



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 26, 2018**

REGULAR MEETING: 7:30 PM

TENTATIVE AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance to the Flag of the United States of America.**
- 4. Approval of Agenda.**
- 5. Approval of the November 12, 2018, Closed City Council Meeting Minutes.**
- 6. Approval of the November 12, 2018, Regular City Council Meeting Minutes.**
- 7. Approval of the November 19, 2018, Special City Council Meeting Minutes.**

REGULAR AGENDA

- 8. Communications from the Audience.**
- 9. Communications from the City Council.**
- 10. Communications from the City Manager.**
- 11. RESOLUTION R-18-68** A Resolution authorizing the City Manager to execute a contract with Blue Nile Contractors, Incorporated, in the total amount not to exceed \$85,320.00 for the 2018 Sanitary Sewer Cleaning and Televising Project.

12.APPROVAL OF MONTH END OCTOBER 2018 FINANCIAL REPORT

13.CONTINUED FROM NOVEMBER 12, 2018: PUBLIC HEARING:

Special Use Permit to Sara & Kenny Boyer for operation of a Meridian Stress Assessment testing and retail supplement sales operation on property located at 101 Northeast 62nd Terrace.

14.FIRST READING BILL NO. 18-41 An Ordinance granting a Special Use Permit subject to certain conditions to Sara & Kenny Boyer for operation of a Meridian Stress Assessment testing and retail supplement sales operation on property at 101 Northeast 62nd Terrace.

15. Other Business.

16. Adjournment.

Representatives of the News Media may obtain copies of this notice by contacting:

City Clerk Ruth Bocchino	Posted at 10:00 am
City of Gladstone	November 21, 2018, 2018
7010 North Holmes	
Gladstone, MO 64118	
816-423-4096	



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 12, 2018**

PRESENT: Mayor Bill Garnos
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman R.D. Mallams
Councilman Kyle Yarber

City Manager Scott Wingerson
Assistant City Manager Bob Baer
City Clerk Ruth Bocchino
City Counselor Chris Williams

Item No. 1. On the Agenda. Meeting Called to Order.

Mayor Garnos opened the Regular City Council Meeting Monday, November 12, 2018, at 7:36 pm in the Gladstone City Council Chambers.

Item No. 2. On the Agenda. ROLL CALL.

All Councilmembers were present.

Item No. 3. On the Agenda. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

Mayor Garnos asked all to join in the Pledge of Allegiance to the Flag of the United States of America.

Item No. 4. On the Agenda. Approval of Agenda.

Approved as amended. Item No. 14 and 15 were moved to the next regularly scheduled City Council meeting, November 26, 2018.

Item No. 5. On the Agenda. Approval of the October 22, 2018, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the October 22, 2018, Closed City Council meeting as presented. **Councilman Yarber** seconded. The Vote: "aye", Councilman

Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Item No. 6. On the Agenda. Approval of the October 22, 2018, Regular City Council Meeting Minutes.

Councilmember Moore moved to approve the minutes of the October 22, 2018, Regular City Council meeting as presented. **Mayor Pro Tem Suter** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

REGULAR AGENDA.

Item No. 7. On the Agenda. Communications from the Audience.

John Callicotte approached Council and stated: *“John Callicotte, I live at 6808 North Wayne. So the intersection just south of where I live has some dangerous issues I think and so what happens is that the north-south traffic does not have to stop but the east-west does have stop signs. Most of the people that are on the east-west side that stop think it’s a four-way stop so they have a tendency to just roll through it and ignore the cross traffic. I am suggesting that maybe the signage could be added to those sides to say ‘cross traffic doesn’t stop’ or something to that effect. Something very easy. It’s really dangerous. I’ve almost hit several people right there. 68th and North Wayne.*

City Manager Scott Wingerson stated: *“Mr. Callicotte, thank you for coming tonight first of all; and second of all, our Director of Public Works is Tim Nebergall. He is here if you could share your phone number with Director Nebergall, he will take a look at it and call you to see what we can do to help the situation.”*

Mr. Callicotte stated: *“Great, that would be great. I appreciate it. That’s all I had.”*

Item No. 8. On the Agenda. Communications from the City Council.

Councilman Yarber stated: *“Yes, the new exhibit opened up at the Atkins-Johnson Farm, ‘Holiday Toys’ and it will be open just after Halloween and will be there until Santa visits in December.”*

Mayor Pro Tem Suter stated: *“I just returned this weekend from the National League of Cities Convention, the annual Convention, which I really appreciate the opportunity to attend it. It is my favorite one because I always learn so much and it is very helpful in terms of understanding what is going on around the country and what other cities around the country are working on and concerned about and also it’s a great opportunity to bring back some ideas and some resources that can be helpful to Gladstone. This year, just as last year, the biggest issue was housing again. The housing sessions were packed. People all across the country are just really struggling with affordable housing; housing affordability which is a different question, that is more about workforce housing, and the lack of new construction, especially multi-family. You*

always kind of think sometimes when you look around that we have so many apartments going up, but in order to accommodate the current market in the next 10 years, just to meet the current demand, will take like 4,500,000 new units to be built and we are on track to build 3,000,000 which means in 10 years we'd still be short 1,600,000 for the current demand and all indications are that more and more demand for rental housing will be happening in the next few years. There are no incentives anymore to buy because of the changes in the tax code and the next generation isn't very interested in buying anyway. Interestingly, retiring boomers aren't very interested in owning anymore and want to rent. I found that interesting and when you think about ways for communities to grow, there is a huge need for multi-family housing all across America, and Kansas City wouldn't be any different I don't think. Anyway, it was a good conference."

Mayor Garnos stated: *"I had a number of things I wanted to mention. Obviously I want to thank city staff for all their efforts coordinating the ribbon cutting at Hobby Hill Park. I thought that went very well. Last week I attended the meeting of our Neighborhood Commission and we are continuing to refine the housing matrix strategy. I of course want to recognize our Veterans for Veteran's Day. I also wanted to recognize the passing of Lynn Corbett. Lynn was a Chamber Ambassador and a huge supporter of Gladstone. I think I visited with him at just about every Chamber event and he invariably was always pleasant, was always friendly, and never had anything to complain about. You can't say that about many people so I wanted to recognize his passing. In the next couple of weeks, we've got the Chamber lunch at the Elks Club, and of course the Mayor's Christmas Tree Lighting Ceremony which is always a nice kick-off to the holiday season. After that, we have the always popular Board and Commission interviews and Goal Setting Session. We have a lot of fun stuff to look forward to."*

Item No. 9. On the Agenda. Communications from the City Manager.

City Manager Wingerson stated: *"Thank you, Mayor. Just two very quick items. One is to echo your comments about Mr. Corbett. Lynn was just an absolute supporter of our community for probably 35 years; I'm kind of guessing. As you said very well, he was always in a good mood and always willing to help. We are going to miss Lynn a lot. The second thing is to thank Director Nebergall for not doing something. Thursday of last week, it was predicted to snow and freeze and ice over and basically the world as we know it was going to come to the end if you listened to weather forecasters. MODOT and every major city in this region salted. The event was not at all, it didn't rain, it didn't freeze, it didn't do anything. We took pavement temperature readings and we watched the weather and we formed an opinion that treatment wasn't necessary so we saved untold number of resources and manpower over time and actual materials by not doing it, as opposed to today, when we did get on top of it. As I think Kirk used to say best, 'caught the second snowflake.' One, thanks for not, and one, thanks for doing, Tim. I'm sure he will pass that along to his folks. Thank you."*

Item No. 10. On the Agenda. RESOLUTION R-18-65 A Resolution authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the Pleasant Valley Road Improvements-North Indiana Avenue to North Brighton Avenue, and authorizing final payment in the amount of \$150,267.62 for Project TP1411.

Mayor Pro Tem Suter moved to approve **RESOLUTION R-18-65** A Resolution authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the Pleasant Valley Road Improvements-North Indiana Avenue to North Brighton Avenue, and authorizing final payment in the amount of \$150,267.62 for Project TP1411. **Councilman Yarber** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Item No. 11. On the Agenda. RESOLUTION R-18-66 A Resolution authorizing the City Manager to execute a Land Use Agreement with Kelly S. Taylor, CPA, PC, to install a new business sign as part of the Pleasant Valley Road Improvements Project from North Indiana Avenue to North Brighton Avenue; Project #TP1411; Federal Project #STP-3323(407).

Councilman Mallams moved to approve **RESOLUTION R-18-66** A Resolution authorizing the City Manager to execute a Land Use Agreement with Kelly S. Taylor, CPA, PC, to install a new business sign as part of the Pleasant Valley Road Improvements Project from North Indiana Avenue to North Brighton Avenue; Project #TP1411; Federal Project #STP-3323(407). **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Item No. 12. On the Agenda. RESOLUTION R-18-67 A Resolution authorizing the City Manager to enter into a proposed Lease Agreement with iWerx, LLC, to operate iWerx Design, an Artistic Cooperative Incubator that supports local art and artisans, located at 7022 North Locust, Gladstone, Missouri 64118.

Councilmember Moore moved to approve **RESOLUTION R-18-67** A Resolution authorizing the City Manager to enter into a proposed Lease Agreement with iWerx, LLC, to operate iWerx Design, an Artistic Cooperative Incubator that supports local art and artisans, located at 7022 North Locust, Gladstone, Missouri 64118. **Mayor Pro Tem Suter** seconded.

Mayor Pro Tem Suter stated: *“I would just like to say how excited I am to finally have this project up and going. We have been thinking about and talking about and hoping for an arts incubator in Gladstone for a long time. It’s a perfect piece to go with the iWerx business that provides support for new entrepreneurs and it’s a perfect piece to make that combination of business, education, and the arts right here in downtown where we hope to generate lots of bumping into each other as they call it that creates a lot of creative new ideas and energy for the city. Glad to see this finally on the agenda.”*

The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Item No. 13. On the Agenda. APPROVE OUTDOOR SPECIAL EVENT PERMIT: Mayor’s Christmas Tree Lighting, 602 NE 70th Street, Linden Square, Tuesday, November 20, 2018, 6:00-7:30 pm.

Mayor Pro Tem Suter moved to approve the **OUTDOOR SPECIAL EVENT PERMIT:** Mayor's Christmas Tree Lighting, 602 NE 70th Street, Linden Square, Tuesday, November 20, 2018, 6:00-7:30 pm. **Councilmember Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Item No. 14. On the Agenda. PUBLIC HEARING: Special Use Permit to Sara & Kenny Boyer for operation of a Meridian Stress Assessment testing and retail supplement sales operation on property located at 101 Northeast 62nd Terrace.

This hearing will be opened and immediately continued to the November 26, 2018, City Council meeting at the request of the applicant.

Mayor Garnos stated: *"The next two items on our agenda were for a Public Hearing and an Ordinance on a Special Use Permit. As I mentioned in the beginning of our meeting, the applicant has asked to continue these items to our next regular meeting, therefore I will now open the Public Hearing (7:49 pm) for a Special Use Permit to Sara and Kenny Boyer for operation of a Meridian Stress Assessment testing and retail supplement sales operation on property located at 101 Northeast 62nd Terrace. This hearing will now be continued at the request of the applicant until our next Regular meeting of the City Council on November 26, 2018."*

Item No. 15. On the Agenda. FIRST READING BILL NO. 18-41 An Ordinance granting a Special Use Permit subject to certain conditions to Sara & Kenny Boyer for operation of a Meridian Stress Assessment testing and retail supplement sales operation on property at 101 Northeast 62nd Terrace.

Mayor Garnos stated: *"Item 15 is the Ordinance that would have granted the Special Use Permit so we will also continue this item until our next Regular meeting on November 26, 2018."*

Item No. 16. On the Agenda. Other Business.

There was no other business to come before the Council.

Item No. 17. On the Agenda. Adjournment.

Mayor Garnos adjourned the November 12, 2018, Regular City Council meeting at 7:50 pm.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____

Mayor Bill Garnos



**MINUTES
SPECIAL CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 19, 2018**

PRESENT: Mayor Bill Garnos
Mayor Pro Tem Carol Suter
Councilmember Jean Moore
Councilman R.D. Mallams
Councilman Kyle Yarber

City Manager Scott Wingerson
Assistant City Manager Bob Baer
City Clerk Ruth Bocchino

Meeting Called to Order.

Mayor Garnos opened the Special City Council Meeting Monday, November 19, 2018, at 6:30 pm in the North Conference Room of City Hall, 7010 North Holmes, Gladstone, Missouri.

ROLL CALL.

All Councilmembers were present.

Approval of Agenda.

Approved as published.

FIRST READING BILL NO. 18-42 An Ordinance consenting to the assignment of certain documents related to the Northland Innovation Center Project and authorizing the execution of certain documents and taking of certain actions in connection with the assignment of such documents and the transfer of the Project.

Councilman Mallams moved Bill No. 18-42 be placed on its First Reading. **Mayor Pro Tem Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 18-42, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 18-42, and enact the Bill as **Ordinance 4.449**. **Mayor Pro Tem Suter** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Adjournment.

Mayor Garnos adjourned the November 19, 2018, Special City Council meeting at 6:40 pm.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____

Mayor Bill Garnos

RESOLUTION NO. R-18-68

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH BLUE NILE CONTRACTORS, INCORPORATED, IN THE TOTAL AMOUNT NOT TO EXCEED \$85,320.00 FOR THE 2018 SANITARY SEWER CLEANING AND TELEVISIONING PROJECT.

WHEREAS, Blue Nile Contractors, Incorporated was awarded the 2017 Sanitary Sewer Cleaning and Televisioning contract; and

WHEREAS, the proposal included the mutual option to extend the contract in one (1) year increments to a maximum of three (3) years; and

WHEREAS, it is the recommendation of the Director of Public Works to award the 2018 Sanitary Sewer Cleaning and Televisioning project to Blue Nile Contractors, Incorporated.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to execute a contract with Blue Nile Contractors, Incorporated for work as outlined in the contract for a total amount not to exceed \$85,320.00.

FURTHER, THAT, funds for such purpose are authorized from the Combined Waterworks and Sewerage System Funds Budget.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 26TH DAY OF NOVEMBER 2018.

Mayor Bill Garnos

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-18-68

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 11/20/2018

Department: Public Works

Meeting Date Requested: 11/26/2018

Public Hearing: Yes ☐ Date: [Click here to enter a date.](#)

Subject: 2018 Sanitary Sewer Cleaning and Televising

Background: Blue Nile Contractors, Incorporated was awarded the 2017 Sanitary Sewer Cleaning and Televising contract. The proposal included the mutual option to extend the contract in one (1) year increments to a maximum of three (3) years.

Budget Discussion: Funds are budgeted in the amount of \$120,000 from the CWSS Fund. Ongoing costs are estimated to be \$ 120,000 annually. Previous years' funding was \$114,000

Public/Board/Staff Input: It is the recommendation of the Director of Public Works to award the 2018 Sanitary Sewer Cleaning and Televising project to Blue Nile Contractors, Incorporated.

Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Timothy A. Nebergall
Department Director/Administrator

PC
City Attorney

SW
City Manager



CITY OF GLADSTONE

MISSOURI

Financial Report for Four Months Ended
October 31, 2018

GENERAL FUND

Revenue Source	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
Property Tax	\$ 49,151	\$ 55,321	\$ (6,170)	-11%	1%	\$ 3,491,050
Sales Tax	1,400,670	1,358,200	42,470	3%	35%	3,965,000
Gross Receipts Tax	1,252,535	1,205,121	47,414	4%	36%	3,502,000
Licenses & Permits	412,478	447,349	(34,871)	-8%	59%	702,550
Intergovernmental	508,754	498,544	10,210	2%	38%	1,341,500
Charges for Services	1,179,559	1,012,331	167,228	17%	36%	3,274,100
Fines & Forfeitures	220,226	274,652	(54,426)	-20%	23%	959,500
Operating Revenues	5,023,373	4,851,518	171,855	4%	29%	17,235,700
Misc. Revenue	355,442	281,698	73,744	26%	38%	936,512
Equity Transfer	100,000	504,809	(404,809)	-80%	100%	100,000
Total Revenues	\$ 5,478,815	\$ 5,638,025	\$ (159,210)	-3%	30%	\$ 18,272,212

Total revenues for the General Fund through four months or 33% of this fiscal year are \$5,478,815 compared to total budgeted revenues for the year of \$18,272,212. Operating revenues for the General Fund are \$5,023,373 while last year at this time operating revenues were \$4,851,518, resulting in a \$171,855 increase over last year. Property tax collections are down as the majority of property tax receipts will come in December and January. Sales tax on a cash basis is up 3% or \$42,470 over the same time last year. Gross receipts taxes are up 4% or \$47,414 over last year, mainly due to electric gross receipts. License and Permits revenues are down 8% or \$34,871 from the same time as last year due to less new construction activity. Intergovernmental is up 2% due to increased motor vehicle taxes. Charges for Services are up 17% or \$167,228 compared to the previous year due to senior activities. Fines and Forfeitures are down 20% or \$54,426 from the same time last year due to the effects of state legislation. Miscellaneous Revenue is up 26% due to increases in interest revenue and insurance settlements. Equity transfer is down due to prior year re-appropriations of \$504,809.

Expenditure Function	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
General Administration	\$ 347,588	\$ 381,079	\$ (33,491)	-9%	25%	\$ 1,366,603
Finance	519,606	400,099	119,507	30%	34%	1,529,243
Public Safety	2,754,418	2,711,997	42,421	2%	33%	8,404,853
Public Works	749,616	734,344	15,272	2%	32%	2,379,163
Community Development	246,956	265,477	(18,521)	-7%	30%	816,603
Parks & Recreation	1,286,658	1,097,684	188,974	17%	52%	2,494,846
Non-Departmental	521,255	522,455	(1,200)	0%	59%	880,976
Transfers/Debt	171,368	134,554	36,814	27%	43%	395,015
Total Expenditures	\$ 6,597,465	\$ 6,247,689	\$ 349,776	6%	36%	\$ 18,267,302

Expenditures through four months or 33% of this fiscal year amounted to \$6,597,465 or 36% of FY19 budgeted expenditures of \$18,267,302. This indicates that actual expenditures are 6% or \$349,776 more than last year's expenditures of \$6,247,689. General Administration expenditures are down 9% or \$33,491 compared to last year due to timing of contractual payments. Finance expenditures are up 30% due to personnel changes and refund to Medicare. Public Safety expenditures are up \$42,421 or 2% due to increased personnel costs. Public Works expenditures are up 2% due to personnel and maintenance on equipment. Community Development expenditures are down 7% due to personnel changes and timing of contractual payments. Parks & Recreation expenditures are up 17% or \$188,974 from the same time last year due mainly to increases in Senior Activities. Non-Departmental is flat. Current revenues are less than expenditures in the amount of \$1,118,650. This is due to the City's full year insurance premium and debt payments being due in July, while the bulk of the property taxes will not come in until December or January.

COMBINED WATER AND SEWERAGE SYSTEM FUND

Revenue Source	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
Sanitation	\$ 2,170,512	\$ 2,068,447	\$ 102,065	5%	33%	\$ 6,542,500
Water	1,647,539	1,530,135	117,404	8%	39%	4,278,931
Operating Revenues	3,818,051	3,598,582	219,469	6%	35%	10,821,431
Misc Revenue	35,800	13,821	21,979	159%	29%	122,000
Equity Transfer	-	64,126	(64,126)	-100%	0%	-
Total Revenues	<u>\$ 3,853,851</u>	<u>\$ 3,676,529</u>	<u>\$ 177,322</u>	<u>5%</u>	<u>35%</u>	<u>\$ 10,943,431</u>

Total budgeted revenues for the fiscal year are \$10,943,431. Total revenues through four months or 33% of this fiscal year, amounted to \$3,853,851 or 35% of FY19 budgeted revenues. Operating revenues are up 6% or \$219,469 from last year due to rate increases in both water and sewer. Miscellaneous revenues are up due to increased interest earnings and sale of assets.

Expenditure Function	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
Production	\$ 378,352	\$ 409,512	\$ (31,160)	-8%	29%	\$ 1,288,806
Operations & Maint	586,046	331,321	254,725	77%	36%	1,634,726
Sewer Collection	127,402	80,554	46,848	58%	25%	516,400
Non-Departmental	1,802,073	1,703,241	98,832	6%	28%	6,443,594
Debt Payments	425,535	427,686	(2,151)	-1%	40%	1,059,905
Total Expenses	<u>\$ 3,319,408</u>	<u>\$ 2,952,314</u>	<u>\$ 367,094</u>	<u>12%</u>	<u>30%</u>	<u>\$ 10,943,431</u>

Total budgeted expenses for the fiscal year are \$10,943,431. Total expenses through four months or 33% of this fiscal year amounted to \$3,319,408 or 30% of FY19 budgeted expenses. Production expenditures are down 8% due to repairs to well #3 in the previous fiscal year. Operations division expenditures are up 77% , or \$254,725 from the previous year due to water main repairs. Sewer division expenditures are up 58% or \$46,848 due to personnel costs and timing of the sewer main projects. Non-departmental is up 6% due to increases in sewer payments to Kansas City consistent with higher sewer rates, and increased insurance costs. Debt payments are flat. Current revenues exceed current expenses for the fiscal year. Net income on a cash basis is \$534,443.

COMMUNITY CENTER AND PARKS TAX FUND

Revenue Source	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 301,117	\$ 292,846	\$ 8,271	3%	34%	\$ 874,000
Intergovernmental	-	-	-	0%	0%	700,000
Charges for Service	373,218	370,705	2,513	1%	30%	1,263,825
Other Income	<u>65,135</u>	<u>51,772</u>	<u>13,363</u>	<u>26%</u>	<u>24%</u>	<u>268,000</u>
Operating Revenues	739,470	715,323	24,147	3%	24%	3,105,825
Misc Revenue	17,439	9,620	7,819	81%	19%	90,000
Transfers	-	-	-	0%	0%	749,500
Equity Transfer	<u>187,085</u>	<u>186,265</u>	<u>820</u>	<u>0%</u>	<u>100%</u>	<u>187,085</u>
Total Revenues	<u>\$ 943,994</u>	<u>\$ 911,208</u>	<u>\$ 32,786</u>	<u>4%</u>	<u>23%</u>	<u>\$ 4,132,410</u>

Total budgeted revenues for the fiscal year are \$4,132,410. Total revenues through four months or 33% of this fiscal year, amounted to \$943,994 or 23% of FY19 budgeted revenues. Operating revenues are up 3% or \$24,147 compared to FY18. Sales tax received is up 3%. Charges for Service are up 1% or \$2,513 from last year. Miscellaneous Revenue is up 81% due to increased interest revenue. Other Revenue is up 26% or \$13,363 due to increased banquet room rental. Equity adjustment is up \$820.

Expenditure Function	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
Community Center	\$ 278,760	\$ 277,737	\$ 1,023	0%	33%	\$ 837,675
Natatorium	276,744	281,837	(5,093)	-2%	33%	831,398
Outdoor Pool	94,214	92,035	2,179	2%	52%	182,183
Non-Departmental	108,571	98,985	9,586	10%	76%	143,549
Debt Payments	<u>1,050,788</u>	<u>1,026,203</u>	<u>24,585</u>	<u>2%</u>	<u>49%</u>	<u>2,137,590</u>
Total Expenses	<u>\$ 1,809,077</u>	<u>\$ 1,776,797</u>	<u>\$ 32,280</u>	<u>2%</u>	<u>44%</u>	<u>\$ 4,132,395</u>

Total budgeted expenditures for the fiscal year are \$4,132,395. Total expenses through four months or 33% of this fiscal year, amounted to \$1,809,077 or 44% of FY19 budgeted expenses. Community Center expenses are flat from the same time last year. The Natatorium is down 2% or \$5,093 from the same time last year because of the repairs to the HVAC system from storm damage. Outdoor Pool expenses are up 2% due to personnel. Non-departmental is up 10% mainly due to an increase equipment maintenance and insurance expense. Net loss on a cash basis is \$865,083. Transfers to the CCPT fund from TST and CIST will occur in November, and payment from the North Kansas City School District will occur around the first of the year.

PUBLIC SAFETY SALES TAX FUND

Revenue Source	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 301,110	\$ 292,837	\$ 8,273	3%	34%	\$ 874,000
Misc Revenue	2,489	8,552	(6,063)	-71%	55%	4,500
Equity Transfer	44,086	-	44,086	0%	100%	44,086
Total Revenues	<u>\$ 347,685</u>	<u>\$ 301,389</u>	<u>\$ 46,296</u>	<u>15%</u>	<u>38%</u>	<u>\$ 922,586</u>

Total budgeted revenues for the fiscal year are \$922,586. Total revenues through four months or 33% of this fiscal year amounted to \$347,685 or 38% of FY19 budgeted revenues. Sales tax on a cash basis is up 3%. Misc. revenue is down \$6,063 from the previous year due to the sale of assets.

Expenditure Function	October 2018	October 2017	\$ Change	% Change	% of Budget	FY19 Budget
PSST Law	\$ 174,571	\$ 196,211	\$ (21,640)	-11%	27%	\$ 643,703
Non-Departmental	28,270	20,388	7,882	39%	66%	42,948
Debt Payments	-	-	-	0%	0%	235,935
Total Expenses	<u>\$ 202,841</u>	<u>\$ 216,599</u>	<u>\$ (13,758)</u>	<u>-6%</u>	<u>22%</u>	<u>\$ 922,586</u>

Total budgeted expenditures for the fiscal year are \$922,586. Total expenses through four months or 33% of this fiscal year are \$202,841 or 22% of the FY19 budgeted expenses. Law division is down 11% due to timing of contractual commitments and personnel. Non-Departmental is up 39% due to the purchase of equipment. Current revenues are greater than current expenditures. Net income on a cash basis is \$144,844.

Respectfully submitted



Dominic Accurso
Director of Finance

BILL NO 18-41

ORDINANCE NO. 4.448

AN ORDINANCE GRANTING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO SARA & KENNY BOYER FOR OPERATION OF A MERIDIAN STRESS ASSESSMENT TESTING AND RETAIL SUPPLEMENT SALES OPERATION ON PROPERTY AT 101 NORTHEAST 62ND TERRACE.

WHEREAS, Pursuant to Section 32-39 of Ordinance No. 2.292 being the Gladstone Zoning Ordinance, public notice was made of a request for a Special Use Permit on property at 101 NE 62nd Terrace; and

WHEREAS, public hearings have been held after the publishing of the required notices; and

WHEREAS, the Planning Commission of the City of Gladstone did submit its recommendation to the City Council for approval; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, as follows:

SECTION 1. That Sara & Kenny Boyer are hereby granted a Special Use Permit for operation of an MSA Testing and Retail Supplement Sales operation on property at 101 NE 62nd Terrace, the effective date of which shall be the enactment date of this Ordinance and expiring **one** year from the date of passage of this ordinance, all subject to the following conditions:

1. This Special Use Permit is issued to Sara & Kenny Boyer to be used at the above noted address.
2. This Special Use Permit shall be non-transferable to any other persons or company, or to any other location.
3. Any changes in operation of the business by Sara & Kenny Boyer or change in ownership shall render this Special Use Permit null and void.
4. No persons other than Sara & Kenny Boyer shall be employed at this location or any other address in association with the MSA Testing and Supplement shop by Sara & Kenny Boyer.
5. Hours of operation shall be limited to Mondays, Thursdays, and Fridays from 9:30am to 3:30pm.
6. Sara & Kenny Boyer must reside at this residence for this permit to be valid.
7. Sara & Kenny Boyer shall apply for and maintain all applicable State and City business and occupational licenses; copy of such business and occupational licenses shall be supplied to the Community Development Department of the City of Gladstone.
8. No outdoor storage of products/materials.
9. No parking of commercial vehicles or commercial deliveries.
10. No more than 2 customers per hour during the allowed hours of operation.
11. No signage of the business shall be displayed on the premises.

SECTION 2. SEVERABILITY CLAUSE. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 26TH DAY OF NOVEMBER, 2018.

Mayor Bill Garnos

ATTEST:

Ruth Bocchino, City Clerk

1st Reading: November 26, 2018

2nd Reading: November 26, 2018

File #2018-013



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # Bill 18-41

ORD # 4.448

Date: 11/8/2018

Department: Community Development

Meeting Date Requested: 11/26/2018

Public Hearing: Yes ☒ Date: 11/26/2018

Subject: Granting of a 1-year Special Use Permit for Sara & Kenny Boyer for an operation of a Meridian Stress Assessment (MSA) testing and supplement sales/pick-up operation located at 101 NE 62nd Terrace.

Background: The applicant tonight is Sara and Kenny Boyer, primarily Mrs. Boyer. Sara is applying for a 1-year Special Use Permit for the purpose of having a "Home Meridian Stress Assessment Testing and the pickup of natural supplements" business at her residential address of 101 NE 62nd Terrace. Mrs. Boyer's Living By Nature business is primarily conducted online and over the phone and pick-ups would be scheduled ahead of time so that no shopping in the traditional sense would occur. City staff has received phone calls with a concern of parking at this residence and their concerns were addressed within city staff recommended conditions. Since the Planning Commission voted on this project (9-2 in favor), a letter of opposition, signed by neighboring residents was delivered to City Hall on November the 12th. This letter can be found in the packet. This particular home business is similar to past projects that were considered such as day cares for children and home hair salons.

Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: Planning Commission had some discussion in regard to the "retail" portion of supplement sales. Also, there are concerns from neighbors who believe this business may affect their home values. A letter of opposition was delivered by neighbors on Monday, November the 12th. The Commission approved the Special Use Permit 9-2. **Project Update November 19, 2018 – Mrs. Boyer has spoken to many of her neighbors who were in opposition to her SUP and believes that many, if not all issues, have been resolved. A letter she wrote to her neighbors is included in the packet.

Provide Original Contracts, Leases, Agreements, etc. to:

Austin Greer
Assistant to the City Manager/Planning Administrator

PD
City Counselor

SW
City Manager



Community Development Department Staff Report

Date: October 2, 2018

File #: 2018-013

Requested Action: Special Use Permit for Home Meridian Stress Assessment (MSA) Testing & Retail Sales of Supplements Business

Date of PC Consideration: October 15, 2018

Date of Council Consideration: November 12, 2018

Applicant: Sara & Kenny Boyer
Living By Nature LLC
101 NE 62nd Terrace
Gladstone, MO 64118

Owner: Same

Architect/Engineer: N/A

Address of property: 101 NE 62nd Terrace

General location of property: South of 64th Street, west of Grand Ave on 62nd Terrace.

Physical Characteristics: Existing single family residence located adjacent to residential uses to the north, south, east, and west.

Planning Information

Current Zoning: R-2 Two Family Dwelling District

Zoning History: None recent

Planned Land Use: Two Family Dwelling District

Streetscape Guidelines: N/A

Applicable Regulations: Zoning Ordinance

Additional Information

Public Utility Availability: Existing

Access: Driveway off of NE 62nd Terrace

Traffic Division Comments: None

Parking Required: Driveway only

Parking Provided: Minimum requirement is met

Proposed On-Site Improvements: N/A

Proposed Off-Site Improvements: N/A

Proposed Landscaping: N/A

Proposed Signage: Business owner and City staff have agreed to no signage.

Recommended Conditions

1. This Special Use Permit is issued to Sara & Kenny Boyer to be used at the above noted address.
2. This Special Use Permit shall be non-transferable to any other person or company, or to any other location.
3. Any changes in operation of the business by Sara & Kenny Boyer or change in ownership shall render this Special Use Permit null and void.
4. No persons other than Sara & Kenny Boyer shall be employed at this location in association with the MSA testing and supplement sales by Sara & Kenny Boyer.
5. Hours of operation shall be limited to Mondays, Thursdays, and Fridays from 9:30am to 3:30pm.
6. Sara & Kenny Boyer must reside at this residence for this permit to be valid.
7. Sara & Kenny Boyer shall apply for and maintain all applicable State and City business and home occupational licenses; copy of such business and occupational licenses shall be supplied to the Community Development Department of the City of Gladstone.
8. No outdoor storage of products/materials.
9. No parking of commercial vehicles or commercial deliveries.
10. No more than 2 customers per hour during the allowed hours of operation.
11. No signage of the business shall be displayed on the premises.

Analysis

The applicant seeks approval of a Special Use Permit for the operation of a home-based MSA testing and retail sales for supplements business located at 101 NE 62nd Terrace. The location of this Two-Family Dwelling District is not located near any major commercial intersection and is completely surrounded by residential homes (R2 – Two Family Dwelling District). City Staff has received at least one phone call from a resident residing in the neighborhood of 101 NE 62nd Terrace, and they have concerns in regard to the number of vehicles and street parking that will be allowed. It is City Staff's recommendation that there will be no street parking in addition to no more than 2 customers per hour, during the permitted hours of operation, be allowed to park in the driveway in an effort to keep the neighborhood environment residential. Also, signage of any kind (whether permanent or temporary) should not be allowed on the premises so as not to set a precedent of allowing signage on residential property.

Recommendation

Staff and the Planning Commission recommend that the request be approved for one year contingent upon compliance with the above recommended conditions.



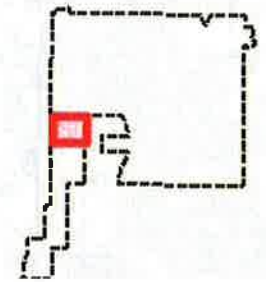
Gladstone, MO



666.7 0 333.33 666.7 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Legend

- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- Building Footprint
- School Polygon
- City Park
- Villages
- Apartment Polygon

Notes

101 NE 62nd Ter
Gladstone, MO
File 2018-013

GLADSTONE PLANNING COMMISSION MINUTES

Council Chambers October 15, 2018

1. Meeting called to Order- Roll Call. Chairman Ward called the meeting to order at 7:00 pm.

Commissioners present were: Chase Cookson
Mike Ebenroth
Alicia Hommon
Gary Markenson
Jennifer McGee
Katie Middleton
Kim Murch
Shari Poindexter
Bill Turnage
Larry Whitton
Don Ward, Chair

Absent: James New

Also present: RD Mallams, Councilmember
Bob Baer, Assistant City Manager
Austin Greer, Assistant to the City Manager/Planning Administrator
Cheryl Lamb, Administrative Assistant

2. Pledge of Allegiance to the United States of America.

3. Approval of Minutes.

Chairman Ward asked if there was a motion to approve the minutes from the October 1, 2018 meeting. Mr. Whitton moved to approve the minutes; Mr. Cookson seconded. The minutes were approved, 11-0.

4. Other Business. None.

5. Public Hearing: Special Use Permit, 101 NE 62nd Terrace, Living By Nature. File #2018-013. Mr. Greer stated that the applicant is Sara and Kenny Boyer, primarily Mrs. Boyer, who was sitting in the audience. She is applying for a Special Use Permit for the purpose of having a Home Meridian Stress Assessment Testing and the pickup of Retail Sales of Natural Supplements business at her residential address of 101 NE 62nd Terrace. He clarified the definition of “retail” that was used and the title of the requested action. “Mrs. Boyer’s natural supplements business is primarily conducted online or over the phone. Pickups would be scheduled ahead of time so that no shopping in the traditional sense would occur at her residence. It is simply buy online or over the phone, then pick up the products at a scheduled time.”

Over the past couple of weeks, City staff had received a couple of phone calls from the neighboring residents who are concerned with parking at this location. After taking those concerns into account, the City staff recommends that the Planning Commission approve a one (1) year Special Use Permit for Mrs. Boyer contingent upon compliance with the recommended conditions. He stated the conditions for the record.

Recommended Conditions

1. This Special Use Permit is issued to Sara & Kenny Boyer to be used at the above noted address.

2. This Special Use Permit shall be non-transferable to any other person or company, or to any other location.
3. Any changes in operation of the business by Sara & Kenny Boyer or change in ownership shall render this Special Use Permit null and void.
4. No persons other than Sara & Kenny Boyer shall be employed at this location in association with the MSA testing and supplement sales by Sara & Kenny Boyer.
5. Hours of operation shall be limited to Mondays, Thursdays, and Fridays from 9:30 am to 3:30 pm.
6. Sara & Kenny Boyer must reside at this residence for this permit to be valid.
7. Sara & Kenny Boyer shall apply for and maintain all applicable State and City business and home occupational licenses; copy of such business and occupational licenses shall be supplied to the Community Development Department of the City of Gladstone.
8. No outdoor storage of products/materials.
9. No parking of commercial vehicles or commercial deliveries.
10. No more than 2 customers per hour during the allowed hours of operation.
11. No signage of the business shall be displayed on the premises.

Mr. Greer said that, given his conversations with Mrs. Boyer, she understands the importance of no on-street parking and no signage in an effort to keep the neighborhood environment residential. Ultimately, this type of business and special use permit are very similar to past projects considered by the Commission, such as children's daycares and home hair salons. City staff recommends that this Special Use Permit be approved for one (1) year.

Mr. Markenson stated that there were some concerns about the parking and asked how they were resolved.

Mr. Greer said that they were resolved by making sure that there will be no on-street parking, and by the restriction to have no more than two (2) customers per hour. That is reduced because the hours from 9:30am to 3:30pm are six (6) hours, so there will be no more than twelve (12) customers per day. Multiply that by three (3) days per week and it is roughly 36 customers. If Mrs. Boyer has that many customers she should have a storefront on N Oak.

Mr. Markenson asked how we would enforce the two customers per hour.

Mr. Greer stated that we are relying on the honor system and Mrs. Boyer's neighbors who will likely be calling City Hall if there is an influx of traffic and parking at her residence. He feels that Sara has a vested interest in adhering to this condition. If there is an issue at this location, the Special Use Permit is only valid for one year and we can take a look at this project a year from now.

Mr. Markenson stated that if there is no commercial parking, someone is going to have to deliver their merchandise to them.

Mr. Greer shared that Mrs. Boyer's driveway is significantly large. Anywhere between eight and ten cars could easily park there. Our hope is that if she receives deliveries they would be able to use her driveway as well. He asked Mrs. Boyer to speak to that.

Mrs. Boyer stated that her name is Sara Boyer and her address is 101 NE 62nd Terrace, Gladstone, Missouri, 64118. The supplements that they receive comes FedEx or UPS so there wouldn't be any more additional traffic than normal. She orders everything from Amazon so they probably wouldn't notice any difference. She also orders in bulk so it is just one delivery to her house. Her driveway easily fits eight to ten cars so there won't be anyone parking on the street. She has a fairly large amount of traffic at her house anyway as she has five kids and a parent and a husband in addition to herself. It's mostly internet

sales and mostly by phone. It's just a matter of people coming by to pick up orders once in a while. She just wants to be honest about who she has coming to her house.

Mr. Turnage asked Mrs. Boyer how long a customer would be there to pick up.

Mrs. Boyer stated that it depended on if they are just picking things up, no more than five (5) minutes tops. She knows most of her customers so, if they have a discussion, it might be an hour. Most of them will be five minutes. She does provide Meridian Stress Assessment Testing and that can take an hour. She may not have two people there in an hour. It might only be one or two people per day. It just depends on what she has going that day. She doesn't plan on this being a huge venture. She started it for another reason, due to health issues with a couple of her kids. She is just trying to be proactive.

Mr. Turnage asked if she could explain her business in layman's terms.

Mrs. Boyer said the easiest way to explain it would be Chinese meridians and the energy chakras that run through a body. She has a machine that she has taken training for and she is certified to use, to be able to measure energy input and output to organs. It picks up pathogens. It picks up viruses, chemicals, toxicity, in an effort to try to support and balance energies in a body to help it to naturally be able to heal itself. It is more of a holistic, natural way to support the body with illnesses.

Ms. Hommon asked if Mrs. Boyer could help her understand how her business operates in relation to, just for comparison, to Mary Kay. She also asked how the business operates and what the comparison is there.

Mrs. Boyer said it is more similar to a hair salon. Someone comes in to have testing done, she recommends supplements for them. If they decide they want them, she amasses an order through the week and she makes an order on Thursday. She usually has them delivered on Monday and she gives them to people. It just depends on what she has. It might just be one person per hour, if she even has two or three that day. It's more like that where, depending on what she has recommended and if they want to get that, then they come back on Monday.

Ms. Hommon asked if, industry-wise, does she have to have specific licensing for the industry in order be able to do that, and how does that affect her ability to do that.

Mrs. Boyer said that she is a certified technician for what is called a Quest 4 machine. She has already done all of her online training. She actually is going to Georgia this Saturday for four days in a clinic. She will be there for a while. Then she goes to Georgia again in November for more training and continuing education. Next summer she goes back to Georgia for more continuing education to stay on top of changes because her business changes a lot. There are a lot of new things, vitamins. She has a lot of continuing education and certifications for it.

Mr. Markenson shared that he can't pick up his stuff on one of those three days. He can only pick up on Tuesday. He asked what happens to him.

Mrs. Boyer stated that the odds are she is going to tell you, either come Monday, Thursday or Friday or she won't be there. By trade, before she started this, she does taxes, bookkeeping, payroll and she is an enrolled agent with the IRS. She defends people in audits against the IRS. She has a job that she does even outside of this. She doesn't have very many options outside of when she says she can do it, this is what she can do, and this is what it is.

Mr. Markenson asked what happens if he can't come until 4:00 pm, same thing.

Mrs. Boyer said more likely the same thing. She has a child that gets out of school at 4:10 pm so she isn't there at 4:00 pm. She has to go pick up her kid at 4:00 pm. That's why her hours are what they are. She gets on the bus at 9:00 am and she picks her up at 4:10 pm.

Mr. Markenson said he thought it was very strange operating hours. He clarified that these are her operating hours, not something else.

Mrs. Boyer agreed. It fits her schedule with the kids and having them and where they have to be during the day.

Chairman Ward asked if there was anyone in the audience who wished to speak in favor of the applicant. None.

Chairman Ward asked if there was anyone in the audience who wished to speak against the applicant. If so, please come forward and state your name and address.

Mr. Ronald Meyerkorth stated his name and that he lives at 50 NE 62nd Terrace. He said that he has nothing against the family. They are a wonderful family. His concern is who will take care of the home devaluation in the area when it comes out that it is a retail place. He's worried about that. His neighbors who can't be here are against it. Somebody was supposed to send a letter but he didn't know if they did.

Mr. Greer shared that it is in the Planning Commission packet.

Mr. Meyerkorth continued by saying that this has always been a family unit, no retail in the area around there. North Oak is wide open for retail. That's where retail happens to be, ought to be.

Mr. Markenson asked Mr. Meyerkorth to clarify that his position is that this is an inappropriate land use to have a commercial business in a single family neighborhood.

Mr. Meyerkorth said that the home evaluation around it, when people start finding out that this is a retail place; nobody will give him what he wants for his house. The land will go down. That is the only retail there so the home evaluation is bound to go down.

Mr. Markenson said he had not seen the location. He asked if it was all single family residential.

Mr. Meyerkorth confirmed it is all single family. There are two duplexes on the west end. Everything else is single family.

Mr. Markenson asked if it borders on a commercial area.

Mr. Meyerkorth said it does not.

Ms. Hommon asked Mr. Greer what knowledge he can share on what the impact on the property value would be. She asked if that was something that they need take under consideration, that that's a concern.

Mr. Greer stated that it is a Special Use Permit for one year. It is technically a business for one year at this point. He can't imagine from his standpoint, but he deferred to Bob (Baer) or Councilman Mallams, if they have any indication on the land value. He doesn't believe it would be affected for a Special Use Permit for one year.

Mr. Meyerkorth asked what happens after a year.

Mr. Greer said we can revisit the Special Use Permit if the Planning Commission determines that is needed.

Chairman Ward asked if it would change the landscape.

Mr. Greer confirmed it would not change the landscape, no land usage of any sort. It is still a residential area.

Mr. Cookson shared a general comment. He doesn't see this as significantly different as any other Special Use Permits that they have granted in the past. That is how he looks at it as he takes this into consideration. If it comes before them again, if they have any indication that there has been a decrease in value or something like that, they could certainly take that information under consideration at that time.

Mr. Greer shared that his research it is very similar to child daycares and home hair salons, from a business perspective.

Ms. Poindexter stated that she lives directly behind the Boyers and she knows the neighborhood very well. She doesn't believe that this business is going to have any impact on the community at all.

Chairman Ward asked if there was any more discussion. None.

Chairman Ward closed the Public Hearing.

MOTION: By Mr. Ebenroth, second by Ms. Poindexter, to recommend the approval of Public Hearing: Special Use Permit, 101 NE 62nd Terrace, Living By Nature. File #2018-013.

VOTE:	Mr. Cookson	Yes
	Mr. Ebenroth	Yes
	Ms. Hommon	Yes
	Mr. Markenson	No
	Ms. McGee	Yes
	Ms. Middleton	Yes
	Mr. Murch	Yes
	Ms. Poindexter	Yes
	Mr. Turnage	Yes
	Mr. Whitton	No
	Chairman Ward	Yes

The motion carried (9-2).

- 6. Communications from City Council.** Councilmember Mallams shared that he read the minutes from the last meeting and found it was a very informative meeting. He complimented Alan and Austin for the information they shared with the Commission. He made his notes to talk about some of the highlights that we're having with the City and he felt that Jeanne had covered them at the last meeting talking about Summit Grill and iWerx. One item that is coming up this next Wednesday, October 24th at 10:00am, weather permitting, the dedication of Hobby Hill Park. He invited them to come out and join that. It is another wonderful park system for our City. He reminded everyone that Election Day is November 6th and it's coming up very soon.

As general information, he shared that at the end of November the City Council comes together with the City leadership and they look at annual goal setting. That is always an interesting and very productive time for the City staff and for the City leadership for shaping the future of our City moving forward.

7. **Communications from City Staff.** Mr. Greer announced that the next Planning Commission meeting would be on Monday, November 5, 2018.

8. **Communications from the Planning Commission.**

Ms. Poindexter asked what's going on at the old flower shop. It's supposed to be a print screen business.

Mr. Greer said that it will be a salon and a screen printing shop. A husband and wife own it. They might be open, he wasn't sure.

Ms. Poindexter said that she had been waiting for it but hadn't seen it open yet.

Mr. Greer said he hadn't seen anything but they had done a really good job on the building. It looks really nice. It's incredible.

Mr. Cookson asked if it was the same building.

Ms. Poindexter confirmed that it is.

Mr. Markenson asked about the Fins & Foliage building and if the City is planning to sell it or use it for something.

Mr. Greer said that they are exploring options as they always are. They have some people in the pipeline but nothing solidified at this point.

Mr. Markenson shared his concerns for when they will need to move the AJ Farms items that are stored there.

9. **Adjournment-** Chairman Ward adjourned the meeting at 7:20 pm.

Respectfully submitted:

Cheryl Lamb, Recording Secretary

Approved as corrected _____

Don Ward, Chair

Approved as submitted _____

November 5, 2018

TO: Mayor Bill Garnos and City Council
City Manager Scott Wingerson

We appreciate the opportunity to comment on the special use permit for conducting a business from the residence at 101 N.E. 62nd Terrace.

Please consider our opposition to this request.

We value the residential character of our neighborhood and the peace and safety we feel here.

Our street, N.E. 62nd Terrace, is not a through street. A beige Ford FiveHundred has been warehoused on the street in front of 101 N.E. 62nd Terrace for many months now and restricts two-way traffic. Additional traffic to that address would result in more parking on the street and would impede the flow of two-way traffic.

We want to preserve our neighborhood as residential.

We already have concerns about the deterioration of the neighborhood.

- Several houses are vacant.
- The house at 6308 N. Grand Ave. has been declared a Dangerous Building by the City of Gladstone.
- There have been two eviction set-outs in the last two months which involved piles of junk and debris in the front yards of homes in our neighborhood for two weeks.

Commercializing this neighborhood would further detract and possibly impact property values and the stability of the neighborhood.

We sincerely hope you will consider these concerns and deny a special use permit.

Shirle Winkler

Shirle Winkler
103 N.E. 62nd Terrace

Su Bacon

Su Bacon
5 N.E. 62nd Terrace

Jack O'Brien

Jack O'Brien
6 N.E. 63rd Terrace

Karen Smith

Karen Smith
2 & 4 N.E. 62nd Terr.

Ron Meyerkorth

Ron Meyerkorth
50 N.E. 62nd Terrace

Betty & Tony Battaglia
6218 N. Grand Avenue

Debbie Winkler Ebling

Jerry and Debbie Ebling
101 N.E. 63rd Terrace

Jerry Ebling

To Whom It May Concern,

I am writing this letter to respond to a few things in a petition presented against me to the Mayor and City Council. I am hoping maybe I can clear a few things up to help understand what I am doing.

The first thing in the petition is that I have a gold Ford Five-Hundred being “warehoused” on the street. It is true I have a car parked on the street. This is why... My son a little over a year ago a month before his 18th birthday had a cluster of unexplained seizures. He was put on medicine and we thought he was ok but in May and June of this year he had more. We are working on his health but state law says he cannot drive until seizure free for 6 months.

In the mean time my dad passed away from brain cancer in April which then my mother had to move in with me in May. The car is hers. But to help my son out so he would not have to make a car payment on a car he couldn't drive she took over his car and payments which left the gold one in front until he can drive again. We are praying he continues to do well and will be able to drive the end of December.

Also I have a daughter who just turned 15 and will be learning to drive she just got her permit. That is the car we will use to teach her.

I did not realize the car was an issue. We made sure it was not blocking any ones driveway or mailbox and was legally parked and tagged.

As far as additional traffic and parking on the street I have agreed with the city to keep what people I would have coming to the house not parked on the street. My driveway holds 8 cars easily. Additionally we are moving my mom is to a retirement community on Dec 1st so another vehicle will be gone out of my driveway as well. So my driveway will be wide open and there will be no need for on street parking.

The things mentioned about the other houses and duplexes in the neighborhood I highly agree with! I do not want to see a deterioration of the neighborhood. We work hard to make sure the up keep is taking care of and our place is clean. With the many duplexes around here it does make it hard with the people moving in and out that don't appreciate the family values and a stable neighborhood for it to be consistent. But I am in no way trying to commercialize the neighborhood.

I am a stay at home mom trying to make and side income and not leave my kids to work. There will be no signs, no indication at all I run a business out of my home. There are several other people in the neighborhood that have businesses in their home already. Only difference is I have asked to be allowed to have occasional people in my home for business.

What I am doing is Meridian Stress Assessment Testing which is the measuring of energy using the same Chinese meridians Acupuncture uses. It's a more natural way of helping the body to take care of itself and be proactive with taking care of it. The testing looks for energetic signatures of viruses, bacteria and much more. Plus checks the energetic signatures of all organ, systems, glands etc. I recommend things to help bring the body back into balance based on the test like vitamins, minerals, herbs and homeopathics. Also I possibly recommend other natural treatments with other people Chiropractors, Massage Therapists, Ozone Therapy etc. Most of my business is done over the phone and

through surrogate testing where I have a biological sample (hair and saliva) sent to me. I run the test and the consult is done over the phone. The people that would be coming to my house would be the ones who would want to come by and pickup the supplements that I recommend because they live local or someone wanting a test run in person. I don't expect there to be a noticeable difference at all in the traffic at my house as I am primarily trying to keep it to a minimum and do mostly surrogate testing and phone consults where I don't need to see people. I already have several clients out of state I will never see.

I will only have hours from 9:30-3:30 two maybe three days a week. I have no intention of it ever being more than that. I have also agreed with the recommendation from the city of no more than 2 people hour during open hours. I don't for see even close to that.

I have asked for a one year special use permit to be given the opportunity to show that I can and will comply with the requirements with the city. Also to show that I don't expect the traffic to be noticeable at all. I expect in one year it will be reevaluated with the city to make sure I follow through.

I am sincerely asking for your reconsideration to the opposition of me having the ability to have people at my home for my business. If you have any questions please feel free to contact me at 816-529-2910.

Thanks,

Sara Boyer

101 NE 62nd Ter.