CITY OF GRAIN VALLEY BOARD OF ALDERMEN
REGULAR MEETING AGENDA

SEPTEMBER 9, 2019
7:00 P.M.

OPEN TO THE PUBLIC

LOCATED IN THE COUNCIL CHAMBERS OF CITY HALL
711 MAIN STREET – GRAIN VALLEY, MISSOURI

ITEM I: CALL TO ORDER
- Mayor Mike Todd

ITEM II: ROLL CALL
- City Clerk Jamie Logan

ITEM III: INVOCATION
- Jason Williams with Valley Community Church

ITEM IV: PLEDGE OF ALLEGIANCE
- Alderman Shea Bass

ITEM V: APPROVAL OF AGENDA
- City Administrator Ryan Hunt

ITEM VI: PROCLAMATIONS
- None

ITEM VII: CITIZEN PARTICIPATION
- Citizens are Asked to Please Limit Their Comments to Two (2) Minutes

ITEM VIII: CONSENT AGENDA
- August 26, 2019 – Board of Aldermen Regular Meeting Minutes
- September 9, 2019 – Accounts Payable

ITEM IX: PREVIOUS BUSINESS
- None

ITEM X: NEW BUSINESS
- None

ITEM XI: PRESENTATIONS

- None

ITEM XII: PUBLIC HEARING

- Medical Marijuana Facilities Conditional Uses/Zoning
- Tax Levy for 2019

ITEM XIII: ORDINANCES

ITEM XIII (A)
B19-23
2ND READ

An Ordinance Amending Chapter 215, Sections 040, 045, 050, 055, 060,076, 077, 078, 079, Controlled Substances

To modify Chapter 215 to include new definitions, sections, and exceptions to the current Controlled Substance ordinance to be consistent with the revised Missouri State Statue 195.820 (Medical Cannabis)

ITEM XIII (B)
B19-24
1ST READ

An Ordinance Amending Title IV of the Code of Ordinances to Include a New Chapter Addressing Medical Marijuana Facilities and Section 400.240, Conditional Uses, be Amended to Include a New Subsection Regarding Medical Marijuana Facilities

To address zoning for medical marijuana facilities within the corporate boundaries of the City

ITEM XIII (C)
B19-25
1ST READ

An Ordinance To Establish The City Of Grain Valley, Missouri's Annual Tax Levies For The 2019 Calendar Year For General Municipal Government Operations; The Retirement Of General Obligation Debt; Park Maintenance; And Public Health Purposes

To meet the required timelines for establishing the tax rate within Jackson County, Missouri; The tax generated provides revenue for operating the city and making the debt service payments

ITEM XIII (D)
B19-26
1ST READ

An Ordinance Authorizing the Escrow of Funds Sufficient to pay a Portion of the Outstanding General Obligation Bonds, Series 2011, of the City of Grain Valley, Missouri, and Authorizing Certain Documents and Other Actions

To approve an ordinance escrowing funds for payment of the Series 2011 General Obligation Bonds maturing between March 1, 2029 to March 1, 2031

ITEM XIV: RESOLUTIONS

ITEM XIV (A) R19-39 **A Resolution by The Board Of Aldermen Of The City Of Grain Valley, Missouri Reappointing Lynne Berend And Steve Shatto to The Board Of Zoning Adjustment For a Five Year Term**

To make reappointments to the Board of Adjustment

ITEM XV: CITY ATTORNEY REPORT

- City Attorney

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ryan Hunt
- Deputy City Administrator Ken Murphy
- Assistant City Administrator Theresa Osenbaugh
- Chief of Police James Beale
- Finance Director Steven Craig
- Parks & Recreation Director Shannon Davies
- Community Development Director Mark Trosen
- City Clerk Jamie Logan

ITEM XVII: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Shea Bass
- Alderman Tom Cleaver
- Alderman Bob Headley
- Alderman Jayci Stratton
- Alderman Nancy Totton
- Alderman Yolanda West

ITEM XVIII: MAYOR REPORT

- Mayor Mike Todd

ITEM XIX: EXECUTIVE SESSION

- Legal Actions, Causes of Action of Litigation Pursuant to Section 610.021(1), RSMo. 1998, as Amended
- Leasing, Purchase or Sale of Real Estate Pursuant to Section 610.021(2), RSMo. 1998, as Amended
- Hiring, Firing, Disciplining or Promoting of Employees (personnel issues), Pursuant to Section 610.021(3), RSMo. 1998, as Amended
- Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents to a negotiated contract until a contract is executed, or all proposals are rejected, Pursuant to Section 610.021(12), RSMo. 1998, as Amended

- Individually Identifiable Personnel Records, Personnel Records, Performance Ratings or Records Pertaining to Employees or Applicants for Employment, Pursuant to Section 610.021(13), RSMo 1998, as Amended.

ITEM XX: ADJOURNMENT

PLEASE NOTE

THE NEXT SCHEDULED MEETING OF THE GRAIN VALLEY BOARD OF ALDERMEN IS A REGULAR MEETING ON SEPTEMBER 23, 2019 AT 7:00 P.M. THE MEETING WILL BE HELD IN THE COUNCIL CHAMBERS OF THE GRAIN VALLEY CITY HALL

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE MEETING SHOULD CONTACT THE CITY CLERK AT 816.847.6211 AT LEAST 48 HOURS BEFORE THE MEETING

THE CITY OF GRAIN VALLEY IS INTERESTED IN EFFECTIVE COMMUNICATION FOR ALL PERSONS

UPON REQUEST, THE MINUTES FROM THIS MEETING CAN BE MADE AVAILABLE BY CALLING 816.847.6211

Consent Agenda

INTENTIONALLY LEFT BLANK

ITEM I: CALL TO ORDER

- The Board of Aldermen of the City of Grain Valley, Missouri, met in Regular Session on August 26, 2019 at 7:00 p.m. in the Council Chambers located at Grain Valley City Hall
- The meeting was called to order by Mayor Todd

ITEM II: ROLL CALL

- City Clerk Jamie Logan called roll
- *Present: Bass, Cleaver, Headley, Stratton, Totton, West*
- *Absent:*

-QUORUM PRESENT-

ITEM III: INVOCATION

- Invocation was given by Chris Allen of Valley Baptist Church Grain Valley

ITEM IV: PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance was led by Alderman West

ITEM V: APPROVAL OF AGENDA

- No Change

ITEM VI: PROCLAMATIONS

- None

ITEM VII: CITIZEN PARTICIPATION

- None

ITEM VIII: CONSENT AGENDA

- June 12, 2019 – Planning and Zoning Regular Meeting Minutes
- August 1, 2019 – Board of Aldermen Regular Meeting Minutes
- August 12, 2019 – Board of Aldermen Regular Meeting Minutes
- August 26, 2019 – Accounts Payable
- *Alderman West made a Motion to Approve the Consent Agenda*
- *The Motion was Seconded by Alderman Totton*
    - No Discussion

DRAFT

- *Motion to Approve the Consent Agenda was voted on with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
  - *Nay: None*
  - *Abstain: None*

-MOTION APPROVED: 6-0-

ITEM IX: PREVIOUS BUSINESS

- None

ITEM X: NEW BUSINESS

- None

ITEM XI: PRESENTATIONS

- Ben Hart from Baker Tilly presented the Facilities Funding Plan for the new city facilities.
- Two options
  - Take current tax rates applicable this year and roll forward to 2020; Flat Levy
  - Roll back $.08 provides 5 million less available in funding; Mayor Todd clarified that this calculation could be done with any roll back amount such as $.04 cents
- Alderman Headley asked when the escrow would be set up and if debt service would be paid off early
- Baker Tilly needs direction from the Board on which direction they want to go and Mayor suggested to roll back $.05 and Alderman Cleaver agreed; An ordinance will be brought back at another meeting to reflect; City Finance Director Craig asked the Board of Aldermen for their direction before the tax levy hearing
- Deputy City Administrator Murphy shared if the amount of money needed is not provided up front, the project will be put into phases; The first phase would be cheaper to do and then the next phases the cost to complete will be more expensive as costs go up over time; Would like to try to avoid cutting taxes now to raise taxes at a later date in order to finish the project
- Mayor suggested $.03 instead of $.05 to be below $1.60 and if citizens show they want more rollback, then they will vote now as it allows for more bonding capacity; Alderman Cleaver agreed

ITEM XII: PUBLIC HEARING

- None

DRAFT

ITEM XIII: ORDINANCES

Bill No. B19-22: An Ordinance of the City of Grain Valley, Missouri, to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials

- *Alderman Headley motioned to bring up Bill No. B19-22 for a second reading*
- *The Motion was Seconded by Alderman Cleaver*
- *Bill No. B19-22 was read by City Attorney Julian Hartner*
  - *No discussion*
- *Motion to bring up Bill No. B19-22 for a second reading was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
  - *Nay: None*
  - *Abstain: None*

-Motion Approved: 6-0-

Bill No. B19-22: An Ordinance of the City of Grain Valley, Missouri, to Establish a Procedure to Disclose Potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials

- *Alderman Headley moved to accept the second reading of Bill No. B19-22 making it ordinance #2474*
- *The Motion was Seconded by Alderman West*
  - No Discussion
- *Bill No. B19-22 was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
  - *Nay: None*
  - *Abstain: None*
- *The motion was voted on with the following roll call vote:*
  - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
  - *Nay: None*
  - *Abstain: None*

-Bill No. B19-22 BECAME ORDINANCE #2474: 6-0-

DRAFT

Bill No. B19-23: An Ordinance Amending Chapter 215, Sections 040, 045, 050, 055, 060,076, 077, 078, 079, Controlled Substances

- *Alderman Headley moved to make the first reading by title only of Bill No. B19-23*
- *The Motion was Seconded by Alderman Bass*
    - Chief Beale shared with the board what the necessary changes that were needed to be made relating to Chapter 215 to include medical marijuana to match the new Missouri State law

Bill No. B19-23: An Ordinance Amending Chapter 215, Sections 040, 045, 050, 055, 060,076, 077, 078, 079, Controlled Substances

City Attorney Julian Hartner read **Bill No. B19-23** for its first reading by title only

- *Alderman Cleaver moved to accept the first reading of Bill No. B19-23 bringing it back for a second reading by title only*
- *The Motion was Seconded by Alderman West*
    - No Discussion
- *Bill No. B19-21 was voted upon with the following voice vote:*
    - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
    - *Nay: None*
    - *Abstain: None*

-Bill No. B19-23 Approved for a Second Reading: 6-0-

ITEM XIV: RESOLUTIONS

Resolution No. R19-38: A Resolution Authorizing the City Administrator to a Sign Project Task Order with Lamp Rynearson, Inc. to Design a New Water Main Along Dillingham Road Subject to All Provisions Included in the On-Call Professional Engineering Services Agreement

- Mayor Todd read **Resolution No. R19-38** by title only
- *Alderman Headley moved to accept Resolution No. R19-38 as read*
- *The Motion was Seconded by Alderman Cleaver*
- *City Attorney Hartner read Resolution R19-38*
    - Community Development Director Trosen provided this project was part of the Capital Improvement Plan and the design is the first phase

DRAFT

- *Resolution No. R19-38 was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
  - *Nay: None*
  - *Abstain: None*

-Resolution No. R19-38 Approved: 6-0-

ITEM XV: CITY ATTORNEY REPORT

- City Attorney Hartner shared she will be attending the next board meeting

ITEM XVI: CITY ADMINISTRATOR & STAFF REPORTS

- City Administrator Ryan Hunt
  - 10-year anniversary working with this City of Grain Valley was this past weekend
- Deputy City Administrator Ken Murphy
  - None
- Assistant City Administrator Theresa Osenbaugh
  - None
- Chief James Beale
  - None
- Finance Director Steven Craig
  - None
- Parks & Recreation Director Shannon Davies
  - None
- Community Development Director Mark Trosen
  - Public Works Signalized crosswalks pieces have been received and should be installed by October 1
  - Leak detection project has been completed and all repair work necessary has been completed
  - 10th and 11th phase of Rosewood Hills received and Valley subdivision – preliminary plats reviewed at next planning meeting
  - City Engineer Dick Tuttle started today
- City Clerk Jamie Logan
  - Budget workshops have been set 10/17 and 11/5

ITEM XVI: BOARD OF ALDERMEN REPORTS & COMMENTS

- Alderman Shea Bass
  - Congratulations to Ryan on his anniversary

DRAFT

- Alderman Tom Cleaver
  - Congratulations to Ryan on his anniversary
- Alderman Bob Headley
  - None
- Alderman Jayci Stratton
  - None
- Alderman Nancy Totton
  - None
- Alderman Yolanda West
  - None

ITEM XVII: MAYOR REPORT

- Mayor Mike Todd
  - *Last meeting before the fair and they are requesting permission to set off fireworks on city property*
- *Alderman Headley so moved*
- *The motion was seconded by Alderman Stratton*
- *The motion was voted upon with the following voice vote:*
  - *Aye: Bass, Cleaver, Headley, Stratton, Totton, West*
  - *Nay: None*
  - *Abstain: None*

-Motion Approved: 6-0-

  - Requested follow up on trains to make sure they are shut down for 5k and float and Chief Beale will follow up with Captain Hedger to make sure they have been notified
  - Reminded all City employees to join on the Grease float
  - Chief Beale will clarify how big the VIPS trailer is and Mayor Todd will place the trailer at the fairgrounds dependent on the size
  - 131 vendors for the fair this year so far compared to 68 five (5) years ago with 12 spots left
  - Alderman West received email from individual that lives on Blue Branch; There are lots of speeders on his road and Mayor shared with Chief Beale and he will look into it once he knows what block of Blue Branch it is

ITEM XVIII: EXECUTIVE SESSION

- None

DRAFT

ITEM XIX: ADJOURNMENT

- The meeting adjourned at 7:42 P.M.

Minutes submitted by:

_____ _____
Jamie Logan Date
City Clerk

Minutes approved by:

_____ _____
Mike Todd Date
Mayor

DRAFT

ELECTED OFFICIALS PRESENT	ELECTED OFFICIALS ABSENT	STAFF OFFICIALS PRESENT
Mayor Mike Todd		City Administrator Ryan Hunt
Alderman Shea Bass		Deputy City Administrator Ken Murphy
Alderman Tom Cleaver		Assistant City Administrator Theresa Osenbaugh
Alderman Bob Headley		Finance Director Steven Craig
Alderman Jayci Stratton		Chief James Beale
Alderman Nancy Totton		Parks and Recreation Director Shannon Davies
Alderman Yolanda West		Community Development Director Mark Trosen
		City Clerk Jamie Logan
		City Attorney Julian Hartner

INTENTIONALLY LEFT BLANK

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	MO DEPT OF REVENUE	MISSOURI WITHHOLDING	6,583.55
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	214.96
		ICMA RC	ICMA 457 %	428.89
			ICMA 457	274.52
			ICMA ROTH IRA	55.27
		INTERNAL REVENUE SERVICE	FEDERAL WH	14,992.49
			SOCIAL SECURITY	9,356.27
			MEDICARE	2,188.14
			TOTAL:	34,094.09
HR/CITY CLERK	GENERAL FUND	THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	7.22
		KHALILAH HOLLAND	HOLLAND: MEALS FOR MPR CON	74.50
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	53.66
			MEDICARE	12.55
			TOTAL:	147.93
INFORMATION TECH	GENERAL FUND	NETSTANDARD INC	08/12-09/11OFFICE 365	1,456.00
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	200.05
			CELLULAR SERVICE 08/19-09/	40.01
			TOTAL:	1,696.06
BLDG & GRDS	GENERAL FUND	KCP&L	GREGG ST	46.32
			600 BUCKNER TARSNEY RD	29.63
			596 BUCKNER TARSNEY RD	14.66
			CAPPELL & FRONT	11.30
			618 JAMES ROLLO CT	79.85
			1608 NW WOODBURY DR	38.08
			6100 S BUCKNER TARSNEY RD	12.77
			618 JAMES ROLLO CT	30.35
			711 MAIN ST	1,525.13
			620 JAMES ROLLO CT	26.27
			517 GREGG	90.48
			1805 NW WILLOW DR	38.59
		REDLINE AUTOMATIC FIRE SPINKLER PROTEC	SPRINKLER REPAIR	634.43
		LAMP RYNEARSON INC	On-Call Engineering	21,294.96
			TOTAL:	23,872.82
ADMINISTRATION	GENERAL FUND	PITNEY BOWES	SLA-EQUIPMENT 01/01/19-06/	13.02
		THERESA OSENBAUGH	OSENBAUGH: MEALS FOR MPR C	74.50
		ENTERCOM COMMUNICATIONS CORP	Radio Marketing	853.99
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	78.33
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	58.92
		KENNETH MURPHY	MURPHY: MEALS FOR MPR CONF	74.50
		ICMA RC	EMPLOYEE DEDUCTIONS	105.68
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	286.65
			MEDICARE	67.04
			TOTAL:	1,612.63
ELECTED	GENERAL FUND	TRUMAN HEARTLAND COMMUNITY FOUNDATION	Truman Heartland Gala	3,500.00
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	40.01
			TOTAL:	3,540.01
LEGAL	GENERAL FUND	LAUBER MUNICIPAL LAW LLC	CITY ATTORNEY	12,232.50
			TOTAL:	12,232.50
FINANCE	GENERAL FUND	MO DEPT OF REVENUE	MISSOURI WITHHOLDING	0.50

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	6.05
		STEVEN CRAIG	CRAIG: MEALS FOR MPR CONFE	74.50
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	171.48
			MEDICARE	40.10
			TOTAL:	292.63
COURT	GENERAL FUND	CITY OF BLUE SPRINGS	MAY, JUNE & JULY BILLS	1,225.00
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	14.93
		LAUBER MUNICIPAL LAW LLC	CITY PROSECUTOR	7,420.00
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	170.73
			MEDICARE	39.92
			TOTAL:	8,870.58
VICTIM SERVICES	GENERAL FUND	THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	13.18
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	52.41
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	145.67
			MEDICARE	34.07
			TOTAL:	245.33
FLEET	GENERAL FUND	THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	7.35
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	54.66
			MEDICARE	12.78
			TOTAL:	74.79
POLICE	GENERAL FUND	SCOTT HEDGER	HEDGER: MEALS FOR MPR CONF	74.50
		STATE BANK OF MISSOURI	IN-CAR COMPUTERS/CAMERAS	2,314.61
		HAMPEL OIL INC	BULK GASOHOL/DIESEL	780.55
			BULK GASOHOL/DIESEL	22.16
			BULK GASOHOL/DIESEL	118.52
		COMCAST	HIGH SPEED INTERENET	149.85
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	365.21
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	1,252.74
			CELLULAR SERVICE 08/19-09/	80.02
			CELLULAR SERVICE 08/19-09/	157.23
		MISSOURI POLICE CANINE ASSOCIATION	WISE: 2019 FALL WORKSHOP	225.00
		JAMES BEALE	BEALE: MEALS FOR MPR CONFE	74.50
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	7,996.72
			MEDICARE	1,870.21
			TOTAL:	15,481.82
ANIMAL CONTROL	GENERAL FUND	HAMPEL OIL INC	BULK GASOHOL/DIESEL	52.96
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	10.18
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	52.41
			TUTTLE PHONE	37.49
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	82.89
			MEDICARE	19.39
			TOTAL:	255.32
PLANNING & ENGINEERING	GENERAL FUND	HAMPEL OIL INC	BULK GASOHOL/DIESEL	41.70
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	52.78
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	7.86
		LAMP RYNEARSON INC	On-Call Engineering	500.00
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	393.86
			MEDICARE	92.12
			TOTAL:	1,088.32

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	PARK FUND	MO DEPT OF REVENUE	MISSOURI WITHHOLDING	454.00
		FAMILY SUPPORT PAYMENT CENTER	SMITH CASE 91316387	92.31
		ICMA RC	ICMA 457 %	160.82
			ICMA 457	531.50
			ICMA ROTH IRA	45.96
			ICMA ROTH IRA	1.00
		INTERNAL REVENUE SERVICE	FEDERAL WH	1,156.42
			SOCIAL SECURITY	950.53
			MEDICARE	222.30
			TOTAL:	3,614.84
PARK ADMIN	PARK FUND	AT&T	U-VERSE PARK MAINTENANCE	68.09
		HAMPEL OIL INC	BULK GASOHOL/DIESEL	244.62
		SHANNON DAVIES	DAVIES: MEALS FOR MPR CONF	74.50
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	59.09
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	52.41
			DAVIES PHONE	37.49
		ICMA RC	EMPLOYEE DEDUCTIONS	21.14
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	401.92
			MEDICARE	94.01
			TOTAL:	1,053.27
PARKS STAFF	PARK FUND	KCP&L	701 SW EAGLES PKWY BALLFIE	118.39
			ARMSTRONG PARK 041503	97.54
			ARMSTRONG PARK DR	34.57
			ARMSTRONG PARK 098095	139.79
			ARMSTRONG PARK 017576	113.12
			28605 E HWY AA	48.81
			JAMES ROLLO SHETLER 2	57.77
			MAIN-ARMSTRONG SHELTER 1	23.14
			618 JAMES ROLLO CT	39.93
			ARMSTRONG PARK	40.32
			6100 S BUCKNER TARSNEY	123.51
			28605 E HWY AA, FOOTBALL F	169.40
			618 JAMES ROLLO CT	15.18
		REDLINE AUTOMATIC FIRE SPINKLER PROTEC	SPRINKLER REPAIR	105.74
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	38.91
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	319.89
			MEDICARE	74.81
			TOTAL:	1,560.82
RECREATION	PARK FUND	SAMS CLUB/GECRB	CONC PRODUCT & SUPPLIES	142.80
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	7.58
			MEDICARE	1.77
			TOTAL:	152.15
COMMUNITY CENTER	PARK FUND	MELODY TAYLOR	08/09-08/23 SILVERSNEAKERS	175.00
			08/12-08/19 SILVERSNEAKERS	50.00
		KCP&L	713 MAIN ST	2,516.71
			713 MAIN #A	235.52
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	14.33
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	52.41
		FREDAH JOHNSTON	08/13-08/22 LINE DANCING	129.50
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	191.63
			MEDICARE	44.82
			TOTAL:	3,409.92

DEPARTMENT	FUND	VENDOR NAME		DESCRIPTION	AMOUNT
POOL	PARK FUND	SAMS CLUB/GECRB		CONC PRODUCT & SUPPLIES	47.50
		INTERNAL REVENUE SERVICE		SOCIAL SECURITY	29.51
				MEDICARE	6.89
				TOTAL:	83.90
NON-DEPARTMENTAL	TRANSPORTATION	MO DEPT OF REVENUE		MISSOURI WITHHOLDING	161.70
		FAMILY SUPPORT PAYMENT CENTER		DZEKUNSKAS CASE 41452523	30.00
		THE LINCOLN NATIONAL LIFE INSURANCE CO		SEPT 2019 DISABILITY	12.82
		ICMA RC		ICMA 457 %	7.35
				ICMA 457	34.25
		INTERNAL REVENUE SERVICE		FEDERAL WH	477.66
				SOCIAL SECURITY	294.86
				MEDICARE	68.95
				TOTAL:	1,087.59
TRANSPORTATION	TRANSPORTATION	KCP&L		655 SW EAGLES PKWY	49.39
				618 JAMES ROLLO CT	79.85
				AA HWY & SNI-A-BAR BLVD	40.28
				702 SW EAGLES PKWY	42.38
				GRAIN VALLEY ST LIGHTS	11,613.41
				618 JAMES ROLLO CT	30.35
				711 MAIN ST	130.72
		REDLINE AUTOMATIC FIRE SPINKLER PROTEC		SPRINKLER REPAIR	63.44
		HAMPEL OIL INC		BULK GASOHOL/DIESEL	77.80
		PATRICK MARTIN		MARTIN: MEALS FOR MPR CONF	14.90
		THE LINCOLN NATIONAL LIFE INSURANCE CO		SEPT 2019 DISABILITY	39.87
		VERIZON WIRELESS		CELLULAR SERVICE 08/19-09/	48.88
		MARK TROSEN		TROSEN:MEALS FOR MPR CONFE	14.90
		INTERNAL REVENUE SERVICE		SOCIAL SECURITY	294.86
				MEDICARE	68.97
		GADES SALES CO INC		PEDESTRIAN CROSSINGS	16,796.00
				TOTAL:	29,406.00
NON-DEPARTMENTAL	MKTPL TIF-PR#2 SPE	UMB BANK		PRO #2 4TH QTR COUNTY	25,263.86
				PRO #2 CITY SALES	3,601.20
				TOTAL:	28,865.06
NON-DEPARTMENTAL	MKT PL CID-PR2 SAL	UMB BANK		CID/USE	1,599.04
				CID/USE UNCAPTURED	1,551.06
				TOTAL:	3,150.10
NON-DEPARTMENTAL	WATER/SEWER FUND	MO DEPT OF REVENUE		MISSOURI WITHHOLDING	1,082.25
		FAMILY SUPPORT PAYMENT CENTER		DZEKUNSKAS CASE 41452523	120.00
		MISCELLANEOUS	DIAMOND KEY MANAGEME	10-350600-07	50.00
			EAGLE'S NEST PROPERT	10-349000-11	50.00
			LINDSAY, DANIEL III	20-106700-03	15.54
			RUTHERFORD, TRISTDON	20-562490-14	53.04
			STEPHENS, PEYTON	20-567180-01	65.54
			THOMPSON, JUSTIN	20-567222-01	4.54
			BRIGGS, DALTON	20-567232-01	65.54
			DORNES, JESSICA	20-567641-03	65.54
			DAVE RICHARDS HOME B	20-623668-00	17.38
			COON, KRYSTAL	20-680795-01	43.46
			CRUZ, DANA	20-700430-12	29.54
			MCDONALD, CINDY	20-701660-08	26.86
			MARTINEZ, G. JAMES	20-701910-10	65.54

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		MCCUNNIFF, ZACHARY	20-702280-06	67.16
		POPE, JODY	20-711610-04	53.67
		EAGLE 1 CONSTRUCTION	20-712086-00	15.54
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	74.51
		ICMA RC	ICMA 457 %	71.02
			ICMA 457	252.23
			ICMA ROTH IRA	13.73
		INTERNAL REVENUE SERVICE	FEDERAL WH	3,243.10
			SOCIAL SECURITY	1,992.98
			MEDICARE	466.10
			TOTAL:	8,004.81
WATER	WATER/SEWER FUND	PEREGRINE CORPORATION	AUG 19 BILL PRINT & MAIL	596.61
			AUG 19 BILL PRINT & MAIL	115.36
		ANDY CRIM	WATER LEAK DETECTION	7,995.00
		KCP&L	825 STONEBROOK DR	44.21
			1301 TYER RD UNIT A	90.87
			618 JAMES ROLLO CT	99.81
			110 SNI-A-BAR BLVD	73.71
			1301 TYER RD UNIT B	746.48
			618 JAMES ROLLO CT UNIT B	2,317.21
			618 JAMES ROLLO CT	37.94
			711 MAIN ST	261.45
			1012 STONEBROOK LN	44.09
		UMB BANK NA	GV13 SRS 2013 REV BDS	436,000.00
			GV13 SRS 2013 REV BDS	6,760.00
		REDLINE AUTOMATIC FIRE SPINKLER PROTEC	SPRINKLER REPAIR	126.89
		HAMPEL OIL INC	BULK GASOHOL/DIESEL	155.56
		PATRICK MARTIN	MARTIN: MEALS FOR MPR CONF	29.80
		ENTERCOM COMMUNICATIONS CORP	Radio Marketing	427.00
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	143.29
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	100.36
		LAMP RYNEARSON INC	On-Call Engineering	4,430.60
		MARK TROSEN	TROSEN:MEALS FOR MPR CONFE	29.80
		ICMA RC	EMPLOYEE DEDUCTIONS	42.27
		SCHULTE SUPPLY INC	BRASS SADDLES	694.87
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	996.48
			MEDICARE	233.04
			TOTAL:	462,592.70
SEWER	WATER/SEWER FUND	PEREGRINE CORPORATION	AUG 19 BILL PRINT & MAIL	596.62
			AUG 19 BILL PRINT & MAIL	115.36
		KCP&L	925 STONEBROOK DR	23.14
			WOODLAND DR	230.50
			405 JAMES ROLLO DR	392.98
			1326 GOLFVIEW DR SEWER LIF	89.46
			618 JAMES ROLLO CT	99.81
			WINDING CREEK SEWER	23.26
			618 JAMES ROLLO CT	37.92
			711 MAIN ST	261.45
			1201 SEYMOUR RD	23.24
			110 NW SNI-A-BAR PKWY	23.14
			1017 ROCK CREEK LN	23.14
		UMB BANK NA	GV13 SRS 2013 REV BDS	109,000.00
			GV13 SRS 2013 REV BDS	1,690.00
		REDLINE AUTOMATIC FIRE SPINKLER PROTEC	SPRINKLER REPAIR	126.89

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		HAMPEL OIL INC	BULK GASOHOL/DIESEL	155.56
		PATRICK MARTIN	MARTIN: MEALS FOR MPR CONF	29.80
		ENTERCOM COMMUNICATIONS CORP	Radio Marketing	426.99
		THE LINCOLN NATIONAL LIFE INSURANCE CO	SEPT 2019 DISABILITY	143.29
		VERIZON WIRELESS	CELLULAR SERVICE 08/19-09/	100.36
		MARK TROSEN	TROSEN:MEALS FOR MPR CONFE	29.80
		ICMA RC	EMPLOYEE DEDUCTIONS	42.26
		INTERNAL REVENUE SERVICE	SOCIAL SECURITY	996.45
			MEDICARE	233.00
			TOTAL:	114,914.42
NON-DEPARTMENTAL	GENERAL FUND	KCMO CITY TREASURER	KC EARNINGS TAX WH	94.96
		HAMPEL OIL INC	CJC FUEL	419.17
		AFLAC	AFLAC AFTER TAX	126.59
			AFLAC CRITICAL CARE	24.96
			AFLAC PRETAX	309.88
			AFLAC-W2 DD PRETAX	169.81
			TOTAL:	1,145.37
HR/CITY CLERK	GENERAL FUND	VALIDITY SCREENING SOLUTIONS	SCREENINGS	100.00
		OFFICE DEPOT	BINDER/TAPE/MARKER/FOLDER	54.78
		WAGEWORKS	AUG 2019 MONTHLY FEES	63.50
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	6.00
		CONCENTRA MEDICAL CENTERS	MILLER SCREENING	86.00
			VALENTIK SCREENING	86.00
			TOTAL:	396.28
BLDG & GRDS	GENERAL FUND	BATTS COMMUNICATIONS SERVICES INC	APR 19 MAINTENANCE	125.00
		MAINTENANCE SUPPLY CO INC	TORK UNIVERSAL MATIC ROLL	301.18
		FASTENAL COMPANY	ZIP TIES	50.43
		GREGS LOCK & KEY SERVICE INC	CYLINDER DEADBOLT	31.00
		U S ENGINEERING SERVICE LLC	SERVICE CALL: 07/28/19	289.00
			TOTAL:	796.61
ADMINISTRATION	GENERAL FUND	MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	342.97
		OFFICE DEPOT	PAPER	32.99-
			BINDER/TAPE/MARKER/FOLDER	68.83
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	27.00
		AFLAC	HUNT PREMIUMS	2.25
			HUNT PREMIUMS	27.96
			HUNT PREMIUMS	32.19
			TOTAL:	468.21
ELECTED	GENERAL FUND	COSENTINOS PRICE CHOPPER	CD LUNCHEON	10.99
			FINANCE DEPT LUNCHEON	37.97
			TOTAL:	48.96
FINANCE	GENERAL FUND	MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	210.32
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	6.00
		MOGFOA	CHIESA-CULLUM: 19 FALL SEM	95.00
			CHIESA-CULLUM MEMBERSHIP D	50.00
			TOTAL:	361.32
COURT	GENERAL FUND	MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	142.79
		PETTY CASH	PRISONER MEAL	7.13
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	12.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TOTAL:	161.92
VICTIM SERVICES	GENERAL FUND	MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	123.25
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	12.00
			TOTAL:	135.25
FLEET	GENERAL FUND	MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	68.76
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	6.00
		OREILLY AUTOMOTIVE INC	CABLE/PRIMARY WIRE	159.20
			PRIMARY WIRE	6.60
			FUSE HOLDER	10.47
			TECH TRAYS	31.51
		FASTENAL COMPANY	3/16X6 BLACK FLEX HST	31.84
			BLKHWDW HST	3.00
		CINTAS CORPORATION # 430	PW/WOLTZ UNIFORMS	9.69
			PW/WOLTZ UNIFORMS	9.69
			TOTAL:	336.76
POLICE	GENERAL FUND	GRAIN VALLEY AUTO BODY	16 FORD EXPLORER: FRONT BU	324.00
		MISSOURI LAGERS	EMPLOYER CONTRIBUTIONS	10,986.01
			MONTHLY CONTRIBUTIONS	355.73
		PETTY CASH	CANDY	9.09
			KITCHEN SUPPLIES	20.40
			TABLE ITEMS	10.96
			ACTIVE SHOOTER TRAINING	4.34
		OFFICE DEPOT	ENVELOPE/CLASP	13.74
			STAMP, SELF INKING	39.98
			PAPER/PAD/G2 GEL	103.54
			NOTEBOOK	56.28
		EAGLE VALLEY AUTOMOTIVE LLC	16 FORD: 4 WHEEL ALIGNMENT	69.95
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	312.00
		JACOB WISE	WISE: MEALS FOR FALL WORKS	237.50
		OREILLY AUTOMOTIVE INC	BATTERY	151.01
		COMMENCO INC	PROGRAM 2 NEW PORTABLES	262.50
		METRO FORD	COVER/BUMPER	761.64
			BOLT	9.67
			NUT	8.00
		CDW GOVERNMENT	SINGLE SWING ARM EXT	136.99
		MIDWAY AUTO INC	2016 EXPLORER STEERING GEA	190.00
		ELITE PARTY RENTAL INC	SNO-CONE CUPS/SYRUP	57.25
			TOTAL:	14,120.58
ANIMAL CONTROL	GENERAL FUND	STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	12.00
			TOTAL:	12.00
PLANNING & ENGINEERING	GENERAL FUND	MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	451.28
		OFFICE DEPOT	BINDER/TAPE/MARKER/FOLDER	160.16
			BINDER/TAPE/MARKER/FOLDER	32.99
			HOLDER, BUSINESS CARDS	6.99
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	36.60
		FASTENAL COMPANY	6' RR FBRGLSSTEPLDDR	239.97
			TOTAL:	927.99
ECONOMIC DEVELOPMENT	TOURISM TAX FUND	PEREGRINE CORPORATION	FAIR INSERT	400.00
			TOTAL:	400.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	PARK FUND	KCMO CITY TREASURER	KC EARNINGS TAX WH	21.22
		AFLAC	AFLAC CRITICAL CARE	6.78
			AFLAC PRETAX	53.18
			AFLAC-W2 DD PRETAX	67.59
		MISCELLANEOUS	BS SOUTH FOOTBALL BOOSTER	150.00
			TOTAL:	298.77
PARK ADMIN	PARK FUND	FELDMANS FARM & HOME	RED SERIES 60" SIDE MOUNTB	300.99
		COOPER TRAILER CORRAL LLC	PINTLE MOUNT	88.95
		MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	491.93
		ADVANCE AUTO PARTS	TRAILER HITCH BSHING	19.99
			COMBO PINTLE HOOK/ADJ PINT	138.74
			ADJ PINTLE MOUNT	61.19-
		WALMART COMMUNITY	STORAGE BOX/PRE T-BALL TRE	19.98
			STORAGE BOX/PRE T-BALL TRE	32.34
		OFFICE DEPOT	PAPER	64.82
			EASEL	72.78
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	31.20
		OREILLY AUTOMOTIVE INC	ANCHOR POINT	14.99
			ANCHOR POINT	14.99-
		AFLAC	HUNT PREMIUMS	0.45
			HUNT PREMIUMS	5.59
			HUNT PREMIUMS	6.44
		GREGS LOCK & KEY SERVICE INC	TRANSPONDER KEY	80.00
		CHUX TRUX	SIDE ENTRY STEPS	480.00-
			SIDE ENTRY STEPS	480.00
			SIDE ENTRY STEPS	380.00
		THE EXAMINER	ANNUAL SUBSCRIPTION	218.72
			TOTAL:	1,891.73
PARKS STAFF	PARK FUND	FELDMANS FARM & HOME	WEED KILLER/WEEDEATER OIL	94.79
		MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	363.89
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	36.00
		LAWN & LEISURE	CHAINSAW CHAIN	89.59
			TOTAL:	584.27
COMMUNITY CENTER	PARK FUND	BATTS COMMUNICATIONS SERVICES INC	APR 19 MAINTENANCE	12.50
		UNIFIRST CORPORATION	JANITORIAL SUPPLIES	101.66
		MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	133.95
		WALMART COMMUNITY	COMM CENTER BLD SUPPLIES	30.84
		OFFICE DEPOT	PAPER	20.49
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	12.00
		GENESIS POWDER COATING LLC	2 PARK BENCHES	480.00
		QUILL CORPORATION	COMM CENTER SUPPLIES	61.78
			TOTAL:	853.22
NON-DEPARTMENTAL	TRANSPORTATION	AFLAC	AFLAC PRETAX	6.78
			AFLAC-W2 DD PRETAX	14.09
			TOTAL:	20.87
TRANSPORTATION	TRANSPORTATION	CARTER WATERS	K SATUROCK PREMIUM W/KEVLA	268.50
		FERGUSON ENTERPRISES INC	RAPTOR PRO 10 ADJ WRCH	3.59
		BATTS COMMUNICATIONS SERVICES INC	APR 19 MAINTENANCE	12.50
		MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	310.29
		ADVANCE AUTO PARTS	BRAKE LIGHT SWITCH	2.57
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	32.40

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		OREILLY AUTOMOTIVE INC	BATTERY	93.31
		HOME DEPOT CREDIT SERVICES	80LB QUIKRETE CONCRETE MIX	167.16
			WATER METER KEY/FLAG KIT	18.09
			WATER METER KEY/FLAG KIT	12.07
			WATER METER KEY/FLAG KIT	12.21
		KC WHOLESALE	LOW PRESSURE SWITCH	11.38
		JOHN DEERE FINANCIAL	GATE VALVE/OPEN CUFF	10.39
		FIRST AID CORP	DEGREASER/PARTS CLEANER	180.23
			DEGREASER/PARTS CLEANER	7.93
		CINTAS CORPORATION # 430	PW/WOLTZ UNIFORMS	25.68
			PW/WOLTZ UNIFORMS	25.68
		SCHULTE SUPPLY INC	NUPLA ROUND POINT LONG HAN	28.83
			TOTAL:	1,222.81
CAPITAL IMPROVEMENTS	CAPITAL PROJECTS F	COSENTINOS PRICE CHOPPER	SAPP MEETING	124.42
			TOTAL:	124.42
NON-DEPARTMENTAL	WATER/SEWER FUND	KCMO CITY TREASURER	KC EARNINGS TAX WH	8.90
		MO DEPT OF REVENUE	AUG 19 SALES TAX	4,269.10
			AUG 19 SALES TAX	85.39-
		AFLAC	AFLAC PRETAX	41.13
			AFLAC-W2 DD PRETAX	101.25
			TOTAL:	4,334.99
WATER	WATER/SEWER FUND	FERGUSON ENTERPRISES INC	RAPTOR PRO 10 ADJ WRCH	7.20
		BATTS COMMUNICATIONS SERVICES INC	APR 19 MAINTENANCE	50.00
		MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	1,079.45
		ADVANCE AUTO PARTS	BRAKE LIGHT SWITCH	5.14
		OFFICE DEPOT	MAGNIFIER	6.49
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	101.40
		BLUE SPRINGS WINWATER CO	74783S-22 3/4 QBND 22X3/4	290.00
			RUBBER METER GSK	86.00
			BLUE FLAG/GREEN MARKING FL	110.00
			CHLORINE GRANULAR	40.00
			SS FCC X 7-1/2" LG/ SS FCC	256.00
		AFLAC	HUNT PREMIUMS	0.90
			HUNT PREMIUMS	11.18
			HUNT PREMIUMS	12.88
		FASTENAL COMPANY	3/8XCL XH SMLSS NPPL	7.86
		HOME DEPOT CREDIT SERVICES	WATER METER KEY/FLAG KIT	36.19
			WATER METER KEY/FLAG KIT	24.16
			WATER METER KEY/FLAG KIT	24.44
		KC WHOLESALE	LOW PRESSURE SWITCH	22.74
		CORE & MAIN LP	VB42-12WNL 5/8X3/4 RESETTE	100.01
		JOHN DEERE FINANCIAL	GATE VALVE/OPEN CUFF	14.99
			GATE VALVE/OPEN CUFF	20.79
		FIRST AID CORP	DEGREASER/PARTS CLEANER	15.88
		CINTAS CORPORATION # 430	PW/WOLTZ UNIFORMS	51.36
			PW/WOLTZ UNIFORMS	51.36
		NEPTUNE TECHNOLOGY GROUP INC	ANTENNA ASSY 6' CABLE	408.42
		SCHULTE SUPPLY INC	NUPLA ROUND POINT LONG HAN	57.65
			TOTAL:	2,892.49
SEWER	WATER/SEWER FUND	CITY OF BLUE SPRINGS	AGENT/ADMIN FEES 06/30/19	20,250.87
		FERGUSON ENTERPRISES INC	RAPTOR PRO 10 ADJ WRCH	7.20
		BATTS COMMUNICATIONS SERVICES INC	APR 19 MAINTENANCE	50.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		MISSOURI LAGERS	MONTHLY CONTRIBUTIONS	1,079.45
		ADVANCE AUTO PARTS	BRAKE LIGHT SWITCH	5.14
		OFFICE DEPOT	MAGNIFIER	6.50
		STANDARD INSURANCE CO	SEPT 19 STANDARD LIFE	101.40
		BLUE SPRINGS WINWATER CO	BLUE FLAG/GREEN MARKING FL	110.00
		AFLAC	HUNT PREMIUMS	0.90
			HUNT PREMIUMS	11.19
			HUNT PREMIUMS	12.87
		HOME DEPOT CREDIT SERVICES	WATER METER KEY/FLAG KIT	36.19
			WATER METER KEY/FLAG KIT	24.16
			WATER METER KEY/FLAG KIT	24.44
		KC WHOLESALE	LOW PRESSURE SWITCH	22.74
		JOHN DEERE FINANCIAL	GATE VALVE/OPEN CUFF	20.79
		FIRST AID CORP	DEGREASER/PARTS CLEANER	15.88
		CINTAS CORPORATION # 430	PW/WOLTZ UNIFORMS	51.36
			PW/WOLTZ UNIFORMS	51.36
		SCHULTE SUPPLY INC	NUPLA ROUND POINT LONG HAN	57.65

* REFUND CHECKS *

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	WATER/SEWER FUND	BERGSIEKER, TINA	US REFUNDS	2.76
		HUBBARD, MEGAN	US REFUNDS	65.54
			TOTAL:	22,008.39

========== FUND TOTALS ==========

100	GENERAL FUND	122,416.08
170	TOURISM TAX FUND	400.00
200	PARK FUND	13,502.89
210	TRANSPORTATION	31,737.27
280	CAPITAL PROJECTS FUND	124.42
302	MKTPL TIF-PR#2 SPEC ALLOC	28,865.06
321	MKT PL CID-PR2 SALES/USE	3,150.10
600	WATER/SEWER FUND	614,747.80
	GRAND TOTAL:	814,943.62

TOTAL PAGES: 11

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-CITY OF GRAIN VALLEY
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 8/17/2019 THRU 8/30/2019
ITEM AMOUNT: 99,999,999.00CR THRU 99,999,999.00
GL POST DATE: 0/00/0000 THRU 99/99/9999
CHECK DATE: 0/00/0000 THRU 99/99/9999

PAYROLL SELECTION

PAYROLL EXPENSES: NO
EXPENSE TYPE: N/A
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Department
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: C O U N C I L R E P O R T
SIGNATURE LINES: 0

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:YES

Public Hearing

INTENTIONALLY LEFT BLANK

NOTICE OF PUBLIC HEARING TO SET TAX LEVY FOR 2019

A hearing will be held at 7:00 P.M., Monday, September 9, 2019, at the Grain Valley City Hall, located at 711 Main Street, in the City of Grain Valley, Missouri, at which citizens may be heard on the property tax rates proposed to be set by the City of Grain Valley, Missouri. The levy amount is per $100 of assessed value.

Assessed Valuation (by categories)*	Prior Year 2018	Current Year 2019	Change Assessed Valuation
Real Estate including Railroad & Utility	169,889,037	202,758,664	19.3%
Personal Property including Railroad & Utility	34,514,740	38,134,493	10.5%
Total	**204,403,777**	**240,893,157**	17.9%
New Construction	4,523,803	2,267,200	

	2018 Tax Levy	2019 Revenue	Proposed Tax Levy	Estimated Revenue	Change in Revenue
General Fund	0.5554	1,135,259	0.4923	1,185,917	4.5%
Debt Service Fund	0.9025	1,844,744	0.9551	2,300,771	24.7%
Parks & Recreation	0.1226	250,599	0.1087	261,851	4.5%
Public Health	0.0489	99,953	0.0433	104.307	4.4%
Total	**1.6294**	**3,330,555**	**1.5994**	**3,852,846**	

This notice was prepared utilizing the latest data available from Jackson County. Changes in figures from the county or state offices may result in changes in some or all the estimates. **PUBLISH DATE: August 29, 2019**

INTENTIONALLY LEFT BLANK

CITY OF GRAIN VALLEY
2019 ESTIMATED TAX LEVY

	General	Park	Public Health	Debt Service	Total
2018 LEVY	0.5554	0.1226	0.0489	0.9025	1.6294
Revenue (2019 budget)	$ 1,135,259	$ 250,599	$ 99,953	$ 1,844,744	$ 3,330,555
2019 Levy	0.4923	0.1087	0.0433	0.9551	**1.5994**
Revenue (2020 budget)	**$ 1,185,917**	**$ 261,851**	**$ 104,307**	**$ 2,300,771**	**$ 3,852,845**
2019 Levy - ceiling allowed rate	0.4923	0.1087	0.0433	0.9851	1.6294
Revenue (2020 budget)	$ 1,185,917	$ 261,851	$ 104,307	$ 2,373,038	$ 3,925,113

Each penny in levy represents 24,089 in total revenue.

Difference -revenue-	$ 50,658	$ 11,252	$ 4,353	$ 456,026	$ 522,290

2018 Assessed Valuation	$204,403,777
2019 July Assessed Valuation	$240,893,157
Increase by %	17.9%

INTENTIONALLY LEFT BLANK

Ordinances

INTENTIONALLY LEFT BLANK

CITY OF GRAIN VALLEY BOARD OF ALDERMEN AGENDA ITEM		
MEETING DATE	08/26/2019, 09/09/2019	
BILL NUMBER	B19-23	
AGENDA TITLE	**AN ORDINANCE AMENDING CHAPTER 215, SECTIONS 040, 045, 050, 055, 060,076, 077, 078, 079, CONTROLLED SUBSTANCES**	
REQUESTING DEPARTMENT	Police	
PRESENTER	James W. Beale Sr, Chief of Police	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	N/A
	Balance Available	N/A
	New Appropriation Required:	[ ] Yes [X] No
PURPOSE	To modify Chapter 215 to include new definitions, sections, and exceptions to the current Controlled Substance ordinance to be consistent with the revised Missouri State Statue 195.820 (Medical Cannabis)	
BACKGROUND	On November 6, 2018, voters in Missouri approved Constitutional Amendment 2, that allows for the use of marijuana for medical purposes. The Department of Health and Human Services is the State Agency charged with overseeing this program. Laws and ordinances are being established to govern and enforce the cultivation, distribution, and possession of medical marijuana.	
SPECIAL NOTES	There has been no date established to begin enforcement.	
ANALYSIS	N/A	
PUBLIC INFORMATION PROCESS	N/A	

BOARD OR COMMISSION RECOMMENDATION	N/A
DEPARTMENT RECOMMENDATION	Staff Recommends Approval
REFERENCE DOCUMENTS ATTACHED	Revised Grain Valley Ordinance, Chapter 215. Controlled Substances

CITY OF GRAIN VALLEY **STATE OF MISSOURI**

BILL NO. *B19-23* ORDINANCE NO. _____
SECOND READING _____
FIRST READING *August 26, 2019*

AN ORDINANCE OF THE CITY OF GRAIN VALLEY AMENDING CHAPTER 215, SECTIONS 040, 045, 050, 055, 060,076, 077, 078, 079, CONTROLLED SUBSTANCES

WHEREAS, the State of Missouri has passed a law legalizing medical marijuana and the Department of Health and Senior Services has been appointed to oversee and established guidelines, and

WHEREAS, the State of Missouri has established statues governing cultivation, distribution, and possession of medical marijuana, and

WHEREAS, the Mayor and the Board of Aldermen are committed to the development of the City.

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Grain Valley, Missouri as follows:

Section 1. Legalization of Medical Marijuana:

On November 6, 2018, Jackson County, Missouri voters approved Constitutional Amendment 2, legalizing medical marijuana. Department of Health and Senior Services was appointed to establish rules and guidelines for this new program for medical marijuana. This program included cultivation, distribution, possession, and medical marijuana cards.

Section 2. Municipalities:

When the new medical marijuana program was established, and Missouri State Statues were enacted, municipalities had to amend their existing ordinance to be consistent with those of the State statue for enforcement capabilities.

Section 3. Amendments to Chapter 215 Offenses:

In order for Grain Valley Police Department to be able to enforce the new medical marijuana laws on a municipal level, amendments to our current ordinance, Chapter 215, needs to be made.

Amend Chapter 215- Offenses

Chapter 215-Offenses

Section 215.040 Definitions.

ADMINISTER
To apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

1. A practitioner (or, in his/her presence, by his/her authorized agent), or
2. The patient or research subject at the direction and in the presence of the practitioner.

CONTROLLED SUBSTANCE
A drug, substance or immediate precursor in Schedules I through listed in Sections 195.005 to 195.425, RSMo.

DELIVER OR DELIVERY
The actual, constructive or attempted transfer from one person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale.

DISPENSE
To deliver a narcotic or controlled dangerous drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery. "*Dispenser*" means a practitioner who dispenses.

DISTRIBUTE
To deliver other than by administering or dispensing a controlled substance.

DRUG

1. Substances recognized as drugs in the Official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any supplement to any of them;
2. Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;
3. Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and
4. Substances intended for use as a component of any article specified in this subdivision. It does not include devices or their components, parts or accessories.

DRUG PARAPHERNALIA
All equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of Sections 195.005 to 195.425, RSMo. It includes, but is not limited to:

1. Kits used, intended for us, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;
2. Kits used, intended for use, or designed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;

3. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or an imitation controlled substance;
4. Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;
5. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;
6. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;
7. Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;
8. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding-controlled substances or imitation controlled substances;
9. Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or imitation controlled substances;
10. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;
11. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;
12. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
    a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
    b. Water pipes;
    c. Carburetion tubes and devices;
    d. Smoking and carburetion masks;
    e. Roach clips meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
    f. Miniature cocaine spoons and cocaine vials;
    g. Chamber pipes;
    h. Carburetor pipes;
    i. Electric pipes;
    j. Air-driven pipes;
    k. Chillums;
    l. Bongs;
    m. Ice pipes or chillers:

In determining whether an object, product, substance, or material is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

1. Statements by an owner or by anyone in control of the object concerning its use;
2. Prior convictions, if any, of an owner, or of anyone in control of the

object, under any state or federal law relating to any controlled substance or imitation controlled substance;

3. The proximity of the object, in time and space, to a direct violation of Sections 195.005 to 195.425, RSMo.
4. The proximity of the object to controlled substances or imitation controlled substances;
5. The existence of any residue of controlled substances or imitation controlled substances on the object;
6. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he/she knows, or should reasonably know, intend to use the object to facilitate a violation of Sections 195.005 to 195.0425, RSMo.; the innocence of an owner, or of anyone in control of the object, as to a direct violation of Sections 195.005 to 195.425, RSMo., shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
7. Instructions, oral or written, provided with the object concerning its use;
8. Descriptive materials accompanying the object which explain or depict its use;
9. National or local advertising concerning its use;
10. The manner in which the object is displayed for sale;
11. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
12. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
13. The existence and scope of legitimate uses for the object in the community;
14. Expert testimony concerning its use;
15. The quantity, form or packaging of the product, substance or material in relation to the quantity, form or packaging associated with any legitimate use for the product, substance or material;
16. The remaining provisions of this Section notwithstanding, the definition of 'paraphernalia' as used herein shall not include devices used in the propagation, measurement, or administration of medical marijuana, as defined by Article XIV, Section 1 of the Missouri Constitution if such paraphernalia is being (a) used by a person lawfully authorized to do so, and (b) such person is carrying proof of his/her lawful authorization at the time he/she is in possession of such paraphernalia.

HALLUCINOGENIC SUBSTANCES

Including lysergic acid diethylamide, marijuana (cannabis sativa L), including seeds of mature plants, mescaline, psilocybin, and various types of methoxyamphetamines.

IMITATION CONTROLLED SUBSTANCE
A substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an "imitation controlled substance" the court or authority concerned should consider, in addition to all other logically relevant factors, the following:

1. Whether the substance was approved by the federal Food and Drug Administration for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and Drug Administration approved package, with the federal Food and Drug Administration approved labeling information;
2. Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;
3. Whether the substance is packaged in a manner normally used for illicit controlled substances;
4. Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;
5. The proximity of the substances to controlled substances;
6. Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell. An imitation controlled substance does not include a noncontrolled substance that was initially introduced in commerce prior to the initial introduction into commerce of the controlled substance which it is alleged to imitate. Furthermore, an imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary court of professional practice or research.
7. Stimulants such as amphetamines and methamphetamines.
8. Barbiturates and other depressants such as amobarbital, secobarbital, pentobarbital, phenobarbital, methaqualone, phencyclidine, and diazepam.

LICENSE OR LICENSED
Persons required to obtain annual registration as issued by the State Division of Health as provided by Section 195.030 RSMo.

MANUFACTURE
The production, preparation, propagation, compounding, or processing of drug paraphernalia or of a controlled substance, or an imitation controlled substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. This term does not include the preparation or compounding of a controlled substance or an imitation controlled substance by an individual for his/her own use or the preparation, compounding, packaging or labeling of a narcotic or dangerous drug;

1. By a practitioner as an incident to his/her administering or dispensing of a controlled substance or an imitation controlled substance in the course of his/her professional practice; or

2. By a practitioner or by his/her authorized agent under his/her supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

MARIJUANA
All parts of the plant genus Cannabis in any species or form thereof, including, but not limited to Cannabis Sativa L., except industrial hemp, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.

MEDICAL MARIJUANA
Marijuana as defined and used in accordance with the provisions of Article XIV, Section 1 of the Missouri Constitution, as well as any and all regulations issued by the Missouri Department of Health and Senior Services.

MEDICAL MARIJUANA FACILITY
A facility licensed and/or certified by the Missouri Department of Health and Senior Services to operate as a medical marijuana cultivation facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, medical marijuana testing facility, or medical marijuana transportation facility as those facilities are defined in Article XIV, Section 1 of the Missouri Constitution and 19 CSR 30-95.

PERSON
An individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any other legal or commercial entity.

PHARMACIST
A licensed pharmacist as defined by the laws of this State, and where the context so requires, the owner of a store or other place of business where controlled substances are compounded or dispensed by a licensed pharmacist; but nothing in this Section shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him/her by the pharmacy laws of this State.

PRACTITIONER
A physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by this State to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in this State, or a pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research.

PRIMARY CAREGIVER
An individual twenty-one (21) years of age or older who has significant responsibility for

managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under the provisions of Article XIV, Section 1 of the Missouri Constitution or in other written notification to the Missouri Department of Health and Senior Services.

PRESCRIPTION
A written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his/her professional practice to a pharmacist for a drug or a particular patient which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of the practitioner.

PRODUCTION
Includes the manufacture, planting, cultivation, growing or harvesting of drug paraphernalia or of a controlled substance or an imitation controlled substance.

QUALIFYING PATIENT
A Missouri resident diagnosed with at least one (1) qualifying medical condition as defined by Article XIV, Section 1 of the Missouri Constitution.

WAREHOUSEMAN
A person who, in the usual course of business, stores drugs for others, lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.

WHOLESALER
A person who supplies drug paraphernalia or controlled substances or imitation controlled substances that he himself has not produced or prepared, on official written orders, but not on prescriptions.

Section 215.045. Controlled Substances.

A. Except as authorized by Article XIV, Section 1 of the Missouri Constitution, no person shall manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare, distribute, dispense or prescribe any controlled substance and no person as a wholesaler shall supply the same, without having first obtained annually a registration issued by the Department of Health in accordance with the rules and regulations promulgated by it.

B. The following persons shall not be required to register and may lawfully possess controlled substances under Sections 215.040 to 215.125:

1. An agent or employee of any registered manufacturer, distributor, or dispenser of any controlled substance if such agent is acting in the usual course of his/her business or employment;

2. A common or contract carrier of warehouseman, or an employee thereof, whose possession of any controlled substance is in the usual course of business or

employment;

3. An ultimate user or a person in possession of any controlled substance pursuant to a lawful order of a practitioner or in lawful possession of a Schedule V substance.

Any person shall be permitted to possess controlled substances distributed or dispensed to him under the provisions of this section, but such possession and use must be in accordance with the prescription and prescribed treatment.

C. Any person shall be permitted to possess controlled substances distributed or dispensed to him/her under the provisions of this Section, but such possession and use must be in accordance with the prescription and prescribed treatment.

D. A person who is a licensed manufacturer, warehouseman, or wholesaler of controlled substances shall be permitted to possess controlled substances for the purposes of wholesale delivery, compounding, preparation, and manufacture only; and the same shall only be resold to other persons permitted by this Section to resell, or dispense or distribute controlled substances in the course of a licensed manufacturing or wholesale business, a licensed professional practice, or a licensed pharmaceutical business. A licensed manufacturer or wholesaler permitted to possess controlled substances in this Subsection **(D)** may also be a licensed pharmacist and may dispense or distribute narcotic drugs upon written prescription as provided herein, but shall not consume or permit to be consumed any controlled substances except upon written prescription as herein provided.

E. All controlled substances in the possession of any person convicted of a violation of this Section, shall be seized by, confiscated by, and forfeited to the Chief of Police, who shall make proper disposition thereof.

F. This Section shall not apply to the administering or distributing or dispensing of any medicinal preparation that contains in one (1) fluid ounce, or if a solid or semi-solid preparation in one (1) avoirdupois ounce, not more than one (1) grain of codeine or any of its salts. Provided that the preparation administered or distributed or dispensed shall contain some drug or drugs of medicinal qualities in addition to those possessed by the controlled substance alone. Such preparation shall be administered, distributed, or dispensed in good faith and not for the purpose of evading this Subsection. However, no person shall administer, dispense, or sell, under the exemption of this Section, any preparation included in this Subsection, when he/she knows, or can by reasonable diligence ascertain, that such administering, dispensing, or selling will provide the person to whom or for whose use such preparation is administered, dispensed or sold, within any forty-eight (48) consecutive hours, with more than four (4) grains of codeine or any of its salts.

G. The provisions of this Section restricting the possession and control of controlled substances shall not apply to common carriers or warehouseman engaged in lawfully transporting or storing such controlled substances, or to any employee of such common carriers or warehouseman within the scope of his/her employment, or to public officers or employees in

the performance of official duties requiring possession or control of controlled substances, or to persons aiding such officers or employees in performance of such duties.

Section 215.050. Possession of Drug Paraphernalia.

Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Article. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.055. Manufacture or Delivery of Drug Paraphernalia.

Except as authorized by Article XIV, Section 1 of the Missouri Constitution, it is unlawful for any person to deliver, possess with intent to deliver, sell or advertise for sale, or manufacture with intent to deliver, drug paraphernalia, under circumstance where one reasonably should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Article. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.060. Delivery of Drug Paraphernalia to a Minor.

Except as authorized by Article XIV, Section 1 of the Missouri Constitution, any person eighteen (18) years of age or over who violates Section **215.055** by delivering drug paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his/her junior is guilty of a special offense and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.065. Delivery of a Simulated Drug or Simulated Controlled Substance to Any Person.

It shall be unlawful for any person to deliver any simulated controlled substance to another person. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.070. Glue Sniffing.

A. As used in this Section, the term "model glue" shall mean any glue or cement of the type commonly used in the building of model airplanes, boats, and automobiles, containing toluene, acetone, or other solvent or chemical having the property of releasing toxic vapors.
B. No person shall, for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses or nervous system, intentionally smell or

inhale the fumes from any model glue; provided however, that this Section shall not apply to the inhalation of any anesthesia for medical or dental purposes.

C. No person shall for the purpose of violating or aiding another to violate any provision of this Section intentionally possess, buy, sell, transfer possession, or receive possession of, any model glue.

D. Except as provided in Subsection **D(2)** hereof and also Subsection **(E)**, no person under eighteen (18) years of age shall possess or buy any model glue.

1. Except as provided in Subsection **D(2)** hereof and also Subsection **(E)**, no person shall sell or transfer possession of any model glue to another person under eighteen (18) years of age.

2. Provided however, a person may sell or transfer possession of model glue to a person under eighteen (18) years of age for model building or other lawful use where such minor has in his/her possession and exhibits the written consent of his/her parent or guardian.

E. A person making a sale or transfer of possession of model glue to a person under eighteen (18) years of age who exhibits the written consent of his/her parent or guardian, shall record the name, address, sex, and age of the minor and the name and address of the consenting parent or guardian. All data required by this Subsection shall be kept in a permanent type register available for inspection by the City Health Officer, Chief of Police, and other appropriate official for a period of at least one (1) year.

1. All model glue as herein defined shall be kept in a place within the business establishment in such a manner that the same shall not be obtainable without the personal dispensing by the store owner or his/her agents, servants and employees.

2. Any person other than a minor violating any of the provisions of this Section shall be deemed guilty of a misdemeanor. Persons not having obtained the age of seventeen (17) violating any of the provisions of this Section shall be dealt with in accordance with juvenile laws and procedures of the State.

Section 215.075. Possession or Control of a Controlled Substance.

Except as authorized by Sections 195.005 to 195.425, RSMo. and/or Article XIV, Section1 of the Missouri Constitution, it is unlawful for any person to possess or have under his/her control a controlled substance as defined in Section **215.040** of this Article.

Section 215.076. Failure to Produce Medical Marijuana Identification Card.

A. Any person in possession of medical marijuana shall, immediately upon request of any law enforcement officer, produce a valid identification card issued by the Missouri Department of Health and Senior Services, or its successor, or the respective equivalent identification card or authorization issued by another state or political subdivision of another state, authorizing them, as a qualifying patient or primary caregiver, or employee of a licensed medical marijuana facility, to access medical marijuana as provided by Missouri law. Any person who fails to

produce such identification card shall be guilty of the offense of failure to produce a medical marijuana identification card.

B. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.077. Administration of Medical Marijuana in a Public Place.

A. No person shall administer medical marijuana in a public place.

B. For the purpose of this Section, the term "administer" shall have the definition set forth in Article XIV, Section 1 of the Missouri Constitution.

C. For the purpose of this Section, the term "public place" shall have the definition set forth in 19 CSR 30-95.010.

D. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.078. Disposal of Medical Marijuana.

A. No person shall dispose of medical marijuana, medical marijuana-infused products, or medical marijuana byproduct except as prescribed by 19 CSR 30-95.

B. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.079. Driving Under the Influence of Marijuana.

A. A person commits the offense of driving under the influence of marijuana if he/she operates a motor vehicle under the influence of marijuana. For the purpose of determining the presence of marijuana in a person's blood under this Section, a test shall be conducted in accordance with the provisions of Sections **342.040** through **342.060** of Chapter 342 of the Code of Ordinances.

B. Any violation of this Section shall be punished in accordance with the provisions of Section **100.110** of the Code of Ordinances.

Section 215.080. Labelling Package Containing Drug Sold Upon Prescription.

Any person who sells at retail, furnishes or dispenses any of the drugs mentioned in Section 215.085 upon a written prescription of a duly registered physician, veterinarian, podiatrist or dentist shall, at the time of dispensing the same, place upon the package a label, or deliver therewith a certificate, stating the name and address of the person selling or furnishing the same, the name and address of the physician, veterinarian or dentist upon whose prescription such sale is made, the date of sale and the name of the person to whom such sale is made and such directions as may be stated on the prescription.

Section 215.085. Possession of Drugs.

No person other than a manufacturer or a wholesale dealer in drugs or a licensed pharmacist, licensed druggist, duly registered practicing physician, licensed veterinarian or licensed dentist, shall possess any of the following drugs: cocaine, opium or any of its salts, alkaloids or derivatives, chloral, barbiturates, cannabis indica, marijuana, hashish, or any compound or

preparation of any of them, or any amphetamine, deoxyephedrine, methamphetamine, or mephentermine, pipradol, phenmetrazine, methylphenidate, or any salt mixture or optical isomer thereof also having a stimulating effect on the central nervous system, or their salts, derivatives or preparations unless such possession is authorized by certificate or label prescribed in Section **215.080**.

Section 215.090. Adulterated Drugs or Medicine.

No person shall adulterate, for the purpose of sale, any drugs or medicines of any kind, and no person shall sell, offer or expose for sale or give away, any such adulterated drugs or medicine.

Section 215.095. Using or Administering Narcotics.

No person shall, at any place within the corporate limits of the City, administer to himself/herself or to any other person, in any way or manner, any narcotic or any compound, drug or mixture of which a narcotic drug is a component part, or any barbiturate, except upon prescription of a duly licensed physician, nor shall any person, in any way or manner, aid, assist, abet or permit the use or administration of any narcotic drug, or any compound, drug or mixture of which a narcotic drug is a component part, or any barbiturate, except upon prescription of a duly licensed physician, and any person so offending shall be deemed guilty of a misdemeanor.

Section 215.100. Unlawful to Use or Be Under Influence of Drugs.

No person shall use or be under the influence of any narcotic drug or any compound or mixture of which a narcotic drug is a component part, or any barbiturate, except when administered by or under the direction of a person licensed by the State to prescribe and administer narcotics. It shall be the burden of the defense to show that it comes within the exception.

Section 215.105. Drug Addicts – Prerequisites to Treating.

No person shall, in the City, undertake, attempt or pretend to cure any person addicted to the use of drugs, of such addiction or habit, or treat such person, or prescribe for such person for such purpose, or treat or prescribe for such person for conditions resulting from the use of such drugs, where the cure or treatment consists, in whole or in part, of administering or prescribing for such person any heroin, cocaine, codeine, sulphonal, opium or any of its salts, alkaloids or derivatives, chloral, or any of them, of any compound or preparation of any of them, or any narcotic habit-forming drugs, in any amount, unless the person administering or prescribing any of the aforesaid drugs for such treatment in such cases is duly licensed by the Missouri State Board of Medical Examiners to practice medicine in this State, and unless such person administering or prescribing such drugs for the aforesaid purpose (or the person employing him/her in such business, profession or practice) shall have first procured a permit so to do from the Health Department of the City. The Health Department shall, before issuing such permit, determine whether the applicant therefor is qualified to carry on such business, profession or practice, and is undertaking to do so in good faith; and if, after such permit is issued, the department after notice and hearing, shall determine that such person is not qualified, or is not carrying on such business, profession or practice in good faith, the Health Department shall revoke such permit. No fee shall be charged for the issuance of such permit by the Health Department of the City.

Section 215.110. Drug Addicts – Report by Person Prescribing or Administering Drugs.

If any person duly licensed by the Missouri State Board of Medical Examiners to practice medicine in this State, but not qualified under the provisions of this Section 215.110, shall administer or prescribe any of the drugs therein described for anything other than the drug habit, or a condition resulting from the habitual use of such drugs, to a person addicted to the use of any of the drugs prescribed in such Section, he/she shall report in writing to the Health Department of the City, the administering or prescribing of such drugs within twenty-four (24) hours after giving or prescribing of the same, which report shall state the amount and kind of drug administered or prescribed, and for what ailment, and the person administering or prescribing any such drugs shall not again administer or prescribe any of the drugs described in Section 215.105 to such patient unless such subsequent administering or prescribing thereof shall be first approved by the Director of Health or such other physician as may be designated by the Health Department for such purpose. The approval of such treatment, issued by such officer, shall continue not longer than ten (10) days from its date, and no renewal shall be for more than ten (10) days.

Section 215.115. Drug Addicts – Inspector of Persons Permitted to Treat.

The office and place of business, and all of the records, accounts, appliances and supplies of every permittee licensed under Section **215.105** shall be open to inspection by such officer, inspector, or physician as may be designated for that purpose by the Health Director of the City.

Section 215.120 Construction of Section 215.105 Through Section 215.115.

Section **215.105** through Section **215.115** shall be construed as having been enacted under the Police powers of the City, and in furtherance thereof, and as such shall be liberally construed for the effectuating of their purpose.

Section 215.125. Opium Dens.

A. No person shall set up or establish, or cause to be set up or established, in any house, tenement, room or other place whatsoever any apparatus, devise or instrument whereby opium or any drug or mixture of which opium is a component part may be smoked or used in any manner whatsoever.

B. No person shall knowingly permit, suffer or allow any house, tenement, room or other place to be used for the purpose of smoking opium or any drug or mixture of which opium is a component part.

C. No person shall solicit, persuade, procure, permit, suffer or allow any persons to collect or assemble in any house, tenement, room or any place whatsoever under his/her charge or control for the purpose of smoking opium or any drug or mixture of which opium is a component part, nor shall any person permit, aid or assist, in any manner, any persons in the smoking of opium or any drug or mixture of which opium is a component part.

D. No person shall use or exhibit any apparatus, device or instrument for the purpose of smoking opium or any drug of which opium is a component part.

E. No person shall frequent or be found in any house, tenement, room or other place whatsoever where any apparatus, device or instrument for the purpose of smoking opium or any drug of which opium is a component part, is set up or established.

F. Any person who shall violate any of the provisions of this Section shall be deemed guilty of

a misdemeanor and, upon conviction, shall be fined a sum not less than ten dollars ($10.00) nor more than five hundred dollars ($500.00), and in addition thereto the judge of the court before whom such person is convicted shall order the Chief of Police to destroy such apparatus, device or instrument by burning or otherwise; provided however, that if it appears that it may be necessary to use such apparatus, device or instruments as evidence in any prosecution, the judge of the court before whom the person is convicted shall order the officer having possession of such apparatus, device or instrument to retain possession until such necessity no longer exists, when it shall be destroyed as hereinabove set out.

Section 215.126. Possession, Sale and Offering for Sale of a Synthetic Cannabinoid Known as "Spice", "K-2", "Genie", "DaScents", "Zohai" and "Gonjah", K-3, Blue Hawaiian, SKYY.

A. As used in this Section, the terms are defined as follows:

ILLEGAL SMOKING PRODUCT

Includes any substance, whether called "Spice", "K-2", "Genie", "DaScents", "Zohai", "Gonjah", K-3, Blue Hawaiian, SKYY, tobacco, herbs, incense or any blend thereof, which includes any one (1) or more of the following chemicals:

1. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol);
2. (dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl) -6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol);
3. 1-Pentyl-3-(1-naphthoyl)indole; or
4. Butyl-3-(1-naphthoyl)indole.

PERSON

A person, any form of corporation or business entity, partnership, wholesaler or retailer.

B. It shall be unlawful for any person within the City to distribute, deliver, sell, offer for sale, publicly display for sale or attempt to distribute, deliver or sell any illegal smoking product.

C. It shall be unlawful for any person to knowingly possess or have under his or her control any illegal smoking product.

D. Any person who violates the provisions of this Section shall be punished by a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

Section 4. Penalty:

Any person violating the provisions of this Chapter shall be punished in accordance with the provisions of Section **100.110** of this Code of Ordinances.

Read two times and PASSED by the Board of Aldermen this ___ day of _____, 2019, the aye And nay votes being recorded as follows:

ALDERMAN BASS	_____	ALDERMAN CLEAVER	_____
ALDERMAN HEADLEY	_____	ALDERMAN STRATTON	_____
ALDERMAN TOTTON	_____	ALDERMAN WEST	_____

Mayor _____ (in the event of a tie only)

Approved as to form:

_____
Lauber Municipal Law
City Attorney

_____
Mike Todd
Mayor

ATTEST:

_____
Jamie Logan
City Clerk

INTENTIONALLY LEFT BLANK

Section 215.040 Definitions.

ADMINISTER
To apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:

1. A practitioner (or, in his/her presence, by his/her authorized agent), or
2. The patient or research subject at the direction and in the presence of the practitioner.

CONTROLLED SUBSTANCE
A drug, substance or immediate precursor in Schedules I through listed in Sections 195.005 to 195.425, RSMo.

DELIVER OR DELIVERY
The actual, constructive or attempted transfer from one person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale.

DISPENSE
To deliver a narcotic or controlled dangerous drug to an ultimate user or research subject by or pursuant to the lawful order of a practitioner including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery. "*Dispenser*" means a practitioner who dispenses.

DISTRIBUTE
To deliver other than by administering or dispensing a controlled substance.

DRUG

1. Substances recognized as drugs in the Official United States Pharmacopoeia, Official Homeopathic Pharmacopoeia of the United States, or Official National Formulary, or any supplement to any of them;
2. Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;
3. Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and
4. Substances intended for use as a component of any article specified in this subdivision. It does not include devices or their components, parts or accessories.

DRUG PARAPHERNALIA
All equipment, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance or an imitation controlled substance in violation of Sections 195.005 to 195.425, RSMo. It includes, but is not limited to:

1. Kits used, intended for us, or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;
2. Kits used, intended for use, or designed for use in manufacturing, compounding,

converting, producing, processing, or preparing controlled substances or imitation controlled substances;

3. Isomerization devices used, intended for use, or designed for use in increasing the potency of any species of plant which is a controlled substance or an imitation controlled substance;
4. Testing equipment used, intended for use, or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;
5. Scales and balances used, intended for use, or designed for use in weighing or measuring controlled substances or imitation controlled substances;
6. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use, or designed for use in cutting controlled substances or imitation controlled substances;
7. Separation gins and sifters used, intended for use, or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;
8. Blenders, bowls, containers, spoons and mixing devices used, intended for use, or designed for use in compounding-controlled substances or imitation controlled substances;
9. Capsules, balloons, envelopes and other containers used, intended for use, or designed for use in packaging small quantities of controlled substances or imitation controlled substances;
10. Containers and other objects used, intended for use, or designed for use in storing or concealing controlled substances or imitation controlled substances;
11. Hypodermic syringes, needles and other objects used, intended for use, or designed for use in parenterally injecting controlled substances or imitation controlled substances into the human body;
12. Objects used, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
    a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
    b. Water pipes;
    c. Carburetion tubes and devices;
    d. Smoking and carburetion masks;
    e. Roach clips meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand;
    f. Miniature cocaine spoons and cocaine vials;
    g. Chamber pipes;
    h. Carburetor pipes;
    i. Electric pipes;
    j. Air-driven pipes;
    k. Chillums;
    l. Bongs;
    m. Ice pipes or chillers:

In determining whether an object, product, substance, or material is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:

1. Statements by an owner or by anyone in control of the object concerning its use;
2. Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance or imitation controlled substance;
3. The proximity of the object, in time and space, to a direct violation of Sections 195.005 to 195.425, RSMo.
4. The proximity of the object to controlled substances or imitation controlled substances;
5. The existence of any residue of controlled substances or imitation controlled substances on the object;
6. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he/she knows, or should reasonably know, intend to use the object to facilitate a violation of Sections 195.005 to 195.0425, RSMo.; the innocence of an owner, or of anyone in control of the object, as to a direct violation of Sections 195.005 to 195.425, RSMo., shall not prevent a finding that the object is intended for use, or designed for use as drug paraphernalia;
7. Instructions, oral or written, provided with the object concerning its use;
8. Descriptive materials accompanying the object which explain or depict its use;
9. National or local advertising concerning its use;
10. The manner in which the object is displayed for sale;
11. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
12. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
13. The existence and scope of legitimate uses for the object in the community;
14. Expert testimony concerning its use;
15. The quantity, form or packaging of the product, substance or material in relation to the quantity, form or packaging associated with any legitimate use for the product, substance or material;
16. The remaining provisions of this Section notwithstanding, the definition of 'paraphernalia' as used herein shall not include devices used in the propagation, measurement, or administration of medical marijuana, as defined by Article XIV, Section 1 of the Missouri Constitution if such paraphernalia is being (a) used by a person lawfully authorized to do so, and (b) such person is carrying proof of

his/her lawful authorization at the time he/she is in possession of such paraphernalia.

HALLUCINOGENIC SUBSTANCES
Including lysergic acid diethylamide, marijuana (cannabis sativa L), including seeds of mature plants, mescaline, psilocybin, and various types of methoxyamphetamines.

IMITATION CONTROLLED SUBSTANCE
A substance that is not a controlled substance, which by dosage unit appearance (including color, shape, size and markings), or by representations made, would lead a reasonable person to believe that the substance is a controlled substance. In determining whether the substance is an "imitation controlled substance" the court or authority concerned should consider, in addition to all other logically relevant factors, the following:

1. Whether the substance was approved by the federal Food and Drug Administration for over-the-counter (nonprescription or nonlegend) sales and was sold in the federal Food and Drug Administration approved package, with the federal Food and Drug Administration approved labeling information;
2. Statements made by an owner or by anyone else in control of the substance concerning the nature of the substance, or its use or effect;
3. Whether the substance is packaged in a manner normally used for illicit controlled substances;
4. Prior convictions, if any, of an owner, or anyone in control of the object, under state or federal law related to controlled substances or fraud;
5. The proximity of the substances to controlled substances;
6. Whether the consideration tendered in exchange for the noncontrolled substance substantially exceeds the reasonable value of the substance considering the actual chemical composition of the substance and, where applicable, the price at which over-the-counter substances of like chemical composition sell. An imitation controlled substance does not include a noncontrolled substance that was initially introduced in commerce prior to the initial introduction into commerce of the controlled substance which it is alleged to imitate. Furthermore, an imitation controlled substance does not include a placebo or registered investigational drug either of which was manufactured, distributed, possessed or delivered in the ordinary court of professional practice or research.
7. Stimulants such as amphetamines and methamphetamines.
8. Barbiturates and other depressants such as amobarbital, secobarbital, pentobarbital, phenobarbital, methaqualone, phencyclidine, and diazepam.

LICENSE OR LICENSED
Persons required to obtain annual registration as issued by the State Division of Health as provided by Section 195.030 RSMo.

MANUFACTURE
The production, preparation, propagation, compounding, or processing of drug paraphernalia or of a controlled substance, or an imitation controlled substance, either directly or by extraction

from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. This term does not include the preparation or compounding of a controlled substance or an imitation controlled substance by an individual for his/her own use or the preparation, compounding, packaging or labeling of a narcotic or dangerous drug;

1. By a practitioner as an incident to his/her administering or dispensing of a controlled substance or an imitation controlled substance in the course of his/her professional practice; or
2. By a practitioner or by his/her authorized agent under his/her supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

MARIJUANA

All parts of the plant genus Cannabis in any species or form thereof, including, but not limited to Cannabis Sativa L., except industrial hemp, Cannabis Indica, Cannabis Americana, Cannabis Ruderalis, and Cannabis Gigantea, whether growing or not, the seeds thereof, the resin extracted from any part of the plant; and every compound, manufacture, sale, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of the plant which is incapable of germination.

MEDICAL MARIJUANA

Marijuana as defined and used in accordance with the provisions of Article XIV, Section 1 of the Missouri Constitution, as well as any and all regulations issued by the Missouri Department of Health and Senior Services.

MEDICAL MARIJUANA FACILITY

A facility licensed and/or certified by the Missouri Department of Health and Senior Services to operate as a medical marijuana cultivation facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, medical marijuana testing facility, or medical marijuana transportation facility as those facilities are defined in Article XIV, Section 1 of the Missouri Constitution and 19 CSR 30-95.

PERSON

An individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, joint venture, association, or any other legal or commercial entity.

PHARMACIST

~~An individual currently licensed by the State Board to practice the profession of pharmacy in this State.~~ A licensed pharmacist as defined by the laws of this State, and where the context so requires,

the owner of a store or other place of business where controlled substances are compounded or dispensed by a licensed pharmacist; but nothing in this Section shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or

privilege that is not granted to him/her by the pharmacy laws of this State.

PRACTITIONER
A physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by this State to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in this State, or a pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research.

PRIMARY CAREGIVER
An individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under the provisions of Article XIV, Section 1 of the Missouri Constitution or in other written notification to the Missouri Department of Health and Senior Services.

PRESCRIPTION
A written order, and in cases of emergency, a telephone order, issued by a practitioner in good faith in the course of his/her professional practice to a pharmacist for a drug or a particular patient which specifies the date of its issue, the name and address of the patient (and, if such drug is prescribed for an animal, the species of such animal), the name and quantity of the drug prescribed, the directions for use of such drug, and the signature of the practitioner.

PRODUCTION
Includes the manufacture, planting, cultivation, growing or harvesting of drug paraphernalia or of a controlled substance or an imitation controlled substance.

QUALIFYING PATIENT
A Missouri resident diagnosed with at least one (1) qualifying medical condition as defined by Article XIV, Section 1 of the Missouri Constitution.

WAREHOUSEMAN
A person who, in the usual course of business, stores drugs for others, lawfully entitled to possess them and who has no control over the disposition of such drugs except for the purpose of such storage.

WHOLESALER
A person who supplies drug paraphernalia or controlled substances or imitation controlled substances that he himself has not produced or prepared, on official written orders, but not on prescriptions.

Section 215.045. Controlled Substances.

A. Except as authorized by Article XIV, Section 1 of the Missouri Constitution, n~~N~~o person shall manufacture, compound, mix, cultivate, grow, or by any other process produce or prepare,

distribute, dispense or prescribe any controlled substance and no person as a wholesaler shall supply the same, without having first obtained annually a registration issued by the Department of Health in accordance with the rules and regulations promulgated by it.

B. The following persons shall not be required to register and may lawfully possess controlled substances under Sections 215.040 to 215.125:

1. An agent or employee of any registered manufacturer, distributor, or dispenser of any controlled substance if such agent is acting in the usual course of his/her business or employment;

2. A common or contract carrier of warehouseman, or an employee thereof, whose possession of any controlled substance is in the usual course of business or employment;

3. An ultimate user or a person in possession of any controlled substance pursuant to a lawful order of a practitioner or in lawful possession of a Schedule V substance.

Any person shall be permitted to possess controlled substances distributed or dispensed to him under the provisions of this section, but such possession and use must be in accordance with the prescription and prescribed treatment.

C. Any person shall be permitted to possess controlled substances distributed or dispensed to him/her under the provisions of this Section, but such possession and use must be in accordance with the prescription and prescribed treatment.

D. A person who is a licensed manufacturer, warehouseman, or wholesaler of controlled substances shall be permitted to possess controlled substances for the purposes of wholesale delivery, compounding, preparation, and manufacture only; and the same shall only be resold to other persons permitted by this Section to resell, or dispense or distribute controlled substances in the course of a licensed manufacturing or wholesale business, a licensed professional practice, or a licensed pharmaceutical business. A licensed manufacturer or wholesaler permitted to possess controlled substances in this Subsection **(D)** may also be a licensed pharmacist and may dispense or distribute narcotic drugs upon written prescription as provided herein, but shall not consume or permit to be consumed any controlled substances except upon written prescription as herein provided.

E. All controlled substances in the possession of any person convicted of a violation of this Section, shall be seized by, confiscated by, and forfeited to the Chief of Police, who shall make proper disposition thereof.

F. This Section shall not apply to the administering or distributing or dispensing of any medicinal preparation that contains in one (1) fluid ounce, or if a solid or semi-solid preparation in one (1) avoirdupois ounce, not more than one (1) grain of codeine or any of its salts. Provided that the preparation administered or distributed or dispensed shall contain some drug or

drugs of medicinal qualities in addition to those possessed by the controlled substance alone. Such preparation shall be administered, distributed, or dispensed in good faith and not for the purpose of evading this Subsection. However, no person shall administer, dispense, or sell, under the exemption of this Section, any preparation included in this Subsection, when he/she knows, or can by reasonable diligence ascertain, that such administering, dispensing, or selling will provide the person to whom or for whose use such preparation is administered, dispensed or sold, within any forty-eight (48) consecutive hours, with more than four (4) grains of codeine or any of its salts.

G. The provisions of this Section restricting the possession and control of controlled substances shall not apply to common carriers or warehouseman engaged in lawfully transporting or storing such controlled substances, or to any employee of such common carriers or warehouseman within the scope of his/her employment, or to public officers or employees in the performance of official duties requiring possession or control of controlled substances, or to persons aiding such officers or employees in performance of such duties.

Section 215.050. Possession of Drug Paraphernalia.

Except as authorized by Article XIV, Section 1 of the Missouri Constitution, i~~I~~t is unlawful for any person to use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Article. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.055. Manufacture or Delivery of Drug Paraphernalia.

Except as authorized by Article XIV, Section 1 of the Missouri Constitution, i~~I~~t is unlawful for any person to deliver, possess with intent to deliver, sell or advertise for sale, or manufacture with intent to deliver, drug paraphernalia, under circumstance where one reasonably should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this Article. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.060. Delivery of Drug Paraphernalia to a Minor.

Except as authorized by Article XIV, Section 1 of the Missouri Constitution, a~~A~~ny person eighteen (18) years of age or over who violates Section **215.055** by delivering drug paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his/her junior is guilty of a special offense and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.065. Delivery of a Simulated Drug or Simulated Controlled Substance to Any Person.

It shall be unlawful for any person to deliver any simulated controlled substance to another person. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.070. Glue Sniffing.

A. As used in this Section, the term "model glue" shall mean any glue or cement of the type commonly used in the building of model airplanes, boats, and automobiles, containing toluene, acetone, or other solvent or chemical having the property of releasing toxic vapors.
B. No person shall, for the purpose of causing a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses or nervous system, intentionally smell or inhale the fumes from any model glue; provided however, that this Section shall not apply to the inhalation of any anesthesia for medical or dental purposes.
C. No person shall for the purpose of violating or aiding another to violate any provision of this Section intentionally possess, buy, sell, transfer possession, or receive possession of, any model glue.
D. Except as provided in Subsection **D(2)** hereof and also Subsection **(E)**, no person under eighteen (18) years of age shall possess or buy any model glue.

    1. Except as provided in Subsection **D(2)** hereof and also Subsection **(E)**, no person shall sell or transfer possession of any model glue to another person under eighteen (18) years of age.

    2. Provided however, a person may sell or transfer possession of model glue to a person under eighteen (18) years of age for model building or other lawful use where such minor has in his/her possession and exhibits the written consent of his/her parent or guardian.

E. A person making a sale or transfer of possession of model glue to a person under eighteen (18) years of age who exhibits the written consent of his/her parent or guardian, shall record the name, address, sex, and age of the minor and the name and address of the consenting parent or guardian. All data required by this Subsection shall be kept in a permanent type register available for inspection by the City Health Officer, Chief of Police, and other appropriate official for a period of at least one (1) year.

    1. All model glue as herein defined shall be kept in a place within the business establishment in such a manner that the same shall not be obtainable without the personal dispensing by the store owner or his/her agents, servants and employees.

    2. Any person other than a minor violating any of the provisions of this Section shall be deemed guilty of a misdemeanor. Persons not having obtained the age of seventeen (17) violating any of the provisions of this Section shall be dealt with in accordance with juvenile laws and procedures of the State.

Section 215.075. Possession or Control of a Controlled Substance.

Except as authorized by Sections 195.005 to 195.425, RSMo. and/or Article XIV, Section1 of the Missouri Constitution, it is unlawful for any person to possess or have under his/her control a controlled substance as defined in Section **215.040** of this Article.

Section 215.076. Failure to Produce Medical Marijuana Identification Card.

A. Any person in possession of medical marijuana shall, immediately upon request of any law enforcement officer, produce a valid identification card issued by the Missouri Department of Health and Senior Services, or its successor, or the respective equivalent identification card or authorization issued by another state or political subdivision of another state, authorizing them, as a qualifying patient or primary caregiver, or employee of a licensed medical marijuana facility, to access medical marijuana as provided by Missouri law. Any person who fails to produce such identification card shall be guilty of the offense of failure to produce a medical marijuana identification card.
B. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.077. Administration of Medical Marijuana in a Public Place.

A. No person shall administer medical marijuana in a public place.
B. For the purpose of this Section, the term "administer" shall have the definition set forth in Article XIV, Section 1 of the Missouri Constitution.
C. For the purpose of this Section, the term "public place" shall have the definition set forth in 19 CSR 30-95.010.
D. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.078. Disposal of Medical Marijuana.

A. No person shall dispose of medical marijuana, medical marijuana-infused products, or medical marijuana byproduct except as prescribed by 19 CSR 30-95.
B. Any person who violates this Section is guilty of a misdemeanor and upon conviction may be imprisoned for not more than ninety (90) days, fined not more than five hundred dollars ($500.00), or both.

Section 215.079. Driving Under the Influence of Marijuana.

A. A person commits the offense of driving under the influence of marijuana if he/she operates a motor vehicle under the influence of marijuana. For the purpose of determining the presence of marijuana in a person's blood under this Section, a test shall be conducted in accordance with the provisions of Sections **342.040** through **342.060** of Chapter 342 of the Code of Ordinances.
B. Any violation of this Section shall be punished in accordance with the provisions of Section **100.110** of the Code of Ordinances.

Section 215.080. Labelling Package Containing Drug Sold Upon Prescription.
Any person who sells at retail, furnishes or dispenses any of the drugs mentioned in Section 215.085 upon a written prescription of a duly registered physician, veterinarian, podiatrist or dentist shall, at the time of dispensing the same, place upon the package a label, or deliver therewith a certificate, stating the name and address of the person selling or furnishing the same, the name and address of the physician, veterinarian or dentist upon whose prescription such sale is made, the date of sale and the name of the person to whom such sale is made and such directions as may be stated on the prescription.

Section 215.085. Possession of Drugs.
No person other than a manufacturer or a wholesale dealer in drugs or a licensed pharmacist, licensed druggist, duly registered practicing physician, licensed veterinarian or licensed dentist, shall possess any of the following drugs: cocaine, opium or any of its salts, alkaloids or derivatives, chloral, barbiturates, cannabis indica, marijuana, hashish, or any compound or preparation of any of them, or any amphetamine, deoxyephedrine, methamphetamine, or mephentermine, pipradol, phenmetrazine, methylphenidate, or any salt mixture or optical isomer thereof also having a stimulating effect on the central nervous system, or their salts, derivatives or preparations unless such possession is authorized by certificate or label prescribed in Section **215.080**.

Section 215.090. Adulterated Drugs or Medicine.
No person shall adulterate, for the purpose of sale, any drugs or medicines of any kind, and no person shall sell, offer or expose for sale or give away, any such adulterated drugs or medicine.

Section 215.095. Using or Administering Narcotics.
No person shall, at any place within the corporate limits of the City, administer to himself/herself or to any other person, in any way or manner, any narcotic or any compound, drug or mixture of which a narcotic drug is a component part, ~~or any marijuana,~~ or any barbiturate, except upon prescription of a duly licensed physician, nor shall any person, in any way or manner, aid, assist, abet or permit the use or administration of any narcotic drug, or any compound, drug or mixture of which a narcotic drug is a component part, ~~or any marijuana~~ or any barbiturate, except upon prescription of a duly licensed physician, and any person so offending shall be deemed guilty of a misdemeanor.

Section 215.100. Unlawful to Use or Be Under Influence of Drugs.
No person shall use or be under the influence of any narcotic drug or any compound or mixture of which a narcotic drug is a component part, or any barbiturate, except when administered by or under the direction of a person licensed by the State to prescribe and administer narcotics. It shall be the burden of the defense to show that it comes within the exception.

Section 215.105. Drug Addicts – Prerequisites to Treating.
No person shall, in the City, undertake, attempt or pretend to cure any person addicted to the use of drugs, of such addiction or habit, or treat such person, or prescribe for such person for such purpose, or treat or prescribe for such person for conditions resulting from the use of such

drugs, where the cure or treatment consists, in whole or in part, of administering or prescribing for such person any heroin, cocaine, codeine, sulphonal, opium or any of its salts, alkaloids or derivatives, chloral, or any of them, of any compound or preparation of any of them, or any narcotic habit-forming drugs, in any amount, unless the person administering or prescribing any of the aforesaid drugs for such treatment in such cases is duly licensed by the Missouri State Board of Medical Examiners to practice medicine in this State, and unless such person administering or prescribing such drugs for the aforesaid purpose (or the person employing him/her in such business, profession or practice) shall have first procured a permit so to do from the Health Department of the City. The Health Department shall, before issuing such permit, determine whether the applicant therefor is qualified to carry on such business, profession or practice, and is undertaking to do so in good faith; and if, after such permit is issued, the department after notice and hearing, shall determine that such person is not qualified, or is not carrying on such business, profession or practice in good faith, the Health Department shall revoke such permit. No fee shall be charged for the issuance of such permit by the Health Department of the City.

Section 215.110. Drug Addicts – Report by Person Prescribing or Administering Drugs.
If any person duly licensed by the Missouri State Board of Medical Examiners to practice medicine in this State, but not qualified under the provisions of this Section 215.110, shall administer or prescribe any of the drugs therein described for anything other than the drug habit, or a condition resulting from the habitual use of such drugs, to a person addicted to the use of any of the drugs prescribed in such Section, he/she shall report in writing to the Health Department of the City, the administering or prescribing of such drugs within twenty-four (24) hours after giving or prescribing of the same, which report shall state the amount and kind of drug administered or prescribed, and for what ailment, and the person administering or prescribing any such drugs shall not again administer or prescribe any of the drugs described in Section 215.105 to such patient unless such subsequent administering or prescribing thereof shall be first approved by the Director of Health or such other physician as may be designated by the Health Department for such purpose. The approval of such treatment, issued by such officer, shall continue not longer than ten (10) days from its date, and no renewal shall be for more than ten (10) days.

Section 215.115. Drug Addicts – Inspector of Persons Permitted to Treat.
The office and place of business, and all of the records, accounts, appliances and supplies of every permittee licensed under Section **215.105** shall be open to inspection by such officer, inspector, or physician as may be designated for that purpose by the Health Director of the City.

Section 215.120 Construction of Section 215.105 Through Section 215.115.
Section **215.105** through Section **215.115** shall be construed as having been enacted under the Police powers of the City, and in furtherance thereof, and as such shall be liberally construed for the effectuating of their purpose.

Section 215.125. Opium Dens.
A. No person shall set up or establish, or cause to be set up or established, in any house, tenement, room or other place whatsoever any apparatus, devise or instrument whereby opium or any drug or mixture of which opium is a component part may be smoked or used in

any manner whatsoever.

B. No person shall knowingly permit, suffer or allow any house, tenement, room or other place to be used for the purpose of smoking opium or any drug or mixture of which opium is a component part.

C. No person shall solicit, persuade, procure, permit, suffer or allow any persons to collect or assemble in any house, tenement, room or any place whatsoever under his/her charge or control for the purpose of smoking opium or any drug or mixture of which opium is a component part, nor shall any person permit, aid or assist, in any manner, any persons in the smoking of opium or any drug or mixture of which opium is a component part.

D. No person shall use or exhibit any apparatus, device or instrument for the purpose of smoking opium or any drug of which opium is a component part.

E. No person shall frequent or be found in any house, tenement, room or other place whatsoever where any apparatus, device or instrument for the purpose of smoking opium or any drug of which opium is a component part, is set up or established.

F. Any person who shall violate any of the provisions of this Section shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined a sum not less than ten dollars ($10.00) nor more than five hundred dollars ($500.00), and in addition thereto the judge of the court before whom such person is convicted shall order the Chief of Police to destroy such apparatus, device or instrument by burning or otherwise; provided however, that if it appears that it may be necessary to use such apparatus, device or instruments as evidence in any prosecution, the judge of the court before whom the person is convicted shall order the officer having possession of such apparatus, device or instrument to retain possession until such necessity no longer exists, when it shall be destroyed as hereinabove set out.

Section 215.126. Possession, Sale and Offering for Sale of a Synthetic Cannabinoid Known as “Spice”, “K-2”, “Genie”, “DaScents”, “Zohai” and “Gonjah”, K-3, Blue Hawaiian, SKYY.

A. As used in this Section, the terms are defined as follows:

ILLEGAL SMOKING PRODUCT

Includes any substance, whether called “Spice”, “K-2", "Genie”, “DaScents”, “Zohai", "Gonjah", K-3, Blue Hawaiian, SKYY, tobacco, herbs, incense or any blend thereof, which includes any one (1) or more of the following chemicals:

1. 2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol);
2. (dexanabinol,(6aS,10aS)-9-(hydroxymethyl)-6, 6-dimethyl-3-(2-methyloctan-2-yl) -6a, 7, 10, 10a-tetrahydrobenzo[c]chromen-1-ol);
3. 1-Pentyl-3-(1-naphthoyl)indole; or
4. Butyl-3-(1-naphthoyl)indole.

PERSON

A person, any form of corporation or business entity, partnership, wholesaler or retailer.

B. It shall be unlawful for any person within the City to distribute, deliver, sell, offer for sale, publicly display for sale or attempt to distribute, deliver or sell any illegal smoking product.

C. It shall be unlawful for any person to knowingly possess or have under his or her control any illegal smoking product.

D. Any person who violates the provisions of this Section shall be punished by a fine of not more than five hundred dollars ($500.00) or imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

CITY OF GRAIN VALLEY BOARD OF ALDERMEN AGENDA ITEM		
MEETING DATE	09/09/2019	
BILL NUMBER	B19-24	
AGENDA TITLE	**AN ORDINANCE AMENDING TITLE IV OF THE CODE OF ORDINANCES TO INCLUDE A NEW CHAPTER ADDRESSING MEDICAL MARIJUANA FACILITIES AND SECTION 400.240, CONDITIONAL USES, BE AMENDED TO INCLUDE A NEW SUBSECTION REGARDING MEDICAL MARIJUANA FACILITIES**	
REQUESTING DEPARTMENT	**COMMUNITY DEVELOPMENT DEPARTMENT**	
PRESENTER	Mark Trosen, Community Development Director	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	N/A
	Balance Available	N/A
	New Appropriation Required:	[ ] Yes [X] No
PURPOSE	To address zoning for medical marijuana facilities within the corporate boundaries of the City	
BACKGROUND	In November 2018 election, Missouri voters approved an amendment to the Missouri Constitution, Article XIV, Section 1, legalizing medical marijuana. At the August 12, 2019 meeting, the Board of Aldermen approved Ordinance 2472 to conform to the provisions of the Constitutional Amendment, as well as regulations enacted.	
SPECIAL NOTES	None	
ANALYSIS	Please see attached Staff Report.	
PUBLIC INFORMATION PROCESS	Public Notice was given on August 23, 2019 in The Examiner.	

BOARD OR COMMISSION RECOMMENDATION	The Planning & Zoning Commission held a public hearing on August 14, 2019 and approved Resolution No. 19-01 recommending these amendments to the Code of Ordinances.
DEPARTMENT RECOMMENDATION	Staff Recommends Approval.
REFERENCE DOCUMENTS ATTACHED	Ordinance, Staff Report, P&Z Not Approved Minutes, P&Z Commission Resolution 19-01, Map 750 Feet Radius

CITY OF GRAIN VALLEY **STATE OF MISSOURI**

BILL NO. *B19-24*

ORDINANCE NO. _____
SECOND READING _____
FIRST READING _____

AN ORDINANCE AMENDING TITLE IV OF THE CODE OF ORDINANCES BE AMENDED TO INCLUDE A NEW CHAPTER ADDRESSING MEDICAL MARIJUANA FACILTIES AND SECTION 400.240, CONDITIONAL USES, BE AMENDED TO INCLUDE A NEW SUBSECTION REGARDING MEDICAL MARIJUANA FACILITIES.

WHEREAS, on November 6, 2018, Missouri voters approved an amendment to the Missouri Constitution, providing for the right to access medical marijuana and allowing for the limited legal production, distribution, sale, and purchase of marijuana for medical use; and

WHEREAS, the Code of Ordinances of the City of Grain Valley, Missouri currently does not address zoning for medical marijuana facilities within the corporate boundaries of the City of Grain Valley, Missouri (the "City"); and

WHEREAS, the Planning & Zoning Commission held a public hearing on August 14, 2019 and adopted Resolution 19-01; and

WHEREAS, the Planning & Zoning Commission now desires to recommend to the Board of Aldermen of the City that Title IV of the Code of Ordinances of the City of Grain Valley be amended to include a new chapter addressing medical marijuana facilities within the corporate boundaries of the City and that Section 400.240, Conditional Uses, be amended to include a new subsection regarding medical marijuana facilities.

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Grain Valley, Missouri as follows:

SECTION 1. That Title IV of the Code of Ordinances of the City of Grain Valley be amended to include a new chapter, Chapter 425, to read as follows:

CHAPTER 425 – MEDICAL MARIJUANA FACILITIES

Section 425.010 – Definitions.

For the purpose of this Chapter, the following words shall have the meanings set forth below:

CHURCH means a permanent building primarily and regularly used as a place of religious worship.

DAYCARE means a child-care facility, as defined by Section 210.201, RSMo, that is licensed by the state of Missouri.

DEPARTMENT means the Department of Health and Senior Services, or its successor agency.

ELEMENTARY OR SECONDARY SCHOOL means any public school as defined in Section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than twelfth (12^{th}) grade, including any property owned by the public or private school that is regularly used for extracurricular activities, but does not include any private school in which education is primarily conducted in private homes.

ENCLOSED, LOCKED FACILITY means: (A) An indoor stationary closet, room, garage, greenhouse, or other comparable fully enclosed space equipped with locks or other functioning security devices that permit access to only the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana; or (B) An outdoor stationary structure: 1. That is enclosed on all sides, except at the base, by chain-link fencing, wooden slats, or a similar material that is anchored, attached, or affixed to the ground and that cannot be accessed from the top; 2. In which the plants are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure at any level; and 3. That is equipped with locks or other security devices that restrict access to only the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana.

IDENTIFICATION CARD means a document, whether in paper or electronic format, issued by the department that authorizes a qualifying patient, primary caregiver, or employee or contractor of the licensed facility to access medical marijuana as provided by law.

MARIJUANA *or* **MARIHUANA** means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one (0.3) percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

MARIJUANA-INFUSED PRODUCTS means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

MEDICAL MARIJUANA CULTIVATION FACILITY means a facility licensed by the department to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA DISPENSARY FACILITY means a facility licensed by the department to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY means a facility licensed by the department, to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA TESTING FACILITY means a facility certified by the department to acquire, test, certify, and transport marijuana.

MEDICAL MARIJUANA TRANSPORTATION FACILITY means a facility certified by the department to transport marijuana to a qualifying patient, a primary caregiver, a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a medical marijuana testing facility, or another medical marijuana transportation facility.
PRIMARY CAREGIVER means an individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under this section or in other written notification to the department.
QUALIFYING PATIENT means a Missouri resident diagnosed with at least one (1) qualifying medical condition.

Section 425.020 – Rules of Interpretation.

A. The distance limitations in this Chapter, when referring to distances between medical marijuana facilities and churches, daycares and elementary or secondary schools, shall be measured in accordance with 19 CSR 30-95.040(4).

    1. In the case of a freestanding facility, the distance between the facility and the school, daycare or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.

    2. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closed in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.

    3. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

B. The distance limitations in this Chapter, when referring to distances between a medical marijuana facility and a separate medical marijuana facility shall be measured in a straight line between the primary entrances of each medical marijuana facility.

Section 425.030 – No Additional Licenses.

A. Medical marijuana facilities shall be required to be properly licensed and/or certified by the Missouri Department of Health and Senior Services as required by 19 CSR 30-95. Each

medical marijuana facility in operation shall obtain a separate license, but multiple licenses may be utilized in a single location. All licenses shall be displayed at all times within twenty (20) feet of the main entrance to the medical marijuana facility.

B. Furthermore, medical marijuana facilities shall be required to have a city business license as require by Title V of the Code of Ordinances and a Conditional Use Permit as required by Section 400.240 of the Code of Ordinances and any other license required by the City that complies with 19 CSR 30-95. Certain activities performed in relation to such facilities may require permits from other agencies not related to the City.

Section 425.040. – Medical Marijuana Dispensary Siting Requirements.

A medical marijuana dispensary may be located as a conditional use in any Controlled Business District (CB), Central Business District (C-1), General Business District (C-2), Highway Commercial District (C-3) and the Downtown Overlay District, upon satisfactory compliance with the provisions of this section:

A. Medical marijuana dispensary conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana dispensary shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon showing that they have applied for this state license, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana dispensary shall not be located closer than five hundred (500) feet from any other medical marijuana dispensary or medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana dispensary shall be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. An applicant for a medical marijuana dispensary conditional use permit shall provide the following plans and documentation for city review and approval:

1. A site plan for a medical marijuana dispensary that shall include a floor plan showing where the various activities will be conducted. No medical marijuana products shall be visible from the exterior of the building.

2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.

3. A plan which reasonably shows that the medical marijuana dispensary is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana dispensary is located.

4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana dispensary can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the medical marijuana dispensary at any hour.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana dispensary in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana dispensary conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding the operation of a medical marijuana dispensary facility. A medical marijuana dispensary conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. If any change occurs from the permitted use of a structure as a medical marijuana dispensary, a new conditional use permit shall be required in all cases.

H. The state licensed operator of any medical marijuana dispensary shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Community Development Department annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana dispensary that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.050. – Medical Marijuana Cultivation Facility Siting Requirements.

A medical marijuana cultivation facility may be located as a conditional use in any Agricultural District (A), Light Industrial District (M-1), Heavy Industrial District (M-2), and Industrial Park District (I-P) upon satisfactory compliance with the provisions of this section:

A. Medical marijuana cultivation facility conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana cultivation facility shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon showing that they have applied for this state license, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana cultivation facility shall not be located closer than five hundred (500) feet from any other medical marijuana cultivation facility or medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana cultivation facility shall be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. An applicant for a medical marijuana cultivation facility conditional use permit shall provide the following plans and documentation for city review and approval:

    1. A site plan for a medical marijuana cultivation facility that shall include a floor plan showing where the various activities will be conducted.

    2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.

    3. A plan which reasonably shows that the medical marijuana cultivation facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana cultivation facility is located.

    4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana cultivation facility can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the medical marijuana cultivation facility at any hour.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana cultivation facility in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana cultivation facility conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding the operation of a medical marijuana cultivation facility. A medical marijuana cultivation facility conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. If any change occurs from the permitted use of a structure as a medical marijuana cultivation facility, a new conditional use permit shall be required in all cases.

H. The state licensed operator of any medical marijuana cultivation facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Planning & Zoning Commission annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana cultivation facility that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.060. - Medical Marijuana-Infused Products Manufacturing Facility Siting Requirements.

A medical marijuana-infused products manufacturing facility may be located as a conditional use in any Light Industrial District (M-1), Heavy Industrial District (M-2), and Industrial Park District (I-P) upon satisfactory compliance with the provisions of this section:

A. Medical marijuana-infused products manufacturing facility conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana-infused products manufacturing facility shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon

showing that they have applied for this state license, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana-infused products manufacturing facility shall not be located closer than five hundred (500) feet from any other medical marijuana-infused products manufacturing facility or medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana-infused products manufacturing facility shall be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. An applicant for a medical marijuana-infused products manufacturing facility conditional use permit shall provide the following plans and documentation for city review and approval:

1. A site plan for a medical marijuana-infused products manufacturing facility that shall include a floor plan showing where the various activities will be conducted.

2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.

3. A plan which reasonably shows that the medical marijuana-infused products manufacturing facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana-infused products manufacturing facility is located.

4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana-infused products manufacturing facility can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the medical marijuana-infused products manufacturing facility at any hour.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana-infused products manufacturing facility in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior

Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana-infused products manufacturing facility conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding the operation of a medical marijuana-infused products manufacturing facility. A medical marijuana-infused products manufacturing facility conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. If any change occurs from the permitted use of a structure as a medical marijuana-infused products manufacturing facility, a new conditional use permit shall be required in all cases.

H. The state licensed operator of any medical marijuana-infused products manufacturing facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Planning & Zoning Commission annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana-infused products manufacturing facility that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.070. - Medical Marijuana Testing Facility and Medical Marijuana Transportation Facility Siting Requirements.

A medical marijuana testing facility or a medical marijuana transportation facility may be located as a conditional use in any Research Park District (R-P), Light Industrial District (M-1), Heavy Industrial District (M-2), and Industrial Park District (I-P) upon satisfactory compliance with the provisions of this section:

A. Medical marijuana testing facility or medical marijuana transportation facility conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana testing facility or a medical marijuana transportation facility shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon showing that they have applied for a state license for each medical marijuana facility type applied for, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana testing facility or a medical marijuana transportation facility shall not be located closer than five hundred (500) feet from any other medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana testing facility or medical marijuana transportation facility may be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. The applicant for a medical marijuana testing facility or a medical marijuana transportation facility conditional use permit shall provide the following plans and documentation for city review and approval:

1. A site plan for the operation that shall include a floor plan showing where the various activities will be conducted.

2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction related to a medical marijuana facility.

3. A plan which reasonably shows that the medical marijuana facility is capable, when functioning properly, or preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana facility is located.

4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana facility can be kept secure from access by unauthorized persons both during and after normal operating hours.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana facility in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana testing facility or medical marijuana transportation facility conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city

ordinances and state law regarding the operation of a medical marijuana testing facility or medical marijuana transportation facility. A medical marijuana testing facility or medical marijuana transportation facility conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. The state licensed operator of any medical marijuana testing facility or medical marijuana transportation facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Planning & Zoning Commission annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana testing facility or medical marijuana transportation facility that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.080. – Residential Medical Marijuana Cultivation.

A. Should a qualifying patient or primary caregiver decide to cultivate medical marijuana at their residence, the qualifying patient or primary caregiver shall do so in accordance with the provisions of 19 CSR 30-95, the provisions of this section, and all other relevant sections of the Code of Ordinances.

B. All residential medical marijuana cultivation by a qualifying patient or primary caregiver shall take place within an enclosed, locked facility in accordance with 19 CSR 30-95.030.

C. All residential medical marijuana cultivation by a qualifying patient or primary caregiver shall be done in such a way as to prevent odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot upon which the medical marijuana plants are located. If a qualifying patient or primary caregiver is cultivating in a multiple-tenant building, the qualifying patient or primary caregiver shall not permit odor of marijuana which is capable of being detected by a person of ordinary senses outside of the tenant space the qualifying patient or primary caregiver occupies.

SECTION 2. That the Planning & Zoning Commission of the City of Grain Valley, Missouri, hereby recommends that Section 400.240(A)(1) of the Code of Ordinances of the City of Grain Valley be amended to include a new subsection to read as follows:

Chapter 400. Zoning Regulations

Section 400.240
(A)(1) Specified uses.
ak. Medical marijuana facilities. *See Chapter 425.*

SECTION 3. That this Resolution shall be in full force and effect immediately upon its execution by the Planning & Zoning Commission of the City of Grain Valley, Missouri.

Read two times and PASSED by the Board of Aldermen this ___day of_____, *2019*, the aye and nay votes being recorded as follows:

ALDERMAN BASS	_____	ALDERMAN CLEAVER	_____
ALDERMAN HEADLEY	_____	ALDERMAN STRATTON	_____
ALDERMAN TOTTON	_____	ALDERMAN WEST	_____

Mayor _____ (in the event of a tie only)

Approved as to form:

_____ _____

Lauber Municipal Law Mike Todd
City Attorney Mayor

ATTEST:

_____

Jamie Logan
City Clerk

BOA Staff Report

August 27, 2019

ACTION:

An Ordinance recommending that Title IV of the Code of Ordinances be amended to include a new chapter addressing medical marijuana facilities and amending Section 400.240, Conditional Uses.

PURPOSE:

To address zoning for medical marijuana facilities within the corporate boundaries of the City of Grain Valley.

BACKGROUND:

In November 2018 election, Missouri voters approved an amendment to the Missouri Constitution, Article XIV, Section 1, legalizing medical marijuana. At the August 12, 2019 meeting, the Board of Aldermen adopted Ordinance 2472 in order to conform to the provisions of Article XIV, Section 1 of the Missouri Constitution, as well as all regulations enacted pursuant to Article XIV, Section 1.

The State Constitutional Amendment states that "local governments may enact ordinances or regulations not in conflict with this section, or with regulations enacted pursuant to this section governing the time, place and manner of operation of such facilities.

When considering zoning regulations for medical marijuana facilities, it is important to remember that just as cities may not prohibit medical marijuana facilities, they may not enact ordinances or regulations that have the effect of prohibiting medical marijuana facilities.

The City desires to protect the public health and safety by establishing reasonable regulations on medical marijuana related businesses regarding noise, air quality, neighborhood safety, security, and time, place and manner restrictions on medical marijuana facility operations.

SPECIAL CONDITIONS:

n/a

ANALYSIS:

The Ordinance for consideration promulgates allowing medical marijuana facilities in certain zoning districts by conditional use permit.

There are five types of medical marijuana facilities defined by the State Constitution or regulations; Dispensary, Cultivation, Infused Products Manufacturing, Testing and Transportation.

A Dispensary Facility, as a conditional use, may be located in Districts CB (Controlled Business), C-1 (Central Business), C-2 (General Business), C-3 (Highway Commercial) and the Downtown Overlay District.

A Cultivation Facility, as a conditional use, may be located in Districts A (Agricultural), M-1 (Light Industrial), M-2 (Heavy Industrial), and I-P (Industrial Park).

A medical marijuana-infused products manufacturing facility, as a conditional use, may be located in Districts M-1 (Light Industrial), M-2 (Heavy Industrial), and I-P (Industrial Park).

A testing facility or a transportation facility, as a conditional use, may be located in Districts R-P (Research Park), M-1 (Light Industrial), M-2 (Heavy Industrial) and I-P (Industrial Park).

With all conditional use permit applications for a medical marijuana facility, the applicant will need to provide:

1) Site Plan
2) Compliance with all city-adopted building codes
3) Odor Plan
4) Security Plan
5) Waste Disposal Plan
6) Signage Plan

No medical marijuana facility shall be located closer than 750 feet of any then-existing elementary or secondary school, daycare, or church. The resolution defines how the distance is determined between the facility and any then-existing elementary or secondary school, daycare, or church. Measurements are made along the shortest path between the demarcation points that can be lawfully traveled by foot. The measurement requirement is from the state regulations.

Also, a medical marijuana facility can not be located closer than 500 feet from any other medical marijuana facility, except when the facilities share common ownership.

The hours of operation for a dispensary facility is regulated in the City's general ordinance. Dispensary facilities shall not be open to the public or make any sales between the hours of 8:00 p.m. and 8:00 a.m.

The Ordinance also acknowledges the state regulations pertaining to residential medical marijuana cultivation.

PUBLIC INFORMATION AND PROCESS:

Public notice was given in the Examiner.

STAFF RECOMMENDATION:

Staff recommends approval.

ITEM I: CALL TO ORDER

- The Planning & Zoning Commission of the City of Grain Valley, Missouri, met in Regular Session on August 14th, 2019 in the Council Chambers of the Grain Valley City Hall.
- The meeting was called to order at 6:35 by Debbie Saffell.

ITEM II: ROLL CALL

- *Present: Kevin Browning*
- *Present: Bob Dimmitt*
- *Absent: Elijah Greene*
- *Present: Debbie Saffell*
- *Present: Craig Shelton*
- *Present: Justin Tyson*
- *Absent: Scott Shafer*
- *Present: Bob Headley (BOA Liaison)*
- ***There was a quorum***

ITEM III: PLEDGE OF ALLEGIANCE

ITEM IV: APRROVAL OF MINUTES

- Kevin Browning motioned to approve the minutes from the June 12, 2019 regular meeting; the motion was seconded by Justin Tyson; Commission approved the minutes by vote 5-0.

ITEM V: CITIZEN PARTICIPATION

- None

ITEM VI: PUBLIC HEARING

- Resolution of the Planning & Zoning Commission recommending to the Board of Aldermen that Title IV of the Code of Ordinances be amended to include a new chapter addressing medical marijuana facilities and amending Section 400.240, Conditional Uses to include a new subsection regarding medical marijuana facilities.
    - Staff gave an overview of the proposed resolution. Staff reported that at the August 12, 2019 meeting, the Board of Aldermen approved Ordinance 2472 to adopt the provisions of the Missouri Constitution that legalized medical marijuana. The

NOT APPROVED

resolution promulgates allowing medical marijuana facilities in certain zoning districts by conditional use permit. Public notice was given in the Examiner. Staff recommends that the Planning & Zoning Commission approves the resolution.

- Chair Saffell asked in regard to the distance requirement from a school, does the school district own any land where there currently is no building. Trosen responded to his knowledge, the property on Pink Hill Road would accommodate future buildings for the school district. Hartner commented that if the school district does own property, that does not include a building, then the property would have to be used for extracurricular activities for the distance requirement to be enforceable.
- There was discussion regarding the 750 foot setback as recommended in the resolution instead of the state regulations which allows 1,000 feet. Staff proposed the 750 foot requirement because an analysis was conducted looking at the 1,000 foot distance and concluded there were very few areas that medical marijuana facilities could be located and staff wanted to ensure that there was no appearance the city was prohibiting medical marijuana facilities because of the distance requirement.
- There was discussion regarding the Ordinance that was adopted by the Board of Aldermen on August 12, 2019.
- Commissioner Shelton asked about the ownership of a facility and if there were provisions pertaining to the percentage of ownership. Hartner responded to the question.
- Commissioner Tyson asked what the distance requirement between a business with a liquor license and a church, school and daycare is. Staff did not know at time, but for these minutes, no license shall be granted for the sale of alcoholic beverages within 300 feet of any school, church or other building used as a place of worship, unless the applicant for license obtains consent.
- Commissioner Tyson asked if a certain area of town can be established as a district to contain these facilities. Staff responded no. Staff explained that based on the type of facility, the appropriate zoning district was determined but as a conditional use.
- Commissioner Browning asked about the security requirements for these facilities. Trosen responded and referred to the sections of the resolution that would require the applicant to provide a security plan that is reviewed by the Police Department for compliance with the state regulations.
- Chair Saffell asked if we can require the facilities to have a fire sprinkler system. Trosen responded that they would need to comply with building codes and codes based on the type of facility would require the facility to have a sprinkler system.

NOT APPROVED

Hartner added that the state regulations would also require code compliance. Hartner further stated that we are working from emergency rules established by state and they may change, and the city may need to adjust later.

- Commissioner Tyson asked how this resolution compared to other cities that have passed similar regulations. Hartner commented that these regulations are very comparable to other cities with the additional assurance of requiring the conditional use permit.
- Chair Saffell asked if a facility loses their state license then what happens to the conditional use permit. Hartner stated that if there is a provision in the resolution that if the applicant loses their state license then the conditional use permit will terminate immediately. Follow-up discussion regarding multiple owners and a license and how that works. Hartner stated the license pertains to the facility.
- Alderman Handley asked if the license can be transferred to another person. The resolution includes language that the conditional use permit shall be personal to the applicant and shall not be transferable and shall not run with the land.
- Commissioner Dimmitt asked about the enclosed, locked facility for qualifying patient cultivation. Hartner responded that the cultivation activity cannot be visible from adjacent property.
- Commissioner Tyson asked about the signage for a manufacturing facility and will there be a big green marijuana symbol on top of a facility. Trosen stated that the ordinance adopted by the Board restricts and provides controls regarding the signage and what can be displayed. The city regulations mirror the state regulations in this area. Hartner states by having these regulations in the city ordinance enables local enforcement.
- Chair Saffell asked if the person in the audience had a question. The gentlemen did not identify himself for the record but asked if there was a map that showed the districts and distance requirement in regard to a school, church or daycare. Trosen passed out a map and emphasized that because the distance requirement pertains to the shortest walking distance this map may not be completely accurate but would give you a good overview.
- Commissioner Tyson asked if we are counting churches that may be in a strip mall or in a building with other businesses. Hartner responded that the state regulations and also in the resolution a church is defined as a permanent building primarily and regularly used as a place of religious worship. There is also section in the resolution that defines the measurement from a church in a strip mall or contained in a building

NOT APPROVED

with other uses.

- Commissioner Dimmitt made a motion to close the public hearing. Commissioner Tyson second the motion. Commission passed motion by a vote of 5 to 0.

ITEM VII: ACTION ITEMS

- Resolution of the Planning & Zoning Commission recommending to the Board of Aldermen that Title IV of the Code of Ordinances be amended to include a new chapter addressing medical marijuana facilities and amending Section 400.240, Conditional Uses be amended to include a new subsection regarding medical marijuana facilities.
    - Commissioner Shelton motioned to approve the resolution by title; the motion was seconded by Commissioner Tyson. Commission approved 4-1. Polled as; Browning – yes, Shelton – yes, Saffell – yes, Tyson – yes, Dimmitt– no.

ITEM VIII: PREVIOUS BUSINESS

- None.

ITEM IX: NEW BUSINESS

- Chair Saffell amended agenda and asked for the election of a Vice Chair. Commissioner Shelton agreed to serve as Vice Chair and nominated himself. Nominations ceased and Commission elected Shelton as Vice Chair.

ITEM X: ADJOURNMENT

- There being no further business, Commissioner Tyson motioned to adjourn the August 14, 2019 Planning Commission Meeting; seconded by Commissioner Dimmitt; Commission approved 5-0.

-The Regular Meeting Adjourned at 7:55 PM-

NOT APPROVED

Commissioners Present	Commissioners Absent	Staff Officials Present
Debbie Saffell	Elijah Greene	Mark Trosen – CD Director
Kevin Browning	Scott Shafer	Julian Hartner, City Attorney
Craig Shelton		
Bob Dimmitt		
Justin Tyson		
Bob Headley		

RESOLUTION NO.: 19-01

A RESOLUTION OF THE PLANNING & ZONING COMMISSION OF THE CITY OF GRAIN VALLEY, MISSOURI, RECOMMENDING TO THE BOARD OF ALDERMEN THAT TITLE IV OF THE CODE OF ORDINANCES BE AMENDED TO INCLUDE A NEW CHAPTER ADDRESSING MEDICAL MARIJUANA FACILTIES AND SECTION 400.240, CONDITIONAL USES, BE AMENDED TO INCLUDE A NEW SUBSECTION REGARDING MEDICAL MARIJUANA FACILITIES.

WHEREAS, on November 6, 2018, Missouri voters approved an amendment to the Missouri Constitution, providing for the right to access medical marijuana and allowing for the limited legal production, distribution, sale, and purchase of marijuana for medical use; and

WHEREAS, the Code of Ordinances of the City of Grain Valley, Missouri currently does not address zoning for medical marijuana facilities within the corporate boundaries of the City of Grain Valley, Missouri (the "City"); and

WHEREAS, the Planning & Zoning Commission now desires to recommend to the Board of Aldermen of the City that Title IV of the Code of Ordinances of the City of Grain Valley be amended to include a new chapter addressing medical marijuana facilities within the corporate boundaries of the City and that Section 400.240, Conditional Uses, be amended to include a new subsection regarding medical marijuana facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF GRAIN VALLEY, MISSOURI, AS FOLLOWS, TO WIT:

SECTION 1. That the Planning & Zoning Commission of the City of Grain Valley, Missouri, hereby recommends that Title IV of the Code of Ordinances of the City of Grain Valley be amended to include a new chapter, Chapter 425, to read as follows:

CHAPTER 425 – MEDICAL MARIJUANA FACILITIES

Section 425.010 – Definitions.

For the purpose of this Chapter, the following words shall have the meanings set forth below:

CHURCH means a permanent building primarily and regularly used as a place of religious worship.

DAYCARE means a child-care facility, as defined by Section 210.201, RSMo, that is licensed by the state of Missouri.

DEPARTMENT means the Department of Health and Senior Services, or its successor agency.

ELEMENTARY OR SECONDARY SCHOOL means any public school as defined in Section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than twelfth (12^{th}) grade, including any property owned by the public or private school that is regularly

used for extracurricular activities, but does not include any private school in which education is primarily conducted in private homes.

ENCLOSED, LOCKED FACILITY means: (A) An indoor stationary closet, room, garage, greenhouse, or other comparable fully enclosed space equipped with locks or other functioning security devices that permit access to only the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana; or (B) An outdoor stationary structure: 1. That is enclosed on all sides, except at the base, by chain-link fencing, wooden slats, or a similar material that is anchored, attached, or affixed to the ground and that cannot be accessed from the top; 2. In which the plants are not visible to the unaided eye from an adjacent property when viewed by an individual at ground level or from a permanent structure at any level; and 3. That is equipped with locks or other security devices that restrict access to only the qualifying patient(s) or primary caregiver(s) who have informed the department that this is the space where they will cultivate marijuana.

IDENTIFICATION CARD means a document, whether in paper or electronic format, issued by the department that authorizes a qualifying patient, primary caregiver, or employee or contractor of the licensed facility to access medical marijuana as provided by law.

MARIJUANA *or* **MARIHUANA** means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one (0.3) percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

MARIJUANA-INFUSED PRODUCTS means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

MEDICAL MARIJUANA CULTIVATION FACILITY means a facility licensed by the department to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA DISPENSARY FACILITY means a facility licensed by the department to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY means a facility licensed by the department, to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA TESTING FACILITY means a facility certified by the department to acquire, test, certify, and transport marijuana.

MEDICAL MARIJUANA TRANSPORTATION FACILITY means a facility certified by the department to transport marijuana to a qualifying patient, a primary caregiver, a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a medical marijuana testing facility, or another medical marijuana transportation facility.

PRIMARY CAREGIVER means an individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under this section or in other written notification to the department.

QUALIFYING PATIENT means a Missouri resident diagnosed with at least one (1) qualifying medical condition.

Section 425.020 – Rules of Interpretation.

A. The distance limitations in this Chapter, when referring to distances between medical marijuana facilities and churches, daycares and elementary or secondary schools, shall be measured in accordance with 19 CSR 30-95.040(4).

1. In the case of a freestanding facility, the distance between the facility and the school, daycare or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.

2. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closed in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.

3. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.

B. The distance limitations in this Chapter, when referring to distances between a medical marijuana facility and a separate medical marijuana facility shall be measured in a straight line between the primary entrances of each medical marijuana facility.

Section 425.030 – No Additional Licenses.

A. Medical marijuana facilities shall be required to be properly licensed and/or certified by the Missouri Department of Health and Senior Services as required by 19 CSR 30-95. Each medical marijuana facility in operation shall obtain a separate license, but multiple licenses may be utilized in a single location. All licenses shall be displayed at all times within twenty (20) feet of the main entrance to the medical marijuana facility.

B. Furthermore, medical marijuana facilities shall be required to have a city business license as require by Title V of the Code of Ordinances and a Conditional Use Permit as required by Section 400.240 of the Code of Ordinances and any other license required by the City that complies with 19 CSR 30-95. Certain activities performed in relation to such facilities may require permits from other agencies not related to the City.

Section 425.040. – Medical Marijuana Dispensary Siting Requirements.

A medical marijuana dispensary may be located as a conditional use in any Controlled Business District (CB), Central Business District (C-1), General Business District (C-2), Highway Commercial District (C-3) and the Downtown Overlay District, upon satisfactory compliance with the provisions of this section:

A. Medical marijuana dispensary conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana dispensary shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon showing that they have applied for this state license, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana dispensary shall not be located closer than five hundred (500) feet from any other medical marijuana dispensary or medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana dispensary shall be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. An applicant for a medical marijuana dispensary conditional use permit shall provide the following plans and documentation for city review and approval:

1. A site plan for a medical marijuana dispensary that shall include a floor plan showing where the various activities will be conducted. No medical marijuana products shall be visible from the exterior of the building.

2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.

3. A plan which reasonably shows that the medical marijuana dispensary is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana dispensary is located.

4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana dispensary can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the medical marijuana dispensary at any hour.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana dispensary in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana dispensary conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding the operation of a medical marijuana dispensary facility. A medical marijuana dispensary conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. If any change occurs from the permitted use of a structure as a medical marijuana dispensary, a new conditional use permit shall be required in all cases.

H. The state licensed operator of any medical marijuana dispensary shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the

Community Development Department annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana dispensary that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.050. – Medical Marijuana Cultivation Facility Siting Requirements.

A medical marijuana cultivation facility may be located as a conditional use in any Agricultural District (A), Light Industrial District (M-1), Heavy Industrial District (M-2), and Industrial Park District (I-P) upon satisfactory compliance with the provisions of this section:

A. Medical marijuana cultivation facility conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana cultivation facility shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon showing that they have applied for this state license, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana cultivation facility shall not be located closer than five hundred (500) feet from any other medical marijuana cultivation facility or medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana cultivation facility shall be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. An applicant for a medical marijuana cultivation facility conditional use permit shall provide the following plans and documentation for city review and approval:

    1. A site plan for a medical marijuana cultivation facility that shall include a floor plan showing where the various activities will be conducted.

    2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.

    3. A plan which reasonably shows that the medical marijuana cultivation facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana cultivation facility is located.

4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana cultivation facility can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the medical marijuana cultivation facility at any hour.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana cultivation facility in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana cultivation facility conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding the operation of a medical marijuana cultivation facility. A medical marijuana cultivation facility conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. If any change occurs from the permitted use of a structure as a medical marijuana cultivation facility, a new conditional use permit shall be required in all cases.

H. The state licensed operator of any medical marijuana cultivation facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Planning & Zoning Commission annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana cultivation facility that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.060. - Medical Marijuana-Infused Products Manufacturing Facility Siting Requirements.

A medical marijuana-infused products manufacturing facility may be located as a conditional use in any Light Industrial District (M-1), Heavy Industrial District (M-2), and Industrial Park District (I-P) upon satisfactory compliance with the provisions of this section:

A. Medical marijuana-infused products manufacturing facility conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana-infused products manufacturing facility shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon showing that they have applied for this state license, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana-infused products manufacturing facility shall not be located closer than five hundred (500) feet from any other medical marijuana-infused products manufacturing facility or medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana-infused products manufacturing facility shall be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. An applicant for a medical marijuana-infused products manufacturing facility conditional use permit shall provide the following plans and documentation for city review and approval:

1. A site plan for a medical marijuana-infused products manufacturing facility that shall include a floor plan showing where the various activities will be conducted.

2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction.

3. A plan which reasonably shows that the medical marijuana-infused products manufacturing facility is capable, when functioning properly, of preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana-infused products manufacturing facility is located.

4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana-infused products manufacturing facility can be kept secure from access by unauthorized persons both during and after normal operating hours and provides adequate overnight security for product trucks parked outside the medical marijuana-infused products manufacturing facility at any hour.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana-infused

products manufacturing facility in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana-infused products manufacturing facility conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding the operation of a medical marijuana-infused products manufacturing facility. A medical marijuana-infused products manufacturing facility conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. If any change occurs from the permitted use of a structure as a medical marijuana-infused products manufacturing facility, a new conditional use permit shall be required in all cases.

H. The state licensed operator of any medical marijuana-infused products manufacturing facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Planning & Zoning Commission annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana-infused products manufacturing facility that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.070. - Medical Marijuana Testing Facility and Medical Marijuana Transportation Facility Siting Requirements.

A medical marijuana testing facility or a medical marijuana transportation facility may be located as a conditional use in any Research Park District (R-P), Light Industrial District (M-1), Heavy Industrial District (M-2), and Industrial Park District (I-P) upon satisfactory compliance with the provisions of this section:

A. Medical marijuana testing facility or medical marijuana transportation facility conditional use permit applicants shall comply with all provisions of Section 400.240 of the Code of Ordinances regarding conditional use permit applications, including, but not limited to the requirements of this section.

B. A medical marijuana testing facility or a medical marijuana transportation facility shall have the appropriate state license pursuant to 19 CSR 30-95. An applicant may apply for a conditional use permit upon showing that they have applied for a state license for each medical marijuana facility type applied for, but the conditional use permit shall not be issued until such license has been obtained from the Missouri Department of Health and Senior Services.

C. A medical marijuana testing facility or a medical marijuana transportation facility shall not be located closer than five hundred (500) feet from any other medical marijuana facility, except when the facilities share common ownership.

D. No medical marijuana testing facility or medical marijuana transportation facility may be located within seven hundred and fifty (750) feet of any then-existing elementary or secondary school, daycare, or church.

E. The applicant for a medical marijuana testing facility or a medical marijuana transportation facility conditional use permit shall provide the following plans and documentation for city review and approval:

1. A site plan for the operation that shall include a floor plan showing where the various activities will be conducted.

2. All city-adopted building, fire, mechanical, plumbing, and electrical codes shall be complied with when submitting building plans for remodel or new construction related to a medical marijuana facility.

3. A plan which reasonably shows that the medical marijuana facility is capable, when functioning properly, or preventing odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot on which the medical marijuana facility is located.

4. A security plan for review and approval by the Grain Valley Police Department, which reasonably shows that the medical marijuana facility can be kept secure from access by unauthorized persons both during and after normal operating hours.

5. A waste disposal plan for any unused product, medical marijuana byproduct, or hazardous materials used as part of normal operations by a medical marijuana facility in accordance with Missouri Department of Health and Senior Services guidelines.

6. All signage shall conform to the standards of Section 400.300 and Section 800.030(E) of the Code of Ordinances as well as the Missouri Department of Health and Senior Services guidelines. Signage shall be reviewed and approved under a separate permit process.

F. If an application for a medical marijuana testing facility or medical marijuana transportation facility conditional use permit is approved, such conditional use permit shall be personal to the applicant at the approved site and shall not run with the land. In addition, the conditional use permit shall be subject to the applicant's continued compliance with all applicable city ordinances and state law regarding the operation of a medical marijuana testing facility or medical marijuana transportation facility. A medical marijuana testing facility or medical marijuana transportation facility conditional use permit shall be personal to the applicant and shall not be transferable. In the event the applicant's state-issued license expires, terminates, or is revoked for any reason, their conditional use permit shall terminate immediately without any additional notice or action.

G. The state licensed operator of any medical marijuana testing facility or medical marijuana transportation facility shall provide a copy of their state license, issued by the Missouri Department of Health and Senior Services, to the Planning & Zoning Commission annually to confirm their continuing licensed status with the State of Missouri. In the case of a medical marijuana testing facility or medical marijuana transportation facility that was granted a conditional use permit by the City, the state licensed operator and the applicant to whom the conditional use permit was issued shall be the same. The City may request such documentation at any time.

Section 425.080. – Residential Medical Marijuana Cultivation.

A. Should a qualifying patient or primary caregiver decide to cultivate medical marijuana at their residence, the qualifying patient or primary caregiver shall do so in accordance with the provisions of 19 CSR 30-95, the provisions of this section, and all other relevant sections of the Code of Ordinances.

B. All residential medical marijuana cultivation by a qualifying patient or primary caregiver shall take place within an enclosed, locked facility in accordance with 19 CSR 30-95.030.

C. All residential medical marijuana cultivation by a qualifying patient or primary caregiver shall be done in such a way as to prevent odors of marijuana from being detected by a person of ordinary sense of smell beyond the boundary of the lot upon which the medical marijuana plants are located. If a qualifying patient or primary caregiver is cultivating in a multiple-tenant building, the qualifying patient or primary caregiver shall not permit odor of marijuana which is capable of being detected by a person of ordinary senses outside of the tenant space the qualifying patient or primary caregiver occupies.

SECTION 2. That the Planning & Zoning Commission of the City of Grain Valley, Missouri, hereby recommends that Section 400.240(A)(1) of the Code of Ordinances of the City of Grain Valley be amended to include a new subsection to read as follows:

Chapter 400. Zoning Regulations

Section 400.240

(A)(1) Specified uses.

ak. Medical marijuana facilities. *See Chapter 425.*

SECTION 3. That this Resolution shall be in full force and effect immediately upon its execution by the Planning & Zoning Commission of the City of Grain Valley, Missouri.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF GRAIN VALLEY, MISSOURI, THIS 14 DAY OF August, 2019.

Debbie Soffell
Chairman

ATTEST:

Jamie Logan
City Clerk

GRAIN VALLEY MISSOURI
SEAL
CORPORATE SEAL

Grain Valley 750' buffers for Cannabis

- Church
- Schools
- Daycare

N

Zoning

- Agricultural
- C B
- C1
- C2
- C3
- DowntownTransitionZone
- M1
- MainStreetDowntownZone
- Monkey Mountain
- Park
- R1
- R2
- R3

INTENTIONALLY LEFT BLANK

CITY OF GRAIN VALLEY BOARD OF ALDERMEN AGENDA ITEM		
MEETING DATE	09/9/2019	
BILL NUMBER	B19-25	
AGENDA TITLE	**AN ORDINANCE TO ESTABLISH THE CITY OF GRAIN VALLEY, MISSOURI'S ANNUAL TAX LEVIES FOR THE 2019 CALENDAR YEAR FOR GENERAL MUNICIPAL GOVERNMENT OPERATIONS; THE RETIREMENT OF GENERAL OBLIGATION DEBT; PARK MAINTENANCE; AND PUBLIC HEALTH PURPOSES**	
REQUESTING DEPARTMENT	Administration & Finance	
PRESENTER	Ryan Hunt/Steven Craig	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	N/A
	Balance Available:	
	New Appropriation Required:	[ ] Yes [X] No
PURPOSE	To meet the required timelines for establishing the tax rate within Jackson County, Missouri. The tax generated provides revenue for operating the city and making the debt service payments.	
BACKGROUND	N/A	
SPECIAL NOTES	N/A	
ANALYSIS	N/A	
PUBLIC INFORMATION PROCESS	Public Hearing September 9, 2019	
BOARD OR COMMISSION RECOMMENDATION	N/A	
DEPARTMENT RECOMMENDATION	Staff Recommends Approval	
REFERENCE DOCUMENTS ATTACHED	Ordinance	

CITY OF GRAIN VALLEY **STATE OF MISSOURI**

BILL NO. *B19-25*

ORDINANCE NO. _____
SECOND READING _____
FIRST READING _____

AN ORDINANCE TO ESTABLISH THE CITY OF GRAIN VALLEY, MISSOURI'S ANNUAL TAX LEVIES FOR THE 2019 CALENDAR YEAR FOR GENERAL MUNICIPAL GOVERNMENT OPERATIONS; THE RETIREMENT OF GENERAL OBLIGATION DEBT; PARK MAINTENANCE; AND PUBLIC HEALTH PURPOSES

WHEREAS, the Board of Aldermen, City of Grain Valley, Missouri are required by statute to adopt an annual budget and establish a tax rate sufficient to meet the planned expenditures for the upcoming fiscal year; and

WHEREAS, the Board conducted a public hearing on September 9, 2019, to solicit and listen to public input for the City tax levies for the upcoming year.

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City of Grain Valley, Missouri as follows:

SECTION 1: The City of Grain Valley's annual tax levies for 2019 shall be levied on each one hundred dollars ($100) assessed valuation of all taxable real estate, personal property, including individual and business personal property, and all locally assessed railroad and other utility real estate and personal property in the City of Grain Valley, Missouri at the following rates:

A. General Municipal Government Operations - $ 0.4923 for general municipal government operations to be deposited in General Fund.

B. Retirement of General Obligation Debt - $.9551 for the retirement of general obligation debt, including the payment of principal and interest, to be deposited in the Debt Service Fund.

C. Park Fund - $0.1087 for park maintenance to be deposited in the Park Fund.

D. Public Health - $0.0433 for public health purposes to be deposited in the Public Health Fund.

Total City Levy - $1.5994

Read two times and PASSED by the Board of Aldermen this _____ day of _____, *2019*, the aye and nay votes being recorded as follows:

ALDERMAN CLEAVER	_____	ALDERMAN BASS	_____
ALDERMAN HEADLEY	_____	ALDERMAN STRATTON	_____
ALDERMAN TOTTON	_____	ALDERMAN WEST	_____

Mayor _____ (in the event of a tie only)

Approved as to form:

_____
Lauber Municipal Law
City Attorney

_____
Mike Todd
Mayor

ATTEST:

_____
Jamie Logan
City Clerk

INTENTIONALLY LEFT BLANK

CITY OF GRAIN VALLEY BOARD OF ALDERMEN AGENDA ITEM		
MEETING DATE	09/09/2019	
BILL NUMBER	B19-26	
AGENDA TITLE	**AN ORDINANCE AUTHORIZING THE ESCROW OF FUNDS SUFFICIENT TO PAY A PORTION OF THE OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF GRAIN VALLEY, MISSOURI, AND AUTHORIZING CERTAIN DOCUMENTS AND OTHER ACTIONS**	
REQUESTING DEPARTMENT	Administration & Finance	
PRESENTER	Ryan Hunt/Steven Craig	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	N/A
	Balance Available:	
	New Appropriation Required:	[ ] Yes [X] No
PURPOSE	To approve an ordinance escrowing funds for payment of the Series 2011 General Obligation Bonds maturing between March 1, 2029 to March 1, 2031.	
BACKGROUND	Representatives from Baker Tilly discussed the issue at the 8/12/19 Board of Aldermen meeting and presented two scenarios at the 8/26/19 meeting.	
SPECIAL NOTES	Tom Kaleko from Baker Tilly will be at the 9/9/19 meeting to present the ordinance.	
ANALYSIS	N/A	
PUBLIC INFORMATION PROCESS	N/A	
BOARD OR COMMISSION RECOMMENDATION	N/A	
DEPARTMENT RECOMMENDATION	Staff Recommends Approval	

REFERENCE DOCUMENTS ATTACHED	Ordinance and Escrow Agreement

CITY OF GRAIN VALLEY **STATE OF MISSOURI**

BILL NO. *B19-26*

ORDINANCE NO. _____
SECOND READING _____
FIRST READING _____

AN ORDINANCE AUTHORIZING THE ESCROW OF FUNDS SUFFICIENT TO PAY A PORTION OF THE OUTSTANDING GENERAL OBLIGATION BONDS, SERIES 2011, OF THE CITY OF GRAIN VALLEY, MISSOURI, AND AUTHORIZING CERTAIN DOCUMENTS AND OTHER ACTIONS

WHEREAS, the City of Grain Valley, Missouri (the "City"), has heretofore issued and now has outstanding its General Obligation Bonds, Series 2011 (the "Series 2011 Bonds"), as authorized by an Ordinance of the City passed on October 24, 2011 (the "Series 2011 Ordinance"); and

WHEREAS, it is hereby found and determined that it is necessary and advisable and in the best interest of the City and of its inhabitants at this time to escrow funds in an amount sufficient to provide for the defeasance and payment of approximately $263,425 accreted value of the Series 2011 Bonds maturing March 1, 2029, approximately $503,495 accreted value of the Series 2011 Bonds maturing March 1, 2030 and approximately $477,595 accreted value of the Series 2011 Bonds maturing March 1, 2031 (the "Defeased Bonds") including any interest accrued or accreted thereon;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the City Of Grain Valley, Missouri, as follows:

Section 1. There is hereby authorized and directed to be prepared and executed an Escrow Trust Agreement (the "Escrow Agreement") between the City and UMB Bank, N.A., as Escrow Agent, in substantially the form on file with the City. The Mayor and City Clerk are hereby authorized and directed to execute the Escrow Agreement for and on behalf of and as the act and deed of the City. The Escrow Agent is hereby authorized to carry out, on behalf of the City, the duties, terms and provisions of the Escrow Agreement, and the Escrow Agent, Baker Tilly Municipal Advisors, LLC (the "Financial Advisor") and Gilmore & Bell, P.C. (the "Bond Counsel") are authorized to take all necessary actions for the subscription and purchase of escrowed securities as described therein, including the subscription for United States Treasury Securities State and Local Government Series.

Section 2. The City desires to deposit funds in escrow to defease and redeem approximately $1,935,000 maturity amount of the Defeased Bonds. In accordance with the requirements of the Series 2011 Ordinance, the officers of the City are hereby directed to cause notice of the payment of such Defeased Bonds to be given in the manner provided in the Series 2011 Ordinance. The Defeased Bonds shall be called for redemption prior to maturity on March 1, 2021. The officers of the City and the Paying Agent for the Series 2011 Bonds are hereby authorized and directed to take such other action as may be necessary in order to effect the defeasance and redemption of such Defeased Bonds.

Section 3. The officers of the City, including the Mayor, the City Administrator, the Finance Director and the City Clerk, shall be, and they hereby are, authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance.

Section 4. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

Read two times and PASSED by the Board of Aldermen this _____ day of t, *2019*, the aye and nay votes being recorded as follows:

ALDERMAN BASS	_____	ALDERMAN CLEAVER	_____
ALDERMAN HEADLEY	_____	ALDERMAN STRATTON	_____
ALDERMAN TOTTON	_____	ALDERMAN WEST	_____

Mayor _____ (in the event of a tie only)

Approved as to form:

Lauber Municipal Law City Attorney	Mike Todd Mayor

ATTEST:

Jamie Logan
City Clerk

ESCROW TRUST AGREEMENT

Dated as of _____, 2019

Between

CITY OF GRAIN VALLEY, MISSOURI

and

UMB BANK, N.A.

Entered in Connection with the Payment and Redemption of a portion of an Issue of General Obligation Bonds, Series 2011, of the City of Grain Valley, Missouri.

ESCROW TRUST AGREEMENT

THIS ESCROW TRUST AGREEMENT dated as of _____, 2019 (the "Agreement"), between the **CITY OF GRAIN VALLEY, MISSOURI** (the "City"), and **UMB BANK, N.A.**, a national banking association with an office in Kansas City, Missouri, and having full trust powers, as Escrow Agent (the "Escrow Agent").

RECITALS:

1. The City has heretofore duly authorized and issued its General Obligation Bonds, Series 2011, and has determined to escrow funds and securities sufficient to pay principal of and interest on certain portions thereof (the "Escrowed Bonds"), described as follows and on **Schedule 1** hereto:

ESCROWED BONDS

Series Designation	**Date of Bonds**	**Original Principal Amount**	**Maturity Amount Escrowed**
Series 2011	November 29, 2011	$5,234,676.40	$1,935,000

2. The Escrowed Bonds will mature and will have principal and interest payable in the amounts and at the times shown on **Schedule 1** attached hereto.

3. With funds of the City duly allocated therefor, the City intends to provide for the payment of the principal of and interest on the Escrowed Bonds through the purchase of non-callable direct obligations of the United States of America described in **Schedule 2** attached hereto and the deposit of an initial cash balance.

NOW, THEREFORE, in consideration of the foregoing and of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

1. Definitions. The following words and terms used in this Agreement shall have the following meanings:

"Agreement" means this Escrow Trust Agreement.

"Bond Counsel" means Gilmore & Bell, P.C., Kansas City, Missouri, or other firm of attorneys nationally recognized on the subject of municipal bonds.

"Bond Payment Date" means any date on which any principal of or interest on any of the Escrowed Bonds is due and payable.

"Code" means the Internal Revenue Code, as amended.

"City" means the City of Grain Valley, Missouri.

"Escrow Agent" means UMB Bank, N.A., and its successor or successors at the time acting as the Escrow Agent under this Agreement.

"Escrowed Bonds" means the portion of the outstanding General Obligation Refunding Bonds, Series 2011, of the City, described in the recitals to this Agreement and **Schedule 1** hereto.

"Escrow Fund" means the fund by that name referred to in **Section 3** of this Agreement.

"Escrow Ordinance" means the Ordinance passed by the Board of Aldermen on September __, 2019, which authorized this Escrow Agreement and other actions necessary to escrow funds sufficient for the payment of the Escrowed Bonds.

"Escrowed Securities" means the direct non-callable obligations of the United States of America listed on **Schedule 2** attached hereto.

"Paying Agent" means the paying agent for the Escrowed Bonds as designated in the Series 2011 Bond Ordinance, and any successor or successors at the time acting as paying agent for any of the Escrowed Bonds.

"Series 2011 Bond Ordinance" means the Ordinance of the City passed and approved which authorized the issuance of the Escrowed Bonds.

2. Creation of Escrow Fund. There is hereby created and established with the Escrow Agent the following special and irrevocable separate trust fund to be held in the custody of the Escrow Agent and designated as the "Escrow Fund for General Obligation Bonds, Series 2011" (the "Escrow Fund").

3. Deposits to the Escrow Fund. Concurrently with the execution and delivery of this Agreement, the City herewith deposits with the Escrow Agent, and the Escrow Agent acknowledges receipt and deposit into the Escrow Fund of funds contributed by the City in the amount of $_____. The Escrow Agent shall apply such amount as follows:

(a) $_____ shall be used to purchase the Escrowed Securities described in **Schedule 2** hereto, which shall be delivered to and deposited in the Escrow Fund.

(b) $_____ shall be held uninvested in the Escrow Fund as a beginning balance.

4. Creation of Lien. The escrow created hereby shall be irrevocable. The holders of the Escrowed Bonds are hereby given an express lien on and security interest in the Escrowed Securities and the cash in the Escrow Fund and all earnings thereon until used and applied in accordance with this Agreement. The matured principal of and earnings on the Escrowed Securities and any cash in the Escrow Fund are hereby pledged and assigned and shall be applied solely for the payment of the principal of and interest on the Escrowed Bonds.

5. Application of Cash and Escrowed Securities in the Escrow Fund.

(a) Except as otherwise expressly provided in this Section, the Escrow Agent shall have no power or duty to invest any money held hereunder or to sell, transfer or otherwise dispose of any Escrowed Securities.

(b) On or prior to each Bond Payment Date, the Escrow Agent shall withdraw from the Escrow Fund an amount equal to the principal of and interest on the Escrowed Bonds becoming due and payable on such Bond Payment Date, as set forth in **Schedule 1** attached hereto, and shall forward such amount to the office of the Paying Agent, so that immediately available funds will reach the office of the Paying Agent on

or before 12:00 Noon, Central time, on such Bond Payment Date. In order to make the payments required by this subsection (b), the Escrow Agent is hereby authorized to redeem or otherwise dispose of Escrowed Securities in accordance with the maturity schedule in **Schedule 2** attached hereto. The liability of the Escrow Agent to make the payments required by this subsection (b) shall be limited to the money and Escrowed Securities in the Escrow Fund.

(c) Upon the payment in full of the principal of and interest on the Escrowed Bonds, all remaining money and Escrowed Securities in the Escrow Fund, together with any interest thereon, shall be transferred to the City.

6. Notice of Escrowed Bonds. The City instructs the Escrow Agent, as the Paying Agent for the Escrowed Bonds, to give all notices of defeasance of such Escrowed Bonds required by the Series 2011 Bond Ordinance. The City directs the Escrow Agent, as the Paying Agent for the Escrowed Bonds, to take such further action as may be necessary under the Series 2011 Bond Ordinance related to the defeasance of the Escrowed Bonds in the principal amounts and at the time set forth in **Schedule 1** hereof.

7. Reports of the Escrow Agent. As long as any of the Escrowed Bonds, together with the interest thereon, have not been paid in full, the Escrow Agent shall, at least 60 days prior to each Bond Payment Date, determine the amount of money that will be available in the Escrow Fund to pay the principal of and interest on the Escrowed Bonds on the next Bond Payment Date, and if the Escrow Agent determines that sufficient funds will not be available on such Bond Payment Date, then the Escrow Agent shall certify in writing to the City the amount so determined, and provide a list of the money and Escrowed Securities held by it in the Escrow Fund on the date of such certification.

8. Liability of Escrow Agent.

(a) The Escrow Agent shall not be liable for any loss resulting from any investment, sale, transfer or other disposition made pursuant to this Agreement in compliance with the provisions hereof. The Escrow Agent shall have no lien whatsoever on any of the money or Escrowed Securities on deposit in the Escrow Fund for the payment of fees and expenses for services rendered by the Escrow Agent under this Agreement or otherwise.

(b) The Escrow Agent shall not be liable for the accuracy of the calculations as to the sufficiency of the Escrowed Securities and money to pay the Escrowed Bonds. So long as the Escrow Agent applies the Escrowed Securities and money as provided herein, the Escrow Agent shall not be liable for any deficiencies in the amounts necessary to pay the Escrowed Bonds caused by such calculations. Notwithstanding the foregoing, the Escrow Agent shall not be relieved of liability arising from and proximate to its failure to comply fully with the terms of this Agreement.

(c) If the Escrow Agent fails to account for any of the Escrowed Securities or money received by it, said Escrowed Securities or money shall be and remain the property of the City in trust for the holders of the Escrowed Bonds, and, if for any reason such Escrowed Securities or money are not applied as herein provided, the assets of the Escrow Agent shall be impressed with a trust for the amount thereof until the required application shall be made.

(d) The Escrow Agent may rely and shall be protected in acting upon or refraining from acting upon in good faith any ordinance, certificate, statement, instrument, opinion, report, notice, request, direction, consent, verification, order, bond, debenture or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties.

(e) The Escrow Agent undertakes to perform such duties and only such duties as are specifically set forth in this Agreement.

(f) No provision of this Agreement shall be construed to relieve the Escrow Agent from liability for its own negligent action, its own negligent failure to act, or its own willful misconduct, except that the Escrow Agent shall not be liable for any error of judgment made in good faith by an authorized officer or employee of the Escrow Agent, unless it shall be provided that the Escrow Agent was negligent in ascertaining the pertinent facts, or for the misconduct or negligence of any agent appointed with due care.

(g) Whether or not therein expressly so provided, every provision of this Agreement relating to the conduct or affecting the liability of or affording protection to the Escrow Agent shall be subject to the provisions of this Section.

9. Fees and Costs of the Escrow Agent and Costs Related to Defeasance of the Escrowed Bonds. The aggregate amount of the costs, fees and expenses in connection with the creation of the escrow described in and created by this Agreement and in carrying out any of the duties, terms or provisions of this Agreement shall be paid concurrently with the transfer of moneys to the Escrow Agent for creation of the Escrow Fund. The Escrow Agent shall be entitled to reimbursement from the City of reasonable out-of-pocket, legal or extraordinary expenses incurred in carrying out the duties, terms or provisions of this Agreement, including but not limited to costs incurred for giving notice of redemption of any redeemed bonds. Claims for such reimbursement may be made to the City and in no event shall such reimbursement or other fees of the Escrow Agent be made from funds held in the Escrow Fund by the Escrow Agent pursuant to this Agreement.

If the Escrow Agent resigns prior to the expiration of this Agreement, the Escrow Agent shall rebate to the City a ratable portion of any fee theretofore paid by the City to the Escrow Agent for its services under this Agreement.

10. Resignation or Removal of Escrow Agent; Successor Escrow Agent. The Escrow Agent at the time acting hereunder may at any time resign and be discharged from its duties and responsibilities hereby created by giving written notice by registered or certified mail to the City and to the Paying Agent and by first class mail to all of the owners of record of the Escrowed Bonds not less than 60 days prior to the date when the resignation is to take effect. Such resignation shall take effect immediately upon the acceptance of the City of the resignation, the appointment of a successor Escrow Agent (which may be a temporary Escrow Agent) by the City, the acceptance of such successor Escrow Agent of the terms, covenants and conditions of this Agreement, the transfer of the Escrow Fund, including the money and Escrowed Securities held therein, to such successor Escrow Agent and the completion of any other actions required for the principal of and interest on the Escrowed Securities to be made payable to such successor Escrow Agent rather than the resigning Escrow Agent.

The Escrow Agent may be removed at any time by an instrument or concurrent instruments in writing, delivered to the Escrow Agent and the City and signed by the owners of a majority in principal amount of the Escrowed Bonds then outstanding; provided that written notice thereof is mailed on or before the date of such removal by first class mail, postage prepaid, to all registered owners of such Bonds, who are not parties to such instruments. The Escrow Agent may also be removed by the City if the Escrow Agent fails to make timely payment on any Bond Payment Date to the Paying Agent of the amounts required to be paid by it on such Bond Payment Date by **Section 5(b)** of this Agreement; provided that written notice thereof is mailed on or before the date of such removal by registered or certified mail, postage prepaid, to the Paying Agent and by first class mail to all registered owners of such Bonds who are not parties to such instruments. Any removal pursuant to this paragraph shall become effective upon the appointment of a successor Escrow Agent (which may be a temporary successor Escrow Agent) by the City, the acceptance of such successor Escrow Agent of

the terms, covenants and conditions of this Agreement, the transfer of the Escrow Fund, including the money and Escrowed Securities held therein, to such successor Escrow Agent and the completion of any other actions required for the principal of and interest on the Escrowed Securities to be made payable to such successor Escrow Agent rather than the Escrow Agent being removed.

If the Escrow Agent resigns or is removed, or is dissolved, or is in the course of dissolution or liquidation, or otherwise becomes incapable of acting hereunder, or if the Escrow Agent is taken under the control of any public officer or officers, or of a receiver appointed by a court, the City shall appoint a temporary Escrow Agent to fill such vacancy until a successor Escrow Agent is appointed by the City in the manner above provided, and any such temporary Escrow Agent so appointed by the City shall immediately and without further act be superseded by the successor Escrow Agent so appointed.

If no appointment of a successor Escrow Agent or a temporary successor Escrow Agent has been made by such holders or the City pursuant to the foregoing provisions of this Section within 60 days after written notice of resignation of the Escrow Agent has been given to the City, the holder of any of the Escrowed Bonds or any retiring Escrow Agent may apply to any court of competent jurisdiction for the appointment of a successor Escrow Agent, and such court may thereupon, after such notice, if any, as it shall deem proper, appoint a successor Escrow Agent.

No successor Escrow Agent shall be appointed unless such successor Escrow Agent is a corporation with trust powers authorized to do business in the State of Missouri and organized under the banking laws of the United States or the State of Missouri and has at the time of appointment capital and surplus of not less than $25,000,000.

Every successor Escrow Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor and to the City an instrument in writing accepting such appointment hereunder, and thereupon such successor Escrow Agent without any further act, deed or conveyance shall become fully vested with all the rights, immunities, powers, trusts, duties and obligations of its predecessor, but such predecessor shall, nevertheless, on the written request of such successor Escrow Agent or the City, execute and deliver an instrument transferring to such successor Escrow Agent all the estates, properties, rights, powers and trusts of such predecessor hereunder, and every predecessor Escrow Agent shall deliver all securities and money held by it to its successor. Should any transfer, assignment or instrument in writing from the City be required by any successor Escrow Agent for more fully and certainly vesting in such successor Escrow Agent the estates, rights, powers and duties hereby vested or intended to be vested in the predecessor Escrow Agent, any such transfer, assignment and instruments in writing shall, on request, be executed, acknowledged and delivered by the City.

Any corporation into which the Escrow Agent, or any successor to it of the duties and responsibilities created by this Agreement, may be merged or converted or with which it or any successor to it may be consolidated, or any corporation resulting from any merger, conversion, consolidation or reorganization to which the Escrow Agent or any successor to it may be a party, shall, if satisfactory to the City, be the successor Escrow Agent under this Agreement without the execution or filing of any paper or any other act on the part of the parties hereto, anything herein to the contrary notwithstanding.

11. Amendments to this Agreement. This Agreement is made for the benefit of the City and the owners from time to time of the Escrowed Bonds, and it shall not be repealed, revoked, altered or amended without the written consent of all such owners, the Escrow Agent and the City; provided, however, that the City and the Escrow Agent may, without the consent of or notice to such owners, enter into agreements supplemental to this Agreement if such supplemental agreements do not materially adversely affect the rights of such holders and are not inconsistent with the terms and provisions of this Agreement, for any one or more of the following purposes:

(a) to cure any ambiguity or formal defect or omission in this Agreement;

(b) to grant to, or confer upon, the Escrow Agent for the benefit of the owners of the Escrowed Bonds, any additional rights, remedies, powers or authority that may lawfully be granted to, or conferred upon, such owners or the Escrow Agent; and

(c) to subject to this Agreement additional funds, securities or properties.

The Escrow Agent shall be entitled to rely exclusively upon an opinion of Bond Counsel with respect to compliance with this Section, including the extent, if any, to which any change, modification, addition or elimination affects the rights of the holders of the Escrowed Bonds, or that any instrument executed hereunder complies with the conditions and provisions of this Section.

12. Termination. This Agreement shall terminate when all transfers by the Escrow Agent under the provisions hereof shall have been made.

13. Notices. Except as otherwise provided herein, it shall be sufficient service of any notice, request, complaint, demand or other paper required by this Agreement to be given to or filed with the following parties if the same is duly mailed by first class, certified or registered mail addressed:

(a) To the City at:
City of Grain Valley, Missouri
711 Main Street
Grain Valley, Missouri 64029
Attention: City Administrator

(b) To the Escrow Agent at:
UMB Bank, N.A.

14. Severability. If any one or more of the covenants or agreements provided in this Agreement on the part of the City or the Escrow Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, such covenant or agreement shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement.

15. Successors and Assigns. All of the covenants, promises and agreements in this Agreement contained by or on behalf of the City or the Escrow Agent shall be binding upon and inure to the benefit of their respective successors and assigns whether so expressed or not.

16. Governing Law. This Agreement shall be governed by the applicable law of the State of Missouri.

17. Counterparts. This Agreement may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

18. Electronic Transaction. The transaction described herein may be conducted and related documents may be received, delivered or stored by electronic means. Copies, telecopies, facsimiles, electronic files and other reproductions of original executed documents shall be deemed to be authentic and valid

counterparts of such original documents for all purposes, including the filing of any claim, action or suit in the appropriate court of law.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties hereto have each caused this Agreement to be executed by their duly authorized officers or elected officials and their corporate seals to be hereunder affixed and attested as of the date first above written.

CITY OF GRAIN VALLEY, MISSOURI

By: _____
Mike Todd, Mayor

ATTEST:

_____
Jamie Logan, City Clerk

Approved as to form:

_____
City Attorney

UMB Bank, N.A.,
as Escrow Agent

By: _____
Name:
Title:

SCHEDULE 1
TO ESCROW TRUST AGREEMENT

BOND PAYMENT SCHEDULE FOR ESCROWED BONDS

Bond Payment Date	**Total Payment**
March 1, 2021*	$1,252,684.00

The Escrowed Bonds consist of $263,424.92 accreted value of the Series 2011 Bonds maturing March 1, 2029, $503,492.03 accreted value of the Series 2011 Bonds maturing March 1, 2030 and $477,593.82 accreted value of the Series 2011 Bonds maturing March 1, 2031 (the "Defeased Bonds"). The Escrowed Bonds will be redeemed prior to maturity on March 1, 2021.

SCHEDULE 2
TO ESCROW TRUST AGREEMENT

SCHEDULE OF ESCROWED SECURITIES

Maturity Date	Type of Security	Stated Rate	Maturity Value	Purchase Price

Resolutions

INTENTIONALLY LEFT BLANK

CITY OF GRAIN VALLEY BOARD OF ALDERMEN AGENDA ITEM		
MEETING DATE	09/09/2019	
BILL NUMBER	R19-39	
AGENDA TITLE	**A RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF GRAIN VALLEY, MISSOURI REAPPOINTING LYNNE BEREND AND STEVE SHATTO TO THE BOARD OF ZONING ADJUSTMENT FOR A FIVE YEAR TERM**	
REQUESTING DEPARTMENT	**COMMUNITY DEVELOPMENT**	
PRESENTER	Mark Trosen, Community Development Director	
FISCAL INFORMATION	Cost as recommended:	N/A
	Budget Line Item:	N/A
	Balance Available:	N/A
	New Appropriation Required:	[ ] Yes [X] No
PURPOSE	To make reappointments to the Board of Adjustment.	
BACKGROUND	In compliance with state statute and ordinance set by the City of Grain Valley; the appointment of members to the Board of Zoning Adjustment as needed is necessary	
SPECIAL NOTES	None	
ANALYSIS	None	
PUBLIC INFORMATION PROCESS	N/A	
BOARD OR COMMISSION RECOMMENDATION	N/A	
DEPARTMENT RECOMMENDATION	Staff Recommends Approval	

REFERENCE DOCUMENTS ATTACHED	Resolution

CITY OF GRAIN VALLEY **STATE OF MISSOURI**

September 9, 2019

RESOLUTION NUMBER
R19-39

A RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF GRAIN VALLEY, MISSOURI REAPPOINTING LYNNE BEREND AND STEVE SHATTO TO THE GRAIN VALLEY BOARD OF ZONING ADJUSTMENT FOR A FIVE YEAR TERM

WHEREAS, the Board of Aldermen of Grain Valley, Missouri is dedicated to the constant improvement of our community by enlisting the assistance of qualified citizen participants; and

WHEREAS, as prescribed by State Statute and City Ordinance, The Grain Valley Board of Adjustments was formed; and

WHEREAS, the Board of Adjustment shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of these Sections or of any ordinance adopted pursuant thereto; and

WHEREAS, Lynne Berend and Steve Shatto are duly qualified citizens of Grain Valley and desire to serve their community by participating on the Board of Adjustments; and

WHEREAS, the Mayor of Grain Valley, Mike Todd, wishes to reappoint Lynne Berend and Steve Shatto to the Board of Adjustments.

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Grain Valley, Missouri as follows:

SECTION 1: the Board of Aldermen of the City of Grain Valley, Missouri confirm the Mayor's reappointments of Lynne Berend and Steve Shatto to the Grain Valley Board of Adjustments.

BE IT FURTHER RESOLVED that the Mayor and Board of Aldermen extend to Lynne Berend and Steve Shatto their sincerest appreciation, in advance, for their time and consideration in serving their community.

PASSED and APPROVED, via voice vote, (-) this __ Day of _____, 2019.

_____
Mike Todd
Mayor

ATTEST:

_____
Jamie Logan
City Clerk