

**MINUTES**  
**RAYTOWN BOARD OF ALDERMEN**  
**NOVEMBER 19, 2019**  
REGULAR SESSION NO. 14  
RAYTOWN CITY HALL  
10000 EAST 59<sup>TH</sup> STREET  
RAYTOWN, MISSOURI 64133  
7:00 P.M.

**OPENING SESSION**

Mayor Michael McDonough called the November 19, 2019 Board of Aldermen meeting to order at 7:03 p.m. and Reverend Dr. Orin Cummings of Blue Ridge Trinity Lutheran Church provided the invocation and led the pledge of allegiance.

**Roll**

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

Present: Alderman Derek Ward, Alderman Bonnaye Mims, Alderman Bill Van Buskirk, Alderman Mary Jane Van Buskirk, Alderman Janet Emerson, Alderman Ryan Myers, Alderman Jason Greene, Alderman Jim Aziere, Alderman Frank Hunt, Alderman Greg Walters

**Public Comments**

Public comments were given by:

Joanne Miller

Michael Anderson

Phylis Goforth and Pam Clark

Amy Schwaller

**Communication from the Mayor**

Mayor McDonough spoke on recent events and City business.

**Communication from the City Administrator**

Damon Hodges, City Administrator, provided an update on the City's current projects and plans.

**Committee Reports**

Committee reports were shared from Aldermen Aziere and Mary Jane Van Buskirk.

**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 November 12, 2019 Board of Aldermen meeting minutes.

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

Ayes: Aldermen Mims, Mary Jan Van Buskirk, Ward, Hunt, Bill Van Buskirk, Emerson, Myers, Greene, Aziere, Walters  
Nays: None

Alderman Bill Van Buskirk, seconded by Alderman Walters, made a motion to remove R-3254-19 from the agenda and continue it to the next scheduled Board of Aldermen meeting as a discussion item.

The motion was discussed.

Alderman Myers, seconded by Alderman Mims, made a motion to call the question.

Alderman Myers' motion was discussed.

Alderman Myers' motion to call the question, seconded by Alderman Mims, was approved by a vote of 7-3.

Ayes: Aldermen Myers, Mims, Mary Jane Van Buskirk, Greene, Emerson, Aziere, Hunt  
Nays: Bill Van Buskirk, Walters, Ward

Discussion continued.

Alderman Bill Van Buskirk's motion, seconded by Alderman Walters, was approved by a vote of 6-4.

Ayes: Aldermen Bill Van Buskirk, Walters, Aziere, Hunt, Ward, Mary Jane Van Buskirk  
Nays: Aldermen Greene, Mims, Emerson, Myers

Discussion continued.

Alderman Ward called for regular order and Mayor McDonough recognized the call for regular order, however Discussion continued.

### **OLD BUSINESS**

2. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 6132 Blue Ridge Boulevard.

2a. **SECOND READING: Amended Bill No. 6529-19, Section XIII. AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR ANTHONY LAROSE TO OPERATE A TATTOO AND BODY PIERCING USE AT 6132 BLUE RIDGE BOULEVARD IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI.** Point of Contact: Chris Gilbert, Planning & Zoning Coordinator.

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

Chris Gilbert, Planning & Zoning Coordinator presented the item, read the conditions and remained for any discussion along with Terry Mammen, the property owner, and Anthony Larose, the applicant.

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

The item was discussed.

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

Roll on the vote was called by Damon Hodges, City Administrator.

Ayes: Aldermen Myers, Greene, Hunt, Emerson, Bill Van Buskirk, Ward, Walters, Aziere, Mary Jane Van Buskirk, Mims

Nays: None

Mayor McDonough closed the public hearing.

3. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 8838 E. 350 Highway.

3a. **SECOND READING: Amended Bill No. 6530-19, Section XIII. AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR CHRISTOPHER BOWERS TO OPERATE A VEHICLE REPAIR (GENERAL) USE AT 8838 E. 350 HIGHWAY IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI.** Point of Contact: Chris Gilbert, Planning & Zoning Coordinator.

The ordinance was read by title only by Jennifer Baird, City Attorney.

Chris Gilbert, Planning & Zoning Coordinator presented the item, read the conditions and remained for any discussion along with Christopher Bowers, the applicant.

Alderman Myers, seconded by Mims, made a motion to adopt.

The item was discussed.

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

Roll on the vote was called by Teresa Henry, City Clerk.

Ayes: Aldermen Myers, Mims, Aziere, Greene, Mary Jane Van Buskirk, Walters, Ward, Hunt, Bill Van Buskirk, Emerson

Nays: None

Mayor McDonough closed the public hearing.

4. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 10805 E. 350 Highway.

4a. **SECOND READING: Bill No. 6531-19, Section XIII. AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR MOHAMMAD MURAYAN TO OPERATE A VEHICLE SALES AND DETAILING USE AT 10805 E. 350 HIGHWAY IN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI.** Point of Contact: Chris Gilbert, Planning & Zoning Coordinator.

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

Chris Gilbert, Planning & Zoning Coordinator presented the item, read the conditions and remained for any discussion along with Mohammad Murayan, the property owner and applicant.

Alderman Myers, seconded by Alderman Mims, made a motion to adopt.

The item was discussed.

The motion was approved by a vote of 9-1.

Ayes: Aldermen Myers, Mims, Bill Van Buskirk, Hunt, Ward, Greene, Emerson, Aziere, Walters,

Nays: Alderman Mary Jane Van Buskirk

The applicant asked a follow-up question and it was discussed.

Mayor McDonough closed the public hearing.

### **OLD BUSINESS**

5. **SECOND READING: Bill No.: 6533-19, Section V-A. AN ORDINANCE** AUTHORIZING AND APPROVING A MEMORANDUM OF UNDERSTANDING FOR FIRST RESPONDER POINT OF DISPENSING BY AND BETWEEN JACKSON COUNTY, MISSOURI HEALTH DEPARTMENT AND THE CITY OF RAYTOWN, MISSOURI. Point of Contact: Randy Hudspeth, Interim Police Chief.

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

Captain Michelle Rogers presented the item and remained for any discussion.

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

Ayes: Aldermen Mims, Bill Van Buskirk, Myers, Emerson, Walters, Mary Jane Van Buskirk, Greene, Hunt, Aziere, Ward

Nays: None

### **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;

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adjourn and reconvene in Closed Session. The motion was approved by a vote of 10-0.

Ayes: Aldermen Mims, Mary Jane Van Buskirk, Greene, Bill Van Buskirk, Myers, Emerson, Aziere, Hunt, Walters, Ward

Nays: None

The meeting adjourned to Closed Session at 8:41 p.m.

Mayor McDonough reconvened the meeting in Open Session at 9:16 p.m.

### **NEW BUSINESS**

6. **FIRST READING: Bill No.: 6535-19, Section XI. AN ORDINANCE** AMENDING CHAPTER 8-BUILDINGS AND BUILDING REGULATIONS WITH THE ADDITION OF ARTICLE XIV, RENTAL DWELLING MAINTENANCE REGULATIONS TO THE RAYTOWN MUNICIPAL CODE. Point of Contact: Alderman Ryan Myers and Missy Wilson, Assistant City Administrator.

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

Alderman Myers presented the item.

The item was discussed.

Missy Wilson, Assistant City Administrator, presented on the item and remained for any further discussion.

Discussion continued.

Discussion on Bill No. 6535-19 ended.

Alderman Hunt addressed the Mayor and stated the he wanted to make a motion to reconsider the vote to remove Resolution R-3254-19 from the agenda. The motion was seconded by Alderman Emerson.

The motion was discussed.

The motion made by Alderman Hunt, seconded by Alderman Emerson, was approved by a vote of 6-4.

Ayes: Aldermen Hunt, Emerson, Mims, Greene, Myers, Aziere  
Nays: Aldermen Walters, Ward, Bill Van Buskirk, Mary Jane Van Buskirk

Resolution R-3254-19 was added back to the agenda as Item 7.

7. **R-3254-19: A RESOLUTION** REPEALING THE CODE OF ETHICS ADOPTED BY RESOLUTION R-2177-09 AND AUTHORIZING AND APPROVING A CODE OF ETHICS AND CONDUCT FOR ELECTED AND APPOINTED OFFICIALS OF THE CITY OF RAYTOWN, MISSOURI. Point of Contact: Alderman Bonnaye Mims.

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

Alderman Walters made a motion to amend Section C(a) by striking the word "Board" from the beginning of the second sentence.

The motion was discussed.

Alderman Walters, seconded by Alderman Mims, amended his motion to strike the complete second sentence of Section C(a).

Discussion continued.

For the 2<sup>nd</sup> time, Alderman Walters, seconded by Alderman Mims, amended his motion to remove Section C(a) in its entirety.

Discussion continued.

The motion to remove Section C(a) in its entirety was approved by a vote of 10-0.

Ayes: Aldermen Walters, Mims, Bill Van Buskirk, Hunt, Ward, Greene, Emerson, Aziere, Mary Jane Van Buskirk, Myers  
Nays: None

Discussion continued.

Alderman Bill Van Buskirk, seconded by Alderman Ward made a motion to amend section C(c):

From: "...a **majority vote of at least a quorum** of the Board of Aldermen..."  
To: "...a **three-fourths (3/4) vote** of the **entire** Board of Aldermen..."

The motion was approved by vote of 10-0.

Ayes: Aldermen Bill Van Buskirk, Ward, Mary Jane Van Buskirk, Greene, Myers, Mims, Emerson, Aziere, Hunt, Walters

Nays: None

Discussion continued.

Alderman Walters, seconded by Alderman Bill Van Buskirk, made a motion to have all instances of "Board of Aldermen" amended to include "Mayor" so that they read "Mayor and Board of Aldermen."

The motion was discussed.

The motion was approved by a vote of 7-3.

Ayes: Aldermen Walters, Bill Van Buskirk, Mims, Ward, Greene, Aziere, Mary Jane Van Buskirk

Nays: Aldermen Hunt, Emerson, Myers

Discussion continued.

Alderman Mims, seconded by Alderman Myers, made a motion to adopt as amended. The motion was approved by a vote of 8-2.

Ayes: Aldermen Mims, Myers, Emerson, Aziere, Hunt, Bill Van Buskirk, Mary Jane Van Buskirk, Greene

Nays: Aldermen Ward, Walters

## 8. **REPORT OF CERTIFIED ELECTION RESULTS FROM THE NOVEMBER 5, 2019 ELECTION**

Teresa Henry, City Clerk, presented the item and remained for any discussion.

Alderman Walters, seconded by Alderman Greene, made a motion to accept the certified election results.

The item was discussed.

The motion was approved by vote of 10-0.

Ayes: Aldermen Walters, Greene, Bill Van Buskirk, Hunt, Mary Jane Van Buskirk, Aziere, Mims, Emerson, Myers, Ward

Nays: None

## 9. **R-3255-19: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF FUEL FROM JOHN MOORE OIL COMPANY OFF THE CITY OF LEE'S SUMMIT, MISSOURI COOPERATIVE PURCHASE CONTRACT FOR FISCAL YEAR 2019-2020 IN AN AMOUNT NOT TO EXCEED \$149,548.00. Point of Contact: Damon Hodges, City Administrator.

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

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

Damon Hodges, City Administrator, presented the item and remained for any discussion along with Tony Mesa, Public Works Superintendent, and Jason Hanson, City Engineer.

The item was discussed.

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

Ayes: Aldermen Greene, Walters, Ward, Hunt, Bill Van Buskirk, Mary Jane Van Buskirk, Emerson, Myers, Aziere, Mims

Nays: None

10. **R-3256-19: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF PARTS AND SUPPLIES FROM GENERAL MOTOR PARTS CO. (NAPA) OFF THE STATE OF MISSOURI COOPERATIVE PURCHASING CONTRACT IN EXCESS OF \$15,000.00 BUT WITHIN BUDGETED AMOUNTS FOR FISCAL YEAR 2019-2020. Point of Contact: Damon Hodges, City Administrator.

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

Damon Hodges, City Administrator, presented the item and remained for any discussion along with Tony Mesa, Public Works Superintendent, and Jason Hanson, City Engineer.

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

The item was discussed.

Alderman Walters left the dais at 10:37 p.m.

The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Greene, Hunt, Emerson, Bill Van Buskirk, Ward, Aziere, Myers, Mary Jane Van Buskirk, Mims

Nays: None

Absent: Alderman Walters

11. **R-3257-19: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF PARTS AND SUPPLIES FROM O'REILLY AUTO PARTS OFF THE STATE OF MISSOURI COOPERATIVE PURCHASING CONTRACT IN EXCESS OF \$15,000.00 BUT WITHIN BUDGETED AMOUNTS FOR FISCAL YEAR 2019-2020. Point of Contact: Damon Hodges, City Administrator.

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

Tony Mesa, Public Works Superintendent, presented the item and remained for any discussion along with Damon Hodges, City Administrator, and Jason Hanson, City Engineer.

Alderman Mary Jane Van Buskirk, seconded by Alderman Mims, made a motion to adopt.

Alderman Walters returned to the dais at 10:39 p.m.

The motion was approved by a vote of 9-0-0-1.

Ayes: Aldermen Mary Jane Van Buskirk, Mims, Aziere, Greene, Myers, Ward, Hunt, Bill Van Buskirk, Emerson

Nays: None

Absent: None

Abstain: Alderman Walters

Alderman Mims left the dais at 10:39 p.m.

12. **R-3258-19: A RESOLUTION** AUTHORIZING AND APPROVING THE EXPENDITURE OF FUNDS WITH AUTOMATED CONTROL SYSTEMS IN EXCESS OF \$15,000.00 BUT WITHIN BUDGETED AMOUNTS FOR FISCAL YEAR 2019-2020. Point of Contact: Damon Hodges, City Administrator.

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

Tony Mesa, Public Works Superintendent, presented the item and remained for any discussion along with Damon Hodges, City Administrator, and Jason Hanson, City Engineer.

The item was discussed.

Alderman Bill Van Buskirk, seconded by Alderman Emerson, made a motion to adopt.

The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Bill Van Buskirk, Emerson, Hunt, Ward, Greene, Aziere, Walters, Mary Jane Van Buskirk, Myers

Nays: None

Absent: Alderman Mims

13. **R-3259-19: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF UNIFORMS AND SUPPLIES FROM CINTAS OFF THE US COMMUNITIES PURCHASING CONTRACT IN EXCESS OF \$15,000.00 BUT WITHIN BUDGETED AMOUNTS FOR FISCAL YEAR 2019-2020. Point of Contact: Damon Hodges, City Administrator.

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

Damon Hodges, City Administrator, presented the item and remained for any discussion along with Tony Mesa, Public Works Superintendent, and Jason Hanson, City Engineer.

Alderman Mary Jane Van Buskirk, seconded by Alderman Emerson, made a motion to adopt.

The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Mary Jane Van Buskirk, Emerson, Myers, Walters, Greene, Hunt, Bill Van Buskirk, Aziere, Ward

Nays: None

Absent: Alderman Mims

14. **R-3260-19: A RESOLUTION** AUTHORIZING AND APPROVING THE PURCHASE OF TIRES AND SUPPLIES FROM SUMNER TIRE OFF THE STATE OF MISSOURI COOPERATIVE PURCHASE CONTRACT IN EXCESS OF \$15,000.00 BUT WITHIN BUDGETED AMOUNTS FOR FISCAL YEAR 2019-2020. Point of Contact: Damon Hodges, City Administrator.

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

Tony Mesa, Public Works Superintendent, presented the item and remained for any discussion along with Damon Hodges, City Administrator, and Jason Hanson, City Engineer.

Alderman Mary Jane Van Buskirk, seconded by Alderman Myers, made a motion to adopt.

The motion was approved by a vote of 9-0-1.

Ayes: Aldermen Mary Jane Van Buskirk, Myers, Greene, Bill Van Buskirk, Emerson, Aziere, Hunt, Walters, Ward

Nays: None

Absent: Alderman Mims

Alderman Mims returned to the dais at 10:45 p.m.

## **DISCUSSION ITEM**

15. Dog Tethering, Alderman Jim Aziere

Alderman Aziere presented the item and recommended that it be reviewed by the Municipal Committee.

The item was discussed.

Alderman Myers, seconded by Alderman Ward, made a motion to move the item to the Municipal Committee. The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Ward, Mims, Hunt, Emerson, Greene, Bill Van Buskirk, Walters, Aziere, Mary Jane Van Buskirk

Nays: None

## **ADJOURNMENT**

Alderman Mims, seconded by Alderman Mary Jane Van Buskirk, made a motion to adjourn. The motion was approved by a majority of those present.

The meeting adjourned at 10:58 p.m.

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Teresa M. Henry, MRCC  
City Clerk