

City of Northmoor Board of Aldermen
January 2, 2020
Time: 6:30 P.M.
City Hall, 4907 Waukomis, Northmoor, MO 64151

Meeting Minutes

CALL TO ORDER: Mayor Wilson called the meeting to order at 6:30 p.m.

ROLL CALL: Bennie Pate, Rick Medill, Isabel Stevens, Joe Harris, John Butner, Cari Murdock
 All Present

WELCOME: Mayor Wilson invited those in attendance to stand for the Pledge of Allegiance and Prayer.

ANNOUNCEMENTS:

1. Mayor Wilson informed the Board that the City will need to buy 2 water meters for the Todd Burr Plaza and Mark Leggett property. The meters are running backwards.
2. Mayor Wilson said that Int'l Vibe is closed right now until their Business License is obtained. Albertha informed City Clerk Rowden that she is waiting on her accountant and voluntarily closed so as not to cause any concern for the city.

CITY NEWS / CITIZENS COMMENTS:

1. Cory Glasbrenner previously asked to speak to the Board about the condition of the property at 2031 NW 51st Terrace and the surrounding area. Cory was not in attendance.

POLICE REPORT: Chief Kelly Clark

1. Month Review - Chief Clark stated that there were a few thefts during December. A construction trailer and contents were stolen from The Turning Point parking lot where a new parking lot was being laid. Two suspects have been identified and there is a stop order in place.
2. There were more occurrences of stolen catalytic converters on the 1800 block of Vivion Rd. A business reported that they are pretty sure someone tried to break in their door. Chief Clark was not able to see anyone on the video tapes. Chief Clark asked the community to continue to report suspicious persons. He said that, all in all, it was not a bad month.
3. Chief Clark reported that Officer Williams had a mild heart attack and is doing well. He will be back on Friday when he is released. Officer Borders slipped on black ice. He grabbed the door handle at the station as he fell and hurt his left shoulder. He is off on workers compensation.
4. Int'l Vibe held a large party on Saturday, December 28th, which was advertised on Facebook. The party overran the occupancy limits. Owner, Albertha Reaves, did not notify the City of the

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*Preparing for Negotiations with Employee Groups 610.021(9)

function. Alderman Pate and Officer Hartman were witnesses to the crowd. Albertha stated to Officer Hartman that she didn't know she was supposed to notify us when they are having a large event. This stipulation was decided at the Int'l Vibe hearing in 2019.

5. Hazard Mitigation Plan update – Chief Clark said that planning is all up in the air at this point and everyone is waiting on a FEMA decision.
6. Computer repair update – Chief Clark said that Julie's computer has been upgraded to Windows 10. The water department laptop and extra desktop will be updated as well.

CODES ENFORCEMENT: Captain Leroy Schuettenberg

1. Captain Schuettenberg said that Alfred Baker, who resides at 2006 N 50th, received a ticket regarding an inoperable vehicle improperly stored. He is scheduled to be in court in February. East Coast Al's Tattoo Parlor has replaced their hot water heater and the sewer lines are fixed. Captain Schuettenberg will also do a follow up on the hood cleanings at Vivion West.

RIVERSIDE FIRE RESCUE: Fire Chief, Gordon Fowlston/Assistant Chief Fire Marshall, Keith Payne

1. Month Review – report not received

ACTION ITEMS:

1. Approval of the December 5, 2019 Board of Aldermen Meeting Minutes as presented.
1st Alderman Harris, 2nd Alderman Butner All in favor 6 - Opposed 0
2. Approval of the Treasurers Report for December 2019 as presented.
1st Alderman Butner, 2nd Alderman Pate All in favor 6 - Opposed 0
3. Discussion and approval for the purchase of 2 water meters.
1st Alderman Murdock, 2st Alderman Stevens All in favor 6 - Opposed 0
4. Discussion regarding adding an additional Liquor License to accommodate a request from Maria Cruz – Alebrijes to sell liquor by the drink.

***NOTE:** If approved, the Ordinance 2019-016 will be revised for approval by the Board of Aldermen at the February meeting.*

Alderman Medill asked how many days the restaurant is open. Jose responded that they are open every day. Mayor Wilson concurred. Alderman Murdock expressed concern with Alebrijes Accountant. Since they have had trouble in the past she asked how they will stay on top of the paperwork for the business. Alderman Murdock continued by stating that this is the third time they have been present to discuss obtaining or keeping a Liquor License which takes time away from other Board business. Alderman Stevens said she would prefer to see the business pick up before the Board issues another license. Maria said that many of her customers would like a drink with their meal. Mayor Wilson said that nothing will run customers off quicker than not keeping your doors open. Alderman Stevens reiterated that she would like to see the restaurant grow. Jose explained that they have another manager available if something happens. Mayor Wilson said that it is good to have a back-up.

Alderman Harris suggested issuing a special permit with stipulations. Alderman Stevens

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believes they would be able to stay open with food. Jose added that they do advertise with banners and on Facebook. Chief Clark, Captain Schuettenberg and City Clerk Rowden all said the restaurant is busy at lunch time.

Alderman Medill said that he would like to see the doors remain open with a commitment from Jose and Maria. Alderman Murdock again voiced concern with them coming back to the Board and asking again for their Liquor License. Alderman Murdock is worried they will be back to the same place next year. Alderman Murdock understands the need for a Liquor License and that it is a great responsibility, not something to let go of. Jose said that they learned through their mistakes and want to commit to staying open full time. Alderman Stevens asked if their register documents each sale and do they give receipts. Mayor Wilson asked if they use a Point of Sale System (POS). Maria responded that they do and they provide receipts to customers.

Consensus was to give Alebrijes a 6 month (June 1st) special permit liquor license. Mayor Wilson stated she will not hear anything more from Alebrijes if this doesn't work. Mayor Wilson will talk to the City Attorneys and get back to the Board as soon as she finds out if we can allow this special permit.

1st Alderman Medill, 2nd Alderman Pate All in favor 6 - Opposed 0
(SEE NOTE: Ref. Action Item #4)

5. Approval of Ordinance 2020-001 Rewording Section 205.070 "Keeping Dangerous Animals" clarifying Alderpersons means Aldermen.

FIRST READING:

1st Alderman Murdock, 2nd Alderman Pate All in favor 6 - Opposed 0

NOTE: Second Reading will be read at the February 5, 2020 Board of Aldermen meeting.

6. Motion to approve Ordinance regarding missed meetings by Board of Aldermen. The Ordinance had not been completed for the Board of Aldermen vote.

NEW BUSINESS:

1. Board review of the invoice for the time period of November 16 through December 15, 2019 from the Office of the Northmoor City Attorneys.

OLD BUSINESS:

1. Fagan Property Lien - Possession of Property
Mayor Wilson acknowledged the Ownership and Encumbrance Certificate obtained from Stewart Title Company by City Attorney, Scott Sullivan for the Fagan property located at 2038 NW 50th Terrace, Northmoor, MO 64151. Mayor Wilson was advised that, although there are several liens on the property, the City of Northmoor lien takes precedence. She said that the Attorney's would mail out letters to each lien holder advising them of the lien. There is a property tax fee due of approximately \$138.00 which the city will need to pay. A vote to proceed was requested by Mayor Wilson.

1st Alderman Harris, 2nd Alderman Butner All in favor 6 - Opposed 0

2. Discussion regarding an extension requested by the residents affected by the City of Northmoor discontinuing water service on Frontier St. These properties are located in Kansas City (Clay County), not Northmoor.

Attorney, Kevin Graham and James (Gabe) and Stacy Davis (Owners) were in attendance. They asked if they could put up a larger deposit for their water service to extend the time limit of for the shut-off of their recently purchased property. They would like to postpone the pipe installation due to the weather. Alderman Harris stated that we have not had any frozen ground. Alderman Stevens made note that the letters were dated July 3rd which provided ample time to prepare. It was explained that they bought the property in March. The property fronts Waukomis and they found that the water line runs under the road near the storage company. It was acknowledged that Executive Auto has already hooked into Kansas City water. They would like to stay on Northmoor water. The expense is substantial if they have to change to Kansas City water. The estimate, of up to \$80,000.00, for the work that would need to be done to change over to Kansas City water was provided to the Mayor and Board. Alderman Harris stated that Frontier St. is in Northmoor not in Kansas City.

Mayor Wilson explained that the properties being addressed have been an ongoing problem for years. Northmoor has sustained substantial costs for many water shut offs and turning the water back on. Gabe stated that he stands to lose hundreds of dollars. The property he purchased is 2.6 acres with 4 units and 4 meters. He explained that if it was just one meter he would have made the change. Since the property has 4 meters it will cost a lot of money to change over. Kansas City water won't allow a commercial meter. Alderman Murdock reiterated Mayor Wilson's statement and said that this has been an on-going problem and cost to the City.

Alderman Medill asked if there is any way to come up with a solution to be sure the city does not get shorted financially and asked if the City could compromise. He continued by saying that he agrees completely with Mayor Wilson, we don't want to lose a dime but asked if it is possible to come up with a new agreement. He said that this is a good opportunity for him, personally, to have good neighbors. Alderman Murdock asked in order to reach a compromise, if the city has ever required the owners to be responsible. Alderman Harris stated that the City has no authority on the other side of Frontier St. and this has been an ongoing battle for over 45 years. Attorney, Kevin Graham asked if the City would consider increasing the deposit for the property. The deposit money could be used if there was ever a problem with payment.

Alderman Stevens stated that she is a property owner and landowner. She advises her tenants that they are solely responsible for deposits and payments. Mayor Wilson added that every individual pays for fire protection in Northmoor. The Riverside Fire Department would respond to those properties as well. Mayor Wilson also added that those properties are not paying for sewer service. The properties being discussed are on septic. It was suggested that Northmoor may be able to get a credit from Kansas City for those on septic. Gabe concluded by stating that he prefers being a part of the Northmoor water system. Chief Clark said that Northmoor has tried to annex the housing portion of the property in the past and it didn't work. It is a real problem because the property is in Clay County.

Mayor Wilson stated that a vote is not scheduled for the meeting tonight. Mayor Wilson will talk to attorneys and address this issue again at the February meeting.

Attorney Graham suggested that we all do more homework and requested that the shut off date of February 28th be suspended until we get answers. Mayor Wilson asked the Board if they wanted to terminate the shut off date, temporarily, until more information is obtained.

1st Alderman Stevens, 2nd Alderman Butner All in favor 6 - Opposed 0
(SEE NOTE: Ref. Action Item #2)

HEARING:

Pierce Appeal Hearing of Declaration Dangerous Dog
Some of the witnesses could not attend due to an illness in the family. Also, Officer Ken Borders was unable to attend. The Hearing is postponed to February 6, 2020 during the regular Board of Aldermen meeting. Tonya Pierce acknowledged the change of date, by signature and date, in the City Clerk's office on January 2, 2020. A copy of the signed and dated "Notice of Hearing on Appeal of Tonya Pierce" was given to Ms. Pierce after City Clerk, Julie Rowden signed and dated the document.

NOTE: Ref. Action Item #4

Alderman Harris came to City Hall on Tuesday, 1/7/2020 at approximately 9:30 a.m. and stated to City Clerk Rowden that he wanted to be sure the minutes reflect that he was "not" in favor of the special permit for Alebrijes. She advised she did not hear a NAY during the vote, possibly due to the noise level. Mayor Wilson was present during the conversation. Of the 3 note keepers, none heard the NAY.

NOTE: Ref. Old Business #2

Alderman Harris came to City Hall on Tuesday, 1/7/2020 at approximately 9:30 a.m. and stated to City Clerk Rowden that he wanted to be sure the minutes reflect that he was "not" in favor of extending the shut-off date for the residents on Frontier St. regarding the water shutoff. She advised she did not hear a NAY during the vote, possibly due to the noise level. Mayor Wilson was present during the conversation. Of the 3 note keepers, none heard the NAY.

The February 6, 2020 Board of Aldermen Meeting Minutes will reflect the change on the vote count for these 2 items.

MOTION TO ADJOURN:

1st Alderman Medill, 2nd Alderman Pate All in favor 6 - Opposed 0

ADJOURN

APPROVED:

Lynda Wilson, Mayor

ATTEST:

Julie Rowden, City Clerk