TENTATIVE AGENDA
Raytown Board of Aldermen
August 15, 2023

REGULAR SESSION NO. 9
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
AND
ONLINE ZOOM WEBINAR
7:00 PM

The meeting will be streamed live and can be accessed on the City's website at www.raytown.mo.us. In addition, a video recording of the meeting will be available within 48 hours on the City's website. For questions, contact City Clerk, Teresa Henry at (816) 737-6004 or thenry@raytown.mo.us.

Public comments can be made in-person by signing in before the meeting using the sign-in sheet available in the City hall Council Chamber. To make public comments remotely, please use the Zoom Webinar ID and Passcode below and notify the Clerk, using the contact information above, of your intent to give a Public Comment remotely during the live online meeting, or send your Public Comments to the City Clerk at the email address above by 12:00 p.m. (noon) on so that your comments can be presented in writing to the Board of Aldermen during the Public Comments section of the August 15, 2023 meeting agenda. All Public Comments received will be kept on file in the City Clerk's office.

zoom.us/join
Webinar ID: 850 1891 6736
Passcode: 315942

OPENING SESSION

Invocation/Pledge of Allegiance

Roll Call

Public Comments

Proclamations/Presentations

Proclamation recognizing Kevin Wilson

Comments from the Mayor

Comments from the City Administrator

Committee Reports

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. An item designated for the Consent Agenda may be removed from the Consent Agenda at the request of the Mayor or an Alderman, where there is no objection by the remaining members of the Board. If there is an objection to removal of an item from the Consent agenda, the item may be removed by a motion and vote of the Board.

1.a. Acceptance of the August 1, 2023 Board of Aldermen Meeting Minutes.

OLD BUSINESS

2. **SECOND READING: Bill 6635-23, Section XIII: AN ORDINANCE** AUTHORIZING AND

APPROVING AN AGREEMENT BY AND AMONG SHIRIN INVESTMENTS, LLC, THE CITY OF RAYTOWN, MISSOURI AND THE CITY OF KANSAS CITY, MISSOURI FOR PLANS REVIEW IN CONNECTION WITH A CONVENIENCE STORE TO BE LOCATED AT 8619 BLUE RIDGE BLVD. Point of Contact: Missy Wilson, Assistant City Administrator/Economic Development Administrator.

3. **SECOND READING: Bill No. 6641-23, Section XIII: AN ORDINANCE** APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO MARK THATCHER OF BANKERS SECURITY SAFE AND VAULT COMPANY FOR OUTDOOR STORAGE OF MATERIALS AT 9913 E. 56TH STREET IN AN M, MANUFACTURING DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Diane Egger, Community Development Director. (Public Hearing was held on August 1, 2023)

4. **SECOND READING: Bill No. 6642-23, Section XIII: AN ORDINANCE** APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO WILLIAM CODY JACK OF ANCHORED UP LLC FOR VEHICLE SALES, NEW OR USED, USE IN THE FORM OF A BOAT SALES OPERATION AT 11900 E. MISSOURI 350 HIGHWAY IN AN M, MANUFACTURING, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Diane Egger, Community Development Director. (Public Hearing was held on August 1, 2023)

NEW BUSINESS

5. **FIRST READING: Bill No. 6643-23, Section XXI-E-8. AN ORDINANCE** AMENDING CHAPTER 44, UTILITIES; ARTICLE III; SEWERS, DIVISION 3; SERVICES CHARGES, SECTION 44-154 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI Point of Contact: Michael Graham. (Public Hearing will be held September 15, 2023)

6. **RESOLUTION NO. R-3535-23**. A RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO THE CURRENT PURCHASING POLICY FOR THE CITY OF RAYTOWN. Point of Contact: Alderman Bill Van Buskirk.

DISCUSSION ITEM

7. Staffing Study-Alderman Bonnaye Mims

8. Tax Assessments-Alderman Greg Walters

ADJOURNMENT

MINUTES
Raytown Board of Aldermen
August 1, 2023

Regular Session No. 8
RAYTOWN CITY HALL
10000 EAST 59TH STREET
RAYTOWN, MISSOURI 64133
AND
ONLINE ZOOM WEBINAR
7:00 PM

Mayor Michael McDonough called the August 1, 2023, Board of Aldermen Regular meeting to order at 7:18 p.m. Alex Sons, of Rock Island Church, provided the invocation and led the pledge of allegiance.

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

Present: Alderman Greg Walters, Alderman Ian Scott, Alderman Jim Aziere, Alderman Loretha Hayden, Alderman Ryan Myers, Alderman Janet Emerson, Alderman Theresa Garza, Alderman Bill Van Buskirk, Alderman Bonnaye Mims, Alderman Diane Krizek

Absent: None

Public Comments

Comments were made by:

Brooke Madrid, 6105 Hunter Street

BJ Taylor, 6201 Lane

Shari Bernard, 7517 Crisp Avenue

Communication from the Mayor

None.

Communication from the City Administrator

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

Committee Reports

Comments were shared by Aldermen Walters, Bill Van Buskirk, and Mims.

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.

1.a. Acceptance of the July 11, 2023 Board of Aldermen Regular Meeting Minutes.

1.b. Acceptance of the July 18, 2023 Board of Aldermen Regular Meeting Minutes.

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

Ayes: Alderman Aziere, Mims, Emerson, Krizek, Scott, Van Buskirk, Walters, Garza, Hayden, Myers
Nays: None

OLD BUSINESS

2. **Second Reading: Bill No. 6639-23, Section IX: AN ORDINANCE** AMENDING CHAPTER 6-ANIMALS, ARTICLE III, CARE AND CONTROL REGULATIONS, DIVISION 1-GENERALLY, SECTION 6-64 CRUELTY TO ANIMALS AND FOWL AND AMENDING DIVISION 3-NUISANCE ANIMALS, SECTION 6-131-PRIVATE PROPERTY RIGHTS OF THE RAYTOWN MUNICIPAL CODE. Point of Contact: Diane Egger, Community Development Director.

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

Diane Egger, Community Development Director, presented the item and remained for any discussion.

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

Ayes: Aldermen Myers, Emerson, Aziere, Mims, Hayden, Garza, Walters, Krizek, Scott, Van Buskirk
Nays: None

Became ordinance 5732-23.

NEW BUSINESS

3. Public Hearing: A public hearing to consider a Conditional Use Permit at property located at 9913 E. 56th Street.

3a. FIRST READING: Bill No. 6641-23, Section XIII: AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO MARK THATCHER OF BANKERS SECURITY SAFE AND VAULT COMPANY FOR OUTDOOR STORAGE OF MATERIALS AT 9913 E. 56TH STREET IN AN M, MANUFACTURING DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Diane Egger, Community Development Director.

Mayor McDonough opened the public hearing.

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

Diane Egger, Community Development Director, presented the item and remained for any discussion.

Mayor McDonough closed the public hearing.

DRAFT

Alderman Myers, seconded by Alderman Scott, made a motion to continue to a date certain of August 15, 2023. The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Scott, Mims, Hayden, Krizek, Emerson, Van Buskirk, Walters, Aziere, Garza
Nays: None

4. Public Hearing: A public hearing to consider a Conditional Use Permit for property located at 11900 E. 350 Highway.

4a. FIRST READING: Bill No. 6642-23, Section XIII: AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO WILLIAM CODY JACK OF ANCHORED UP LLC FOR VEHICLE SALES, NEW OR USED, USE IN THE FORM OF A BOAT SALES OPERATION AT 11900 E. MISSOURI 350 HIGHWAY IN AN M, MANUFACTURING, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI. Point of Contact: Diane Egger, Community Development Director.

Mayor McDonough opened the public hearing.

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

Diane Egger, Community Development Director, presented the item and remained for any discussion along with the applicant, William Jack of Anchored Up.

Mayor McDonough closed the public hearing.

Alderman Myers, seconded by Alderman Mims, made a motion to continue to a date certain of August 15, 2023. The motion was approved by a vote of 10-0.

Ayes: Aldermen Myers, Mims, Van Buskirk, Krizek, Aziere, Scott, Emerson, Walters, Garza, Harden
Nays: None

5. **R-3534-23: A RESOLUTION** AUTHORIZING AND APPROVING THE APPLICATION OF A GRANT REQUEST TO THE MISSOURI DEPARTMENT OF CONSERVATION IN THE AMOUNT OF $28,000.00 TO UPDATE THE PARKS TREE INVENTORY PROGRAM AND COMPLETE NEEDED TREE MAINTENANCE ON PARK PROPERTIES. Point of Contact: Dave Turner, Parks & Recreation Director.

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

Dave Turner, Parks & Recreation Director, presented the item and remained for any discussion.

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

Ayes: Aldermen Hayden, Emerson, Krizek, Aziere, Scott, Mims, Van Buskirk, Walters, Garza, Myers
Nays: None

Mayor McDonough called for a short break at 8:16 p.m.

Mayor McDonough reconvened the meeting at 8:29 p.m.

DISCUSSION ITEM(S)

6. Purchasing Policy - Alderman Bill Van Buskirk

The item was presented by Alderman Van Buskirk.

Alderman Van Buskirk, seconded by Alderman Walters, made a motion directing staff to bring forward an amendment to the purchasing policy changing the City Administrator's spending authority without Board of Aldermen as follows:

City Administrator Approval Limit
Non-budgeted purchases up to ~~$30,000~~ **$20,000**;
Budgeted purchases up to ~~$50,000~~ **$30,000**

The motion was approved by a vote of 6-4.

Ayes: Aldermen Van Buskirk, Walters, Emerson, Krizek, Mims, Garza
Nays: Aldermen Aziere, Scott, Hayden, Myers

7. Staffing - Alderman Bonnaye Mims

The item was presented by Alderman Mims.

ADJOURNMENT

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

The meeting was adjourned at 9:42 p.m.

_____
Teresa M. Henry, City Clerk, MRCC

DRAFT

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/04/2023

MEETING DATE: August 15, 2023

SUBMITTED BY: **DEPARTMENT: Administration**

Document Type: Ordinance

SUBJECT/REQUEST

Approve ordinance authorizing and approving Plans Review Building Code/Permitting Inspections Certificate of Occupancy and Platting Agreement between City of Raytown, City of Kansas City, Missouri and Shirin Investment, LLC.

BACKGROUND/JUSTIFICATION

Shirin Investment, LLC owns the property commonly known as 8619 Blue Ridge Blvd, Kansas City, Missouri. A portion of the property is located within Raytown city limits. Shirin Investment, LLC proposes to demolish the existing building, formerly Texas Tom restaurant, to build a freestanding canopy with four (4) fuel islands and build a new 3,800 sq.ft. convenience store (The Project). The property is zoned for the proposed commercial use.

The bulk of the proposed improvements will be built primarily within the Kansas City, Missouri city limits, including the fuel canopy, underground fuel storage along with existing access to the site from Blue Ridge Boulevard and certain site utilities.

The Plans Review Building Code/Permitting Inspections Certificate of Occupancy and Platting Agreement defines the roles and responsibilities each municipality (City of Kansas City, Mo and City of Raytown, Mo) shall have regarding plans review, building code/permitting, inspections, platting (if any), and certificate of occupancy for The Project, but also other aspects of zoning, fire, health department, business licenses, storm, and sanitary sewer and utilities and all other aspects of The Project for which municipal governmental approvals are required.

RECOMMENDED MOTION

Authorize and approve the agreement as presented.

PREVIOUS ACTION

During the July 11, 2023 Board of Aldermen meeting, this item was continued to a date certain of August 15, 2023.

COMMISSION/COMMITTEE REVIEW

FINANCIAL IMPACT

Contractor:	
Amount of Request/Contract:	
Amount Budgeted:	
Funding Source/Account #:	

REVIEWED BY

Jennifer Baird
Damon Hodges
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Ord Plans Review Agreement (Shirin - 8619 Blue Ridge)
2. Ord Plans Review Agreement (Shirin - 8619 Blue Ridge) attachment

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

Document	Attached	If not attached, explain
Secretary of State:		
Certificate of Insurance:		
E-Verify Affidavits:		
E-Verify proof of enrollment:		
Bond:		
IRS Form W-9:		
Bid/RFP/RFQ: (submit all)		
Bid/RFP/RFQ Tabulation:		
Bid Waiver: Sole source or less than three bids		
Contractor address and email:		
Project Exemption Certificate needed:		
Other:		

BILL NO. 6635-23 ORDINANCE NO. _____ SECTION NO. XIII

AN ORDINANCE AUTHORIZING AND APPROVING AN AGREEMENT BY AND AMONG SHIRIN INVESTMENTS, LLC, THE CITY OF RAYTOWN, MISSOURI AND THE CITY OF KANSAS CITY, MISSOURI FOR PLANS REVIEW IN CONNECTION WITH A CONVENIENCE STORE TO BE LOCATED AT 8619 BLUE RIDGE BLVD

WHEREAS, Shirin Investments, LLC ("Shirin") intends to demolish the existing structure and build a new freestanding canopy with (4) fuel islands and a new 3,800 s.f. convenience store at 8619 Blue Ridge Blvd, primarily located in Kansas City, Missouri ("KCMO") and a portion in Raytown, Missouri ("Raytown"); and

WHEREAS, the parties desire to set forward the responsibilities for plans review, building/code permitting, inspections, platting, and certificate of occupancy for the project within each city.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, as follows:

SECTION 1 – AGREEMENT. That the Plans Review Building Code/Permitting Inspections Certificate of Occupancy and Platting Agreement by and among Shirin Investments, LLC, the City of Raytown, Missouri, and the City of Kansas City, Missouri, attached hereto and incorporated herein, is hereby authorized and approved. The City Administrator is authorized to execute the agreement and the city clerk is authorized to attest thereto.

SECTION 2 – REPEAL OF ORDINANCES IN CONFLICT. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 4 – EFFECTIVE DATE. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this 15th day of August, 2023.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

PLANS REVIEW BUILDING CODE/PERMITTING INSPECTIONS CERTIFICATE OF OCCUPANCY AND PLATTING AGREEMENT

This Plans Review, Building Code/Permitting, Inspections, Certificate of Occupancy and Platting (if any) Agreement ("Agreement") is made this _____ day of _____, 2023 by and between Shirin Investments, LLC ("Shirin"), the City of Raytown, Missouri ("RMO") and the City of Kansas City, Missouri ("KCMO").

WHEREAS Shirin is the owner of the property commonly known as 8619 Blue Ridge Blvd, Kansas City, Missouri (the "subject property"); and

WHEREAS Shirin Investments proposes to demolish the existing building at the subject property and build a new freestanding canopy with (4) fuel islands and build a new 3,800 SF convenience store (the "project" or the "proposed improvements"); and

WHEREAS the bulk of the proposed improvements will be primarily within the Kansas City, Missouri city limits, including the fuel canopy, dispensers, and underground fuel storage along with the existing access to the site off Blue Ridge Blvd and certain site utilities; and

WHEREAS given the location of the Raytown city limit line, approximately half of the new convenience store building will be in Kansas City and half in Raytown; and

WHEREAS KCMO, RMO and Shirin desire and agree that, except as stated herein, KCMO shall have jurisdiction and final decision-making authority over all plans review, building code/permitting, inspections, certificate of occupancy and platting for the project.

NOW THEREFORE, to facilitate the construction of the project at the subject property, the new convenience store building of which crosses the KCMO/RMO city limit line, in consideration of the mutual covenants and agreements set forth in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which the parties hereby acknowledge, Shirin, RMO and KCMO enter into the following agreement.

The parties make the following Agreement to guide the permitting and construction of the project. This Agreement is intended to cover not only plans review, building code/permitting, inspections, platting (if any), and certificate of occupancy for the project, but also other aspects of zoning, fire, health department, business licenses, storm, and sanitary sewer and utilities and all other aspects of the project for which municipal governmental approvals are required. Note that the City of Raytown does not operate a fire department, health department or other utilities besides sanitary sewer and therefore Shirin will need to seek approval for the project on the subject property from those entities having such jurisdiction. The purpose of this Agreement is to give KCMO the jurisdiction, and final decision-making authority over all those municipal governmental approvals necessary for the project except as set forth herein, while at the same time preserving RMO's ability to provide input to KCMO on those issues relative to the project lying in Raytown, Missouri identified herein:

1. Except as set forth herein, KCMO shall have jurisdiction over, and final decision-making authority over, all plans review, building code/permitting, inspections, platting (if any) and issuance of a certificate of occupancy for the project and all other aspects of zoning, fire, health department, business licenses, liquor licenses, storm sewer and utilities and all other aspects of the project for which municipal governmental approvals are required.

   a. KCMO will require Shirin to obtain a special use permit ("SUP") from KCMO for the fuel facility component of the project and obtain plans review and building permit approval and a certificate of occupancy from KCMO for the project. To the extent the subject property will need to be platted, KCMO shall have jurisdiction over any required platting of the subject property. The parties agree that this Agreement is contingent on Shirin receiving approval of the SUP from KCMO for the fuel facility component of the project and obtaining all other necessary approvals from KCMO and RMO and is also contingent on Shirin obtaining access to sewer from the neighboring property in Raytown on terms acceptable to Shirin. If Shirin's application for SUP is denied by the KCMO Board of Zoning Adjustment, or if the SUP is approved subject to conditions not acceptable to Shirin, Shirin shall notify KCMO and RMO of that fact and this Agreement shall be void and of no further force or effect. Furthermore, if the SUP is approved and Shirin decides not to pursue the project, Shirin shall notify KCMO and RMO of that fact and this Agreement shall be null and void and of no further force or effect. But if the SUP is approved and Shirin decides to proceed with construction, Shirin guarantees that it shall construct the fuel facility component of the project.

   b. KCMO shall provide, and have jurisdiction and final decision-making authority over, all interior and exterior inspections of the proposed improvements, regardless of the location, using the KCMO building code and will enforce the KCMO building codes for these improvements.

   c. Shirin will provide RMO with a copy of the issued building permit, and a copy of the final Certificate of Occupancy for the new convenience store building on completion of the project.

2. RMO staff will have the opportunity to look at and comment upon the following aspects of the project lying in the RMO city limits during the plans review stage of the project: landscaping (including perimeter fencing (i.e., a wooden six (6) foot tall solid stockade fence) along the Shirin property line only between the commercial-residential boundary within RMO limits (hereinafter "perimeter fencing"), dumpster enclosure design, and building façade design and materials. The review and comment opportunity for RMO is in the nature of an administrative review and shall not include any public hearing process or advertising or public comment. Shirin to provide RMO preliminary drawings of the project. In the event there are any discrepancies between KCMO and RMO regulations regarding the plans for the landscaping, perimeter fencing, dumpster enclosure design, and building façade design and materials in RMO city limits, RMO's codes, regulations and design standards shall control. RMO comments shall be limited to the landscaping,

perimeter fencing, dumpster enclosure and building façade design and materials lying in the city limits of RMO. RMO shall not comment on any portion of the project lying in the KCMO city limits. RMO to complete its review of the landscaping, dumpster enclosure, perimeter fencing, and building façade design and materials in the RMO city limits on the preliminary drawings within fifteen (15) work days of the date the preliminary drawings are delivered to the RMO planning department (Attn: Chris Gilbert). RMO to provide a written list of the discrepancies on these items in the RMO city limits, if any, to Shirin within said fifteen (15) work days review period with the ability of Shirin to resubmit with the fifteen (15) work days review to begin again upon resubmittal. If no written list of discrepancies is provided to Shirin within the fifteen (15) work days review period, the preliminary drawings re: the landscaping (including boundary screening from neighborhood), dumpster enclosure, perimeter fencing, and building façade design and materials in the RMO city limits shall be deemed approved by RMO. In the event the plans for landscaping, dumpster enclosure, perimeter fencing, and building façade and design lying in the RMO city limits meet RMO codes, regulations, and design standards, or if the same are deemed approved, RMO shall provide written confirmation to Shirin and KCMO of its approval of those items no later than five (5) work days after the expiration of the fifteen (15) work days review period. Said written confirmation of approval shall be placed on the face of the preliminary plans in a stamped approval statement.

RMO staff shall also have the right to participate in the final inspection of the aspects of the project lying in the RMO city limits: landscaping, dumpster enclosure, perimeter fencing, and building façade and materials to determine if the same are in substantial conformance with what it preliminarily approved. So long as the landscaping, dumpster enclosure, perimeter fencing, and building façade and materials lying in the RMO city limits are in substantial conformance with the approved preliminary plans for the same RMO shall have no ability to delay, oppose, deny or otherwise "hold up" the final inspection and approval of the project by KCMO. If the portion of the project within the city limits of RMO is not in substantial conformance with the approved preliminary plans, then KCMO shall only issue a temporary occupancy permit to Shirin. A final occupancy permit shall not be issued to Shirin until RMO confirms that the landscaping, dumpster enclosure, perimeter fencing, and building façade and materials for that portion within the city limits of RMO conforms to the preliminary plans, provided, however, if the portion of the project within the city limits of RMO is in substantial conformance with the approved preliminary plans for the work in RMO city limits, RMO shall provide said confirmation within five (5) days of being requested to do so by either KCMO or Shirin so as not to unreasonably hold up or delay the issuance of the final occupancy permit by KCMO. Notwithstanding anything to the contrary herein, or elsewhere, Shirin shall have no obligation to submit construction documents to both RMO and KCMO and have competing reviews of the construction documents. Construction drawings to be submitted only to KCMO. All permitting to be handled by KCMO.

a. Site plan approval, as described above in paragraph 2, for that portion of the project located in RMO shall not be required by RMO other than the specifically listed items including landscaping (including boundary screening from neighborhood), dumpster enclosure, perimeter fencing, and building façade matters.

b. RMO will have jurisdiction and final decision-making authority over any off-site improvements in Raytown, Missouri necessary for the provision of utility service provided through Raytown, Missouri, and the acquisition of any easements in Raytown, Missouri for the same. Any utilities that are provided by RMO shall be built pursuant to RMO's codes, regulations, and design standards. Further, Shirin will be required to obtain all necessary building permits from RMO for such improvements.

c. Shirin will provide RMO a final set of sanitary sewer plans showing the connection from the subject property to the City's sewer main. The final sanitary sewer plans shall include as-built drawings, if as-built drawings are not already included with the final sanitary sewer plans. Shirin shall provide RMO a copy of all final and approved plans for the entire project located in both KCMO and RMO in digital format (includes all civil, structural, architectural and mechanical, electrical and plumbing (MEP) plans.

d. RMO's sewer rates are based on water usage. Since the subject property will be served water services by KCMO and sewer service by RMO, RMO requires Shirin to enter into an Agreement for Sanitary Sewer Service, which is attached hereto as **Exhibit A** and incorporated herein. KCMO to provide monthly water meter reads to RMO for the subject property.

3. Shirin will:
   a. Keep both KCMO and RMO informed of plan changes that affect their responsibilities under this Agreement.
   b. Provide details on the underground storage tanks to RMO.
   c. Coordinate with RMO for (1) the provision of sewer service to the subject property and project by RMO and submit plans to RMO for the provision of sewer service provided through RMO and (2) the acquisition of any easements in Raytown, Missouri for the same.

   d. Shirin agrees that a majority of its sales will come from the sale of gasoline and convenience goods.

4. This Agreement will be in force until KCMO conducts final inspections and issues a Certificate of Occupancy.

City of Raytown, Missouri

By: _____
Print Name: _____
Title: _____
Date: _____

City of Kansas City, Missouri

By: _____
Print Name: _____
Title: _____
Date: _____

Approved as to form:

_____
Assistant City Attorney

Shirin Investments, LLC

By: _____
Print Name: _____
Title: _____
Date: _____

EXHIBIT A

AGREEMENT FOR SANITARY SEWER SERVICE

This agreement for sanitary sewer service ("**Agreement**"), made and entered into this ___ day of _____, 202_, by and between **THE CITY OF RAYTOWN, MISSOURI**, a city of the fourth class of the State of Missouri, hereinafter referred to as ("**City**") and **SHIRIN INVESTMENTS, LLC**, a Missouri limited liability corporation, and any future owners of the Property, hereinafter referred to as ("**Customer**"),

The parties agree as follows:

1. Customer owns property commonly known as 8619 Blue Ridge Blvd, Kansas City, Missouri, which is legally described in **Exhibit A** ("**Property**").

2. The Property is located and straddles the cities of Kansas City, Missouri and Raytown, Missouri.

3. The Property is currently being served water services by the City of Kansas City, Missouri. Customer intends to demolish the existing building on the Property and build a new freestanding canopy with (4) fuel islands and build a new 3,800 s.f. convenience store. It will be cost prohibitive for Customer to connect to the City of Kansas City, Missouri's sanitary sewer system because the nearest sanitary sewer connection is a considerable distance from the Property. However, the City has a sanitary sewer main near the Property that has capacity and can serve the Property.

4. The Customer agrees to the following:
    a. Customer shall continue receiving water service from the City of Kansas City, Missouri. The City of Kansas City, Missouri shall provide monthly water meter reads to the City of Raytown. The City's sewer rates are based on water usage. The City's sewer rates are subject to change. Customer shall use its best efforts to obtain Kansas City's agreement to provide monthly water meter reads to City, and City shall cooperate with Customer in Customer's efforts to obtain Kansas City's agreement to provide monthly water meter reads to City, however, in the event the Kansas City, for any reason, shall refuse to provide monthly water meter reads to City, then Customer shall be relieved of obtaining said agreement from Kansas City and instead it shall be the duty of the Customer to provide, monthly, to City a true and correct copy of its water bill from Kansas City for the Property which water bill shows the amount of water usage at the Property on which the City can base its rates.

    b. Customer shall engage, at Customer's sole expense, a qualified and licensed plumber to confirm whether the Property is connected to the City's sewer system and the condition of the sewer line. If an adequate sewer line is connected to the City's sewer main, then Customer shall provide documentation from the plumber showing where the line is located on the Property, where it connects to RMO's sewer main and pictures of the line to show the condition. If the licensed plumber

determines that the existing line is not adequate to service the new convenience store building, then Customer, at Customer's sole expense, shall replace the line in accordance with City codes, regulations, and design standards and as otherwise provided by law.

If the licensed plumber confirms that the Property is not connected to the City's sewer system, then Customer, at Customer's sole expense, shall arrange for and pay to extend a sanitary sewer line from the Property to the City's sewer main pursuant to the City's codes, regulations, and design standards and as otherwise provided by law. Further, all work shall be done only by a duly qualified and licensed plumber.

c. For the purposes of establishing a Raytown Sewer account, the Customer shall remit, within fifteen (15) days of receipt, copies of the following documents to the Raytown Sewer Department:

   i. The approved Raytown plumbing inspection for improvements constructed in the rear of the Property at 8619 Blue Ridge Blvd, Kansas City, MO 64138 for the sewer connection running from the Kansas City, Missouri and Raytown, Missouri city limit line to the Raytown sewer main (or confirmation that the existing sewer line is adequate to service the Property with all improvements);
   ii. Any easements needed to extend the sanitary sewer line from the Property to the Raytown sewer main;
   iii. Evidence that this Agreement is recorded with the Jackson County Recorder of Deeds office pursuant to Section 4 (i) below.

   The City's charges for sewer service will begin the date the attachment is made to the City's sewer main or the date that the City receives confirmation that an adequate sewer line exists on the Property, whichever occurs first.

d. Customer shall obtain all necessary permits and easements for the sewer connection and pay all fees required to connect to the City's sewer system. If any adjoining owner fails or refuses to grant to Customer an easement across their property to extend the sanitary sewer line from the Property to the City's sewer main, City shall, at Shirin's expense, assist Customer in obtaining the easement. If Customer is unable to obtain an easement to extend a sanitary sewer line from the Property to the City's sewer main pursuant to the City's codes, regulations, and design standards and as otherwise provided by law, then Customer, at Customers sole discretion, may terminate this Agreement. If the Agreement is terminated, City shall notify Kansas City of the termination of sewer service and Customer shall work with Kansas City on alternative sewer service to be provided to the Property by Kansas City.

e. Within five (5) days after the Property is connected to the City's sewer system, Customer shall notify the Kansas City Water Department that Property is

connected to the Raytown sewer system and that Kansas City Water Department shall begin providing the City with water reads for the Property.

f. Once connected to the City's sewer system, Customer and any subsequent customer shall become a sewer customer of the City and shall pay all sewer fees and charges established by the City including applicable connection fees. Only one sewer connection shall be allowed from the Property to the City's sewer main.

g. Customer shall, at the time the Raytown Sewer Account is established, pay the City a minimum deposit of $300.00. City will refund the deposit once the account is closed, provided there is no outstanding sewer payment(s).

h. For purposes of this sewer account the Customer is:
   Shirin Investments, LLC
   4305 NE Antioch Road
   Kansas City, Missouri 64117
   Attn: Sameer Vishnani
   Phone: 510-682-5802
   Email: samvish@yahoo.com

i. Customer agrees that the benefits and burdens of this Agreement are intended to attach to and run with the Property and shall be binding on and inure to the benefit of the parties and their respective legal representatives, successors, heirs and assigns. All persons claiming under the parties shall conform to and observe the provisions of this Agreement. Further, when Customer obtains all necessary permits and easements for the sewer connection and pays all fees required to connect to the City's sewer system, Customer, at Customer's expense, shall record a copy of this Agreement with the Jackson County Recorder of Deed's office and provide the City with a copy of the recording information.

j. If Customer sells the Property, Customer shall notify the City Sewer Department at least 30 days prior to the sale of the Property so that the City can work with the City of Kansas City Water Department on water meter reads and final sewer billing. Also, during the 30-day period prior to the sale of the property, Customer shall provide the City Sewer Department with contact information for the new Property owner. Customer shall be responsible for payment of its final sewer bill.

k. If Customer fails to comply with any of the provisions in this Agreement, City shall provide written notice of the same to Customer, and the specific action required to come back into compliance and Customer, shall have thirty (30) days from the date that the notice is deemed given to come back into compliance, provided, however, that if the nature of the non-compliance is such that it cannot be reasonably cured within such 30 day period, then Customer, shall not be deemed to be in default if Customer, commences and diligently continues to pursue the cure to completion. If the default is caused by Customer's lack of sewer payment, then Customer will not be considered in default of this agreement if

Customer and City Sewer Department agree to a payment plan which would include an initial payment of at least 50% of the outstanding amount due. City may terminate sewer service to Customer's property and disconnect the sewer line from the City's sanitary sewer system, file a lien on the property for delinquent sewer payments, or proceed with other such legal remedies as allowed by law if Customer, does not come back into compliance during the cure period.

l. Customer is responsible for paying all reasonable legal fees in connection with the drafting of this Agreement and any agreement with the City of Kansas City, Missouri up to a maximum of Seven Hundred Fifty Dollars ($750.00). The City will send Customer an invoice of the legal fees which will be a separate invoice from the monthly sanitary sewer service fees.

5. The City agrees to the following:
   a. City shall allow Customer to connect a sanitary sewer line serving Customer's property to the City's sanitary sewer system subject to meeting all the requirements set forth in Section 4 above.

   b. City agrees to collect and treat sanitary sewer from the Property in accordance with the City's rules, regulations, ordinances and laws.

   c. City agrees to invoice the Customer monthly for providing sanitary sewer services pursuant to the City's current rates which may be amended from time to time.

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this Agreement to be duly executed on the date and year first above written.

CITY OF RAYTOWN, MISSOURI,

By: _____
Michael Graham, Finance Director

ATTESTED:

_____
Teresa Henry, City Clerk

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

On the ____ day of _____, 202_, before me, the undersigned Notary Public in and for the county and state aforesaid, personally appeared Michael Graham and Teresa Henry, to me personally known, who being by me duly sworn did say that they are the Finance Director and City Clerk, respectively, of the City of Raytown, Missouri, a fourth class city and political subdivision existing under and by virtue of the laws of the State of Missouri, and that the seal affixed to this Agreement is the seal of said City and that said Agreement was signed and sealed on behalf of the said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office the day and year first above written.

My Commission Expires: _____

_____
Notary Public

_____
Printed Name

SHIRIN INVESTMENTS, LLC

By: _____
Sameer Vishnani, Member

STATE OF MISSOURI)
) ss.
COUNTY OF _____)

On the ____ day of _____, 202_, before me, the undersigned Notary Public in and for the county and state aforesaid, personally appeared Sameer Vishnani, to me personally known, who being by me duly sworn did say that he is a managing member of Shirin Investments, LLC, a Missouri limited liability corporation, and that the seal affixed to this Agreement is the seal of said corporation and that said Agreement was signed and sealed on behalf of Shirin Investments, LLC.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

_____
Notary Public

My Commission Expires:

_____

_____
(Printed Name)

EXHIBIT A

The Property:

Address: 8619 Blue Ridge Blvd, Kansas City, MO 64138

Jackson County Parcel No: 50-320-09-15-01-0-00-000
50-320-09-33-01-0-00-000
50-320-09-44-00-0-00-000

Legal Description:

50-320-09-15-01-0-00-000
SEC-19 TWP-48 RNG-32; PT OF SW 1/4 NW 1/4 DAF: BEG AT TH INTERSEC OF TH E LI OF SD 1/4 1/4 AND SELY ROW LI OF BLUE RIDGE BLV EXT TH SWLY ALG SD ROW LI 154.56' TO TRU POB TH S 46 DEG 28 MIN 00 SEC W 35.72' TH ALG A CURV TO; LF WI A RAD OF 1095.92' AND DIST 114.28' TH S 44 DEG 52 MIN 57 SEC E 128.62' TH N 89 DEG 36 MIN 00 SEC E 2' MOL TO KC-RAYTOWN CORP LIMIT LI TH NE ALG SD CORP LIMIT LI 140' MOL TH N 44 DEG 52 MIN 57 SEC; W 130' MOL TO TRU POB; (ALSO KNOWN AS PT TRACT 1 ON CERT SUR T-13 PG-37)

50-320-09-33-01-0-00-000
SEC-19 TWP-48 RNG-32; PT OF SW 1/4 NW 1/4 DAF: BEG AT TH INTERSEC OF TH E LI OF SD 1/4 1/4 AND SELY ROW LI OF BLUE RIDGE BLV EXT TH SWLY ALG SD ROW LI 154.56' TH SE 150' TO TRU POB TH S 43 DEG 44 MIN 09 SEC W 127.50' TH S; 89 DEG 36 MIN 00 SEC W 29' MOL TO KC-RAYTOWN CORP LIMIT LI TH NE ALG SD CORP LIMIT LI 140' MOL TH S 44 DEG 52 MIN 57 SEC E 20' MOL TO TRU POB; (ALSO KNOWN AS PT TRACT 1 ON CERT SUR T-13 PG-37)

50-320-09-44-00-0-00-000
SEC-19 TWP-48 RNG-32; PT OF SW 1/4 NW 1/4 DAF: BEG AT SW COR LOT 20 ALTA VISTA ACRES TH S 0 DEG 09 MIN 00 SEC E 49' MOL TH S 89 DEG 36 MIN 00 SEC W 95.15' TH N 43 DEG 44 MIN 09 SEC E 127.50' TH S 44 DEG 52 MIN 57 SEC E; 9.61' TH S 0 DEG 09 MIN 00 SEC E 35' MOL TO POB; (ALSO KNOWN AS TRACT 2 ON CERT SUR T-13 PG-37)

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/04/2023

MEETING DATE: August 15, 2023

SUBMITTED BY: **DEPARTMENT: Community Development**

Document Type: Ordinance

SUBJECT/REQUEST

Board of Aldermen consideration, and approval, of an application filed by Mark Thatcher of Bankers Security Safe and Vault Company, located at 9913 E 56th Street, who is requesting a Conditional Use Permit (CUP) for "Outdoor Storage" use in the form of a gravel surfaced material storage area behind an existing building, which is used as a warehouse, in an M, Manufacturing, zoning district. Per the city's land use table, outdoor storage yards can only be conditionally approved in this zoning district. Factors such as screening, surfacing, access, and drainage of such storage areas needs to be reviewed to protect both the integrity of the Manufacturing District and the property interest of adjacent owners, in this case including residentially zoned properties.

BACKGROUND/JUSTIFICATION

The site upon which this application is located was originally constructed as a 7th Day Adventist Church School in 1963. The activity continued until 2007, when the 7th Day Adventists constructed a new church and relocated, leaving this property vacant. In 2010, the Damascus Road Shield of Faith applied for a CUP to continue operations as a religious school. In 2015, the Damascus Road Church permitted the building to be occupied by Soccer City. The neighboring Bankers Security Safe & Vault Company, the applicant, acquired the property in 2020 for warehousing of vault panels.

RECOMMENDED MOTION

Staff recommends approval as submitted. The Planning & Zoning Commission voted (7-0) on July 6, 2023, to recommend approval of the application with all conditions as contained in the staff report and the attached Ordinance. The applicant was present as the Conditions of Approval were individually explained.

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

FINANCIAL IMPACT

Contractor:	
Amount of Request/Contract:	
Amount Budgeted:	
Funding Source/Account #:	

REVIEWED BY

Jennifer Baird
Damon Hodges
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Ord CUP 9913 E. 56th Bankers Security Outside Storage
2. Staff Report - Outdoor Storage Area for Bankers Security 9913 E. 56th Street
3. July 6 2023 Planning Commission Minutes (JMB edits) - CLEAN

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

Document	Attached	If not attached, explain
Secretary of State:		
Certificate of Insurance:		
E-Verify Affidavits:		
E-Verify proof of enrollment:		
Bond:		
IRS Form W-9:		
Bid/RFP/RFQ: (submit all)		
Bid/RFP/RFQ Tabulation:		
Bid Waiver: Sole source or less than three bids		
Contractor address and email:		
Project Exemption Certificate needed:		
Other:		

AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO MARK THATCHER OF BANKERS SECURITY SAFE AND VAULT COMPANY FOR OUTDOOR STORAGE OF MATERIALS AT 9913 E. 56TH STREET IN AN M, MANUFACTURING DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS, Application PZ-2023-05, was duly submitted on or about May 19, 2023, by Mark Thatcher of Bankers Security Safe and Vault Company, requesting approval of a Conditional Use Permit for Outside Storage of Materials on Property Located at 9913 E. 56th Street, within an M, Manufacturing District in the City of Raytown, Jackson County, Missouri (the "Application"); and

WHEREAS, the Application was considered by the Planning Commission on July 6, 2023, and by a vote of 7 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

WHEREAS, after opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen finds and declares that the provisions hereinafter contained and enacted are in pursuit of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Application.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT. That the Application for approval of a Conditional Use Permit for Outside Storage of Materials on property located at 9913 E. 56th Street within an M, Manufacturing District in the City of Raytown, Jackson County, Missouri is hereby approved and issued to Mark Thatcher of Bankers Security Safe and Vault Company.

SECTION 2 – CONDITIONS OF APPROVAL. That the Application for approval of a Conditional Use Permit for Outside Storage of Materials on property located at 9913 E. 56th Street within an M, Manufacturing District in the City of Raytown, Jackson County, Missouri, be approved and issued to Mark Thatcher of Bankers Security Safe and Vault Company, subject to the following conditions as contained in the staff report and as approved by the Planning Commission:

The following conditions are required to be met on an ongoing basis:

1. The surface material of the outdoor storage area and access drive shall be maintained in good condition at all times. The asphalt access drive extension shown on the site plan on the east side of the existing principal building shall be installed with the appropriate thickness required to support the weight of the vehicles that will access the storage yard.

2. Ensure the building exterior of the old school building, now a warehouse, is maintained in reasonable condition at all times, including paint, doors, windows, and facade.

3. Ensure the outdoor storage area is maintained in good condition at all times including trimming of weeds and grass. All junk, trash, and debris that collects on the property to be removed regularly and not permitted to remain and pile up.

4. Any additional outdoor storage area lighting installed for security purposes shall be fully shielded and not cast light onto neighboring properties.

5. All future signage for the 9913 E. 56th Street location shall be issued under separate permit process and shall meet Municipal Code requirements.

6. The gravel area be properly edged with a durable material edging to prevent gravel "spread" beyond the boundaries shown on the site plan. Submit material sample to City Engineer for approval.

7. A 6-foot wood or vinyl screening fence to be installed on the storage yard side of the existing natural landscape screen along the east side of the property. This fence shall run from a point 50 feet south of the north property line for a distance of 280 feet and not cause to be removed the existing natural landscaping.

8. A 6-foot wood or vinyl screening fence to be installed across the east side access drive to the outdoor storage area to screen it from view of 56th Street. Any security features added to restrict access to be addressed with the Raytown Fire Protection District prior to installation.

General Conditions of Approval:

9. The Conditional Use Permit shall be issued only to the applicant, Mark Thatcher of Bankers Security Safe and Vault Company, and is not transferable. Any new business at this location shall apply for and obtain its own Conditional Use Permit.

10. The property should not be used until the Commercial Use Permit and a Business License to operate are issued. This does not apply to the current warehousing use of the principal structure nor affect any temporary agreements between the applicant and staff.

11. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ___ day of August, 2023.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

Staff Report

Community Development
Planning and Development Services

PZ 2023-05

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: July 6, 2023

Re: Application for Conditional Use Permit for Outdoor Storage Use

---

CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: Mark Thatcher of Bankers Security Safe and Vault Company
Property Owner: Bankers Security Safe and Vault Company
Property Location: 9913 E. 56th Street
Request: Conditional Use Permit approval for "Outdoor Storage" Use
Zoning: M, Manufacturing District

The applicant, Mark Thatcher of Bankers Security Safe and Vault Company, is requesting Conditional Use Permit (CUP) approval for an "Outdoor Storage" use in the form of a large gravel surfaced material storage area behind an existing building, which is used as a warehouse, in an M, Manufacturing, zoning district. Per the city's land use table, outdoor storage yards can only be conditionally approved in this zoning district. Factors such as screening, surfacing, access and drainage off such storage areas needs to be reviewed to protect both the integrity of the Manufacturing District and the property interest of adjacent owners, in this case including residentially zoned properties.

BACKGROUND

SITE DESCRIPTION AND PRESENT USE

The site upon which this application is located was originally constructed as a religious school in 1963 and continued to be owned by a religious organization until the neighboring Bankers Security Safe & Vault Company, the applicant, acquired the property in 2020 for warehousing of vault panels. The site is over 5 acres in size, mostly flat ground in the north and east quadrants but drops off steeply to the south and west as shown on the attached site plan. Site photos are also attached to this staff report following the recommendations. During the growing season, as shown on the attached photos, an almost impenetrable landscape screen exists on the east and south sides of the property to the point that the adjacent residential structures cannot be seen from the proposed storage area. The present use of the building on the property is as a vault panel storage indoor warehouse. There are no employees on site, with the owner's office being next door to the west at 9909 E. 56th Street.

Property's Zoning Classification	Manufacturing (M)
Surrounding Properties' Zoning	Manufacturing (M), Conservancy (C), Low Density Residential (R-1)
Surrounding Overlay	None
Surrounding Land Use	Manufacturing, Office, Contractor's Shops, Warehousing, Single Family Residential
Designated Future Land Use	Public/Semi-Public
Ward	3
Approximate Land Area	5.29 Acres
Roadway Classification	Collector

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is surrounded by industrial/office, warehousing, and contractor's shop uses to the north and west, with single family residential uses to the east and south.

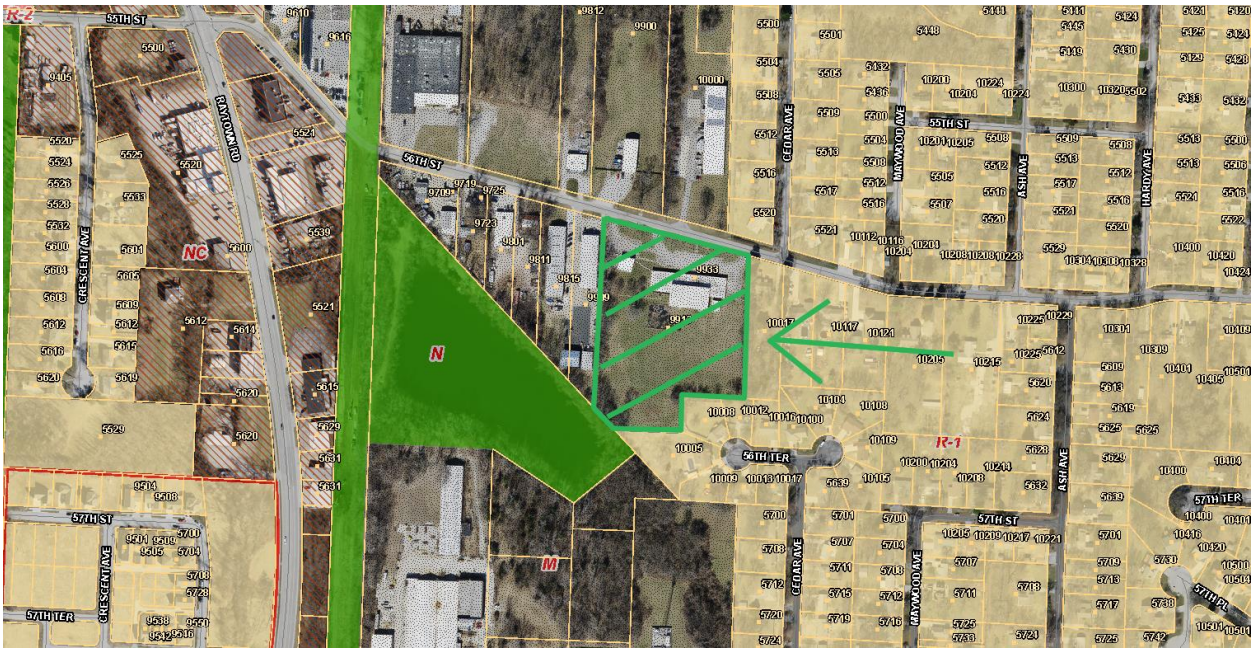

Figure 2 – Surrounding Zoning and Location Map

HISTORY

The site upon which this application is located was originally constructed as a 7th Day Adventist Church School in 1963. The activity continued until 2007, when the 7th Day Adventists constructed a new church and relocated to it leaving this property vacant. In 2010, the Damascus Road Shield of Faith applied for a CUP to continue operations as a religious school. In 2015, the Damascus Road Church permitted the building to be occupied by Soccer City, which made some improvements and survived for a brief time but no business license entries appear in the City records for this use. The neighboring Bankers Security Safe & Vault Company, the applicant, acquired the property in 2020 for warehousing of vault panels.

PUBLIC COMMENTS
The public notice was published in *The Daily Record* on June 16, 2023. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on June 22, 2023, and no persons showed up for the meeting. To date, the Community Development Department has received no calls or written emails or letters regarding this application.

ANALYSIS

Evaluating an application for a conditional use permit requires consideration to be given by the City to the health, safety, morals, comfort and general welfare of the inhabitants of the City, including but not limited to, the following factors:

1. Stability and integrity of the various zoning districts
The subject parcel is zoned M, Manufacturing. While this zoning district is designed primarily to accommodate warehousing/office and manufacturing uses, outdoor storage activities are a significant part of industrial activities, accommodating business vehicle and truck parking areas, product storage areas, and bulk material storage needed by these types of uses. The applicant in this case is no different as it installs safe and vault panels for banks and other types of institutions that take up a lot of space. The number of such panels can be very large at times and require outdoor storage. This is entirely consistent with the Manufacturing District activities.

2. Conservation of property values
No negative change to neighboring property values is expected. Requirements are being added as conditions of approval to mitigate any expected concerns with this use of the property.

3. Protection against fire and casualties
Staff has no concerns regarding fire and/or casualties on this project as it is all outdoors and the stored materials are not typically flammable being vault panels. The existing old school building adjacent to the storage area is not occupied and is used for interior warehousing and storage of bank vault panels. The owner is working with the Raytown Fire Protection District to make improvements to this structure. Any security gates will require coordination with the Raytown Fire Protection District prior to installation to ensure access in emergencies.

4. Observation of general police regulations
The proposed outdoor storage area is not anticipated to violate any general police regulations. The activity is all contained on the site. Anytime any product type is left unprotected overnight, there is the possibility that vandalism and theft can occur, but this true of any business and its products. Basic security measures including appropriately shielded lighting and cameras can assist in reducing the risk of these types of crimes.

5. Prevention of traffic congestion
The proposed outdoor storage area will not appreciably increase traffic congestion on 56th Street above what exists now based upon the very few truckloads of materials that will come and go from the site over a month's time delivering vault panels and removing them for a project.

6. Promotion of traffic safety and the orderly parking of motor vehicles
The proposed outdoor storage area should not appreciably impact traffic safety or parking as the number of trucks in and out of the property will be small and there are no employees on site, hence no parking is necessary.

7. Promotion of the safety of individuals and property
The proposed outdoor storage area will not affect the safety of individuals or property just by its base use if all activities upon it are conducted in a safe manner.

8. Provision for adequate light and air
The proposed outdoor storage area will not significantly affect the air quality of the area above what is normal in the area and should have minor additional impacts on neighboring properties.

9. Prevention of overcrowding and excessive intensity of land uses
The proposed outdoor storage area will be consistent with intensity of uses on nearby industrial properties and, when combined with the existing development on the site, only occupy under 3 acres of the 5.3-acre site.

10. Provision for public utilities and schools
The proposed outdoor storage area will not affect any public utilities or schools. The existing structures are already connected to utility services.

11. Invasion by inappropriate uses
Outdoor storage areas for product storage is a very normal activity in industrial zoned areas, which this property is located within, thus cannot be classified as an inappropriate use.

12. Value, type and character of existing or authorized improvements and land uses
The property on which the outdoor storage area is proposed is partly developed with buildings and other improvements. Staff has provided recommended conditions of approval to ensure compliance with existing code standards.

13. Encouragement of improvements and land uses in keeping with overall planning
Staff has no concerns regarding the proposed business adhering to overall planning principles if the recommended conditions of approval are adopted and followed by the applicant. This use of the property is wholly consistent with the existing zoning of the property.

14. Provision for orderly and proper renewal, development and growth
Outdoor storage areas for product storage is a very normal activity in industrial zoned areas, which this property is located within, and thus will contribute to the orderly and proper development and growth of Raytown's largest Manufacturing District.

RECOMMENDATION

Staff recommends approval of Case No. PZ 2023-05 – Conditional Use Permit for an Outdoor Storage Area for Bankers Security Safe and Vault Co., to be located behind the existing structure at 9913 E. 56th Street in an M, Manufacturing District, with the following recommended conditions of approval:

The following conditions are required to be met on an ongoing basis:

1. The surface material of the outdoor storage area and access drive shall be maintained in good condition at all times. The asphalt access drive extension shown on the site plan on the east side of the existing principal building shall be installed with the appropriate thickness required to support the weight of the vehicles that will access the storage yard.

2. Ensure the building exterior of the old school building, now a warehouse, is maintained in reasonable condition at all times, including paint, doors, windows, and facade.

3. Ensure the outdoor storage area is maintained in good condition at all times including trimming of weeds and grass. All junk, trash, and debris that collects on the property to be removed regularly and not permitted to remain and pile up.

4. Any additional outdoor storage area lighting installed for security purposes shall be fully shielded and not cast light onto neighboring properties.

5. All future signage for the 9913 E. 56th Street location shall be issued under separate permit process and shall meet Municipal Code requirements.

6. The attached memo from City Engineer requests the gravel area to be properly edged with a durable material edging to prevent gravel "spread" beyond the boundaries shown on the site plan. Submit material sample to City Engineer for approval.

7. A 6-foot wood or vinyl screening fence to be installed on the storage yard side of the existing natural landscape screen along the east side of the property. This fence shall run from a point 50 feet south of the north property line for a distance of 280 feet and not cause to be removed the existing natural landscaping.

8. A 6-foot wood or vinyl screening fence to be installed across the east side access drive to the outdoor storage area to screen it from view of 56th Street. Any security features added to restrict access to be addressed with the Raytown Fire Protection District prior to installation.

General Conditions of Approval:

9. The Conditional Use Permit shall be issued only to the applicant, Mark Thatcher of Bankers Security Safe and Vault Company, and is not transferable. Any new business at this location shall apply for and obtain its own Conditional Use Permit.

10. The property should not be used until the Commercial Use Permit and a Business License to operate are issued. This does not apply to the current warehousing use of the principal structure nor affect any temporary agreements between the applicant and staff.

11. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

Entrance Drive Looking South

View of Storage Are Looking West

View of South Side of Property from Storage Area – Note Heavy Landscape Screen

View of East Side of Property From Storage Area – Note Heavy Landscape Screen

CITY OF RAYTOWN

PLANNING & ZONING COMMISSION

REGULAR MEETING

MINUTES

July 6, 2023
7:00 pm
Council Meeting Chambers

1. **Welcome by Chairman Wilson**

2. Chairman Wilson called the meeting to order at 7:00 PM.

3. **Call meeting to order and Roll Call.**

Wilson:	Present	Thurman:	Present	Emerson:	Present
Stock:	Present	Frazier:	Absent	Hunt:	Present
Meyers:	Present	Bruenger:	Present	Jean-Paul	Absent

4. **Approval of Minutes:** Minutes of June 1, 2023, Regular Meeting were approved 7-0-2 upon motion by Ms. Stock and second by Mr. Meyer. A roll call vote was taken and all were in favor except Ms. Emerson and Mr. Wilson abstained.

5. **Old Business:**
   None.

6. **New Business:**
   A. **Case No.: <u>PZ 2023-05:</u>**
   Applicant: Bankers Security Safe & Vault Co.
   Reason: Request for a Conditional Use Permit for Outdoor Storage of Materials to be Located at 9913 E 5th Street in an M, Manufacturing District.

   1. **Introduction of Application by Chairman.**

   Chairman Wilson introduced the application.

   2. **Explanation of any Ex Parte Communications Regarding the Application.**

   No ex parte communications were reported.

   3. **Enter Relevant Exhibits into the Record.**

Chairman Wilson entered the staff report and supporting documents into the record.

4. Staff Presentation of Application.

Diane Egger, Community Development Director, provided the staff report, addressing the background of the request and use intentions for the property under the requested permit.

5. Applicant Presentation of the Application.

Mark Thatcher-Bankers Security, the applicant, spoke regarding his application and how the approval of his application would benefit his business and the city.

6. Public Comments on Application.

Zachary Mulholland spoke regarding potential runoff and gravel vs. pavement.

7. Commission Discussion.

The commissioners asked questions of staff and the applicant which were answered.

8. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Ms. Stock motioned and Ms. Emerson seconded to recommend approval of the requested Conditional Use Permit to the Board of Aldermen. A roll call vote was taken and all were in favor and there was no one opposed.

VOTE: Motion passed 7-0.

B. Case No.: PZ 2023-06:
Applicant: William Jack of Anchored Up
Reason: Request for a Conditional Use Permit for Boat Sales to be Located at 1900 E 350 Hwy in an M, Manufacturing District.

9. Introduction of Application by Chairman.

Chairman Wilson introduced the application.

10. Explanation of any Ex Parte Communications Regarding the Application.

No ex parte communications were reported.

11. Enter Relevant Exhibits into the Record.

Chairman Wilson entered the staff report and supporting documents into the record.

12. Staff Presentation of Application.

Diane Egger, Community Development Director, provided the staff report, addressing the background of the request and use intentions for the property under the requested permit.

13. Applicant Presentation of the Application.

William Jack, the applicant, spoke regarding his application and how the approval of his application would benefit his business.

14. Public Comments on Application.

None.

15. Commission Discussion.

The commissioners asked questions of staff and the applicant which were answered.

16. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Ms. Stock motioned and Ms. Thurman seconded to recommend approval of the requested Conditional Use Permit to the Board of Aldermen. A roll call vote was taken and all were in favor. There was no one that was opposed.

VOTE: Motion passed 7-0.

7. **Other Business- None**

7. **Set Future Meeting Date – Next scheduled meeting date is September 7, 2023.**

8. **Meeting was Adjourned at 7:45 PM** upon motion by Ms. Stock and a second by Mr. Wilson. All voted in favor to adjourn the meeting.

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/04/2023

MEETING DATE: August 15, 2023

SUBMITTED BY: **DEPARTMENT: Community Development**

Document Type: Ordinance

SUBJECT/REQUEST

Board of Aldermen consideration, and approval, of an application filed by William Jack of Anchored Up, who is requesting a Conditional Use Permit (CUP) for "Vehicle Sales New or Used" use in the form of Boat Sales, in an M, Manufacturing, zoning district located at 11900 E 350 Hwy. The property owner, Alex Aklagi, applied for and received a CUP from the City to restart his auto sales business after the departure of KC RV's. He currently subleases to the applicant as a boat repair facility which is a permitted use in this zoning district. Per the city's land use table, vehicle sales can only be conditionally approved in this zoning district and since the previous CUP was issued only to Alex Aklagi, Mr. Jack must apply for his own permit to add boat sales to his ongoing repair activities. The entirety of the area of this 4.25-acre site proposed to be used for outdoor display and the interior showroom for boats is approximately 13,000 square feet (0.3 acres) along the north side of the main building as shown on the attached site plan. This activity will not interfere with the customer parking area nor the existing auto sales operation on the west side of the property.

BACKGROUND/JUSTIFICATION

RECOMMENDED MOTION

The site upon which this application is located is part of the former AutoMax KC and KC RV's sales lot, which is presently being operated once again as a vehicle sales lot. The site is well maintained, sufficient in size to accommodate the small outdoor boat display requested by the applicant, who is a sublessee of the property owner. The applicant is presently one of two licensed repair businesses located in buildings on the property.

PREVIOUS ACTION

Staff recommends approval as submitted. The Planning & Zoning Commission voted (7-0) on July 6, 2023, to recommend approval of the application with all conditions as contained in the staff report and the attached Ordinance. The applicant was present as the Conditions of Approval were individually explained.

COMMISSION/COMMITTEE REVIEW

FINANCIAL IMPACT

Contractor:	
Amount of Request/Contract:	
Amount Budgeted:	
Funding Source/Account #:	

REVIEWED BY

Jennifer Baird
Damon Hodges
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Ord CUP 11900 E 350 Hwy Anchored Up Board-Vehicle Sales
2. July 6 2023 Planning Commission Minutes (JMB edits) - CLEAN
3. Staff Report - Boat Sales Anchored Up 11900 E 350 Hwy

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

Document	Attached	If not attached, explain
Secretary of State:		
Certificate of Insurance:		
E-Verify Affidavits:		
E-Verify proof of enrollment:		
Bond:		
IRS Form W-9:		
Bid/RFP/RFQ: (submit all)		
Bid/RFP/RFQ Tabulation:		
Bid Waiver: Sole source or less than three bids		
Contractor address and email:		
Project Exemption Certificate needed:		
Other:		

AN ORDINANCE APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT TO WILLIAM CODY JACK OF ANCHORED UP LLC FOR VEHICLE SALES, NEW OR USED, USE IN THE FORM OF A BOAT SALES OPERATION AT 11900 E. MISSOURI 350 HIGHWAY IN AN M, MANUFACTURING, DISTRICT WITHIN THE CITY OF RAYTOWN, JACKSON COUNTY, MISSOURI

WHEREAS, Application PZ-2023-06, was duly submitted on or about May 18, 2023, by William Cody Jack, requesting approval of a Conditional Use Permit for Vehicle Sales, New or Used, use in the form of Boat Sales operation on property located at 11900 E. 350 Highway Within an M, Manufacturing, District in the City of Raytown, Jackson County, Missouri (the "Application"); and

WHEREAS, the Application was considered by the Planning Commission on July 6, 2023, and by a vote of 7 in favor, 0 against, rendered a report to the Board of Aldermen recommending that the Application be approved; and

WHEREAS, after opening the public hearing, considering all testimony and the record, and then closing the public hearing, the Board of Aldermen finds and declares that the provisions hereinafter contained and enacted are in pursuit of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raytown and rendered a decision to approve the Application.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF CONDITIONAL USE PERMIT. That the Application for approval of a Conditional Use Permit for Vehicle Sales, New or Used, use in the form of Boat Sales operation on property located at 11900 E. 350 Highway Within an M, Manufacturing, District in the City of Raytown, Jackson County, Missouri is hereby approved and issued to William Cody Jack.

SECTION 2 – CONDITIONS OF APPROVAL. That the Application for approval of a Conditional Use Permit for Vehicle Sales, New or Used, use in the form of Boat Sales operation on property located at 11900 E. 350 Highway Within an M, Manufacturing, District in the City of Raytown, Jackson County, Missouri, be approved and issued to William Cody Jack, subject to the following conditions as contained in the staff report and as approved by the Planning Commission:

The following conditions are required to be met on an ongoing basis:

1. The boat display lot shall be maintained in good condition at all times.

2. Ensure the entire building exterior of the boat showroom is maintained in good condition at all times, including paint, doors, garage doors, windows, and facade. This includes perimeter fencing of the outside display area and any trash enclosure located within it.

3. Ensure the boat display area is maintained in good condition at all times including trimming of weeds and grass. All junk, trash, and debris that collects within the display area to be removed immediately and not permitted to remain.

4. Any additional site lighting installed for security purposes shall be fully shielded and not cast light onto neighboring properties.

5. No boats or signage shall be displayed in City of Raytown or State of Missouri right of way areas.

6. All inoperable boats undergoing on-site maintenance shall be placed inside the building and not be visible to the public.

7. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.

8. Any trash dumpster placed within the boat display area shall be within a fully screened enclosure unless stored indoors except on trash pickup day. Such enclosure shall have a proper metal gate that can be accessed by the trash truck and also screen the container from view at all times.

General Conditions of Approval:

9. The Conditional Use Permit to be issued only to the applicant, William Jack of Anchored Up LLC, and is not transferable. Any new business acquiring the vehicle sales operation from the applicant shall apply for and obtain its own Conditional Use Permit.

10. The property should not be occupied and used until the Commercial Use Permit and a Business License to operate are issued. This does not apply to currently licensed boat repair businesses operating on the property.

11. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED and ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ___ day of August, 2023.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

Approved as to Form:

_____
Jennifer M. Baird, City Attorney

CITY OF RAYTOWN

PLANNING & ZONING COMMISSION

REGULAR MEETING

MINUTES

July 6, 2023
7:00 pm
Council Meeting Chambers

DRAFT

1. **Welcome by Chairman Wilson**

2. Chairman Wilson called the meeting to order at 7:00 PM.

3. **Call meeting to order and Roll Call.**

Wilson:	Present	Thurman:	Present	Emerson:	Present
Stock:	Present	Frazier:	Absent	Hunt:	Present
Meyers:	Present	Bruenger:	Present	Jean-Paul	Absent

4. **Approval of Minutes:** Minutes of June 1, 2023, Regular Meeting were approved 7-0-2 upon motion by Ms. Stock and second by Mr. Meyer. A roll call vote was taken and all were in favor except Ms. Emerson and Mr. Wilson abstained.

5. **Old Business:**
   None.

6. **New Business:**
   A. **Case No.: <u>PZ 2023-05:</u>**
   Applicant: Bankers Security Safe & Vault Co.
   Reason: Request for a Conditional Use Permit for Outdoor Storage of Materials to be Located at 9913 E 5th Street in an M, Manufacturing District.

   1. **Introduction of Application by Chairman.**

   Chairman Wilson introduced the application.

   2. **Explanation of any Ex Parte Communications Regarding the Application.**

   No ex parte communications were reported.

   3. **Enter Relevant Exhibits into the Record.**

Chairman Wilson entered the staff report and supporting documents into the record.

4. Staff Presentation of Application.

Diane Egger, Community Development Director, provided the staff report, addressing the background of the request and use intentions for the property under the requested permit.

5. Applicant Presentation of the Application.

Mark Thatcher-Bankers Security, the applicant, spoke regarding his application and how the approval of his application would benefit his business and the city.

6. Public Comments on Application.

Zachary Mulholland spoke regarding potential runoff and gravel vs. pavement.

7. Commission Discussion.

The commissioners asked questions of staff and the applicant which were answered.

8. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Ms. Stock motioned and Ms. Emerson seconded to recommend approval of the requested Conditional Use Permit to the Board of Aldermen. A roll call vote was taken and all were in favor and there was no one opposed.

VOTE: Motion passed 7-0.

B. Case No.: PZ 2023-06:
Applicant: William Jack of Anchored Up
Reason: Request for a Conditional Use Permit for Boat Sales to be Located at 1900 E 350 Hwy in an M, Manufacturing District.

9. Introduction of Application by Chairman.

Chairman Wilson introduced the application.

10. Explanation of any Ex Parte Communications Regarding the Application.

No ex parte communications were reported.

11. Enter Relevant Exhibits into the Record.

Chairman Wilson entered the staff report and supporting documents into the record.

12. Staff Presentation of Application.

Diane Egger, Community Development Director, provided the staff report, addressing the background of the request and use intentions for the property under the requested permit.

13. Applicant Presentation of the Application.

William Jack, the applicant, spoke regarding his application and how the approval of his application would benefit his business.

14. Public Comments on Application.

None.

15. Commission Discussion.

The commissioners asked questions of staff and the applicant which were answered.

16. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Ms. Stock motioned and Ms. Thurman seconded to recommend approval of the requested Conditional Use Permit to the Board of Aldermen. A roll call vote was taken and all were in favor. There was no one that was opposed.

VOTE: Motion passed 7-0.

7. Other Business- None

7. Set Future Meeting Date – Next scheduled meeting date is September 7, 2023.

8. Meeting was Adjourned at 7:45 PM upon motion by Ms. Stock and a second by Mr. Wilson. All voted in favor to adjourn the meeting.

Staff Report

Community Development
Planning and Development Services

PZ 2023-06

To: City of Raytown Planning and Zoning Commission

From: Chris Gilbert, Planning & Zoning Coordinator

Date: July 6, 2023

Re: Application for Conditional Use Permit for Boat Sales ("Vehicle Sales, New or Used" Use)

CONDITIONAL USE PERMIT APPLICATION SUMMARY

Applicant: William Jack of Anchored Up
Property Owner: Capital Ten Properties, LLC, Alex Aklagi, Principal
Property Location: 11900 E. 350 Highway
Request: Conditional Use Permit approval for Boat Sales ("Vehicle Sales, New or Used" Use)
Zoning: M, Manufacturing District

The applicant, William Jack of Anchored Up, is requesting Conditional Use Permit (CUP) approval for a "Vehicle Sales New or Used" use in the form of Boat Sales, in an M, Manufacturing, zoning district. The property owner, Alex Aklagi, applied for and received a CUP from the City to restart his auto sales business after the departure of KC RV's. He currently subleases to the applicant as a boat repair facility which is a permitted use in this zoning district. Per the city's land use table, vehicle sales can only be conditionally approved in this zoning district and since the previous CUP was issued only to Alex Aklagi, Mr. Jack has to apply for his own permit to add boat sales to his ongoing repair activities. The entirety of the area of this 4.25 acre site proposed to be used for outdoor display and the interior showroom for boats is approximately 13,000 square feet (0.3 acres) along the north side of the main building as shown on the attached site plan. This activity will not interfere with the customer parking area nor the existing auto sales operation on the west side of the property.

Property's Zoning Classification	Manufacturing (M)
Surrounding Properties' Zoning	Manufacturing (M), Highway Commercial (HC), Medium Density Residential (R-2)
Surrounding Overlay	350 Corridor Overlay
Surrounding Land Use	Manufacturing, Office, Commercial, Institutional, some Senior Living Residential
Designated Future Land Use	Commercial
Ward	Ward 4
Approximate Land Area	4.25 Acres
Roadway Classification	Entrances to both Eastbound and Westbound 350 Highway. Westridge Road on East but no Access

Figure 1 – Site Photos. Left Photo is East side of Proposed Display Area, Right Photo is West side of Proposed Display Area

BACKGROUND

SITE DESCRIPTION AND PRESENT USE

The site upon which this application is located is part of the former AutoMax KC and KC RV's sales lot, which is presently being operated once again as a vehicle sales lot by Mr. Aklagi. The site is well maintained, sufficient in size to accommodate the small outdoor boat display requested by the applicant, who is a sublessee of Mr. Aklagi. The applicant is presently one of two licensed repair businesses located in buildings on the property.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The entire subject property is surrounded by industrial/office, commercial and institutional uses. It does adjoin (across the highway right of way) part of the Jessica Estates Senior Development on the north side of 350 Highway. The proposed boat display area is a small part of the entire site and is located directly across 350 Highway from the Minit Mart Convenience Store.

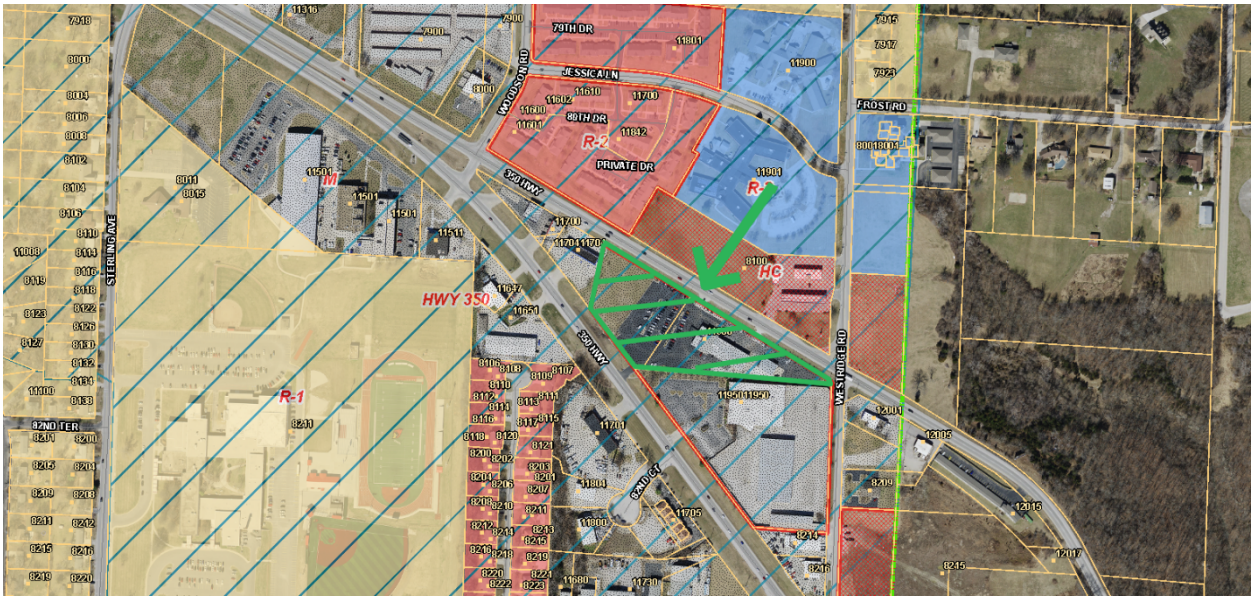

Figure 2 – Surrounding Zoning and Location Map

HISTORY

Alex Aklagi and his partner Mike Reza were issued a Conditional Use Permit for Vehicle Sales in August 2014 for this property, and it was specifically issued to them and was not transferable. In 2021, KC RV's applied for and was issued a CUP (January, 2022) specifically to them to operate an RV, boat and off-road/motorsports sales establishment on the site, replacing Auto Max KC. Alex Aklagi continued to own the property. In October of 2022, KC RV's closed operations on the property and moved out in a short time frame. As a result of the loss of this tenant on his property, Mr. Aklagi acquired a new CUP in January, 2023, to restart vehicle sales on the property and leased excess space to a car and boat (Anchored Up, the applicant) repair facility.

PUBLIC COMMENTS

The public notice was published in *The Daily Record* on June 16, 2023. Public notice letters were sent to property owners within 185 feet of the property by the applicant. The Neighborhood Information Meeting was held on June 22, 2023, and no persons showed up for the meeting. To date, the Community Development Department has received no calls or written emails or letters regarding this application.

ANALYSIS

Evaluating an application for a conditional use permit requires consideration to be given by the City to the health, safety, morals, comfort and general welfare of the inhabitants of the City, including but not limited to, the following factors:

1. Stability and integrity of the various zoning districts
The subject parcel and all adjacent lots between the eastbound and westbound lanes of 350 Highway and west of Westridge Road are zoned M, Manufacturing. While this zoning district is designed primarily to accommodate warehousing/office and manufacturing uses, many vehicle-related uses are permitted or conditional activities as well. The presence of 350 Highway and the large daily count of vehicles along this roadway provide a ready and visible customer base for vehicle sales businesses. Being located between the eastbound and westbound lanes of 350 Highway in a primarily industrial zoned area, impacts on surrounding properties should be minimal.

2. Conservation of property values
No negative change to neighboring property values is expected. Requirements are being added as conditions of approval to mitigate any expected concerns with this use of the property.

3. Protection against fire and casualties
Staff has no concerns regarding fire and/or casualties on this project. The existing building is a modern building complex.

4. Observation of general police regulations
The proposed boat sales business is not anticipated to violate any general police regulations. The activity is all contained on the site. Anytime any vehicle type is left unprotected overnight, there is the possibility that vandalism and theft can occur, but this true of any business and its products. Basic security measures including appropriately shielded lighting and cameras can assist in reducing the risk of these types of crimes.

5. Prevention of traffic congestion
The proposed new business will not increase traffic congestion above what has existed on the property since 2014 as a vehicle sales lot. Additional traffic generated by the boat sales will be easily handled with the direct highway access to both westbound and eastbound 350 Highway.

6. Promotion of traffic safety and the orderly parking of motor vehicles
The proposed new business will not substantially increase traffic safety risk over what is already present given two major means of ingress/egress, nor the orderly parking of motor vehicles as the site contains sufficient spaces to accommodate vehicles for sale, customers, employees, and repair/detail area vehicles. These spaces were properly located and striped to meet code in 2022 by KC RV's, therefore staff has no additional requirements to add. The proposed boat sales area will not interfere with the customer parking area for the main sales activity on the lot. Adequate access to the property is presently available directly from 350 Highway in both directions:

7. Promotion of the safety of individuals and property
The proposed new business will not affect the safety of individuals or property. The structures are in reasonable condition and no building modifications are required outside of any minor improvements required when the commercial use permit inspection is performed. The property was recently inspected in early 2022 for KC RV's, therefore no major issues are expected.

8. Provision for adequate light and air
The proposed new business will not significantly affect the air quality of the area above what is normal for a vehicle sales operation, and should have minor additional impacts on neighboring properties.

9. Prevention of overcrowding and excessive intensity of land uses
The proposed new business will be consistent with previous intensity of use on the property, most particularly when it was KC RV's, and has sufficient parking to adequately address all display and operational needs.

10. Provision for public utilities and schools
The proposed new business will not affect any public utilities or schools but will generate some additional revenue. The existing structures are already connected to utility services.

11. Invasion by inappropriate uses
This particular use as a vehicle sales operation will not increase intensity of use above what the previous and current vehicle sales businesses operated at and should not therefore be an invasion by an inappropriate use. Additionally, the former businesses were operating under CUP's approved by the City and the property is located in a high use intensity Manufacturing District within which higher intensity uses are both present and expected.

12. Value, type and character of existing or authorized improvements and land uses
The property on which the proposed boat sales business would be located is developed. Staff has provided recommended conditions of approval to ensure compliance with existing code standards.

13. Encouragement of improvements and land uses in keeping with overall planning
Staff has no concerns regarding the proposed business adhering to overall planning principles if the recommended conditions of approval are adopted and followed by the applicant. This use of the property is wholly consistent with the current and previous use of the property.

14. Provision for orderly and proper renewal, development and growth
The proposed boat sales business should not affect the orderly and proper renewal, development or growth of the city. This use will permit the property to continue operating and generating revenue in a manner consistent with previous uses on the property.

RECOMMENDATION

Staff recommends approval of Case No. PZ 2023-06 – Conditional Use Permit for a Vehicle Sales, New or Used, use, in the form of a Boat Sales operation, for Cody Jack of Anchored Up, to be located at 11900 E. 350 Highway with the following recommended conditions of approval:

<u>The following conditions are required to be met on an ongoing basis:</u>

1. The boat display lot shall be maintained in good condition at all times.

2. Ensure the entire building exterior of the boat showroom is maintained in good condition at all times, including paint, doors, garage doors, windows, and facade. This includes perimeter fencing of the outside display area and any trash enclosure located within it.

3. Ensure the boat display area is maintained in good condition at all times including trimming of weeds and grass. All junk, trash, and debris that collects within the display area to be removed immediately and not permitted to remain.

4. Any additional site lighting installed for security purposes shall be fully shielded and not cast light onto neighboring properties.

5. No boats or signage shall be displayed in City of Raytown or State of Missouri right of way areas.

6. All inoperable boats undergoing on-site maintenance shall be placed inside the building and not be visible to the public.

7. All signage shall be issued under separate permit process and shall meet Municipal Code requirements.

8. Any trash dumpster placed within the boat display area shall be within a fully screened enclosure unless stored indoors except on trash pickup day. Such enclosure shall have a proper metal gate that can be accessed by the trash truck and also screen the container from view at all times.

General Conditions of Approval:

9. The Conditional Use Permit to be issued only to the applicant, William Jack of Anchored Up, and is not transferable. Any new business acquiring the vehicle sales operation from the applicant shall apply for and obtain its own Conditional Use Permit.

10. The property should not be occupied and used until the Commercial Use Permit and a Business License to operate are issued. This does not apply to currently licensed boat repair businesses operating on the property.

11. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/04/2023

MEETING DATE: August 15, 2023

SUBMITTED BY: **DEPARTMENT: Administration**

Document Type: Ordinance

SUBJECT/REQUEST

Approve the recommended sewer rate user fee to provide coverage for necessary operational, capital, treatment and debt expenses and the repeal of Section 44-154.

BACKGROUND/JUSTIFICATION

Over the past several years, sewer treatment costs have risen for treatment services provided by Kansas City Missouri (KCMO) and Little Blue Valley Sewer District (LBVSD). For several years, City staff were able to maintain the City rate through the implementation of numerous cost-saving programs.

In order to be compliant with funding requirements associated with debt issued for the sewer fund, the sewer rate will need to be increased approximately 7% or 3.5% across the board. This will ensure the sustainability of the fund. Based on historical increases from KCMO and LBVSD there will be additional increases needed in future years.

Due to rising costs in treatment, maintenance, and operations, staff is recommending the following sewer rate adjustments to Chapter 44, Article III, Sec. 44-154:

Option (1) **7%**

1. Amend c (4) to read Base Rate - the Base Rate shall be $[18.32] <u>19.60</u> [Eighteen dollars and Thirty-Two] <u>Nineteen dollars and Sixty Cents</u> per month.
2. Amend c (9) to read *Variable rate.* The revenue charge expressed in per 1,000 gallons that is derived when the annual variable rate revenue requirement is divided by the customer volumes, estimated to be $[11.27] <u>12.06</u> [Eleven dollars and Twenty-Seven cents] <u>Twelve dollars and Six cents</u> per 1,000 gallons, in excess of 1,000 gallons.

Option (2) **3.5%**

1. Amend c (4) to read Base Rate - the Base Rate shall be $[18.32] <u>18.96</u> [Eighteen dollars and Thirty-Two] <u>Eighteen dollars and Ninety-Six cents</u> per month.
2. Amend c (9) to read *Variable rate.* The revenue charge expressed in per 1,000 gallons that is derived when the annual variable rate revenue requirement is divided by the

customer volumes, estimated to be $[11.27] 11.66 [Eleven dollars and Twenty-Seven cents] Eleven dollars and Sixty-Six cents per 1,000 gallons, in excess of 1,000 gallons.

Due to the rising cost of treatment, staff does not believe there are any alternatives to raising the sewerage rate to cover the increases.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

FINANCIAL IMPACT

Contractor:	
Amount of Request/Contract:	
Amount Budgeted:	
Funding Source/Account #:	

REVIEWED BY

Jennifer Baird
Damon Hodges
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Ord Sewer Rate Increase 2023

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

Document	Attached	If not attached, explain
Secretary of State:		
Certificate of Insurance:		
E-Verify Affidavits:		
E-Verify proof of enrollment:		
Bond:		
IRS Form W-9:		
Bid/RFP/RFQ: (submit all)		
Bid/RFP/RFQ Tabulation:		
Bid Waiver: Sole source or less than three bids		
Contractor address and email:		

Project Exemption Certificate needed:		
Other:		

AN ORDINANCE AMENDING CHAPTER 44, UTILITIES; ARTICLE III; SEWERS, DIVISION 3; SERVICES CHARGES, SECTION 44-154 OF THE CODE OF ORDINANCES OF THE CITY OF RAYTOWN, MISSOURI

WHEREAS, the City of Raytown (the "City") owns and operates its sanitary sewer system; and

WHEREAS, the City of Raytown, pursuant to RSMo. Chapter 250, is authorized to establish, make and collect charges for sewerage services; and

WHEREAS, pursuant to Ordinance 5706-22 the City adopted a formula for the calculation of sanitary sewer service charges to customers within the City; and

WHEREAS, prior to establishing the sanitary sewer charge the City is required to hold a public hearing on the proposed rate to be utilized; and

WHEREAS, after due public notice as required by law, a public hearing on the proposed sanitary sewer service charges was held on September 19, 2023; and

WHEREAS, after considering the proposed charges and the public input, the City of Raytown desires to establish sanitary sewer charges within the City as set forth herein; and

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

SECTION 1 – APPROVAL OF AMENDMENT. That Section 44-154, commonly known as Formula for Calculating Rates Established of the Code of Ordinances of the City of Raytown is hereby amended as provided in Section 2.

SECTION 2 - AMENDMENT. The City Code Chapter 44, Utilities; Article III, Sewers; Division 3; Services Charges, Section 44-154 relating to the formula for calculating rates established within the City is hereby amended to read as follows:

Section 44-154. Formula for Calculating Rates Established.

(c) The following variables shall be used in calculating the rate of sanitary sewer service charges:

(4) Base Rate - the base rate shall be $[18.32] _____ [Eighteen dollars and Thirty-Two Cents] _____ per month.

(9) Variable Rate - The revenue charge expressed in per 1,000 gallons that is derived when the annual variable rate revenue requirement is divided by the customer volumes, estimated to be $[11.27] _____ [Eleven dollars and Twenty-Seven cents] _____ (See Attached) per 1,000 gallons, in excess of 1,000 gallons.

SECTION 3 – REPEAL OF ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4 – SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

SECTION 5 – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its date of passage. The amendment to the base and variable rate, as stated in Section 2 of this ordinance shall be effective November 1, 2023.

BE IT REMEMBERED that the above was read two times by heading only, **PASSED AND ADOPTED** by a majority of the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Jackson County, Missouri, this ___, September, 2023.

_____
Michael McDonough, Mayor

ATTEST:

_____
Teresa M. Henry, City Clerk

APPROVED AS TO FORM:

_____
Jennifer M. Baird, City Attorney

CITY OF RAYTOWN
Request for Board Action

DATE SUBMITTED: 08/04/2023

MEETING DATE: August 15, 2023

SUBMITTED BY: **DEPARTMENT: Administration**

Document Type: Resolution

SUBJECT/REQUEST

Staff was directed to bring back the Purchasing Policy for an amendment as requested by Alderman Bill Van Buskirk at the August 1, 2023 Board of Aldermen meeting.

BACKGROUND/JUSTIFICATION

The Purchasing Policy adopted March 13, 2020 has been amended, as reflected on Page 21 of the policy attached, as requested by Alderman Bill Van Buskirk.

RECOMMENDED MOTION

PREVIOUS ACTION

COMMISSION/COMMITTEE REVIEW

FINANCIAL IMPACT

Contractor:	
Amount of Request/Contract:	
Amount Budgeted:	
Funding Source/Account #:	

REVIEWED BY

Damon Hodges
Teresa Henry

LIST OF REFERENCE DOCUMENTS ATTACHED

1. Reso Purchasing Policy Amendment-2023
2. Reso Purchasing Policy Amendment-2023-EXHIBIT A

SUPPORTING DOCUMENTS
(FOR CONTRACT ITEMS ONLY)

Document	Attached	If not attached, explain
Secretary of State:		
Certificate of Insurance:		
E-Verify Affidavits:		
E-Verify proof of enrollment:		
Bond:		
IRS Form W-9:		
Bid/RFP/RFQ: (submit all)		
Bid/RFP/RFQ Tabulation:		
Bid Waiver: Sole source or less than three bids		
Contractor address and email:		
Project Exemption Certificate needed:		
Other:		

RESOLUTION NO.: R-3535-23

A RESOLUTION AUTHORIZING AND APPROVING AN AMENDMENT TO THE CURRENT PURCHASING POLICY FOR THE CITY OF RAYTOWN

WHEREAS, at the August 1, 2023 Board of Aldermen meeting, Staff was directed to bring back the current purchasing policy with an amendment to the Spending Authority Matrix included in the purchasing policy; and

WHEREAS, the Board of Aldermen find it in the best interest of the citizens of the City of Raytown to amended the current Purchasing Policy approved on March 13, 2020 as set forth in Exhibit "A";

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

THAT the current Purchasing Policy approved on March 13, 2023 is hereby amended as set forth in Exhibit "A", attached hereto; and

FURTHER THAT the Purchasing Policy marked hereto as Exhibit "A" and made a part hereof by reference is hereby approved and adopted.

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Raytown, Missouri, the 15th day of August, 2023.

_____
Michael McDonough, Mayor

ATTEST:

Approved as to Form:

_____
Teresa M. Henry, City Clerk

_____
Jennifer M. Baird, City Attorney

EXHIBIT A

SUBJECT	ISSUED BY	EFFECTIVE DATE	REVISION DATE
Purchasing Policy	PROPOSED	03-13 2020	August 15, 2023

SECTION 1: GENERAL PROVISIONS

1.1 **Introduction**

This Purchasing Manual, as established by the City Administrator and approved by the Board of Aldermen, shall provide one complete source of purchasing policy, authority, and procedures. All contracts for the purchase or lease of supplies, materials, equipment, or services, shall be accomplished through the office of Finance. It shall be the intent of this policy that, whenever practicable, contracts and purchases shall be let to the lowest and best bidder after due opportunity for competition. Employees of the City of Raytown shall be required to familiarize themselves with the requirements set forth and shall adhere to these rules, regulations and procedures under all normal circumstances. However, it is recognized that exceptions appear from time to time, and organizational needs change; thus, the City Administrator is prepared to offer clarifications, assistance, special handling, and amendments within proper authority.

1.2 **Purpose**

The purpose of this Purchasing Manual is to provide for the fair and equitable treatment of all persons involved in public purchasing by the City, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.

1.3 **Initial Delegation of Authority by Board of Aldermen**

In addition to any powers and duties conferred by this policy or by law, the Director of Finance shall have the following powers and duties:

- The Director of Finance shall promulgate rules and regulations necessary to insure the operation and intent of this policy. Any such rules and regulations shall be approved as to form by the City Attorney and shall be effective ten days after written approval by the City Administrator;

- The Director of Finance shall promulgate such rules and regulations as are necessary to insure the proper operation and accounting of City departmental petty cash funds, procurement cards, and travel regulations;

- The Director of Finance may recommend that the Board of Aldermen declare, as irresponsible bidders, those vendors who default on their quotations, and to disqualify them from receiving any business from the City for a stated period of time;

- The Director of Finance shall maintain a bidders' and suppliers' list which shall list all persons, firms and corporations which have applied for that listing by annually requesting that information from the various departments within the City;

- The Director of Finance may transfer any surplus, obsolete, or unused supplies, materials, or equipment from one office, department, or agency of the City to another on the written approval of the heads of the offices, departments, or agencies concerned, and on the written approval of the City Administrator.

1.4 **Purchases Contrary to this Policy**

Except as provided in the policy, no City officer or employee shall have the authority to make any purchase, lease, or contract within the purview of this policy other than through the Director of Finance. The City shall not be bound by any purchase, lease, or contract made contrary to the provisions of this policy.

1.5 **Taxes and Fees Clearance Required**

No person, firm, or corporation, resident in Raytown, or otherwise legally within the taxing jurisdiction of the City, shall be eligible to provide any goods, contractual services, or anything covered by this policy, unless that person, firm, or corporation is properly licensed by the City and is duly listed and assessed on the County tax rolls and is in no way delinquent on any taxes payable to the City, nor any other fees or charges being owed to the City.

1.6 **Director to Determine Eligibility**

Where any individual, firm, or corporation is a resident of Raytown, or where it otherwise appears that the firm is legally within the taxing jurisdiction of the City, and has made an offer, bid, or quotation for any City purchase, the Director of Finance shall cause a search to be made of the County tax rolls, and the City's delinquent fees and charges listings to determine the eligibility of that person, firm, or corporation.

1.7 **Lowest Bidder Ineligible, Procedure**

When the apparent lowest and best bidder for a given purchase order is ineligible under this policy, the Director of Finance or his/her designee may, when time is not of the essence to the City, notify the bidder and allow three (3) days for the bidder to correct the deficiency or pay any delinquency involved. If the bidder fails, after the notice to comply within three (3) days after such notice, or, if the director deems time to be of the essence, the director shall proceed as though the lowest and best bidder who is eligible under this section had entered the lowest and best bid.

EXHIBIT A

1.8 **Conflict of Interest Requirements of Vendors**

No contract shall be let to any person, firm, or corporation unless it has stated to the to the City in writing that no officer or employee of the City, whether elected or appointed, shall in any manner whatsoever be interested in or receive any benefit from the profits or emoluments of any contract, job, work, or service for the City. Also, the Director of Finance has the authority to refuse or terminate any contract at any time if a vendor is known to not meet the condition stated above.

1.9 **Vendor Drafting Bid Specifications, Disqualification**

No contract shall be awarded to any person, firm, or corporation, which has, for any valuable consideration, provided any services in connection with the development of the contract's bid specifications, unless upon recommendation of the Director of Finance and a finding by the Board of Aldermen that such award is in the City's best interests.

SECTION 2: EXCEPTIONS TO COMPETITIVE BID PROCESS

2.1 **Competitive Bids Not Required, Circumstances**

Staff may accomplish the following purchases without competitive bidding, and without prior Board approval except as specifically provided in this section. In accomplishing such purchases, the director shall be guided to the extent practicable by the policies set out in sections 1.1 and 4.5 of this policy:

- Individual departments may procure items or services $3,000 or less by seeking a source of supply and issuing a purchase order within approved budgeted limits and in accordance with the provisions of this policy or applicable State law;

- Any planned expenditure approved in the annual budget that exceeds $2,500 or 10% (whichever is higher) of the original budgeted amount must be approved by the Board of Aldermen before the purchase is made.

- Outside legal services need not be bid, but must be approved by the Board of Aldermen during the budget process;

- Department Heads shall solicit three telephone bids, or utilize an existing governmental contract, or submit in writing a sole-source justification to the Finance Director any procurement request for items or services greater than $3,000 and up to $15,000 as outlined in section 3 of this policy;

- Department Heads shall solicit three written bids, or utilize an existing governmental contract, or submit in writing a sole-source justification to the City Administrator any procurement request for items or services that fall within the City Administrator's purchasing limit as stated in the Purchasing Policy Dollar Matrix.

EXHIBIT A

- Competitive bidding shall not be required when the items to be purchased can be obtained from only one source. Before a purchase is made pursuant to this exception that has a purchase price of over the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit said purchase to the Board of Aldermen for approval and the purchase shall only be effective upon Board approval. In the recommendation to the Board, the director of the department requesting the sole-source exception shall set out the reason for the decision not to seek competitive bids;

- Competitive bidding shall not be required when the items to be purchased can be obtained from another government, at a price below that quoted by a private vendor. Before a purchase is made pursuant to this exception that has a purchase price of over the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit said purchase to the Board of Aldermen for approval and the purchase shall only be effective upon board approval. In the recommendation to the Aldermen, the director of the department requesting the intergovernmental exception shall set out the reason for the decision not to seek competitive bids. Further rules and regulations can be found in section 7 of this policy;

- Competitive bidding shall not be required when the City Administrator has declared, in writing, the purchase to be an emergency. Purchases in excess of fifteen thousand dollars ($15,000) made under the provisions of this exception shall be reported to the Board of Aldermen at its next regularly scheduled meeting. Further rules and regulations can be found in section 6 of this policy;

- Competitive bidding shall not be required when the items purchased are the subject of existing and current federal, state, or local government fixed price contractual documents, if the prices quoted in those documents are more advantageous to the City than local market prices for like items. Before a purchase is made pursuant to this exception that has a purchase price in excess of the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit the purchase to the Board of Aldermen for approval and the purchase shall only be effective upon board approval. In the recommendation to the Aldermen, the director of the department requesting the exception shall set out the reason for decision not to seek competitive bids;

- Cumulative purchases of the same or similar products or services from one vendor in an amount in excess of three thousand dollars ($3,000) in any one-year period shall utilize the informal competitive bid procedure set out in section 3 of this policy;

- Competitive bidding shall not be required when the items to be purchased are proprietary goods not available in a competitive market, provided that such goods are purchased for resale in a facility or service operated by the City. Proprietary goods are defined as goods manufactured under an exclusive individual/corporate right to make and sell them. Before a purchase is made pursuant to this exception that has a purchase price of over the City Administrator's Approval Limit as described in the Purchasing Policy Dollar Matrix, the Director of Finance shall submit the purchase to the Board of Aldermen for approval and the purchase shall only be effective upon Board approval;

- Competitive bidding shall not be required when funds are appropriated and a contract for services is or will be awarded by resolution of the Board of Aldermen to an organization or agency that is exempt from federal income taxation.

- Any attempt to circumvent the purchasing process by issuing multiple smaller purchase orders to the same vendor will result in corrective action against the employee up to and including termination.

- Employee and Departmental purchasing authority may be removed by the City Administrator, at the recommendation of the Finance Director, for violation of the policies outlined in this document.

2.2 Listing of Payments Authorized Without Following this Policy

Upon acceptance of this Manual, the following exceptions and delegations of authority are to be implemented. The Finance Director shall be authorized to approve payments for the following:

- Payment in any amount of funds collected for other entities/other individuals, such as, but not limited to Jackson County property taxes, the IRS, Missouri Department of Revenue, and County Domestic Violence Fees;
- Utilities (gas, electric including streetlights, water, wastewater treatment, cell phones, and other utilities) in any amount;
- Payments to the City of Kansas City for radio connection fees;
- Payment of Dues or Memberships, travel arrangements or periodical subscriptions;
- Payments or reimbursements to City employees;
- Refunds of overpayment in any amount;
- Payment of invoices to obtain prompt payment discounts or to avoid late fees/charges;
- Health, Dental and Life Insurance bills or any other employee benefit related payment
- Other payroll related expenses;
- Restitution or other Court related pass through payments.
- Payments to Jackson County for budgeted election related expenses.
- Payments for fees for banking services to the contracted financial institution of the City.

SECTION 3: INFORMAL COMPETITIVE BID

3.1 Informal Competitive Bid Procedure

The Director of Finance or his or her designee may use the informal competitive bid procedure described in this section for purchases of more than three thousand dollars ($3,000) but not more than fifteen thousand dollars ($15,000), in lieu of the procedures described in section 4 for award of formal contracts. The department must have a written formal bid for any purchase in excess of fifteen thousand dollars ($15,000) and must have the City Administrators prior approval.

EXHIBIT A

3.2 **Solicitation of Bids**

The Director of Finance or his or her designee shall solicit bids from prospective vendors by means at the director's discretion, including but not limited to: telephone, internet, media, and public notice posted on the bulletin board of City Hall.

3.3 **Three Competitive Bids**

The department requesting the bid shall obtain at least three (3) competitive bids.

3.4 **Lowest and Best Bidder**

Purchases shall be awarded to the bidder providing the best products and/or services that are available for the lowest price consistent with the standards set in section 4 of this policy.

3.5 **Records**

The director of the department requesting the bid shall keep a written or electronic record of all purchases accomplished under this section and all bids submitted in competition for those purchases, and those records shall be open to public inspection. Each such record shall describe the means by which the bid was received and any specific considerations or conditions attached to the bid and/or product or service. Copies of all awarded contracts must be sent to the City Clerk and Finance Director.

3.6 **Disclosure**

Any purchase made under this section must be disclosed in the City Administrator's regular report to the Board of Aldermen.

SECTION 4: FORMAL COMPETITIVE BID

4.1 **Formal Competitive Bid Procedure**

The Director of Finance or his or her designee must use the formal competitive bid procedure described in this section for purchases of more than fifteen thousand dollars ($15,000) for award of formal contracts.

4.2 **Formal Competitive Bids, Notice Inviting**

Notice inviting bids shall be provided in the manner and utilizing such media as the Director of Finance or his or her designee deems most appropriate to the subject matter of the bid and the applicable time line available with the objective of encouraging fair and unbiased competition. The notice shall be designed to secure a reasonable distribution and a competitive bidding process and may include direct mail, electronic mail, on line listing services, newspaper advertisements, and/or such other means, as the director may deem appropriate. In addition to any other solicitation, notices posted on public bulletin boards in City Hall shall also advertise all purchases, leases, or sales.

EXHIBIT A

4.2.1 **Notice of Solicitation, Content, Timing**

The notice inviting competitive bids shall be distributed and/or posted at least ten (10) business days preceding the last day for receipt of bids or proposals and shall include a general description of the products or services to be leased or purchased and state where bid forms and specifications may be obtained and the time and place for submission and opening of bids.

4.3 **Bid Security Deposits or Surety Bid Bonds**

When deemed necessary by the Director of Finance, bid security deposits or surety bid bonds, or both, shall be prescribed in the notice of invitation for bids.

4.3.1 **Returned Bid Security Deposit**

An unsuccessful bidder who stands ready to perform according to the terms of its bid shall be entitled to the return of its bid surety deposit.

4.3.2 **Enforcement of Surety Bid Bond**

The City shall seek enforcement of a surety bid bond according to its terms.

4.3.3 **Surety Bid Bonds, Listed in Federal Register**

All surety bid bonds must be with companies listed in the Department of the Treasury, Federal Register as surety companies acceptable on federal bonds.

4.4 **Performance, Labor, and Material Payment Bonds**

Where the nature of the contract is such that the Director of Finance deems a performance bond necessary, or where the contract is for public works and requires compliance with section 107.170 RSMo, the notice of invitation for bids shall specify the amount of bond that is required. The notice shall also specify that any bid submitted pursuant to said solicitation would be presumed to include the cost of the required bond.

4.4.1 **Surety Performance Bond, Listing in Federal Register**

All surety performance bonds and surety labor and material bonds must be with companies listed in the Department of the Treasury, Federal Register, as surety companies acceptable on federal bonds.

4.5 **Procedure for Receiving and Opening Bids**

The following applies to bids submitted under the formal competitive bid procedure:

EXHIBIT A

4.5.1 **Sealed and Identified**

All bids shall be submitted in a sealed envelope to the City Clerk and shall be identified as bids on the envelope.

4.5.2 **Bid Opening**

Bids shall be opened and read aloud publicly by the Director of Finance or his or her duly authorized representative in the presence of the Clerk of the City or the duly authorized representative of the clerk in the City Hall, in the particular room and on the day and at the time stated in the public notices, except that bids for construction projects undertaken pursuant to this policy may, upon proper notice, be opened in the office of the Director of Public Works.

4.5.3 **Bids Recorded**

The Clerk of the City, or his or her duly authorized representative, shall record in writing the bids opened and read by the Director of Finance, or his or her duly authorized representative.

4.5.4 **Bid Evaluation and Recommendations**

The Director of Finance, or his or her duly authorized representative shall evaluate the bids submitted and refer his or her recommendations to the appropriate department head, who shall within the shortest practicable time, confirm the recommended award or submit objections and suggestions to the Director of Finance. Such objections and suggestions shall include specific reference to the manner in which the department head believes an alternate bid complies with the provisions of section 4.5.7 of this policy.

4.5.5 **Rejection of Bids**

The Director of Finance shall have the authority to reject, as often as he or she deems necessary, all bids, parts of all bids or all bids for any one or more supplies or contractual services included in the proposed contract, for failure to comply with the requirements of the invitation for bids or when the public interest will be served thereby, and require the solicitation of new bids.

4.5.6 **Recommended Award of Bid**

The Director of Finance shall recommend to the Board of Aldermen the award of the contract to the lowest and best bidder, unless all bids have been rejected as authorized in section 4.5.5 of this policy.

EXHIBIT A

4.5.7 **Factors Which Shall Be Considered When Determining Lowest and Best Bidder**

The following factors shall be considered in determining the bidder that provides the best products and/or services that are available for the lowest price:

a. Cost and Future Maintenance
The point of purchase cost of the product or service, the anticipated cost of maintenance or service (including applicable warranties), the ability of the bidder to provide future maintenance and service, the longevity of the product or service, and the cost of disposal;

b. Ability to Perform
The ability, capacity, skill, or financial resources of the bidder to perform the contract or provide the service required;

c. Timely Performance
Whether the bidder can perform the contract or provide the service promptly or within the time specified without delay or interference;

d. Character and Reputation
The character, integrity, reputation, judgment, experience, and efficiency of the bidder;

e. Quality of Prior Performance
The quality of the bidder's performance of previous contracts or services;

f. Compliance With Laws
The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service;

g. Quality and Availability
The quality, availability, and adaptability of the supplies or contractual services to the particular use required;

h. Conditions on Bid
The number and scope of conditions attached to the bid;

i. Compliance With Bid Specifications
Whether the bid as submitted fully complies with the minimum requirements of the bid specifications;

j. Social Responsibility
The socially responsible nature of the product or service that shall include, but is not limited to, products or services that create meaningful work, encourage diversity; include women-owned and minority-owned enterprises, provide fair wages, or otherwise promote social equity.

k. Local Preference
A bidder domiciled in Raytown or whose products and services were manufactured, created, or have points of origin within Raytown will be given a preference and a local bidder (a business in close proximity to Raytown) will be given a secondary preference, when all other considerations are equal and the bidder is compliant with all provisions of this policy.

4.5.8 **Analysis When Service Contracts Are Bids**

Notwithstanding any other provision of this chapter, when a contract for services is to be awarded under the competitive bidding provisions of this chapter the Director of Finance, or his or her duly authorized representative shall perform an analysis of the respective bids submitted and shall submit such analysis to the Board of Aldermen for their consideration.

4.6 **Construction Projects, Bid Process**

Except as otherwise provided by law, the Director of Public Works shall solicit bids and let contracts for construction projects in the same manner as the Director of Finance and solicit bids and lets contracts on other City purchases, all of which shall seek the best products and/or services that are available for the lowest price.

4.7 **Construction Projects – Requirements to Bid, Wages and Benefits – Certain Employers**

As a condition of eligibility to bid for or perform work on any construction project funded in whole or in part by the City, producers or suppliers of sand, rock, asphalt, and/or concrete must regularly pay their production and delivery employees no less than the prevailing rate of wages as defined by or determined under state law.

4.8 **Acquisition of Interests in Real Property for Roads**

In connection with the acquisition of any interest in real property required for a road or bridge project, the Director of Public Works is authorized to accept, on behalf of the City, any conveyance of permanent right-of-way, a temporary or permanent easement of any kind or nature, and/or a right-of-entry, and to record in the office of the Recorder of Deeds a suitable conveyance instrument documenting said acceptance. The Director of Public Works is further authorized, subject to the availability of budgeted funds, to expend up to $5,000.00 per landowner per project for any interest in real property so acquired.

EXHIBIT A

4.8.1 **Notice to Board of Aldermen**

Before any interest in real property is accepted by the Director of Public Works, the Director shall give the members of the Board of Aldermen five (5) working days' written notice of the proposed transfer.

4.8.2 **Contents of Notice**

The notice shall set forth the proposed conveyance, the project involved, any time deadlines, and the recommended expenditure for the acquisition of the interest in real property.

4.8.3 **Time for Aldermen to Respond**

If the Director of Public Works has not received written objection by three (3) or more members of the Board of Aldermen to the proposed conveyance within the period of five (5) working days, the director may proceed to accept the conveyance as indicated in the notice.

4.8.4 **Board Objects**

If the Director of Public Works receives written objections by three (3) or more members of the Board of Aldermen within the period of five (5) working days, the director shall not accept the conveyance but shall submit his recommendation for Board approval at the next scheduled Board meeting or as soon as practicable afterwards.

4.9 **Insurance Bids**

The Director of Finance shall cooperate with the City Clerk and the City Administrator in the preparation of specifications, solicitation of bids, and bid analysis on insurance if necessary. The City currently is involved with MARCIT for all insurance products.

4.10 **Authorization of Purchase**

All items listed in Section 4 of this policy, unless specifically excluded, must be authorized by the affirmative vote of a majority of the members of the Board of Aldermen.

SECTION 5: CONTRACTING FOR PROFESSIONAL SERVICES

5.1 **Purpose**

These guidelines are established in order to provide assistance to City officials in selecting and contracting for professional services. The primary objective is to select the person and/or the firm with the necessary training and experience to provide the professional services needed and desired by the City. Although cost is important, professional services shall not be purchased strictly on the basis of lowest cost. Professional services need not be formally bid. The City may require the submission of a deposit when City plans/work products are required by the bidder to respond to the RFP.

EXHIBIT A

5.2 Applicable Disciplines

Professional services are usually associated with the following disciplines:

A. Financial, accounting and auditing services;
B. Engineering services;
C. Architectural services;
D. Consulting services;
E. Medical services;
F. Data processing consulting and programming services;
G. Testing and inspection services;
H. Photographic, art or marketing services;
I. Legal services.

5.3 Request for Proposals

RFP's for professional services should include:

A. Instructions to the prospective bidders specifying when, to whom, and where proposals should be sent;
B. A complete technical description of the problem or work task. Specify that written questions may be sent to the City. Also state whether a pre-bid conference will be held to discuss the RFP and to answer questions;
C. An objective or statement of what is expected to be accomplished.
D. Scope of work or task, format for the completed report, and the extent to which the City's staff will be available to the contractor;
E. Firm or estimated schedule, including dates for commencement of performance, for submission of progress reports, and for completion of task;
F. Selection criteria;
G. Standard contract terms and conditions;
H. Understanding for compensation for additional work authorized.

5.3.1 Selection Criteria

Specify the following criteria:

A. Experience on similar projects including references of former clients;
B. Qualification of person(s) proposed to work on the project (require professional resumes.);
C. Ability to meet work schedule;
D. Completeness of project approach;
E. Samples of work representing product quality;
F. Sensitivity to community involvement;
G. Additional services and skills available;
H. Work space requirements and/or City staff support.

EXHIBIT A

5.3.2 **Evaluation and Award**

When appropriate, the City may interview and/or negotiate with up to four qualified persons or firms.

A. Relative weight should be assigned to each criterion listed in the RFP based on the importance of the particular qualification;
B. After reviewing the written proposals and interviewing prospects to ascertain the scope and type of work proposed, the City shall offer to award the contract to the vendor who would be most advantageous to the City. This normally will be the firm scoring the highest in the evaluation of proposals and the interviews;
C. In determining which offer is the most advantageous, the City will generally take into account the following in order of importance:
    a. The professional competence.
    b. The technical merits.

The requirement to perform reference checks pertaining to all purchases greater than $15,000 ($15,000) extends to professional service contracts.

SECTION 6: EMERGENCY PURCHASES

6.1 **Emergency Purchases**

An emergency shall be defined as a situation in which the department operations would be severely hampered or a situation in which the preservation of life and property would not be possible.

A. Emergencies During Normal Working Hours
When the need for an emergency purchase occurs during normal working hours, the requesting department will notify the City Administrator, or his designee, who will either give approval of the transaction or will provide alternative solutions. If approved, the requesting department will prepare the confirming purchase order as soon as operations permit. EMERGENCY will be boldly written across the purchase order.

B. Emergencies after normal working hours
If the emergency occurs at times other than normal working hours, the department head or authorized representative may purchase the necessary items or services directly. The purchaser must obtain a sales ticket or invoice from the vendor. The requesting department will prepare the confirming purchase order as soon as operations permit. EMERGENCY will be boldly written across the purchase order. Communication of the purchase shall be made to the City Administrator the next business day.

C. Emergency Purchase follow up
All reasonable effort be made by the City Administrator to inform the governing body of any emergency spending as soon as feasible. A summary of all emergency purchases by commodity and by individual purchase shall be prepared by the Department Head for submission through the Finance Director and City Administrator to the Board of Aldermen at their next Regular Meeting.

EXHIBIT A

SECTION 7: INTERGOVERNMENTAL PURCHASING

7.1 Purpose

By policy the City desires to encourage the use of pre-bid, intergovernmental purchasing. By doing so the City can obtain competitive pricing and the benefit of other jurisdictions professional purchasing services.

7.2 Definitions

Intergovernmental cooperative purchasing is an agreement under which the City, along with other governmental entities, buys under the same contract or agreement. There are two methods of participation - direct ("joint participation") and indirect ("piggyback participation").

A. Direct participation involves a commitment to the lead agency by the City to purchase a specific quantity of a specific item from the successful bidder on the joint solicitation and contract.

B. Piggybacking on a contract awarded by another governmental agency does not require prior commitment by the City.

7.2.1 Piggybacking

A. Departments are encouraged to provide Finance with cooperative contract information obtained from their respective industry organizations. The Finance Director shall notify other departments of the availability of the various cooperative agreements as they become available.

B. The State of Missouri publishes its cooperative contracts. Information may be obtained off the Web by going to the following site: http://oa.mo.gov/purch/contracts/index.htm. This is the current location for this material; from time to time the State changes their web site addresses. If this link is no longer valid, go to http://oa.mo.gov for further information.

SECTION 8: DISPOSAL OF PROPERTY

8.1 Real Estate Sales

The sale of all real estate owned by the City shall be authorized by resolution of the Board of Aldermen.

8.1.1 Real Estate to be Negotiated by City Administrator

The City Administrator or his designee is authorized to negotiate with the entities listed below for the sale of real estate owned by the City of Raytown:

a. The United States or any of its agencies;
b. The State of Missouri or any of its political subdivisions or municipalities.

EXHIBIT A

8.2 Formal Bid Procedures for Real Estate Sales

The Director of Finance is authorized to solicit sealed bids for the disposal of surplus city real estate in accordance with the formal bid procedures listed in section 4 of this policy.

8.2.1 Recommendation to Board of Aldermen

The City Administrator or his designee shall recommend to the Board of Aldermen the award of the sale to the highest responsible bidder.

8.3 Auctions Authorized for Real Estate Sales

The Director of Finance may authorize the sales of surplus city real estate by auction when the Director believes that it is in the best interest of the city to do so.

8.3.1 Auction Requirements for Real Estate Sales

The following requirements shall apply to auctions authorized by 8.3:

a. All auctions shall be conducted on City property;
b. Notice advertising an auction shall be published in one (1) official newspaper within the City or Jackson County with a circulation of at least five hundred (500) copies per issue at least ten (10) days preceding the date of the auction. The notice shall include a general description of the real estate to be sold, the time, location, and date of the auction and a place where additional information concerning the real estate may be obtained;
c. The Director of Finance shall send a notice of the auction to all prospective purchasers who have requested their names be added to a list of bidders;
d. The Director of Finance or his/her designee shall conduct auctions. The Director may contract with professional auctioneers to conduct the auction;
e. The highest bidder at auction shall execute a real estate contract and submit a bid deposit of ten percent (10%) of the total bid award. If the bidder does not execute the contract, the bidder will loose the deposit;
f. Bids received at an auction shall be subject to final acceptance by resolution of the Board of Aldermen. All notices and advertisements for the auction of real estate pursuant to this policy shall advise potential bidders of this limitation
g. If the Board of Aldermen rejects the bid offered, the bidder shall be entitled to a return of the deposit.

8.4 Personal Property Disposal, Cost of Less Than Five Thousand Dollars

a. Upon the recommendation of any department director, the Director of Finance, is authorized to dispose of any item of personal property in the custody or control of the recommending department, agency, or office, that has an original acquisition cost of less than five thousand dollars ($5,000.00) and that has become obsolete and unusable, on terms advantageous to the City.

EXHIBIT A

8.4.1 **Procedures**

a. Disposal of personal property having an original acquisition cost of less than five thousand dollars ($5,000) shall be made in accordance with the informal bid procedure set forth in section 2, or in accordance with section 8.7, unless transferred without compensation to another governmental agency as set out in section 8.8. If sold, the property shall be sold to the highest responsible bidder.

b. This section shall also apply to the disposal of any city-owned personal property without regard to original acquisition cost that, as a result of a casualty loss, has been declared a total loss by the city's or responsible party's casualty insurer or as determined by an estimate or appraisal prepared by a reputable, independent expert.

8.5 **Personal Property Disposal, Cost of More Than Five Thousand Dollars**

The Personal property having an original acquisition cost of five thousand dollars ($5,000) or more shall be disposed of in accordance with the formal contract procedure set forth in section 4, or in accordance with section 8.7, unless sold to another governmental agency as set out in section 8.8. If sold to a person or entity other than another governmental agency, the property shall be sold to the highest responsible bidder.

8.2.1 **Prior Approval of the Board of Aldermen Required**

The Director of Finance shall submit a list of any property to be disposed of, having an original acquisition cost of five thousand dollars ($5,000.00) or more, together with all factual information in clear and specific terms that supports the finding by the Director of Finance that the property is obsolete and unusable, to the Board of Aldermen for its authorization to dispose of the property.

8.6 **Use as Trade-Ins**

The Director of Finance may, when the interest of the city are best served, use the personal property as trade-ins on replacements and/or solicit bids in accordance with the formal contract procedure in section 4 of this policy in order to obtain the price differential most advantageous to the city.

8.7 **Auctions of Personal Property**

The Director of Finance may authorize the sale of city personal property by auction when the Director believes that it is in the best interest of the city to do so.

8.7.1 **Auctions Requirements for Disposal of Personal Property**

The following requirements shall apply to auctions authorized by Section 8.7:

a. All auctions shall be conducted on City property, unless the Director of Finance contracts with a qualified vendor or online service to conduct the auction. In such

cases, the auction may be conducted online or at a site selected by the vendor and approved by the Director of Finance;

b. Notice advertising an auction shall be published in one (1) official newspaper within the City or Jackson County with a circulation of at least five hundred (500) copies per issue at least ten (10) days preceding the date of the auction. The notice shall include a general description of the personal property to be sold, the time, location, and date of the auction and a place where additional information concerning the personal property may be obtained;
c. The Director of Finance shall send a notice of the auction to all prospective purchasers who have requested their names be added to a list of bidders;
d. The Director of Finance or his/her designee shall conduct auctions. The Director may contract with professional auctioneers to conduct the auction;
e. The highest bidder at auction shall make payment for the item(s) purchased and shall be responsible for removing the item from City property or other site immediately.

8.8 **Personal Property Transfer or Sale to Another Governmental Agency**

The Any personal property that has been declared obsolete and unusable as set out in Section 8.4 and 8.5 may be sold or transferred without compensation to another governmental agency as set out in this section.

8.8.1 **By City Administrator**

The City Administrator may sell obsolete or unusable personal property with an original acquisition cost of five thousand dollars ($5,000.00) or more to any other governmental agency at a price based on a residual value as determined by the Director of Finance and approval from the Board of Aldermen. The City Administrator may transfer obsolete or unusable personal property with an original acquisition cost of less than five thousand dollars ($5,000.00), or property that has been declared a total loss pursuant to section 8.4.1 (b), to any other governmental agency without compensation after giving the Board of Aldermen five (5) working days written notice of the intention to make the sale or transfer.

8.8.2 **By Board of Aldermen**

The Board of Aldermen may by resolution, in appropriate cases, authorize the transfer of any obsolete or unusable property to any other governmental agency without compensation, regardless of the property's original acquisition cost.

8.9 **Donation, Recycling, or Discarding of Personal Property**

If the director of Finance is unsuccessful in documented efforts to dispose of surplus, obsolete, or unusable city personal property under one or more of the means previously authorized by this policy, the director is authorized to dispose of such property by means of donation to any entity entitled to an exemption from federal income taxation under 26 USC 501(C)(3), or by recycling, salvaging, or discarding such property, in that order of priority, under such terms deemed by the director to be most favorable to the city.

EXHIBIT A

8.10 **Disposition of Firearms**

Notwithstanding any other provision of this policy to the contrary, city-owned firearms that have become unusable, obsolete, or otherwise excess to the city's needs may be used as trade-ins to any authorized law enforcement dealer. Pursuant to section 8.8 of this policy and in compliance with federal and state law, the Police Department may also transfer such firearms to a government law enforcement agency, for that agency's permanent use without a right to further transfer, provided there is no benefit to the City to trade the weapons in on newer weapons. If such firearms cannot be used as a trade in, or so transferred, they must be destroyed by whatever means the Police Department deems appropriate.

EXHIBIT A

SECTION 9: ETHICS

9.1 **Criminal Penalties**

If violations of the ethical standards of conduct set forth in this Section constitute violations of the State Criminal Code they shall be punishable as provided therein.

9.2 **General Standards of Ethical Conduct**

Any attempt to realize personal gain through public employment, inconsistent with the responsible discharge of that public employment, is a breach of public trust. In order to fulfill this general prescribed standard, employees must also meet specific standards:

a. Employee Conflict of Interest

The conflict of interest definitions and rules are covered in the City Code.

b. Employees with Financial Interest - Disclosure Requirements

Any employee or public official who has or may obtain any benefit from any City contract with a business in which the employee has a financial interest, shall report such benefits to the City Administrator. Provided, however, this provision shall not apply to a contract with a business where the employee's interest in the business has been placed in an independently managed trust. Any employee or public official who knows or should have known of such benefit, and fails to report such benefit to the City, is in breach of the ethical standards of this Section.

c. Gratuities

It is a breach of ethical standards for any person to offer, give, or agree to give any employee/public official OR for any employee/public official to solicit, demand, accept, or agree to accept from another person, a gratuity of any value or an offer of employment in connection with any purchasing decision. Gratuities shall not mean pens, pencils, matchbooks, calendars, or other novelty items used for advertising purposes, meals or other meeting circumstances for the purpose of conducting or discussing official business.

d. Restriction on Employment of Present/Former Elected and Appointed City Officials

1. Contemporaneous Employment Prohibited. It shall be a breach of ethical standards for any City official who is involved in purchasing to be an employee of any party contracting with or supplying goods to the City.

2. Former Officials. It shall be a breach of ethical standards for any former City official, within one year after cessation of employment or affiliation, to be a

principal or to act as an agent for any organization that desires to solicit business from the City.

e. Use of Confidential Information - It shall be a breach of ethical standards for any employee, former employee, public official, or former public official, knowingly to use confidential information for his personal gain, or the personal gain of any other person.

f. Public Access to Purchasing Information and Records - All purchasing information and records are accessible and open to personal inspection to any citizen. Appointment and location may be arranged with the City Clerk.

g. Waivers from contemporaneous Employment Prohibition and Other Conflicts of Interest.

The Board of Aldermen may grant a waiver from the employee conflict of interest provision or the contemporaneous employment provision upon making a written determination that:

1. The contemporaneous employment or financial interest of the City employee has been publicly disclosed; and
2. The City employee will be able to perform its procurement functions without actual or apparent bias or favoritism; and
3. The award will be in the best interests of the City.

8.3 **General Standards of Ethical Conduct for Non-employees**

a. General Standards of Ethical Conduct for Non-employees

Any effort to influence any public employee to breach the standards of ethical conduct set forth in this Section is also a breach of ethical standards.

b. Kickbacks - It shall be a breach of ethical standards to for a vendor to offer a fee, a commission, brokerage, percentage, or contingent fee to an employee of the City for the purpose of securing business from the City.

c. Remedies Against Non-employees

Any person who knowingly violates or solicits the violation of any of the provisions set out in this regulation shall be barred from entering into future contracts with the City and shall be prosecuted for any violation of local, State or Federal laws that may apply.

EXHIBIT A

Purchasing Policy Dollar Matrix

Informal Bid Process	Any purchase between $3000 and under $15,000 except exclusions in Section 2.
Formal Bid Process	Any Purchase $15,000 and over except exclusions in Section 2.
Department Head Approval Limit	Purchases under $5,000
Finance Director Approval Limit	Purchases $5,000 to up to $15,000
City Administrator Approval Limit	Non-budgeted purchases up to ~~$30,000~~ **$20,000** Budgeted purchases up to ~~$50,000~~ **$30,000**
Board of Aldermen	Any Purchase over the City Administrator approval level above

From: Alderman Bonnaye Mims
To: Mayor Mike McDonough
Cc: Teresa M. Henry
Subject: Wednesday, August 2, 2023
Date: Wednesday, August 2, 2023 1:20:48 PM

Mr. Mayor-

During my discussion item, I had a diabetic issue and was not able to fully deliver to the Board what I was wanting to accomplish. I am asking that you allow my item to be placed again on the August 15, 2023 agenda as a discussion item so that I can fully explain what I am requesting.

To be totally clear, since we now have a completed salary study, I am suggesting we now have a staffing study/assessment or whatever you want to call it completed. I want to ensure that since we now know we are paying our employees an acceptable salary, I want to ensure that we have the right number of employees doing the jobs. I am especially concerned with our staffing levels in several departments and feel like the city will benefit from such study/assessment being handled by an outside firm.

I would like the Boards support in directing staff to add a Staffing Study/Assessment to the 2023 -2024 Budget which I know will begin with the RFP process.

Thank you.

Bonnaye

From:	Greg Walters
To:	Teresa M. Henry; Mayor Mike McDonough
Subject:	Discussion Item for August 16, 2023 BOA Meeting
Date:	Thursday, August 3, 2023 10:54:15 AM
Attachments:	Discussion Item.docx

TO: Raytown Board of Aldermen
FROM: Ward 1 Alderman Greg Walters

The attached is a proposed Resolution regarding increased Property Values in Jackson County, Missouri. The resolution mirrors similar resolutions that have been approved by the following cities and the Jackson County Legislature:

Lee's Summit
Blue Springs
Independence
Grain Valley
Jackson County Legislature

The language used in the following proposed Resolution is similar to that used by the City of Lee's Summit, Missouri.

I will drop copies of all of the resolutions from the above named cities and the Jackson County Legislature in your mail boxes at City Hall should you need to view them.

If you have any questions please feel free to call me.

Greg Walters
816 517 6852

A RESOLUTION EXPRESSING THE CONCERN OF THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN MISSOURI TO THE REASSESSMENT OF PROPERTY AND THE DRAMATIC INCREASE IN VALUES OF PROPERTY IN THE CITY AND RECOMMENDING THAT THE COUNTY EXECUTIVE AND COUNTY LEGISLATURE UTILIZE CERTAIN AUTHORITY PROVIDED BY THE JACKSON COUNTY, MISSOURI CHARTER TO MAINTAIN THE 2022 VALUATIONS FOR THE 2023 TAX YEAR.

WHEREAS, every person owning or holding real property or tangible personal property on January 1st of any calendar year shall be liable for taxes, with exemptions for certain properties, such as those for charitable, educational and religious purposes, and;

WHEREAS, assessment is the process of placing value on property for the purpose of property taxation, and;

WHEREAS, all taxable real and personal property within the City is assessed annually by the county assessors, and;

WHEREAS, reassessment is an update of all real property assessments in the County, conducted by the County Assessment Department to equalize values among taxpayers and

to adjust values to current market conditions, and;

WHEREAS, Missouri Law requires all real property to be reassessed every 2 years in odd-numbered years, including 2023, and;

WHEREAS, Raytown property owners and residents have expressed shock and outrage at the large increases in property values during this reassessment process, and;

WHEREAS, there has been an overall 39% average increase in assessed valuation in Jackson County, and;

WHEREAS, media reports have indicated that more than 44,000 property tax assessment appeals have been filed, and;

WHEREAS, pursuant to RSMo 67.110, each political subdivision located, at least partially, within a county with a charter form of government or within a city not within a county shall fix its ad valorem property tax rates as provided in this section not later than October 1st, and;

WHEREAS, the appeals process may have a detrimental impact on the City's ability to meet the October 1st deadline mandated by the Missouri Constitution, and;

WHEREAS, Article III, Section 6, Subsection 9 of the Jackson County Charter states that "The County Executive, in addition to other powers and duties provided in this charter, shall have the power to: ... (9) Correct errors in assessment and tax records.", and;

WHEREAS, Article II, Section 16 of the Jackson County Charter states that "The County Legislature shall have the power, pursuant to and in conformity with the constitution, and without limiting the generality of the powers vested in the County Legislature by this Charter, to: Provide for the assessment, levy, equalization, and collection of all taxes now or hereafter authorized by the constitution or by law and prescribe a method or system to facilitate the assessment, calculation, extension and collection of taxes including the design of the books and forms and the purchase and installation of necessary devices.", and;

WHEREAS, the County Executive and Jackson County Legislature should take steps to mitigate the immediate harm to large numbers of Raytown and other Jackson County. property owners and residents.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN MISSOURI, as follows:

SECTION 1. That the Board of Aldermen hereby expresses its concern related to the extraordinary impact of the recent reassessment conducted by the Jackson County, Missouri Assessor.

SECTION 2. That given the enormous volume of appeals, the pending deadline for all cities in the county to establish tax rates, and the extraordinary impact to the public the Raytown Board of Aldermen of the City of Raytown, Missouri hereby requests that the County Executive and County Legislature utilize the authority cited above to hold in abeyance the

most recent assessed valuations and instead utilize the valuations from the previous year.

SECTION 3. That any and all resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict only.

SECTION 4. That this resolution shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.