



**MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
TUESDAY, MAY 27, 2014**

**PRESENT:** Mayor J. Brian Hill  
Mayor Pro Tem Bill Garnos  
Councilmember Carol Suter  
Councilmember Jean Moore  
Councilman R.D. Mallams

City Manager Kirk Davis  
Assistant City Manager Scott Wingerson  
City Counselor Randall Thompson  
City Clerk Ruth Bocchino

**Mayor J. Brian Hill** opened the City Council Meeting to adjourn to a Closed Executive Session on May 27, 2014, at 5:45 PM. **Councilmember Jean Moore** made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemptions 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. **Mayor Pro Tem Bill Garnos seconded.** Roll Call Vote: All "aye" – Councilmember Jean Moore, Mayor Pro Bill Garnos, and Mayor J. Brian Hill. (3-0).

**Item 2. on the Agenda.      ROLL CALL.**

Mayor J. Brian Hill opened the Regular May 27, 2014, City Council Meeting at 7:30 pm in the Gladstone City Council Chambers, and noted all City Council members were present.

**Item 3. on the Agenda.      PLEDGE OF ALLEGIANCE.**

Mayor J. Brian Hill asked all to stand and join in the Pledge of Allegiance.

**Item 4. On the Agenda.      APPROVAL OF THE MAY 12, 2014, REGULAR CITY COUNCIL MEETING MINUTES.**

**Councilmember Jean Moore** moved to approve the May 12, 2014, Regular City Council Meeting Minutes as presented. **Mayor Pro Tem Bill Garnos seconded.**

The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Item 5. On the Agenda.**      **CONSENT AGENDA.**

Following the Clerk’s reading, **Councilmember Carol Suter** moved to approve the Consent Agenda as listed. **Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Councilmember Carol Suter** moved to adopt **RESOLUTION R-14-31**, a Resolution declaring certain City Property as Surplus and authorizing the sale of such Property held by the City to the Highest Bidder at Auction or by Sealed Bid; and authorizing the Donation of Surplus Items to the Surplus Exchange. **Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Councilmember Carol Suter** moved to adopt **RESOLUTION R-14-33**, Authorizing Execution of a Contract with Fleshman Construction, Incorporated, in the total amount not to exceed \$720,031.00 for the 76<sup>th</sup> and North Oak Intersection Improvements. **Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Councilmember Carol Suter** moved to adopt **RESOLUTION R-14-34**, Authorizing Execution of a contract with Vance Brothers, Incorporated, in the total amount not to exceed \$186,003.62 for the 2014 Intermediate Maintenance Program. **Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Councilmember Carol Suter** moved to approve the **FINANCIAL REPORT FOR 10 MONTHS ENDED APRIL 30, 2014**. **Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Councilmember Carol Suter** moved to approve a **NEW TEMPORARY LIQUOR CATERING LICENSE** for Diamond Girls Bartenders, LLC, 1000 South Noland Road, Independence, Missouri, for a wedding reception to be held July 5, 2014, from 4:00 pm to 11:30 pm in the Gladstone Community Center. Managing Officer: Mary Rodriquez. **Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Councilmember Carol Suter** moved to approve **NEW TEMPORARY LIQUOR CATERING LICENSES** for Snow & Co., 1815 Wyandotte Street, Kansas City, Missouri, for Music Events to be held June 3, 2014, from 6:00 pm to 10:30 pm, June 10, 2014, from 6:00 pm to 10:30 pm, June 17, 2014, 6:00 pm to 10:30 pm, June 21, 2014, 7:00 pm to 11:00 pm, June 24,

2014, 6:00 pm to 10:30 pm, July 19, 2014, 7:00 pm to 11:00 pm, August 16, 2014, 7:00 pm to 11:00 pm, September 27, 2014, 7:00 pm to 11:00 pm, at Linden Square on 70<sup>th</sup>, Gladstone, Missouri. Managing Officer: Gerald Nevins. **Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

**Councilmember Carol Suter** moved to approval of the following **ANNUAL LIQUOR LICENSES**:

- Bubbles Wines & Spirits, 7407 North Oak Trafficway, Seven-Day Package Liquor License.
- Wal-Mart #1120, 7207 North M-1 Highway, Seven-Day Package Liquor License.

**Councilman R. D. Mallams** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

## **REGULAR AGENDA**

### **Item 6. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.**

There were no communications from the audience.

### **Item 7. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.**

**Councilman R. D. Mallams** stated he attended two of the DARE Graduations at Linden West and St. Andrew and commended Officer Leann Smith from the Public Safety Department for instructing DARE in the six elementary schools in North Kansas City. Councilman Mallams also stated Officer Smith serves as the SRO (School Resource Officer) for Antioch Middle School. Councilman Mallams said Officer Smith did a fabulous job at both of the schools.

**Councilman R. D. Mallams** extended his appreciation to Paula Brooks and Richard King from the City offices, and Mike Boland and Wayne Beer from the Gladstone VFW and American Legion for the outstanding Memorial Day Veterans Celebration over Memorial Day weekend.

**Councilmember Jean Moore** echoed KUDOS to the City staff involved in the Memorial Day Celebration and stated it was a really well planned event and very well received by those in attendance despite the rain. Councilmember Moore stated there were issues with the sound system and extended an apology to the residents for the lack of the sound system being top-notch for the event. Otherwise, it was a great event.

**Councilmember Carol Suter** stated last week she attended the MARC sponsored conference on Housing and Aging, which is part of the Kansas City for All Ages initiative that she has been a part of for the last three years. On June 17 there will be a workshop for all first tier suburbs for the first suburbs coalition members to be updated on the work that has been going on for the Kansas City for All Ages initiative. In particular, the piece Gladstone has been working on is trying to do a certification or some sort of recognition system for cities that meet certain

guidelines. Councilmember Suter stated the results of the checklist that has been worked on by the local task force, who spent a lot of time and energy doing, for all four communities will be revealed at the workshop including conversations on how to move forward. The first tier suburbs, first suburbs coalition, will actually approve at some point and own the checklist. Councilmember Suter encouraged all who are interested in this topic to watch for announcements and registration for this event.

**Councilmember Carol Suter** stated last week she attended the Arts Commission interviews with the four candidates for the Request for Qualification in order to pick out an artist, not a project, who will then be commissioned to do outdoor art somewhere in the downtown area. Councilmember Suter said it was a fabulous group, all capable, creative, and energetic people. Councilmember Suter also said it was fun to hear their impressions of the downtown area. None of the artists had ever seen the downtown area before. They came in the afternoon prior and got a tour. As they were interviewed, Councilmember Suter asked specifically what they thought. It was great to hear the elements that Gladstone has worked hard to incorporate into the downtown area like walkability, creativity, energy; words which the artists used in their description of the downtown center. The Arts Commission will have a recommendation to come to the Council. The Arts Commission did select a couple of artists and have a recommendation on how to allocate funding. Citizens are encouraged to watch for exciting work from these artists.

**Mayor Pro Tem Bill Garnos** stated two weeks ago he attended a MARC Regional Bicycle Planning Session at the Community Center. The event was well received. MARC does a great job of setting public meetings to gather public input. MARC had maps showing current and future plans.

**Mayor Pro Tem Bill Garnos** mentioned he will be attending the Board of Zoning Adjustment meeting Monday, June 2, 2014.

**Mayor Pro Tem Bill Garnos** echoed the nice celebrations the City had over the Memorial Day Holiday with the flagpole dedication and the keynote address Saturday morning in the rain. Mayor Pro Tem Garnos stated he wasn't sure the City should have had that many people gathered around the base of a large metal pole during a thunderstorm, but that was just him. Mayor Pro Tem Garnos said in the afternoon there was a really nice armed forces celebration with comments from General Peck. Mayor Pro Tem Garnos mentioned he agreed with Councilmember Moore that whatever the problem was with the PA system has got to be fixed. That can't happen again with dignitaries on stage.

**Mayor J. Brian Hill** expressed his appreciation to everyone on staff, the Legion, and the VFW for the flagpole ceremony and all the efforts put into the dedication Saturday morning as well as the recognition of veterans. It took a lot of work to organize the event. Although the crowd was not large, it was larger than anticipated given the weather. Mayor Hill stated it was a good turnout.

**Mayor J. Brian Hill** reminded everyone the Farmers Market is open on Wednesday afternoons and Saturday mornings in the North parking lot of Hy-Vee.

**Mayor J. Brian Hill** reminded everyone Bluesfest is occurring before the next council meeting, Friday June 6 and June 7. Volunteers are still needed and encouraged those who wish to volunteer to call Richard King at the City or Amy Harlin at the Chamber of Commerce.

**Item 8. on the Agenda. COMMUNICATIONS FROM THE CITY MANAGER.**

**City Manager Kirk Davis** promoted June Tunes which starts June 3 at Linden Square and occurs every Tuesday night through June. There will be a free concert available to citizens. The weekend concert series starts Friday, May 30, 7:00 pm at Linden Square.

**Item 9. on the Agenda. SECOND READING BILL 14-06(a)**, amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance Regulations and the establishment of Use Districts within the City of Gladstone, Missouri.  
Owner: John Youngwirth. Applicant: Scenic Development, LLC.

**Mayor Pro Tem Bill Garnos** moved to place Bill No. 14-06(a) on its Second and Final Reading. **Councilmember Jean Moore seconded.** The Clerk read the Bill. **Mayor Pro Tem Garnos** moved to accept the Second and Final Reading of Bill No. 14-06(a) and enact the Bill as Ordinance No. 4.267. **Councilmember Jean Moore seconded.**

**Discussion:** **Councilmember Carol Suter** stated the following: *The biggest responsibility of Gladstone City Council to the residents is to protect safety and that is the first lens I use when I look at projects. Safety is my biggest issue when I look at the proposed application for rezoning. Traffic at M-1 and 72<sup>nd</sup> is already problematic. During busy traffic times, the traffic backs up to the East all the way past the eastern Wal-Mart driveway. Sometimes it takes multiple cycles to get through the light. I have sat through three cycles to try to turn left going South on M-1. Both westbound lanes are blocked by people pulling out and sitting in traffic lanes, waiting to get into that backup and sometimes traffic is backed up in both directions, both Wal-Mart drives, and both Hy-Vee drives because there is too much traffic at that corner. The Council has discussed this issue for a number of years and we know that intersection needs to be completely redesigned. Because it is a State highway, we have to convince MODot to do it, so there is really no prospect in sight to fix it. It makes no sense to me to add traffic from a high density project to this problem. The applicant has submitted traffic impact numbers that I believe to be grossly understated. The current application provides only one single point for both ingress and egress for the entire development. That dumps all of the traffic directly on to 72<sup>nd</sup> Street, much too close to the already congested intersection and way too close to existing commercial driveways. Between the intersection and the proposed development, there are already four commercial driveways. Two for Hy-Vee and two for Wal-Mart. The easternmost entrances for both of those stores are the stores' only truck entrances. Since Wal-Mart's remodel to a Super Center, the eastern drive also serves all employees entering and exiting the employee parking lot and Wal-Mart has added additional customer parking adjacent to their truck loading docks. Adding another driveway directly across from the Wal-Mart truck entrance makes no sense to me especially when it would be the sole entrance and exit for all patients, visitors, staff, vendors, deliveries, emergency vehicles, ambulances, etc. for a nursing home facility. And of course we just recently added the Farmer's Market to the North parking lot and I can tell you already from this last week it is a distraction to people driving by because they are looking at the Farmer's*

Market and not paying attention to where they are going. Increased congestion is not just intolerable but it is dangerous. The increased risk of car accidents is quite evident. More vehicles, everyone trying to go or turn in a different direction is a recipe for disaster. Add to that mix the fact that much of this congestion and confusion happens on a blind hill running from M-1 down 72<sup>nd</sup> to the east. There is no visibility looking west up the hill from the proposed development driveway. Complicating the natural hill is the impediment posed by the eastern driveway of Hy-Vee, which lays no more than four car lengths from the proposed nursing home drive. When cars are sitting in that drive waiting to turn on to 72<sup>nd</sup>, no one coming out of the nursing home will be able to see any vehicle cresting the hill. Former Councilmember Markenson, who is present, sat in the proposed drive and tried to make a left hand turn on to 72<sup>nd</sup>, he barely made it because of the oncoming traffic. Sometimes Wal-Mart trucks sit in the center turn lane waiting for a dock to open up. When that happens there is no way for westbound traffic to see any oncoming traffic. In the hour before sunset almost every day the setting sun is completely blinding to all traffic heading west on 72<sup>nd</sup> and would blind anyone trying to pull out of driveways to any traffic approaching from the west. When asked during the public hearing why the developer did not move the proposed driveway farther down the hill to the East where it would undoubtedly be better visibility, the applicant's reply was that it would cost more to do that. That would seem like enough of a problem with adding high density housing to this intersection, but there is something else. That is the pedestrian traffic across 72<sup>nd</sup> Street. We are currently installing a pedestrian crossing to the stop light intersection on the west side of Wal-Mart. Councilman Garnos strongly advocated for this enhanced protection for pedestrians who want to cross M-1 to get to Wal-Mart or to get to the Happy Rock Trail. If we err, we err on the side of safety. Far more people walk up 72<sup>nd</sup> Street from the east to get to Wal-Mart and to Hy-Vee and they run, walk, wheel across the street without any light or any crosswalk; basically playing chicken with children, groceries, carts, strollers and wheel chairs in tow. Just last week Councilman Mallams said he very nearly hit a pedestrian doing just that. But for his wife's eagle eyes, he would have. When driveways are lined up directly across the street that seems to just lure people to run or walk across from one to the other. We see that all the time between Hy-Vee and Wal-Mart. Another pair of lined up driveways will have that same allure even if it is on a blind hill. All that is bad enough for the general public, but this proposed application would put the oldest and most vulnerable residents smack in the middle of this mess. The danger of this is obvious. Again, let me quote former Councilmember Markenson who said during the public hearing on this application, "Traffic would be terribly dangerous, and the first time someone gets t-boned, I would feel responsible." I feel exactly the same way. It's not a matter of if, but when someone gets hurt or even killed here and I don't want to be responsible. Gladstone residents deserve to be protected from obvious safety hazards like this. I'm also committed to protecting the investments that Gladstone residents have made in their properties. The area surrounding the proposed development is already maxed out with high density housing. Within six blocks there are already 900 multi-family housing units. Even more units will negatively over saturate the area. Putting a commercial use in the back yards of some of the best housing in Gladstone will definitely reduce the value of that housing. According to REMAX agent Julie Harmon, "When commercial facilities, such as nursing homes, are built in close proximity to a residential community, the value of the homes is impacted negatively, resulting in reduced market price." The Northeast corner of Gladstone is home to the highest average per household income in the City. That is because of the high value housing stock that is in that area. If the housing values decline, there is nowhere else in Gladstone for those high

*income houses to go because there is no other appropriate housing. They will leave town and the whole City will suffer the loss. Retailers and restaurants use household income data in selecting sites for development. When high income households leave, the average for the City goes down. Everyone loses the opportunities for fine dining, shopping, and services. We will continue to be a haven for Pay Day Loans, Thrift Shops, and Dollar Stores. I'm committed to protecting the safety of Gladstone residents and their investments and for that reason I'm opposed to this application for rezoning. There may be an appropriate location in this area for the project, but this is not the one. Councilmember Carol Suter thanked the Mayor.*

**Discussion: Councilmember Jean Moore** stated the following: *I believe that the Scenic Development project has been carefully scrutinized. It made its way through thorough evaluation before our Planning Commission, who added a number of restrictions and conditions. Similarly, the Council has amended the zoning for the project. These restrictions and conditions and amendments have addressed concerns raised by our citizens, staff, and elected officials. It is my contention that the project is in the best interest of the citizens of Gladstone. I do not believe that this property must continue to be zoned single family to protect the homeowners in the area. I believe that the conditions laid out in the site plan provide protections for the safety of our residents, homeowners and neighborhoods. I believe the issues of storm water run-off have been adequately addressed. I see no evidence that this development will deteriorate the surrounding area or lower property values.*

*I am extremely disappointed and quite frankly very upset at the denigrating and disrespectful comments made by some individuals opposed to the project who "do not want to see a 'nursing home' and be reminded of old age and infirmity every day."*

*We have heard extremely positive support and praise for this developer's projects in the other communities in which they have a presence. I believe the developer is offering a quality living opportunity for our seniors that does not currently exist in this City.*

*For these reasons, I will be voting in support of the Scenic Development project.*

**Discussion: Mayor Pro Tem Bill Garnos:** stated the following: *First, I'd like to thank our Planning Commission for their dedicated and detailed review of the Maple Woods Village application. Second, I'd like to thank Mr. Wingerson, Mr. Helmer, and our other City staff for all their work on this proposal, and finally, I'd like to thank the applicant — Gibb Wood of Scenic Development — for his patience and for his efforts to satisfy the many concerns and issues that have been raised in getting the project to this point.*

*This is the paperwork that's been presented to City Council in support of this project (referencing a stack of documents on the bench).*

*My comments this evening were going to be a lot shorter, but we recently received a petition that specifically goes through a half-dozen different issues related to this development. So everyone knows, we have all wrestled with all of these issues and I wanted to briefly touch on the issues raised in the petition. I think it's important to talk for a minute about each of the issues and concerns that have been raised on this project. I think all of us on City Council have considered each of these issues, but we've reached different conclusions about them.*

*Now, on one side:*

- *The Planning Commission has recommended approval of this project;*
- *City staff has recommended approval of this project; and*
- *We have received petitions with more than 50 signatures from Gladstone residents supporting this project.*

*On the other side, we have been presented with a petition against the development signed by 28 residents in an adjacent neighborhood along with three pages of information on the project. This petition and its attachment list six primary areas of concern:*

- |  |                            |
|--|----------------------------|
| <i>(1) Safety,</i>                     | <i>(4) Sustainability,</i> |
| <i>(2) Home Valuation and Density;</i> | <i>(5) Zoning, and</i>     |
| <i>(3) Water Run-off,</i>              | <i>(6) Livability.</i>     |

*Like I said, my comments were going to be a lot shorter, until they were all specifically enumerated.*

### ***(1) Safety***

*First, with regard to Safety, the biggest issue appears to be the impact of traffic that this proposed retirement community would have on traffic on 72<sup>nd</sup> Street. The developer has provided:*

- *A Traffic Impact Study;*
- *An additional engineering analysis looking specifically at the line-of-sight issues at the property's entrance, including drivers' reaction time, which meets required traffic engineering standards;*
- *An additional engineering analysis on the impact of semis waiting to enter the Wal-Mart loading dock; and*
- *The developer has also agreed to purchase, install, and maintain a flashing yellow warning light to further improve traffic safety.*

*I'm satisfied — from what I've seen — in the studies and in what I have heard here that this retirement community is not going to cause a tremendous traffic congestion or traffic safety issue on 72<sup>nd</sup>. In fact, I think if it was developed as currently zoned for single-family housing or an apartment complex, the impact of traffic onto 72<sup>nd</sup> would be a significantly greater impact on 72<sup>nd</sup> than what we are going to get through this application.*

### ***(2) Home Valuation and Density***

*Second, I've never been convinced that putting a new, good looking commercial development in this location is going to ruin the property values of everybody around them. In this location behind Hy-Vee, across the street from Wal-Mart, and in the midst of a bunch of already existing apartment complexes and Multi Family Housing, putting this retirement community here, I'm not convinced is going to hurt the property values of the folks that live in the area.*



### **(3) Water Run-off**

*Third, with regard to the issue of Water Run-off, the applicant has:*

- *Provided a Stormwater Drainage Study;*
- *Has complied with all the City's requirements regarding Stormwater management; and*
- *Has also agreed to help fix some other current Stormwater management problems that we currently have on that site as part of this development.*

*In terms of water run-off, we are going to be better off with the development than without it.*

### **(4) Sustainability**

*Fourth, with regard to Sustainability: The opponents argue that facilities like this are a thing of the past, and that in 15 years nobody is going to need retirement communities like this. They have pointed to demographic studies about people wanting to age in place. All the demographic studies that I have seen have suggested that here is a huge number of baby boomers that are now hitting retirement age. The facilities like this-there is going to be a need for them now, and a need for them in 15 years.*

*I recognize that the way we retire is going to be different that the way our parents retired but looking at the demographic studies, it seems we have a tremendous shortfall in facilities and housing like this for Seniors than we are looking at something that is going to be abandoned after 15 years.*

### **(5) Zoning Issues**

*Fifth, — Zoning. When this application came to City Council two months ago, there was a concern that re-zoning this property from R-1 to R-4 could potentially open the door for another developer to come in here and put in the nastiest, most crime ridden low-income apartment complex in town, and there'd be nothing we could do to stop it.*

*I never was concerned about that. I simply felt that if this developer-after going through all this time and money-decided to not do this, we have not opened the door to something detrimental on this property. Everything would change under that scenario, the traffic impact, the Stormwater, the housing density, everything would change, and I thought it can't just come in and nobody can stop it. Other Councilmembers were very concerned about that, though, which is why a month ago, we changed this Bill so that it specifically deals with change to R4-E so that it can't be used as an apartment complex. I think the primary zoning concern has been addressed through the amended Bill from the last meeting.*

### **(6) Livability**

*The last issue the opponents have brought up has to do with Livability. As I understand it, the concern is over the amount of light and noise from a retirement community.*

*With regard to lighting:*

- *The applicant has provided a Photometric Study of the Site Plan. I didn't know what a Photometric Study was, but it is apparently looking at how much light from everything on the property casts, how much it goes off property, and how much it may affect surrounding landowners. The applicant has exceeded the City's requirements for not allowing light off this property to affect the adjacent properties. In fact, has again gone the extra mile by offering to help replace the light fixtures on the back of Hy-Vee to further improve the lighting on this property beyond what the City requires.*

*With regard to the noise:*

- *All the information we have received from these facilities from this developer in other cities have all said that there's no problems with "noise." In fact, there are very few developments that I think could be quieter than a retirement community located there. I know the concern has to do with sirens and emergency vehicles. I know from the public testimony the developer talked about having agreements with their other facilities that emergency services do not come in all the time with lights and sirens; they can be turned off at the corner. We don't have to worry about sirens coming in at all hours of the night and every night and certainly not with the amount of emergency services that are estimated for this facility.*
- *Except for all the keggers and wild parties that may be getting thrown by the folks in the retirement community, I'm not concerned about the noise coming from a retirement community.*

### ***Emergency Services***

*Another issue that came up is Emergency Services. There was an allegation that if we bring in this retirement community it could lead us to having to purchase a third ambulance and a third full time ambulance crew. Based on the number of emergency services and transports from the applicant's other comparable facilities, we are not in that situation. We have two ambulances, we have two full time crews, and we do not have enough calls for service now to justify a third ambulance and a third crew. The numbers that we are getting for emergency services to this retirement community will not get us to the point to justify a third ambulance and a third ambulance crew. And, based on the information we've received about the demand for emergency services at this developer's other facilities, adding this facility will not push us over the line to the point where we need a third ambulance and crew. Will there be an impact on the City's Emergency Services? Yes — But not enough to justify the expense of a third ambulance and crew.*

*Now, with all of these issues, we've all received the same information, and we have all reached different conclusions.*

*The applicant has agreed to 24 separate terms and conditions regarding the site plan for this facility (which I think is some kind of record). However, I think the most compelling argument for me on this application was first by:*

- *Those surrounding residents, who came to our first meeting and did not oppose this application. Some had even visited the applicant's other facility in Lenexa and was very impressed with its operation.*
- *The seniors who have testified here on the need for this type of continuing care facility here in Gladstone. I think that is an important part of the equation that has been missed is simply the need for having something like this here for us or our family members.*

*Even before this application, we on City Council have received a lot of information about:*

- *The aging population in Gladstone;*
- *The need for appropriate housing for seniors in Gladstone; and*
- *The need for facilities that will allow our seniors to age-in-place.*

*And this proposed facility appears to help meet that need.*

*I think one of the things I like about this proposal is that it's a Continuing Care Retirement Community. This is not just a "nursing home." It has separate wings for (1) independent senior living, (2) assisted living, and (3) skilled nursing to allow seniors to "age in place," by providing different levels of care according to their specific and individual needs. If the proposed facility was just a nursing home, or just assisted living, or just senior apartments, I might feel differently. I like that this proposal is for a Retirement Community that is designed with different levels of care, depending on people's individual needs.*

*I guess I'm satisfied — from what I've seen — that this applicant:*

- *Operates a quality facility;*
- *Has worked hard to minimize the impact on surrounding property owners;*
- *Is not going to significantly add to traffic congestion or other traffic problems on 72nd; and*
- *Is actually going to improve the Stormwater management issues on that site.*

*Therefore, I will be voting in favor of this application and the associated ordinances this evening.*

**Discussion: Mayor J. Brian Hill:** *stated the following: I have just a few comments. I'm apparently negligent because I didn't come with a written speech. I will be voting against this. I see severe traffic issues on 72<sup>nd</sup> Street that have not been addressed by the developer. To me the agreement to put in a flashing caution signal is just an admission that there are dangerous issues there that need to be addressed. I don't think we should be creating issues and looking for ways to cover them up with an additional traffic signal. There is going to be the issue of noise. I notice that it is mentioned, and the developer mentioned in the Public Hearing, turning off sirens a ways away so as not to in any way bother the residents of the nursing home facility or nearby residents. I can't imagine doing that. If you look at Emergency Services, there is a reason that there are sirens on fire trucks, police vehicles, and ambulances. It is for the safety of our public servants and for the safety of the public. If you, and I don't think public safety would do it, but just the hint or the thought of taking away one way of protecting our employees and other persons using the public streets from accidents involving those vehicles, I just can't imagine*

*saying that just for the convenience of a developer. You are looking at telling them to go through the intersection with probably either the first or second highest accident intersection in the City, and to do that without the benefit of some of the warning devices with which they're provided. It's just insane to me. We have in the past couple of weeks received considerable neighborhood opposition from both Tall Timbers and Northaven Gardens. The issues raised by that opposition have all been mentioned here tonight. I cannot think of, in my 20 years' experience, a circumstance where there has been such significant neighborhood opposition, regarding this City Council approving a zoning request anyway.*

*Speaking of zoning, this is bad zoning if this is approved. We have prime R-1 land to build homes. I hear from residents every day, maybe not every day, but probably more frequently than anything else, why can't we get restaurants on Antioch road? Why can't we get restaurants on North Oak? When you go to the restaurant people, they say it's because we don't have enough R-1; we don't have enough high income. We are taking one of the two largest tracts in town that is zoned R-1 and now allowing it to be used for Senior Citizens, low income, who will not be utilizing residences and are just going to further minimize the opportunity for development of quality restaurants along North Oak and Antioch Road. I also am hearing something from up here that concerns me, and that is people are confusing good development with good zoning. When I'm looking at this project, and looking at a zoning decision, I'm looking at whether this project is right for this site. Not whether it's a good project or it's a bad project; whether it's right on this site. It is not. It's going to create danger on 72<sup>nd</sup> Street, it's going to create noise, and it just doesn't fit here. There are other sites in town that it would be appropriate for. City staff has attempted to steer the applicant in those directions. The applicant has refused to look at them. I'm not saying it is a bad development. I don't know. That is not a concern when I'm looking at a zoning decision. I'm looking at whether what is proposed is appropriate for this location. It is not appropriate for this location. I don't have a planned speech, so I'm done.*

Roll Call Vote: Councilman R.D. Mallams, aye, Councilmember Jean Moore, aye, Councilmember Carol Suter, no, Mayor Pro Tem Bill Garnos, aye, Mayor J. Brian Hill, no. (3-2).

**Item 10. on the Agenda.**      **FIRST READING CONTINUED BILL NO. 14-07**, Approving a Site Plan Revision for property legally described as Maple Woods Village, Lot 1.  
Owner: John Youngwirth. Applicant: Scenic Development, LLC.

**Councilmember Jean Moore** moved to place continued Bill No. 14-07 on its First Reading. **Mayor Pro Tem Bill Garnos** seconded. The vote: Councilman R.D. Mallams, aye, Councilmember Jean Moore, aye, Councilmember Carol Suter, no, Mayor Pro Tem Bill Garnos, aye, Mayor J. Brian Hill, abstain. (3-1-1). The Clerk read the Bill.

**Councilmember Jean Moore** moved to accept the First Reading of continued Bill No. 14-07, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Bill Garnos** seconded. The vote: Councilman R.D. Mallams, aye, Councilmember Jean Moore, aye, Councilmember Carol Suter, no, Mayor Pro Tem Bill Garnos, aye, Mayor J. Brian Hill, abstain. (3-1-1).

(Clerk's note: By majority vote the First Reading of Bill No. 14-07 is accepted. The concurrent motion to waive-the-rule failed to receive a unanimous vote and therefore failed.)

**Item 11. on the Agenda. FIRST READING CONTINUED BILL NO. 14-08**, approving the Final Plat of Maple Woods Village, Lot 1, Gladstone, Clay County, Missouri, and directing the appropriate officials to affix their signatures to said Plat for Recording.  
Owner: John Youngwirth. Applicant: Scenic Development, LLC.

**Mayor Pro Tem Garnos** moved to place Bill No. 14-08 on its First Reading. **Councilmember Jean Moore seconded.** The vote: Councilman R.D. Mallams, aye, Councilmember Jean Moore, aye, Councilmember Carol Suter, no, Mayor Pro Tem Bill Garnos, aye, Mayor J. Brian Hill, abstain. (3-1-1). The Clerk read the Bill.

**Mayor Pro Tem Garnos** moved to accept the First Reading of Bill No. 14-08, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Jean Moore seconded.** The vote: Councilman R.D. Mallams, aye, Councilmember Jean Moore, aye, Councilmember Carol Suter, no, Mayor Pro Tem Bill Garnos, aye, Mayor J. Brian Hill, abstain. (3-1-1).

(Clerk's note: By majority vote the First Reading of Bill No. 14-08 is accepted. The concurrent motion to waive-the-rule failed to receive a unanimous vote and therefore failed.)

**Item 12. on the Agenda. PUBLIC HEARING:** on the proposed Fiscal Year 2015 Annual Operating Budget for the City of Gladstone, Missouri.

**City Manager Kirk Davis** addressed the Mayor and members of the Council and stated submitted herewith is the Fiscal Year 2015 Budget and Program of Services for the City of Gladstone. The Annual Budget for FY '15 is proposed and represents a strategic administrative and financial plan for the City of Gladstone.

**City Manager Davis** said the following overview of the FY '15 Budget illustrates the conservative approach utilized by the City, City Council, and City Staff to develop a proposed budget which benefits the entire City of Gladstone and its residents. City Manager Davis started by going over numbers in the General Fund and would review the other funds as quickly as possible.

**City Manager Davis** reported the budget continues the emphasis on Budget Team Goals that include Council goals, strategic planning initiatives, economic development initiatives, funding personnel merit and benefit increases, continuing a fleet maintenance program, and funding a Classification and Compensation Study. In the general fund: Revenues: revenue projection for FY '15 are based on FY '14 mid-year revenue projections, trends, and the current local economy. Total budgeted revenues are projected to be \$17,428,000.00. This projection represents a revenue decrease of \$1,010,000.00 from projected FY '14 mid-year revenues. Property Tax Revenue: projected to be \$3,251,000.00, representing a decrease of \$186,000.00. FY '14 was a reassessment year and valuations decreased by roughly 5%. General Fund Sales Tax Revenue: projected to show a decrease of \$78,000.00 to roughly \$3,500,000.00 over FY '14 mid-year budgets. FY '14 Sales Taxes are currently trending 4.2% below projected levels, or \$143,000.00

under projections for the current year. Charges for Services: totaling \$2,999,000.00, or 17% of our total revenues, are projected to decrease \$263,428.00 for FY '15. This decrease is due in large part to not as many senior trips being planned so far. We expect that number will increase through the course of the year, but at this point, that is what the budget reflects. At the end of the day, fund balance exceeds the 20% reserve requirement by \$20,000.00 with a positive net income in the General Fund of \$749.00. That is the revenue picture.

**City Manager Davis** continued to the Expenditure side: In the General Fund, FY '15 projected expenditures are \$17,427,000.00. This represents a \$998,000.00 decrease compared to FY '14 expenditures. City Manager Davis pointed out the yellow high-lighted items on the screen, those are to help audience members follow the numbers he portrayed in the presentation. Personnel Services: the base salary cost in FY '15 include a recommended average 2% merit pay increase and anticipated funding of the FY '15 portion of the Classification and Compensation Study, Worker's Compensation, Insurance increases, and Health Care adjustments. Supplies and Services: decreased by \$635,000.00 over FY '14. Supplies have decreased by \$157,000.00; Services by \$477,000.00. The projected decrease in supplies in \$157,000.00 is from general budget cuts across all departments. The projected decrease in services is mainly from reduction again in the senior programs mentioned earlier. Capital Requests: one of the highlights of this particular budget is a plan that was developed by Public Works Director Tim Nebergall and Finance Director Debra Daily to help us stay on top of our fleet replacement program. This budget takes advantage of some debt falling off in next year's fiscal year. It allows us to essentially finance roughly four years' worth of capital equipment purchases utilizing that debt falling off and a very low interest rate in today's market. City Manager Davis stated he is pleased to present the package. There are a lot of high dollar items on it. This budget includes, in the general fund, \$742,000.00 worth of purchases, \$445,000.00 in the water fund. Between the two we are able to do so without asking for additional taxes, and without asking for additional revenues from other sources that impact our budget. This is a good opportunity to stay on top of our fleet replacement program and thinks it is a highlight of this particular budget. Supplemental Requests: in Public Safety, \$6,475.00 is recommended for funding. \$4,000.00 of that is going to increase the medical supplies budget, and \$2,475.00 is going for replacement batteries for the auto-pulse devices in the Fire Department. Public Works: \$50,000.00 is recommended to increase the salt budget. Community Development: \$4,000.00 is recommended for funding a Farmer's Market Health Resource Intern in an effort to develop and provide good public information on the benefits of healthy life styles and the Farmer's Market itself. Parks and Recreation: \$25,800.00 recommended for funding. The Parks and Recreation items include \$11,500.00 to replace City Hall entry doors, \$5,300.00 for the 100 gallon water heater at Fire Station Two, \$7,000.00 for lighting in the Police South Lot as well as \$2,000.00 for a three point mowing deck. In non-departmental, two important expenditures are budgeted. Funding for demolitions: earlier tonight you heard what the Building Commission has been doing and they have a great deal of traction. We are increasing the budget for demolitions by \$43,000.00. \$50,000.00 is recommended for funding to begin a Citizen based Strategic Plan that was a Council goal. This is about an 18 month project so there will be additional funds required in next year's budget but this is a good start for us.

**City Manager Davis** continued to the Water and Sewer Fund. The proposed budget for FY '15 provides for all operating costs and debt service requirements. The total revenues are estimated

at \$9,303,000.00 and expenditures are estimated at \$9,285,000.00 resulting in a net income of \$18,053.00. Operating revenues for water and sewerage sales are \$9,109,000.00 for FY '15. City Manager pointed out numbers highlighted on the screen and explained the process to reach the numbers: adding total operating revenues and total non-operating revenues, then subtract the two expenditure sides, total operating expenses, then total bond requirements less the capital outlay. This projection is based on an analysis of current production usage trends and a \$.23 water rate increase and a \$.53 administration fee increase. The water rate increase (\$.23) will generate \$160,000.00 annually and is recommended to fund additional water line improvements, an additional \$100,000.00, and a debt service on heavy equipment on the fleet schedule in the amount of \$60,000.00 as scheduled through Fiscal Year '17. The administrative fee increase, \$.53 per billing, will generate \$60,000.00 annually and will cover increases in operating costs including regular maintenance, electricity, and gas. There are also mailing and processing costs for monthly billing compared to bi-monthly billing. This helps offset some of those increased costs. It has been a couple of years since we have asked for an administrative rate increase that was not involved with AMR entirely and also a rate increase on our water production.

**City Manager Davis** stated the estimated statement of revenue and expenses indicates total operational expenses of \$7,885,000.00, an increase of \$444,000.00 over FY '14. This increase is mainly due to the increase in sewer charge to \$7.28 per thousand gallons, essentially the Kansas City rate increase. Supplemental Requests: a total of \$550,000.00 was recommended in the water fund. One item was recommended for funding from reserves in the water production division, a CO tank replacement in the amount of \$60,000.00. In addition, a horizontal boring tool and an update to the water distribution Master Plan were recommended for funding from the water operations division. A back hoe, roughly \$125,000.00, and a sewer vac truck, \$325,000.00, will be financed through the lease purchase agreement as discussed in the general fund budget proposal.

**City Manager Davis** continued by touching base on the Capital Improvement Plan. There are five projects. Number one: \$25,000.00 is proposed to complete a Sidewalk Master Plan. Again, a Council goal. \$50,000.00 is proposed to update the 2000 Storm Water Master Plan. The Rock Creek Greenway trail design and construction is in this budget. Pleasant Valley Road design is in this budget. This is a partnership with Kansas City and carries with it a \$3.8 million dollar grant from the Federal Government. There is roughly \$1,000,000.00 in storm water improvements highlighted by the 68<sup>th</sup> Terrace at Bellefontaine stabilization project, the Mill Creek at Flora channel, Mill Creek and Antioch stabilization project. Those are the highlights in addition to the usual overlay intermediate maintenance and things like that that are involved in the \$1.5 million dollar road maintenance program.

**City Manager Davis** next explained the Community Center. The proposed Community Center and City Parks Fund FY '15 budget will provide for all operating costs and debt service requirements. Total revenues are estimated at \$3,205,000.00. \$3,226,000.00 is in the memo but it is actually \$3,205,000.00. Total expenditures are estimated at \$3,226,000.00. The supplemental requests in that fund are \$46,000.00 recommended for funding including cardio equipment replacement, roughly \$28,000.00 and one-half of the cost of preventative maintenance for the Metasys Johnson Controls. In the Natatorium Division supplemental requests in the amount of \$17,259.00 were recommended for funding for a prominent controller replacement,

roughly \$11,000.00, an increase for maintenance on the Daktronic Service, \$4,400.00, and the remaining one-half of the cost for the preventative maintenance for the Metasys Johnson Controls equipment. \$21,000.00 roughly is coming out of equity to balance that particular budget this year but all in all he thinks the Community Center staff does a great job of making sure we are fiscally sound in that particular operation.

**City Manager Davis** continued with the Public Safety Sales Tax Fund. The proposed Public Safety Sales Tax Fund FY '15 will again provide for all operating and debt service requirements promised to the voters in 2010. Total revenues are estimated at \$755,000.00 and total expenditures are estimated to be \$842,000.00. The fund balance at the end of the day is \$54,586.00. Highlighting the supplemental requests in the Public Safety Sales Tax Fund: radar replacements roughly \$7,000.00. Cell phone service \$3,186.00. Two patrol vehicles with emergency equipment \$60,000.00. Two Ford Interceptor Patrol vehicles with equipment \$60,000.00.

**City Manager Davis** said he flew through the totals. The supplemental packages are important and he thinks they address the top requirements as submitted by each department. City Manager Davis thanked the Budget Team, Assistant City Manager Scott Wingerson, Finance Director Debra Daily, Police Chief Mike Hasty, (he drew the short straw this year and was part of the budget team); HR Administrator Charlene Leslie and Financial Analyst Beth Saluzzi. They do a great job and they spent hours putting this together as you know and he certainly wants to thank them for all of the work they put into the budget. City Manager Davis also thanked the Council for the hours they spent reviewing documentation, and made himself available for any questions. There is a lot of detail that City Manager Davis did not regurgitate, but that does not mean we cannot revisit anything the Council is interested in.

**Mayor J. Brian Hill** thanked City Manager Davis and asked if there was anyone in the audience who desires to address the City Council in favor of the application. (seeing none). Mayor J. Brian Hill asked if there was anyone in the audience who wanted to address the City Council in opposition of the proposed budget. (seeing none). Mayor J. Brian Hill closed the Public Hearing at 8:35 pm.

**Item 13. on the Agenda.** **FIRST READING BILL NO. 14-14** Amending Schedule VIII of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to Establish a "STOP" Sign location at the Northeast Corner of the Intersection at Northwest 51<sup>st</sup> Street and North Washington Street.

**Mayor Pro Tem Garnos** moved to place Bill No. 14-14 on its First Reading. **Councilmember Carol Suter** seconded. The vote: All "aye"; Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor J. Brian Hill. (5-0) The Clerk read the Bill.

**Mayor Pro Tem Garnos** moved to accept the First Reading of Bill No. 14-14, waive the rule and place the Bill on its Second and Final Reading. **Councilmember Carol Suter** seconded. The vote: All "aye"; Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor J. Brian Hill. (5-0). The Clerk read the Bill.



**Mayor Pro Tem Garnos** moved to accept the Second and Final Reading of Bill No. 14-14 and Enact the Bill as Ordinance No. 4.268. **Councilmember Carol Suter** seconded. The Vote: All "aye"; Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor J. Brian Hill. (5-0).

**Item 14. on the Agenda.** **FIRST READING BILL NO. 14-15 FINAL PLAT** at 6527 and 6559-6599 North Oak Trafficway.

Owner: Clay County Realty Company. Applicant: Anderson Survey Company.

**Councilmember Jean Moore** moved to place Bill No. 14-15 on its First Reading. **Councilmember Carol Suter** seconded. The vote: All "aye"; Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor J. Brian Hill. (5-0). The Clerk read the Bill.

**Councilmember Jean Moore** moved to accept the First Reading of Bill No. 14-15, waive the rule and place the Bill on its Second and Final Reading. **Councilmember Carol Suter** seconded. The vote: All "aye"; Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor J. Brian Hill. (5-0). The Clerk read the Bill.

**Councilmember Jean Moore** moved to accept the Second and Final Reading of Bill No. 14-15 and enact the Bill as Ordinance 4.269. **Councilmember Carol Suter** seconded. The vote: All "aye"; Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor J. Brian Hill. (5-0).

**Item 15. on the Agenda.** **OTHER BUSINESS.**

There was no other business to come before the City Council.


**Item 16. on the Agenda.** **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

**Item 17. on the Agenda.** **ADJOURNMENT.**


Mayor J. Brian Hill adjourned the meeting at 8:40 pm.

Respectfully submitted:

  
Ruth Bocchino, City Clerk

Approved as submitted: 

Approved as corrected/amended: \_\_\_\_\_

  
Mayor J. Brian Hill