **R-2991-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED ON DECEMBER 20, 2016 RELATING TO SECTION 7-SUBSTANCE ABUSE. Point of Contact: Tom Cole, City Administrator
14. **R-2992-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED DECEMBER 20, 2016 RELATING TO THE ON CALL POLICY. Point of Contact: Tom Cole, City Administrator
15. **R-2993-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED DECEMBER 20, 2016 RELATING TO AN ON CALL POLICY-POLICE DEPARTMENT. Point of Contact: Tom Cole, City Administrator
16. **R-2994-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED DECEMBER 20, 2016 RELATING TO THE TAKE HOME CITY OWNED VEHICLES POLICY. Point of Contact: Tom Cole, City Administrator
17. **R-2995-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED ON DECEMBER 20, 2016 RELATING TO THE TIME CLOCK POLICY. Point of Contact: Tom Cole, City Administrator

18. **R-2996-17: A RESOLUTION** AUTHORIZING AND APPROVING AMENDMENTS TO THE CITY OF RAYTOWN PERSONNEL MANUAL ADOPTED DECEMBER 20, 2016 RELATING TO THE TUITION REIMBURSEMENT POLICY. Point of Contact: Tom Cole, City Administrator

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(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys;
- 610.021 (2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore;
- 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.

Alderman Black, seconded by Alderman Moore, made a motion to move to a closed session. The motion was approved by a majority of those present.

ADJOURNMENT

The meeting adjourned at 10:58 p.m.

Teresa M. Henry, MRCC
City Clerk

Next Ordinance No.: 5576-17