

# CITY OF NORTH KANSAS CITY, MISSOURI REGULAR COUNCIL MEETING

February 5, 2019  
7:00 p.m.

1. **Call to order**
2. **Moment of Silence**
3. **Pledge of Allegiance**
4. **Comments from the Public**  
(Please limit comments to five minutes)

## Consent Agenda

All matters listed within the Consent Agenda have been distributed to each member of the City Council for reading and study, are considered to be routine, and will be enacted by one motion of the council with no separate discussion. If separate discussion is desired on an item, from either the City Council or from the audience, that item may be removed from the Consent Agenda and placed on the Regular Agenda.

5. **Approval of the minutes of the Work Session of January 15, 2019** 
6. **Approval of the minutes of the Regular Council Meeting of January 15, 2019** 
7. **Short-term Conditional Use Permit - Northland Festivals, Inc. - Snake Saturday Parade and Family Fun Festival** 

Northland Festivals, Inc. is requesting a Short-Term Conditional Use Permit for the Snake Saturday Parade and Family Fun Festival, which will be held on March 16, 2019. The parade route will begin at 14<sup>th</sup> Ave and Swift. This event will last from 7:30 AM until 4:00 PM. The applicant is requesting assistance with traffic/crowd control, as this event could bring as many as 100,000 people to North Kansas City. The Police Department and Fire Department have reviewed and approve of the staging areas, parade route and Family Fun Festival.

8. **Short-term Conditional Use Permit - Dad & Daughter 5K Run/Walk** 

Susan Dawes is requesting a Short-Term Conditional Use Permit for the Dad and Daughter 5K Run/Walk. It will be held on September 14, 2019. The 5K will start at 7:00 am and last until 11:00 am. The route has been approved by the Fire Department and Police Department. The applicant has requested assistance from the Police Department to close the route.

**9. Short-term Conditional Use Permit - Sweetheart Shuffle** 

Bodies Race Company is requesting a Short-Term Conditional Use Permit for the Sweetheart Shuffle 5k (formerly the Cupid Run). The event will take place on February 17, 2019 from 8:00 AM until 9:30 AM. The race will begin and end at Macken Park and traffic control will be provided by the Police Department.

**10. Appointment of Jeffery A. Jenkins as Alternate on the Board of Zoning Adjustment** 

Mayor Stielow has appointed Jeffery A. Jenkins to serve as Alternate on the Board of Zoning Adjustment. Council confirmation of the appointment is requested.

**11. Appointment of Marilyn Karnes to the Police and Fire Personnel Board** 

Mayor Stielow has appointed Marilyn Karnes to serve on the Police and Fire Personnel Board, replacing Janice Taylor who has resigned. Council confirmation of the appointment is requested.

**Regular Items**

**12. Follow-up to Questions Asked by City Council Regarding Business Licensing (Discussion Item)** 

On December 4, 2018, the City Council conducted a work session to discuss the City's business license process and a few proposed code amendments. During the session, the City Council directed staff to research several questions regarding landlord licensing and the ultimate sanction when a business is deemed incorrigibly delinquent in obtaining a license. In its memo, staff reviews the results of its research into these items, and requests direction from Council. Once direction is obtained, staff will bring forth an ordinance, if appropriate, codifying the Council direction.

**13. Approval of Settlement Agreement and Amended Operating Agreement - City and NOCIX, LLC {Bill No. 7372 (Ordinance No. 9169)}** 

In September, 2014, the City and DataShack LC (now NOCIX, LLC) entered into an agreement providing for NOCIX to operate the fiber optic network that the City constructed and operated as liNKCity. Datashack took over operations of liNKCity on September 8, 2014. Since that time, the City and NOCIX have had some disagreements about certain expenditure items. Negotiations have occurred that result in two agreements now before the City Council for approval. The Settlement

Agreement agreement provides for the terms under which the City will pay amounts owed to NOCIX. The Amended and Restated Agreement provides for the payment of a management fee in lieu of calculated expenses for personnel, and the parameters of the management fee. Staff recommends approval of the ordinance approving both agreements.

**14. Adoption of Revised Stormwater Specifications {Bill No. 7367 (Ordinance No. 9164)}** 

In June 2007, the City adopted stormwater standards and regulations manuals to comply with the City's National Pollution Discharge Elimination System (NPDES) permit. These included the 2006 version of the American Public Works Association (APWA) Standard Specifications and Design Criteria Section 5600 and the 2003 version of the Manual of Best Management Practices (BMP) for Stormwater Quality. Staff now recommends adoption of updated versions of each of these, as outlined in the staff memo. An ordinance has been prepared accordingly.

**15. Amendments to the City's Liquor Code {Bill No. 7371 (Ordinance No. 9168)}** 

At the City Council work session on January 15, 2019, the Council considered some changes to the existing ordinances that govern establishments that sell alcoholic beverages. Now before the Council is an ordinance incorporating changes discussed. Another change discussed at the work session, the introduction of an administrative penalty in lieu of a hearing, will be brought forward at a later time. Staff recommends approval of the ordinance.

**16. Approval of Submittal of New Sewer Pretreatment Ordinance to Missouri Department of Natural Resources** 

According to an Administrative Order of Compliance (AOC) between the City and the U.S. Environmental Protection Agency (EPA), the City must draft a revised Sewer Use Ordinance containing required Pretreatment Streamlining regulation changes. Before the City Council for review is a draft ordinance. This ordinance is not before the City Council for formal approval at this time. MDNR requires that the City Council first submit the proposed ordinance to MDNR. MDNR will then conduct a public comment process. Once that process is complete, MDNR will notify the City that it may proceed with formal Council consideration of the ordinance. Staff recommends that the City Council vote to submit the drafted pretreatment ordinance to MDNR so that it may conduct the necessary public comment process on the ordinance. Staff requests the following motion: *"I move to approve the submittal to the Missouri Department of Natural Resources the draft pretreatment ordinance for public notice and comment."*

**17. Proposed Changes to On-Street Parking Time Restrictions {Bill No. 7374 (Ordinance No. 9171)}** 

On January 15, 2019 staff presented several proposals for revising on-street parking time restrictions. These proposals were based on the recommendations of the adopted Parking Management Plan and feedback received from businesses and property owners in the areas where changes were considered. The attached ordinance formalizes the direction received from the Council on January 15th and makes three changes on existing on-street parking time restrictions, as described in the staff memo. Staff recommends approval of the ordinance.

**18. Communities for All Ages Agreement with MARC (Resolution 19-007)** 

On December 4, 2018, the City Council directed staff to bring forward a resolution to approve a technical agreement with the Mid-America Regional Council and Clay County Senior Services to assist the City in becoming a Silver and Gold Level KC Communities For All Ages. Now before the Council is an agreement for Council approval. Under the agreement, the City will work with the Mid-America Regional Council and Clay County Senior Services to conduct both the Silver and Gold phases in tandem. In its memo, staff summarizes the tasks involved with accomplishing the silver and gold levels. The total amount required of the City to enter into this agreement, therefore, is \$1,125.

**19. Services Agreement for "Friday in the Park" (Resolution No. 19-006)** 

Submitted for Council consideration is a resolution to renew Ken Remmert's contract for coordinating the City's "Friday in the Park" weekly concert series (June – September). His fees and other key aspects of this agreement are the same as for the 2018 season. Staff recommends approval of the agreement.

**20. Fence Exception Request – 1123 Bedford {Bill No. 7375 (Ordinance No. 9172)}** 

Section 15.40.030.D of the City's fence ordinance specifically prohibits the use of razor or similar wire fencing materials. Community Development staff was made aware of razor wire that was installed at the top of fencing located at the Univar facility at 1123 Bedford. Section 15.40.040 allows for exception to the regulations to be considered by the Board of Zoning Adjustment and the City Council. Univar subsequently requested an exception to the prohibition (please see the attached letter). The razor wire is part of the company's Site Security Plan on file with the

Department of Homeland Security. The company feels that it is an important part of securing their site due to chemicals handled on site. At its meeting of January 24, 2019, the Board of Zoning Adjustment voted to approve the requested exception. Staff recommends approval of an exception to the fence ordinance to permit the Univar facility to maintain its existing security fencing.

**21. Renewal of Medical Director Contract {Bill No. 7373 (Ordinance No. 9170)}** 

The State of Missouri requires all paramedic and emergency medical technician ambulance services to retain a medical director to provide oversight and training. The City has contracted with Dr. Steven Russell as medical director for several years. In his memo, the Fire Chief reviews Dr. Russell's annual contract and recommends renewal for the period from April 1, 2019 – March 31, 2020.

**22. Employment Agreement with City Counselor Thomas E. Barzee, Jr. {Bill No. 7376 (Ordinance No. 9173)}** 

In accordance with the performance appraisal recently performed by the City Council for City Counselor Thomas E. Barzee, Jr., a sixth amendment to Mr. Barzee's employment agreement with the City has been prepared for Council approval.

**23. Approving Accounts Due and Payable by the City through February 1, 2019. {Bill No. 7377 (Ordinance No. 9174)}** 

**24. Staff Comments**

- Upcoming City Items of Note 
- Sewer Pollutant Surcharge Fees 

**25. Councilmember Comments**

**26. Mayor's Comments**

**27. Adjournment**

**Copies of ordinances referred to above are available for inspection prior to the meeting in the office of the City Clerk.**

**Note: Meetings of the City Council are being broadcast live and recorded.**