

**MONDAY, JANUARY 28, 2019 CITY COUNCIL
MEETING**

**CITY COUNCIL REGULAR AGENDA BEGINS
ON PAGE 23**



GLADSTONE CITY COUNCIL
OPEN STUDY SESSION MEETING
MONDAY, JANUARY 28, 2019

AGENDA

TIME: 6:55 pm

1. City Council Goals- City Manager Wingerson will review the 2018-2019 City Council goals as discussed by Council in November. This will also include the Mission and Gladstone Vision.
2. Gladstone Neighborhood Commission Ordinance Update- A proposed change to Ordinance #4.032, which established the Commission, will be presented by Alan Napoli.
3. Small Cell- Recent changes to State and Federal law has impacted the telecommunication industry and our ability to regulate installations within the public rights-of-way. Padraic Corcoran will present the context and background of the issues. After this briefing, detailed amendments to our codes will be reviewed by the Planning Commission and ultimately brought before the City Council for consideration in the first quarter of 2019.



***Department of General Administration
Memorandum SCW 19-01***

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

FROM: Scott Wingerson, City Manager

DATE: January 24, 2019

SUBJECT: 2018-2019 City Council Goals

On November 29, 2018, the City Council and Leadership Team met to discuss community goals. During that meeting the City Council reviewed and made minor adjustments to the City's Mission and Vision as follows.

Mission

The City Council, Boards, Commissions, and City Staff are dedicated to enhancing Gladstone's quality of life and sense of community through effective leadership and citizen engagement.

Gladstone Vision

- A vibrant commercial center with revitalized corridors at North Oak and Antioch Road and a competitive tax strategy that encourages economic development.
- An attractive housing stock that attracts and retains the variety needed to adapt to societal changes in families, provide opportunities to age in place, and be a destination for younger families to raise children.

- Multiple transportation alternatives that promote mobility in the community and the region.
- Stature and reputation of Gladstone strengthened and maintained. Gladstone is a recognized leader and provides meaningful contribution to regional issues.
- A continued strong partnership with schools and other entities that help us ensure a high quality of life.
- A recognized sense of place with a clear identity including an emphasis on arts and culture. You know you are in Gladstone.
- A strong commitment to public safety and City infrastructure.
- A motivated, well-trained City staff.
- Cooperative relationships with citizens highlighted by strong citizen engagement and participation.

Based on the Mission and Vision, the City Council discussed establishment of the following goals.

2018-2019 City Council Goals

- I. Promote Gladstone as a safe place with a focus on traffic enforcement and the recruitment and retention of high quality police officers.
- II. Implement a proactive residential and commercial code enforcement program focused on public education, responsiveness, and adherence to codes.
- III. Develop an innovative housing strategy designed to encourage residential density.
- IV. Continue commitment to Gladstone Linden Square (Downtown) and commercial corridors through innovative strategies and partnerships.
- V. Continue implementation of all Master Plans including: parks; cultural arts; facilities; streets; sidewalks; stormwater; and potable water. Begin the process of updating the Comprehensive Plan and develop an overall Atkins Johnson feasibility analysis.

- VI. Build public support by providing factual information for implementation of the Shaping Our Future sales tax request resulting in successful passage of an April ballot issue.
- VII. Begin the process of developing a unified comprehensive messaging strategy designed to enhance Gladstone's identity in the Kansas City region and beyond.

Over the next few weeks, the Leadership Team will be working to develop objectives to implement these goals.

A Resolution has been prepared for City Council consideration which serves to adopt the City Council goals.

If you should have any questions or desire to discuss this matter in great detail, please advise.



MISSION STATEMENT

“The City Council, Boards, Commissions, and City Staff are dedicated to enhancing Gladstone’s quality of life and sense of community through effective leadership and citizen engagement.”

GLADSTONE VISION 2028

- A vibrant commercial center with revitalized corridors at North Oak and Antioch Road and a competitive tax strategy that encourages economic development.
- An attractive housing stock that attracts and retains the variety needed to adapt to societal changes in families, provide opportunities to age in place, and be a destination for younger families to raise children.
- Multiple transportation alternatives that promote mobility in the community and the region.
- Stature and reputation of Gladstone strengthened and maintained. Gladstone is a recognized leader and provides meaningful contribution to regional issues.
- A continued strong partnership with schools and other entities that help us ensure a high quality of life.
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2018-2019 City Council Goals

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Community Development Department Memorandum

DATE: January 23, 2019

TO: Scott C. Wingerson, City Manager

FROM: Alan D. Napoli, Community Development Administrator / Building Official

CC: Bob Baer, Assistant City Manager

RE: Gladstone Neighborhood Commission Ordinance Update

The Gladstone Neighborhood Commission (GNC) was established in 2007 by Ordinance #4.032. The GNC is made up of nine (9) members of whom one (1) is the Mayor. This is the only Board and Commission that the Mayor or any Council Member is actually on the Board and Commission. There has been discussion over the last couple of years to remove the Mayor as a member of the GNC.

Community Development staff has updated the current ordinance removing the Mayor as a member. The updated ordinance was presented to the GNC for their consideration at their January 7, 2019 meeting. The GNC approved the update ordinance and requested it be presented to the City Council for their consideration.

Attached is the Strikethrough/Underline version for presentation to the City Council at their next available open study session.

Black lettering is existing text to remain....

Red strikethrough lettering is existing text to be removed....

Green underline lettering is new text to be incorporated....

1. **Appointment of members.** The City of Gladstone Neighborhood Commission shall consist of nine (9) members who shall be appointed by the Mayor with the approval of the City Council. The City of Gladstone Neighborhood Commission shall ~~include the Mayor of the City of Gladstone, Missouri, the Gladstone Economic Betterment Council Chairperson, and the Executive Director of the GEBC Neighbors Helping Neighbors, experienced in fundraising and neighborhood issues. In addition, the City of Gladstone Neighborhood Commission shall include the officers of six (6) geographically representative neighborhood organizations. The Mayor with consent of the City Council shall appoint a Chairperson.~~ be composed of the following:
 - a. Chair (or his/her designee) of the Gladstone Economic Betterment Council (GEBC); and
 - b. Executive Director of GEBC's Neighbors Helping Neighbors; and
 - c. Officer, board member, or appointed representative of six (6) geographically representative neighborhood organizations; and
 - d. Local business owner.

All member/~~officers~~ shall serve the City of Gladstone Neighborhood Commission without compensation. The members of the City of Gladstone Neighborhood Commission shall elect (annually) a Chair, Vice Chair, and Secretary. The Mayor may appoint up to three advisors.

2. **Terms.** The nine (9) members of the City of Gladstone Neighborhood Commission ~~to be appointed by the Mayor, with approval of the City Council,~~ shall serve terms as follows: ~~The Mayor (or his/her designee) of the City of Gladstone shall serve on the Commission through the term of the Mayor of the City of Gladstone. The Gladstone Economic Betterment Council Chair shall serve on the Commission through the elected term as Chair of the Gladstone Economic Betterment Council. The GEBC Gladstone Neighbors Helping Neighbors Executive Director shall serve on the Commission through the elected term as Executive Director of the GEBC Gladstone Neighbors Helping Neighbors.~~

~~The six neighborhood organization officers shall serve terms of three years each, which will begin January 1 and terminate on December 31. Beginning upon initial appointment, the members term shall be staggered as follows: Tow members serve until December 31, 2009, two members serve until December 31, 2010, and two members serve until December 31, 2011. At the expiration of these initial terms members shall be appointed to serve three year terms. No neighborhood representative shall serve more than two consecutive three-year terms.~~

- a. GEBC's representative shall serve on the City of Gladstone Neighborhood Commission through the elected term as Chair of GEBC; and

- b. Executive Director of GEBC's Neighbors Helping Neighbors shall serve on the City of Gladstone Neighborhood Commission through the elected term as Executive Director of GEBC's Neighbors Helping Neighbors; and
- c. The six (6) neighborhood organization officers, board members, or appointed representative shall serve terms of three (3) years each; and
- d. The local business owner shall serve terms of three (3) years.

3. **Duties of City of Gladstone Neighborhood Commission.** The City of Gladstone Neighborhood Commission shall consider way and means to enhance the lives of residents of the City by facilitating and encouraging community awareness of and participation in neighborhood activities. The City of Gladstone Neighborhood Commission shall explore opportunities to represent all Gladstone neighborhoods. To share strategies and resources for improving the self-sustaining characteristics of healthy neighborhoods. To review and provide input concerning local policy, code enforcement policies and procedures, community issues, diversity, housing, and inclusion that affect neighborhoods. To encourage the formation of new neighborhood groups and provide support to existing organized neighborhoods. To develop and distribute technical resources, information and financial support to all organized neighborhoods within the City.

The City of Gladstone Neighborhood Commission shall develop a recommended annual work plan that contains goals and objectives in support of neighborhood activities. Such annual work plan shall be in writing and presented to the City Council. Upon City Council approval of an annual work plan, the City of Gladstone Neighborhood Commission shall provide an annual report concerning attainment of approved goals and objectives. The annual work plan shall include, at minimum, activities that are consistent with the approved mission statement, fundraising, long range plan and planned projects consistent with the duties of the City of Gladstone Neighborhood Commission.

4. **Meetings.** ~~The City of Gladstone Neighborhood Commission shall meet monthly, as business dictates, on the first Monday of each month. The City of Gladstone Neighborhood Commission may also hold special meetings at the call of the Chairperson, by the request of a majority of members, or at the request of the City Council~~ will develop a meeting schedule, but shall generally meet monthly. All meetings of the City of Gladstone Neighborhood Commission shall be open to the public.
5. **Voting.** ~~The City of Gladstone Neighborhood Commission shall generally follow procedures of Roberts Rules of Order. A quorum~~ simple majority of the City of Gladstone Neighborhood Commission shall ~~consist of a simple majority of the nine (9) member Commission or five (5) members~~ constitute a quorum at any meeting. No action shall be taken unless a quorum is present. A simple majority of the ~~appointed and serving members~~ City of Gladstone Neighborhood Commission members present shall be required to pass any issue.

OFFICE OF THE CITY COUNSELOR

DATE: JANUARY 28, 2019
TO: SCOTT WINGERSON, CITY MANAGER
FROM: PADRAIC CORCORAN THROUGH CITY COUNSELOR CHRIS WILLIAMS
RE: SMALL WIRELESS FACILITIES REGULATIONS

This memo is sent to inform you of the changes made to State law by House Bill 1991 ("HB 1991"). The overall effect of HB 1991 is to limit city authority in the small wireless facility¹ siting process. Before HB 1991, the siting of many small wireless facilities would have required a special or conditional use permit. Now after HB 1991, cities do not have zoning authority over small wireless facilities (except in narrow circumstances discussed below) and have limited reasons to deny the siting of small wireless facilities.

Further, HB 1991 severely restricts cities' authority to charge reasonable fees and rates for the siting of small wireless facilities. For the attachment of a small wireless facility on a city-owned or controlled pole, the City may only charge a permit fee of \$100 and may only charge a rate of \$150 a year per attachment per pole. Additionally, for the installation, modification, or replacement of a pole, a city may only charge a permit fee of \$500.

While HB 1991 primarily strips cities of their authority in the small wireless facility siting process, it does allow cities to exercise some authority over small wireless facilities. As mentioned above, HB 1991 preempts city zoning authority for the siting of small wireless facilities; however, this preemption does not include areas zoned single-family residential or historic before August 28, 2018. Section 67.5112.3, RSMo.

Moreover, HB 1991 specifically provides for the following reasons for a city to deny a small wireless facility:

1. Material interference with the safe operation of traffic control equipment or city-owned communications equipment;
2. Material interference with sight lines or clear zones for transportation, pedestrians, or nonmotorized vehicles;
3. Material interference with compliance with ADA or similar federal or state standards;
4. Material obstruction or hindrance of the usual travel or public safety of the right-of-way;
5. Material obstructs the legal use of the right-of-way by the city, a utility, or another third party;

¹ A wireless facility that meets both of the following qualifications: (a) Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and (b) all other equipment associated with the wireless facility, whether ground or pole mounted, is cumulatively no more than twenty-eight cubic feet in volume, provided that no single piece of equipment on the utility pole shall exceed nine cubic feet in volume; and no single piece of ground mounted equipment shall exceed fifteen cubic feet in volume, exclusive of equipment required by an electric utility or municipal electric utility to power the small wireless facility.

6. Failure to comply with reasonable non-discriminatory spacing requirements of general.²
7. Failure to comply with reasonably objective and documented aesthetics of a decorative pole;
8. Failure to comply with reasonable and nondiscriminatory undergrounding requirements.³ Section 67.5113(9), RSMo.

Finally, HB 1991 allows cities to adopt “reasonable, objective, and cost-effective concealment or safety requirements.” Section 67.5113(5), RSMo. More so than the other vestiges of city authority maintained in HB 1991; the reasonable and cost-effective concealment requirements will depend on the preference of the city.

Prior to, and since, the adoption of HB 1991 City Staff and legal counsel have worked together to draft regulations implementing HB 1991. It is the intention of City Staff and legal counsel to have those regulations finalized and before the City Council for approval at the first meeting in February. I will be attending the City Council Meeting on January 28, 2019, and will be more than happy to answer any questions you may have.

² The adopted spacing requirements must include a waiver, zoning, or other process.

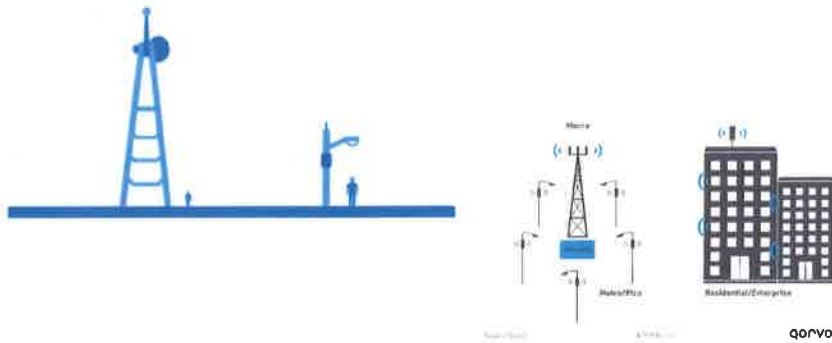
³ The undergrounding requirements must have been adopted before January 1, 2018.

Telecommunications

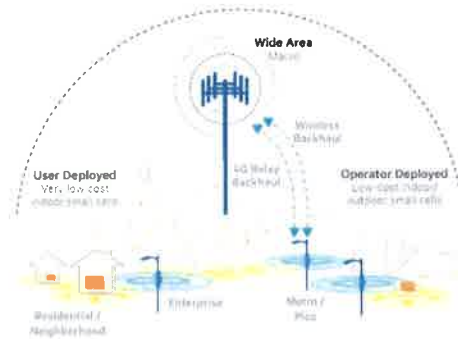
WILLIAMS &
CAMPO, P.C.

PROVIDING LEGAL SOLUTIONS FOR LOCAL GOVERNMENTS

Small Cell Wireless – Generally



Deployment Overview



Why so many?

Estimated Deployment

- 60-ish small cell per sq. mile per carrier in the next 5 years

Why?

- Reduce latency, increase capacity, limit coverage gaps, "bathroom coverage", fixed wireless

Small Cell Wireless – Local Examples



Small Cell Wireless - Nightmare



Summary of Wireless Laws

- Two Federal Statutes
 - 1996 Telecom Act – 47 U.S.C 332(c)(7)
 - 2012 Spectrum Act – 6409(a) – 47 U.S.C. 1455(a)
- Three FCC Orders
 - FCC Declaratory Ruling – Shot Clock Rule – FCC 09-99
 - 2014 Wireless Infrastructure Order – FCC 14-153
 - FCC Declaratory Ruling and Third Report and Order – FCC 18-133
- Two Missouri Statutory Sections
 - Uniform Wireless Communications Infrastructure Deployment Act – Section 67.5090 *et seq.*, RSMo.
 - Uniform Small Wireless Facility Deployment Act – Section 67.5110 *et seq.*, RSMo.
 - Public Right-Of-Way – Section 67.1830 *et seq.*, RSMo

FCC 18–133 - Generally

- Limits cities' authority regarding the siting of small wireless facilities
“...preempt legal requirements that effectively prohibit service, including wireless infrastructure deployments.”
“...in determining whether a state or local law has the effect or prohibiting the provision of telecommunications services, it ‘consider[s] whether the ordinance materially inhibits or limits the ability of any competitor or potential competitor to compete in a fair and balanced legal regulatory environment.”
- Sets timelines for the approval or denials of applications
“**60 days** for reviewing the application for attachment of a Small Wireless Facility using an **existing structure** and 90 days for the review of an application for attachment of a small wireless facility using a new structure.”

FCC 18-133 - Fees Generally

- “[F]ees are only permitted to the extent that they are nondiscriminatory and represent a reasonable approximation of the locality’s reasonable costs.”
- Must be
 - Reasonably approximate to cost
 - Objectively reasonable to pass to applicant
 - No higher than fees charged to competitors in similar circumstance

FCC 18-133 – Application Fees

- “\$500 for no-recurring fees, including a single up-front application that includes up to five Small Wireless Facilities, with an additional \$100 for each Small Wireless Facility beyond five, or \$1,000 for non-recurring fees for a new pole (*i.e.*, not a collocation).”

FCC 18-133 – Recurring Fees

- “\$270 per Small Wireless Facility per year for all recurring fees, including any possible ROW access fee or fee for attachment to municipally owned structures in the ROW”

HB 1991 – Generally

- Limits cities' authority regarding the siting of small wireless facilities
“...an authority shall permit a wireless provider, as a permitted use not subject to zoning review or approval, to collocate small wireless facilities and install, maintain, modify, operate, and replace utility poles along, across, upon, and under the right-of-way...” Section 67.5112.3, RSMo
- Sets timelines for the approval or denial of applications
“Within **fifteen days** of receiving an application, an authority shall determine and notify the applicant in writing whether the application is complete.” Section 67.5113.3(7)
“An application for collocation shall be processed on a nondiscriminatory basis and deemed approved if the authority fails to approve or deny the application within **forty-five days** of receipt of the application ... An application for installation of a new, modified, or replacement utility pole associated with a small wireless facility shall be processed on a nondiscriminatory basis and deemed approved if the authority fails to approve or deny the application within **sixty days** of receipt of the application” Section 67.5113.3(8)

HB 1991 – Application Fees

- "...based on the actual, direct, and reasonable administrative costs incurred for the review, processing, and approval of an application ..." Section 67.5116.3(1), RSMo
- "The total fee for any application under subsection 3 of section 67.5113 for collocation of small wireless facilities on existing authority poles shall not exceed **one hundred dollars** per small wireless facility." Section 67.5116.3(3), RSMo
- "The total application fee for the installation, modification, or replacement of a utility pole and the collocation of an associated small wireless facility shall not exceed **five hundred dollars per pole.**" Section 67.5113.3(4), RSMo

HB 1991 – Recurring Fees

- "The rate for collocation of a small wireless facility to an authority pole shall not exceed **one hundred fifty dollars** per authority pole per year." Section 67.5116.4(1), RSMo
- "an authority shall authorize the collocation of small wireless facilities on authority wireless support structures and authority poles to the same extent, if any, that the authority permits access to such structure for other commercial projects or uses. Such collocations shall be subject to **reasonable and nondiscriminatory rates, fees, and terms** as provided in an agreement between the authority, or its agent, and the wireless provider." Section 67.5114.2, RSMo

FCC 18-133 and HB 1991 City Authority Retained – Design

- FCC 18-133
 - "We conclude that aesthetics requirements are not preempted if they are (1) reasonable, (2) no more burdensome than those applied to other types of infrastructure deployments, and (3) objective and public in advanced."
 - "[A]esthetic requirements that are reasonable in that they are technically feasible and reasonably directed to avoiding or remedying the intangible public harm of unsightly or out-of-character deployments."
- HB 1991 Decorative Poles
 - "A wireless provider shall be permitted to replace decorative poles when necessary to collate small wireless facility, but any replacement pole shall reasonable conform to the design aesthetics of a decorative pole or poles being replaced." Section 67.5112.6, RSMo
 - "An authority may deny a proposed ... small wireless facility... only if the action proposed in the application could reasonably be expected to ... fail to comply with reasonably objective and documented aesthetics of a decorative pole and the applicant does not agree to pay to match the applicable decorative elements." Section 67.5113.9(h), RSMo.
- HB 1991 - Concealment Requirements
 - "An authority may require a small wireless facility to comply with reasonable, objective, and cost-effective concealment or safety requirements adopted by the authority." Section 67.5113.3(5), RSMo

FCC 18-133 and HB 1991 City Authority Retained - Underground

- FCC 18-133
 - "...a requirement that all wireless facilities be deployed underground would amount to an effective prohibition given the propagation characteristics of wireless signals."
 - "... the same criteria discussed above in the context of aesthetics generally would apply to state or local undergrounding requirements."
- HB 1991 – Section 67.5113.9(i), RSMo
 - An authority may deny a proposed collocation ... or installation, modification or replacement ... if the action proposed in the application could reasonably be expected to:
 - (i) Fail to comply with reasonable and nondiscriminatory undergrounding requirements contained in local ordinances ... that require all utility facilities in the area to be placed underground and prohibit the installation of new or the modification of existing utility poles in the right-of-way without prior approval, provided that such requirements include a waiver or other process of addressing requests to install such utility poles and do not prohibit the replacement or modification of existing utility poles consistent with this section.

FCC 18-133 and HB 1991 City Authority Retained - Spacing

- FCC 18-133
 - "it is difficult to envision any circumstances in which a municipality could reasonably promulgate a new minimum spacing requirement that, in effect, prevents a provider from replacing its preexisting facilities or collocating new equipment on a structure already in use"
 - "such requirements should be evaluated under the same standards for aesthetic requirements"
- HB 1991 – 67.5113.9(f), RSMo
 - An authority may deny a proposed collocation ... or installation, modification or replacement ... if the action proposed in the application could reasonably be expected to:
 - (f) Fail to comply with reasonable and nondiscriminatory spacing requirements of general application adopted by ordinance ... Such spacing requirements shall not prevent a wireless provider from serving any location and shall include a waiver, zoning, or other process that addresses wireless provider requests for exception or variance and does not prohibit granting of such exceptions or variances.

**WILLIAMS &
CAMPO, P.C.**

Telecommunications

Contact Information:

Padraic W. Corcoran

Williams & Campo, P.C.

400 SW Longview Boulevard

Suite 210

Lee's Summit, Missouri 64081

(816) 524-4646

pcorcoran@publiclawfirm.com

PROVIDING LEGAL SOLUTIONS FOR LOCAL GOVERNMENTS



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 28, 2019**

CLOSED SESSION

The City Council will meet in Closed Executive Session at 6:25 pm Monday, January 28, 2019, in the City Manager's office, Gladstone City Hall, 7010 North Holmes, Gladstone, Missouri. The Closed Executive Session is closed pursuant to RSMo. Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, 610.021(2) for Real Estate Acquisition Discussion, 610.021(9) Employee Groups, and 610.021(12) Contract Negotiations.

OPEN STUDY SESSION 6:55 PM

1. City Council Goals- City Manager Wingerson will review the 2018-2019 City Council goals as discussed by Council in November. This will also include the Mission and Gladstone Vision.
2. Gladstone Neighborhood Commission Ordinance Update- A proposed change to Ordinance #4.032, which established the Commission, will be presented by Alan Napoli.
3. Small Cell-Recent changes to State and Federal law has impacted the telecommunication industry and our ability to regulate installations within the public rights-of-way. Padraic Corcoran will present the context and background of the issues. After this briefing, detailed amendments to our codes will be reviewed by the Planning Commission and ultimately brought before the City Council for consideration in the first quarter of 2019.

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 January 14, 2019, Closed City Council Meeting Minutes.**
- 6. Approval of the January 14, 2019, Regular City Council Meeting Minutes.**
- 7. Approval of the January 17, 2019, Closed City Council Meeting Minutes.**
- 8. Approval of the January 17, 2019, Special City Council Meeting Minutes.**
- 9. MAYOR'S CHRISTMAS TREE FUND CHECK PRESENTATION**
- 10. CONSENT AGENDA**

RESOLUTION R-19-04 A Resolution adopting a Mission Statement, Vision Statement, and Goals for the City of Gladstone, Missouri, for 2019.

RESOLUTION R-19-05 A Resolution authorizing the City Manager to execute a contract with Orr Wyatt Streetscapes in the total amount not to exceed \$845,086.70 for the construction of the Shoal Creek Greenway Trail Phase 4 from Happy Rock Park to North Brighton Avenue; City Project #TP1871; Federal Project #TAP-3323(409).

RESOLUTION R-19-06 A Resolution authorizing acceptance of work under contract with Blue Nile Contractors, Incorporated, for the 2018 Water and Sewer Mains Replacement, and authorizing final payment in the amount of \$33,268.78 for Project WE1886.

RESOLUTION R-19-07 A Resolution authorizing the City Manager to execute a contract with Mid-West Associated Contractors Corporation in the total amount not to exceed \$166,756.00 for the Public Works Building Improvements Project CP1754.

APPROVE FINANCIAL REPORT FOR DECEMBER 2018 AND APPROVE SEMI-ANNUAL FINANCIAL STATEMENT AND SCHEDULE OF INVESTMENTS.

REGULAR AGENDA

- 11. Communications from the Audience.**
- 12. Communications from the City Council.**
- 13. Communications from the City Manager.**
- 14. FIRST READING BILL NO. 19-07** An Ordinance authorizing the City Manager to execute a Development Agreement between the City of Gladstone, Missouri, and Glad Hotel Developers, LLC.
- 15. FIRST READING BILL NO. 19-08** An Ordinance allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2019.
- 16. Other Business.**
- 17. Adjournment.**

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

City Clerk Ruth Bocchino
City of Gladstone
7010 North Holmes
Gladstone, MO 64118
816-423-4096

Posted at 5:45 pm
January 24, 2019



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 14, 2019**

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, January 14, 2019, at 7:44 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.

The agenda was approved as published.

Item No. 5. On the Agenda. Approval of the December 10, 2018, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the December 10, 2018, Closed City Council meeting as presented. **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. 6. On the Agenda. Approval of the December 10, 2018, Regular City Council Meeting Minutes.

Councilmember Moore moved to approve the minutes of the December 10, 2018, Regular City Council meeting as presented. **Councilman Mallams** 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. 7. On the Agenda. PROCLAMATION: Recognizing James R. Hampton-Clay County Economic Development Council.

Mayor Garnos read the Proclamation and presented it to James R. Hampton.

Item No. 8. On the Agenda. CONSENT AGENDA.

Following the Clerk's reading:

Councilman Yarber stated: *"Mayor Garnos, I would ask that Resolution R-19-02 be removed from the Consent Agenda."*

Mayor Garnos stated: *"We will move Resolution R-19-02 to position 8a, right after the reading of the Consent Agenda and deal with it separately."*

Mayor Pro Tem Suter moved to approve the Consent Agenda as amended. **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)

Mayor Pro Tem Suter moved to approve **RESOLUTION R-19-01** A Resolution authorizing acceptance of work under contract with U.S. Toy Company, Incorporated, doing business as Constructive Playthings, for the Oak Grove and Happy Rock West Parks Playground Surface Replacement Project, and authorizing final payment in the amount of \$3,801.59 for Project CE1865. **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)

Mayor Pro Tem Suter moved to approve **RESOLUTION R-19-03** A Resolution accepting the Comprehensive Annual Financial Report (CAFR) for the period ending June 30, 2018. **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)

Mayor Pro Tem Suter moved to approve the **Financial Report for month end November 2018**. **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 8a. On the Agenda. RESOLUTION R-19-02 A Resolution authorizing acceptance of work under contract with Fleshman Construction, Incorporated, for the Summit Grill Project, and authorizing final payment in the amount of \$88,710.65 for Project CD1860 and acceptance of a construction credit from Flaherty and Collins Properties in the amount of \$136,000.00.

Councilman Mallams moved to approve **RESOLUTION R-19-02** A Resolution authorizing acceptance of work under contract with Fleshman Construction, Incorporated, for the Summit Grill Project, and authorizing final payment in the amount of \$88,710.65 for Project CD1860 and acceptance of a construction credit from Flaherty and Collins Properties in the amount of \$136,000.00. **Councilmember Moore** seconded.

Councilman Yarber stated: *"Yes, I have a general problem with public funds being spent for private profits. We are closing in on \$1.8 million dollars on this project. I continue to not support that kind of spending in the City."*

The vote: "aye", Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. "nay", Councilman Kyle Yarber. (4-1)

REGULAR AGENDA.

Item No. 9. On the Agenda. Communications from the Audience.

There were no comments from the audience.

Item No. 10. On the Agenda. Communications from the City Council.

Councilman Yarber stated: *"Yes, on Saturday we had an appreciation dinner for the Friends and Volunteers for the Atkins-Johnson Farm. Amazingly well attended despite the fact that it was not easy to get there or to leave there and get home safely; but everybody did. It's tremendous work that all the volunteers' do out there. We had a record year for attendance and I hope that with the help of all the volunteers that continues to expand."*

Councilmember Moore stated: *"Thank you, Mayor. First of all I just wanted to say KUDOS again to Public Works and Public Safety, and everybody who was involved in any part with the snow removal. As always, it was an amazing effort, so thanks to all of those teams. I also had the opportunity to attend the Neighborhood Commission meeting last week, and they, among other things, adopted their work plan for 2019. I also had the opportunity to attend the Arts Commission in Councilmember Mallams stead; he was unable to attend. It turned out to be the meeting where they are looking at the artist for public art that will be in Happy Rock Park. It was a very interesting meeting. We saw presentations from the two artists that they have chosen to see the different samples of their work. None of the examples were exactly what the Arts Commission wanted so they have gone back to one of the artists to come back with some more drawings. The jury is still out on that. They did accept an exciting project that I think everybody will enjoy; a temporary art installation that will be at the 70th Street median. It's a really fun, whimsical installation that will be from a Kansas City artist named Stacy Sharp, and it's kites."*

It's very fun and I think everybody in the community will really like it. That's something to look forward to."

Mayor Pro Tem Suter stated: *"A week ago, I served as liaison to the EMAC meeting. They had an interesting meeting. Erica Layton was there to give an overview of the Atkins-Johnson Farm as a background for the EMAC Committee. They had been talking a bit about composting so one of the projects they are looking at and talking about with her was the possibility of composting, whether we are doing composting at the Farm and how that might be promoted. Good conversation around that. They are honing in on their work plan for the year and one of the, I think, most interesting items is an effort to connect electronic and digital technology to senior citizens more effectively. Looking at things like we just heard about, KCATA, and RideKC Freedom, so folks can get it on demand like Uber, you have to have the app. The concern was that many seniors don't know how to use the app. They are working on a project to try to find resources to connect with our seniors program to help people learn how to use apps, how to use smart phones, so that they can better access the new technologies. Especially for things like Ride Share, as people are aging out of the ability to drive and maybe shouldn't be driving themselves, it's a good way to encourage them to teach folks what other resources are out there that can get them to and from programming. That was the biggest thing, the environmental management side of it was to reduce auto use by sharing resources more and technology became this obstacle that they saw out there. It was a fun thing looking at some different ways to resource that going forward. And, of course, to be sure that we have not forgotten one of their major priorities for the year that also is supported by Gladstone Shaping Our Future group, is single source trash. They have put on their agenda for after the April meeting."*

Mayor Garnos stated: *"It's been five weeks since we last met so I've had the privilege of attending the Parks and Recreation Advisory Board meeting on December 18, help judge a Christmas cookie contest, attended the ribbon cutting for the new renovation and expansion of the Antioch Branch of the Mid Continent Public Library with other members of City Council on January 4, and attended a Board of Directors meeting for the Northland Regional Chamber of Commerce last Tuesday. This afternoon I had the privilege of attending the retirement lunch of Russ Collins from the Department of Parks and Recreation, 21 years of doing anything and everything that was required to make Parks and Recreation work in this city; day or night or weekends. Congratulations to Russ. We will miss you. Speaking of people we are going to miss, we are going to move on to Item 10a."*

10a. On the Agenda. Retiring Board and Commission members.

Mayor Garnos stated: *"This is a bittersweet moment for all of us on City Council. We are here to recognize eight people who are retiring from our Boards and Commissions. I can't even imagine the number of hours these individuals have volunteered and given of themselves for years for the benefit of our community. Everything we do in Gladstone is citizen led and citizen based and it has always been that way. Our Boards and Commissions are the foundation of that system and just about everything that comes to City Council first goes through the review and approval of one of our Boards and Commissions. On behalf of a grateful city and a grateful City Council, I wanted to thank each of you for your service to our community. Each of you has stepped forward and asked 'how can I help?' You have given of your time and talents to help*

make things better and to help keep the city on the right course. I know the other Councilmembers are tired of hearing me say it, but as Dr. Seuss said, "Unless someone like you cares a whole awful lot, nothing is going to get better, it's not." Thank you all for your caring a whole awful lot. I want to list the names of the folks that are retiring and then we can come up and present the plaques and take a photo."

(Mayor Garnos read the names and terms of the retiring Board members. Please see attached.)

Item No. 11. On the Agenda. Communications from the City Manager.

City Manager Wingerson stated: "Mayor, thank you. I guess under the heading of it's a very small world, Jim Hampton talked about the formation and being one of the first members to the Gladstone Economic Betterment Council, we call it GEBC now; the staff person at the time assigned to form GEBC was a person named Jana Miller, who is now Jana Longworth, who presented to you on behalf of the hospital tonight. It's just a weird star alignment thing. Both Jim and Jana, great personal friends, but community friends more importantly. They have done nothing over the years but support the community. They are not here but someone can tell them what I said. Shout out and echo Councilmember Moore's comments to Public Works, Parks and Recreation, Cultural Arts and Public Safety for a fantastic job this last weekend with the snow. It was difficult, heavy, wet snow, cold temperatures, which is a recipe for disaster, and they just out-performed themselves. Thank you very much on that. Because of the storm there has been some limbs down across the community. It doesn't rise to an emergency level, but to help people out, Tim volunteered to open up Public Works Monday through Friday, 9:00 to 4:00 for free limb disposal for anybody who has storm damage. If there is demand for it, we will consider opening on a Saturday to make things even easier, but we are encouraging people to work it out during the week if they can do that. Finally, City Hall is closed on Monday for Martin Luther King, Jr. Day, so we won't be here but all the rest of the facilities will be open as normal."

Mayor Garnos stated: "This will be fair warning: we have five Ordinances ahead of us this evening so this is your chance to escape if you are not into listening to Ordinances get read. I'm giving you fair warning."

Item No. 12. On the Agenda. FIRST READING BILL NO. 19-01 An Ordinance authorizing the City Manager to execute an Agreement with North Kansas City Hospital to staff and operate a Community Health and Wellness Area within the Gladstone Community Center.

Mayor Pro Tem Suter moved Bill No. 19-01 be placed on its First Reading. 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). The Clerk read the Bill.

Mayor Pro Tem Suter moved to accept the First Reading of Bill No. 19-01, waive the rule, and place the Bill on its Second and Final Reading. 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). The Clerk read the Bill.

Mayor Pro Tem Suter moved to accept the Second and Final Reading of Bill No. 19-01, and enact the Bill as **Ordinance 4.452**. **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. 13. On the Agenda. FIRST READING BILL NO. 19-02 An Ordinance authorizing the City Manager to execute an agreement between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide Public Transportation and Property Management Services for the period of July 1, 2018 through June 30, 2019.

Councilman Mallams moved Bill No. 19-02 be placed on its First Reading. **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). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 19-02, waive the rule, and place the Bill on its Second and Final Reading. **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). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 19-02, and enact the Bill as **Ordinance 4.453**. **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. 14. On the Agenda. FIRST READING BILL NO. 19-03 An Ordinance authorizing the City Manager to execute an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the 2019 Regional Household Hazardous Waste Collection Program in the amount of \$29,039.80.

Councilman Yarber moved Bill No. 19-03 be placed on its First Reading. **Councilman Mallams** 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 Yarber moved to accept the First Reading of Bill No. 19-03, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Mallams** 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 Yarber moved to accept the Second and Final Reading of Bill No. 19-03, and enact the Bill as **Ordinance 4.454**. **Councilman Mallams** 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. 15. On the Agenda. FIRST READING BILL NO. 19-04 An Ordinance authorizing the City Manager to execute a Cooperative Agreement with Kansas City, Missouri, for the construction of Shoal Creek Greenway Trail Phase 4 from Happy Rock Park to North Brighton Avenue; City Project #TP-1871; Federal Project #TAP-3323(409).

Councilman Mallams moved Bill No. 19-04 be placed on its First Reading. **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). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 19-04, waive the rule, and place the Bill on its Second and Final Reading. **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). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 19-04, and enact the Bill as **Ordinance 4.455**. **Councilmember Moore** seconded.

Mayor Pro Tem Suter stated: *“A comment or two, Mayor. I just would like to express my support for this Bill. It is exciting to see us expanding the trail system. It’s a long term project in the Northland to get all these pieces connected and it’s really a delight to see this coming together. KUDOS again to our staff, in particular, Public Works, for writing great grants; again because we got federal funds to make this happen; but also for the relationships with Kansas City, Missouri, because it is these partnerships that have made a number of our projects actually work and always glad to see, of course, that the right decision was made that Gladstone should take the lead on the project and that’s what makes them happen in a timely manner. I look forward to getting this one done.”*

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. 16. On the Agenda. FIRST READING BILL NO. 19-05 An Ordinance imposing a City Sales Tax at a rate of one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within the City of Gladstone, Missouri, pursuant to Section 94.510 RSMo., to provide funding for public purposes subject to the approval by the voters of the City at the General Municipal Election to be held on April 2, 2019; designating the form of ballot; and directing the City Clerk to provide notice of said election.

Councilmember Moore moved Bill No. 19-05 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.

Councilmember Moore moved to accept the First Reading of Bill No. 19-05, 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.

Councilmember Moore moved to accept the Second and Final Reading of Bill No. 19-05, and enact the Bill as **Ordinance 4.456**. **Mayor Pro Tem Suter** seconded.

Mayor Pro Tem Suter stated: *“I’ve been on City Council for a long time; 12 years, We have always, in my tenure, approached the subject of tax increases very soberly. After a great deal of consideration and thought and analysis, in particular, of course, we are really grateful to the Shaping Our Future citizen group, that spent a lot of time thinking about the future of Gladstone and considering ways that we could actually accomplish some of the goals that they set out. About 15 years ago, we did that with Gladstone on the Move, and that resulted in the same course of action, a citizen group had a big dream for the city and came and asked the city to impose a tax in order to make it happen. A tax increase. We did, and the community supported it overwhelmingly. I trust again that the city will have confidence that voters will have confidence in us as their leaders that we have given it careful consideration and that the goals of this tax increase are worthy of the efforts that it will take on the part of citizens to make it happen and on the part of all of us who will pay for these improvements to maintain the quality of services in this community. So, I’m in favor of this Bill and I encourage others to support it.”*

Mayor Garnos stated: *“I agree. This is one of the most important and serious things we do. With its passage, I’m assuming the city will be able to provide fact sheets on the website as soon as possible so everybody has an understanding of the need for this and the justification for it. I’d also like to make sure that city staff gets well briefed on what they can and cannot do in explaining and advocating for this. I know it gets a little tricky between being city staff and people’s first amendment rights. So I want to make sure that staff are clear on what they can and cannot, should and should not do for advocating on this. I know that those are all in the works. I’m assuming everyone is happy with the ballot language that we were able to finally agree to. With that, if there are no other comments, Madam Clerk please call the roll.”*

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. 17. On the Agenda. Other Business.

There was no other business to come before the Council.

Item No. 18. On the Agenda. Adjournment.

Mayor Garnos adjourned the January 14, 2019, Regular City Council meeting at 8:24 pm.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____

Mayor Bill Garnos

AGENDA ITEM 10a
RETIRING MEMBERS FROM BOARD & COMMISSIONS
FOR CITY COUNCIL JANUARY 14, 2018

Board of Zoning Adjustment

Shawn Hartman: 2 years (Will be present)

David Holley: 7 years (Will be present)

Building Commission

Daniel Green: 6 years (Will be present)

Capital Improvements Committee

Bill Arbuckle: 10 years (Will be present)

Industrial Development Authority

Gene Williams: 17 years (Will be present)

Parks and Recreation Advisory Board

John Houlihan: 24 years (Will be present)

Bill Butler: 1 year (Will not be present)

Planning Commission

Don Ward: 7 years (Will be present)



**MINUTES
SPECIAL CITY COUNCIL MEETING
GLADSTONE, MISSOURI
THURSDAY, JANUARY 17, 2019**

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

City Manager Scott Wingerson
City Clerk Ruth Bocchino

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

Mayor Garnos opened the Special City Council Meeting Thursday, January 17, 2019, at 6:00 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.

The agenda was approved as published.

REGULAR AGENDA.

Item No. 5. On the Agenda. Communications from the Audience.

There were no comments from the audience.

Item No. 6. On the Agenda. Communications from the City Council.

There were no comments from the City Council.

Item No. 7. On the Agenda. Communications from the City Manager.

There were no comments from the City Manager.

Item No. 8. On the Agenda. **FIRST READING BILL NO. 19-06** An Ordinance calling a General Election for the election of one position to the Gladstone City Council on Tuesday, April 2, 2019; describing the form of the ballot and directing the City Clerk to submit Certification of such election to the Clay County Board of Election Commissioners pursuant to RSMo. 115.125.

Councilman Mallams moved Bill No. 19-06 be placed on its First Reading. **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). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 19-06, waive the rule, and place the Bill on its Second and Final Reading. **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). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 19-06, and enact the Bill as **Ordinance 4.457**. **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. 17. On the Agenda. Other Business.

There was no other business to come before the Council.

Item No. 18. On the Agenda. Adjournment.

Mayor Garnos adjourned the January 17, 2019, Special City Council meeting at 6:10 pm.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____

Mayor Bill Garnos

RESOLUTION R-19-04

A RESOLUTION ADOPTING A MISSION STATEMENT, VISION STATEMENT, AND GOALS FOR THE CITY OF GLADSTONE, MISSOURI, FOR 2019.

WHEREAS, the Council of the City of Gladstone believes that developing and implementing goals is a critical component in successfully managing the municipal resources entrusted to them; and

WHEREAS, the Council of the City of Gladstone recognizes that clearly articulated goals provide a valuable communication tool between a City government and its constituents; and

WHEREAS, the Council of the City of Gladstone is committed to implementing policies and allocating resources to promote these goals.

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

THAT, the following Mission Statement, Vision Statement, and Goals are adopted for the City of Gladstone, Missouri:

MISSION STATEMENT

"The City Council, Boards, Commissions, and City staff are dedicated to enhancing Gladstone's quality of life and sense of community through effective leadership and citizen engagement."

Gladstone Vision

- A vibrant commercial center with revitalized corridors at North Oak and Antioch Road and a competitive tax strategy that encourages economic development.
- An attractive housing stock that attracts and retains the variety needed to adapt to societal changes in families, provide opportunities to age in place, and be a destination for younger families to raise children.
- Multiple transportation alternatives that promote mobility in the community and the region.
- Stature and reputation of Gladstone strengthened and maintained. Gladstone is a recognized leader and provides meaningful contribution to regional issues.
- A continued strong partnership with schools and other entities that help us ensure a high quality of life.
- A recognized sense of place with a clear identity including an emphasis on arts and culture. You know you are in Gladstone.

- A strong commitment to public safety and City infrastructure.
- A motivated, well-trained City staff.
- Cooperative relationships with citizens highlighted by strong citizen engagement and participation.

Based on the Mission and Vision, the City Council establishes the following goals:

2018-2019 City Council Goals

- I. Promote Gladstone as a safe place with a focus on traffic enforcement and the recruitment and retention of high quality police officers.
- II. Implement a proactive residential and commercial code enforcement program focused on public education, responsiveness, and adherence to codes.
- III. Develop an innovative housing strategy designed to encourage residential density.
- IV. Continue commitment to Gladstone Linden Square (Downtown) and commercial corridors through innovative strategies and partnerships.
- V. Continue implementation of all Master Plans including: parks; cultural arts; facilities; streets; sidewalks; stormwater; and potable water. Begin the process of updating the Comprehensive Plan and develop an overall Atkins Johnson feasibility analysis.
- VI. Build public support by providing factual information for implementation of the Shaping Our Future sales tax request resulting in successful passage of an April ballot issue.
- VII. Begin the process of developing a unified comprehensive messaging strategy designed to enhance Gladstone's identity in the Kansas City region and beyond.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 28th DAY OF JANUARY 2019.

Mayor Bill Garnos

ATTEST:

Ruth E. Bocchino, City Clerk

RESOLUTION NO. R-19-05

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH ORR WYATT STREETSCAPES IN THE TOTAL AMOUNT NOT TO EXCEED \$845,086.70 FOR THE CONSTRUCTION OF THE SHOAL CREEK GREENWAY TRAIL PHASE 4 FROM HAPPY ROCK PARK TO NORTH BRIGHTON AVENUE; CITY PROJECT #TP-1871; FEDERAL PROJECT #TAP-3323(409).

WHEREAS, thirteen proposals were received for the construction of the Shoal Creek Greenway Trail Phase 4 from Happy Rock Park to North Brighton Avenue and the proposal of Orr Wyatt Streetscapes in the amount of \$845,086.70 has been determined by the Director of Public Works to be the lowest and best proposal.

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 Orr Wyatt Streetscapes for work as outlined in the contract for a total amount not to exceed \$845,086.70, pending MoDOT approval.

FURTHER, THAT, funds for such purpose are authorized from the Transportation Sales Tax Fund, reimbursement by Kansas City, Missouri, and a grant from the Federal Transportation Alternatives Program administered by the Missouri Department of Transportation.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 28th DAY OF JANUARY 2019.

Mayor Bill Garnos

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-05

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 1/18/2019

Department: Public Works

Meeting Date Requested: 1/28/2019

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

Subject: Contract Award for the Construction of Shoal Creek Greenway Trail Phase 4 from Happy Rock Park to North Brighton Avenue; City Project #TP1871; Federal Project #TAP-3323(409), pending MoDOT Approval.

Background:

Thirteen bids were received for this project, including Bid Alternate 1:

Orr Wyatt Streetscapes	\$845,086.70
Primetime Contracting Corp.	\$894,109.00
MEGA Industries Corp.	\$906,998.60
J.M. Fahey Construction	\$907,753.80
Amino Bros.	\$917,857.00
Julius Kaaz Construction Company Inc.	\$938,215.80
Lehman Construction LLC	\$939,984.00
Blue Moon Hauling	\$946,603.66
VF Anderson Builders LLC	\$949,502.00
Pyramid Excavation & Construction	\$965,634.00
Terry Snelling Construction	\$992,499.40
Freeman Concrete Construction	\$1,087,670.90
BKM Construction LLC	\$1,539,512.00

The project consists of the construction of approximately 5,800 LF of 10 foot wide concrete trail through Happy Rock Park from N. Antioch Road to N. Brighton Road. Bid Alternate 1 consists of the construction of approximately 300 LF of 10 foot wide concrete trail on the east side of N. Antioch Road from the north entrance to Happy Rock Park East (Jezak Parkway) to NE 76th Street.

Budget Discussion: Funds are budgeted in the amount of \$245,000 from the TST Fund, \$595,000 from Kansas City, MO, and a \$500,000 grant from the Federal Transportation Alternatives Program (TAP) administered by MoDOT. Ongoing costs are estimated to be \$ 1,500 annually for trail maintenance. Previous years' funding was \$5,000. The Engineer's Estimate for the project is \$1,066,362.

Public/Board/Staff Input:

Orr Wyatt Streetscapes is a joint venture based in Raytown, MO. Staff conducted a reference check of previous work Orr Wyatt Streetscapes has performed and found all respondents to be very satisfied with the work they completed.

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

Timothy A. Nebergall
Department Director/Administrator

PC
City Attorney

SW
City Manager

RESOLUTION NO. R-19-06

A RESOLUTION AUTHORIZING ACCEPTANCE OF WORK UNDER CONTRACT WITH BLUE NILE CONTRACTORS, INCORPORATED, FOR THE 2018 WATER AND SEWER MAINS REPLACEMENT, AND AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$33,268.78 FOR PROJECT WP1886.

WHEREAS, work under the contract with Blue Nile Contractors, Incorporated, for the 2018 Water and Sewer Mains Replacement, Project WP1886, has been completed to the satisfaction of the Director of Public Works.

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 accept work under the contract and make final payment as follows:

Original Contract Amount:	\$ 602,790.61
Change Orders:	62,584.99
Revised Contract Amount:	\$ 665,375.60
Amount Paid to Date:	632,106.82
Total Amount Due Final Pay:	\$ 33,268.78

FURTHER, funds for such purpose are authorized from the Combined Water and Sewer System Funds.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 28th DAY OF JANUARY 2019.

Mayor Bill Garnos

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-06

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 1/2/2019

Department: Public Works

Meeting Date Requested: 1/28/2019

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

Subject: Final payment approval, Project WP1886, 2018 Water and Sewer Mains Replacement

Background: Work has been completed on the referenced project and the contractor, Blue Nile Contractors, Inc., has made application for final pay. Staff has conducted a final inspection and determined the work to be completed in a satisfactory manner, in accordance with the specifications.

Original Contract Amount:	\$602,790.61
Change Orders:	\$62,584.99
Revised Contract Amount:	\$665,375.60
Amount Paid to Date:	\$632,106.82
Total Amount Due Final Pay:	\$33,268.78

Budget Discussion: Funds are budgeted in the amount of \$ 700,000.00 from the CWSS Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$600,000.00.

Public/Board/Staff Input: This project included the installation of approximately 4,000 LF of new 8" water main at various locations and 376 LF of 24" sanitary sewer along Mill Creek. Change orders included the emergency repair of 8 water main breaks, the emergency replacement of 310 LF of 8" water main on N. Highland from NE 75th Terrace to NE 76th Street, and final adjustments for field measured quantities.

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

Timothy A. Nebergall
Department Director/Administrator

PC
City Attorney

SW
City Manager

RESOLUTION NO. R-19-07

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MID-WEST ASSOCIATED CONTRACTORS CORPORATION IN THE TOTAL AMOUNT NOT TO EXCEED \$166,756.00 FOR THE PUBLIC WORKS BUILDING IMPROVEMENTS PROJECT CP1754.

WHEREAS, seven proposals were received for the Public Works Building Improvements Project CP1754, and the proposal of Mid-west Associated Contractors Corporation in the amount of \$166,756.00 has been determined by the Director of Public Works to be the lowest and best proposal.

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 Mid-west Associated Contractors Corporation for work as outlined in the contract for a total amount not to exceed \$166,756.00.

FURTHER, THAT, funds for such purpose are authorized from the Capital Improvements Sales Tax Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 28th DAY OF JANUARY 2019.

Mayor Bill Garnos

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-07

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 1/22/2019

Department: Public Works

Meeting Date Requested: 1/28/2019

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

Subject: Contract Award, Project CP1754 Public Works Building Improvements.

Background:

Seven bids were received for this project:

Mid-west Associated Contractors Corp.	\$166,756.00
Wilcott Construction, Inc.	\$183,940.00
Tailor Made Exteriors LLC	\$195,885.70
Bruner Contracting Co., LLC	\$218,500.00
Benchmark Construction	\$223,200.00
Larrison Construction Inc	\$248,766.00
BKM Construction LLC	\$270,685.45

The project consists of improvements at the Public Works Building located at 4000 NE 76th Street including upgrades to the conference room, breakroom, bathrooms, locker room, interior and exterior paint, ceiling tile, and floor tile.

Budget Discussion: Funds are budgeted in the amount of \$200,000 from the CIST Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0. The Engineer's Estimate for the project is \$200,000.

Public/Board/Staff Input:

Mid-west Associated Contractors is a company based in Blue Springs, MO that has been in business for 39 years. Staff conducted a reference check of previous work Mid-west Associated Contractors has performed and found all respondents to be very satisfied with the work they completed.

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

Timothy A. Nebergall
Department Director/Administrator

PC
City Attorney

SW
City Manager



Building Exterior



Conference Room
Walls and Floor



Door Separating the
Office Space from the
Garage Area



Break/Locker Rooms
(Upstairs)





CITY OF GLADSTONE MISSOURI

Financial Report for Six Months Ended
December 31, 2018

GENERAL FUND

Revenue Source	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
Property Tax	\$ 516,260	\$ 472,626	\$ 43,634	9%	15%	\$ 3,491,050
Sales Tax	2,005,659	2,015,280	(9,621)	0%	51%	3,965,000
Gross Receipts Tax	1,860,200	1,878,637	(18,437)	-1%	53%	3,502,000
Licenses & Permits	459,560	496,781	(37,221)	-7%	65%	702,550
Intergovernmental	683,870	672,852	11,018	2%	51%	1,341,500
Charges for Services	2,248,341	2,089,010	159,331	8%	69%	3,274,100
Fines & Forfeitures	327,188	406,588	(79,400)	-20%	34%	959,500
Operating Revenues	8,101,078	8,031,774	69,304	1%	47%	17,235,700
Misc. Revenue	547,352	563,053	(15,701)	-3%	58%	936,512
Equity Transfer	100,000	504,809	(404,809)	-80%	100%	100,000
Total Revenues	\$ 8,748,430	\$ 9,099,636	\$ (351,206)	-4%	48%	\$ 18,272,212

Total revenues for the General Fund through six months or 50% of this fiscal year are \$8,748,430 compared to total budgeted revenues for the year of \$18,272,212. Operating revenues for the General Fund are \$8,101,078 while last year at this time operating revenues were \$8,031,774 resulting in a \$69,304 increase over last year. Property tax collections are up as current year property tax receipts are beginning to come in. Sales tax on a cash basis is slightly less than same time last year. Gross receipts taxes are down 1% or \$18,437 over last year, mainly due to the decreasing number of land telephone lines and cellular gross receipts. License and Permits revenues are down 7% or \$37,221 from the same time as last year due to less new construction activity. Intergovernmental is up 2% or \$11,018. Charges for Services are up 8% or \$159,331 compared to the previous year due to senior activities. Fines and Forfeitures are down 20% or \$79,400 from the same time last year due to the effects of state legislation. Miscellaneous Revenue is down 3% due mainly to less transfers into the General Fund from other funds. Equity transfer is down due to prior year re-appropriations of \$504,809.

Expenditure Function	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
General Administration	\$ 573,612	\$ 579,592	\$ (5,980)	-1%	42%	\$ 1,366,603
Finance	763,723	649,306	114,417	18%	50%	1,529,243
Public Safety	4,109,718	3,903,249	206,469	5%	49%	8,404,853
Public Works	1,132,276	1,092,107	40,169	4%	48%	2,379,163
Community Development	369,235	378,040	(8,805)	-2%	45%	816,603
Parks & Recreation	1,625,675	1,414,820	210,855	15%	65%	2,494,846
Non-Departmental	546,918	560,771	(13,853)	-2%	62%	880,976
Transfers/Debt	274,523	301,569	(27,046)	-9%	69%	395,015
Total Expenditures	\$ 9,395,680	\$ 8,879,454	\$ 516,226	6%	51%	\$ 18,267,302

Expenditures through six months or 50% of this fiscal year amounted to \$9,395,680 or 51% of FY19 budgeted expenditures of \$18,267,302. This indicates that actual expenditures are 6% or \$516,226 more than last year's expenditures of \$8,879,454. General Administration expenditures are down 1% or \$5,980 compared to last year. Finance expenditures are up 18% due to changes in personnel and refund to Medicare. Public Safety expenditures are up \$206,469 or 5% due to increased personnel costs. Public Works expenditures are up 4% due to personnel and maintenance on equipment. Community Development expenditures are down 2% due to personnel changes and timing of contractual payments. Parks & Recreation expenditures are up 15% or \$210,855 from the same time last year due mainly to increases in Senior Activities. Non-Departmental is down 2% or \$13,853 due to decreased insurance costs. Current revenues are less than expenditures in the amount of \$647,250 as the bulk of the property taxes will be received in January.

COMBINED WATER AND SEWERAGE SYSTEM FUND

Revenue Source	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
Sanitation	\$ 3,219,928	\$ 3,053,205	\$ 166,723	5%	49%	\$ 6,542,500
Water	2,318,583	2,191,684	126,899	6%	54%	4,278,931
Operating Revenues	5,538,511	5,244,889	293,622	6%	51%	10,821,431
Misc Revenue	75,474	51,969	23,505	45%	62%	122,000
Equity Transfer	-	64,126	(64,126)	-100%	0%	-
Total Revenues	\$ 5,613,985	\$ 5,360,984	\$ 253,001	5%	51%	\$ 10,943,431

Total budgeted revenues for the fiscal year are \$10,943,431. Total revenues through six months or 50% of this fiscal year, amounted to \$5,613,985 or 51% of FY19 budgeted revenues. Operating revenues are up 6% or \$293,622 from last year due to rate increases in both water and sewer. Miscellaneous revenues are up \$23,505 due to increased interest earnings and sale of assets.

Expenditure Function	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
Production	\$ 544,928	\$ 582,378	\$ (37,450)	-6%	42%	\$ 1,288,806
Operations & Maint	715,846	496,590	219,256	44%	44%	1,634,726
Sewer Collection	176,635	200,763	(24,128)	-12%	34%	516,400
Non-Departmental	3,181,631	3,021,134	160,497	5%	49%	6,443,594
Debt Payments	478,888	430,010	48,878	11%	45%	1,059,905
Total Expenses	\$ 5,097,928	\$ 4,730,875	\$ 367,053	8%	47%	\$ 10,943,431

Total budgeted expenses for the fiscal year are \$10,943,431. Total expenses through six months or 50% of this fiscal year amounted to \$5,097,928 or 47% of FY19 budgeted expenses. Production expenditures are down 6% due to repairs to well #3 in the previous fiscal year. Operations division expenditures are up 44% , or \$219,256 from the previous year due to water main replacements and repairs. Sewer division expenditures are down 12% or \$24,128 due to the timing of the sewer main projects. Non-departmental is up 5% due to increases in sewer payments to Kansas City consistent with higher sewer rates. Debt payments have increased due to the 2017 lease purchase. Current revenues exceed current expenses for the fiscal year. Net income on a cash basis is \$516,057.

COMMUNITY CENTER AND PARKS TAX FUND

Revenue Source	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 430,050	\$ 438,523	\$ (8,473)	-2%	49%	\$ 874,000
Intergovernmental	-	-	-	0%	0%	700,000
Charges for Service	533,586	539,054	(5,468)	-1%	42%	1,263,825
Other Revenue	94,460	86,748	7,712	9%	35%	268,000
Operating Revenues	1,058,096	1,064,325	(6,229)	-1%	34%	3,105,825
Misc Revenue	25,206	13,682	11,524	84%	28%	90,000
Transfers	749,500	752,500	(3,000)	0%	100%	749,500
Equity Transfer	187,085	186,265	820	0%	100%	187,085
Total Revenues	\$ 2,019,887	\$ 2,016,772	\$ 3,115	0%	49%	\$ 4,132,410

Total budgeted revenues for the fiscal year are \$4,132,410. Total revenues through six months or 50% of this fiscal year, amounted to \$2,019,887 or 49% of FY19 budgeted revenues. Operating revenues are down 1% or \$6,229 compared to FY18. Sales tax received is down 2%. Charges for Service are down 1% or \$5,468 from last year. Other revenue is up 9% due to increased banquet room rental. Miscellaneous revenue is up 84% or \$11,524 due to increased interest revenue. Equity adjustment is up \$820.

Expenditure Function	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
Community Center	\$ 418,773	\$ 432,053	\$ (13,280)	-3%	50%	\$ 837,675
Natatorium	399,575	407,321	(7,746)	-2%	48%	831,398
Outdoor Pool	96,491	92,967	3,524	4%	53%	182,183
Non-Departmental	114,121	102,742	11,379	11%	79%	143,549
Debt Payments	1,293,148	1,073,241	219,907	20%	60%	2,137,590
Total Expenses	\$ 2,322,108	\$ 2,108,324	\$ 213,784	10%	56%	\$ 4,132,395

Total budgeted expenditures for the fiscal year are \$4,132,395. Total expenses through six months or 50% of this fiscal year, amounted to \$2,322,108 or 56% of FY19 budgeted expenses. Community Center expenses have decreased 3% from the same time last year due to HVAC repairs in the previous year. The Natatorium expenses are also down 2% or \$7,746 from the same time last year because of the repairs to the HVAC system in the previous year. Outdoor Pool expenses are up 4% due to personnel. Non-departmental is up 11% mainly due to an increase in equipment maintenance and insurance expense. Debt payments have increased due to the 2017 lease purchase. Net loss on a cash basis is \$302,221. Payment from the North Kansas City School District will occur around the first of the year.

PUBLIC SAFETY SALES TAX FUND

Revenue Source	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 430,037	\$ 438,509	\$ (8,472)	-2%	49%	\$ 874,000
Misc Revenue	3,833	8,927	(5,094)	-57%	85%	4,500
Equity Transfer	44,086	-	44,086	0%	100%	44,086
Total Revenues	<u>\$ 477,956</u>	<u>\$ 447,436</u>	<u>\$ 30,520</u>	<u>7%</u>	<u>52%</u>	<u>\$ 922,586</u>

Total budgeted revenues for the fiscal year are \$922,586. Total revenues through six months or 50% of this fiscal year amounted to \$477,956 or 52% of FY19 budgeted revenues. Sales tax on a cash basis is down 2%. Misc. revenue is down \$5,094 from the previous year due to the sale of assets.

Expenditure Function	December 2018	December 2017	\$ Change	% Change	% of Budget	FY19 Budget
PSST Law	\$ 242,159	\$ 273,740	\$ (31,581)	-12%	38%	\$ 643,703
Non-Departmental	29,792	21,529	8,263	38%	69%	42,948
Debt Payments	31,895	37,662	(5,767)	-15%	14%	235,935
Total Expenses	<u>\$ 303,846</u>	<u>\$ 332,931</u>	<u>\$ (29,085)</u>	<u>-9%</u>	<u>33%</u>	<u>\$ 922,586</u>

Total budgeted expenditures for the fiscal year are \$922,586. Total expenses through six months or 50% of this fiscal year are \$303,846 or 33% of the FY19 budgeted expenses. Law division is down 12% due to a vacancy in personnel. Non-Departmental is up 38% due to equipment maintenance. Payments for debt have decreased due to the refunding of the 2011 COP. Current revenues are greater than current expenditures. Net income on a cash basis is \$174,110.

Respectfully submitted,



Dominic Accurso
Director of Finance



***Department of Finance
Memorandum***

DATE: January 17, 2019

TO: Scott Wingerson – City Manager

FROM: Dominic Accurso – Director of Finance

RE: **Semi-annual Financial Statement and Schedule of Investments**

Cities are required by the Missouri Revised Statutes to publish a semi-annual financial statement along with a schedule of indebtedness. The amounts in the financial statement are not audited but a “snapshot” at a period of time when the information is pulled from the financial software.

The presentation of the financial statement is broken down into fund types, General Fund, Enterprise Funds (Water and Sewer Fund), and Special Revenue Funds (all other funds except General or Enterprise). Revenues and expenses are grouped by their respective class.

At December 31, 2018, total expenditures exceed total receipts by \$3,038,350. The reason for this is that this financial statement only takes into consideration revenue and expenditures for the current period (July 1, 2018 through December 31, 2018). It does not take into account revenues/lease proceeds for projects started in previous periods. For example, downtown development projects that were budgeted to start in fiscal year 2018, but the majority of the work was completed in the 2019 fiscal year. Projects from the 2017 Lease Purchase are and will carry into future periods, but accounting standards state that proceeds from debt are recognized when the debt is issued, not when the projects are complete. Another consideration is that not all revenues come in uniformly, the bulk of property taxes will come in January as well as the payment from the North Kansas City School District for the use of the natatorium.

Staff is seeking City Council approval of the financial statement. Approval of the financial statement will be on the January 28th agenda. The statement will be published in the newspaper shortly after council approval. If there are any questions, please contact me at your convenience.

City of Gladstone, Missouri
Statement of Receipts and Expenditures
For the Six Months Ended December 31, 2018 (unaudited)

	General	Special	Enterprise
	<u>Fund</u>	<u>Revenue Funds</u>	<u>Fund</u>
Receipts			
Taxes	\$ 4,382,120	\$ 2,789,219	\$ -
Licenses & Permits	459,560	-	-
Intergovernmental Revenue	683,870	263,089	26,772
Charges for Services	2,248,341	533,586	5,538,511
Fines & Forfeitures	327,188	4,284	-
Misc. Revenue	441,340	330,800	48,702
Debt Proceeds	-	-	-
Transfers	106,012	849,500	-
Non Revenue Receipts	-	-	-
Accounting Only	-	-	-
Total Receipts	<u><u>\$ 19,032,892</u></u>		
Expenditures			
Personnel	\$ 6,223,533	\$ 691,552	\$ 632,281
Supplies	467,704	80,084	226,852
Services	2,380,008	893,280	3,380,873
Capital	88,704	4,235,994	379,034
Debt	189,258	1,564,570	431,503
Transfers	100,000	855,512	-
Total Expenditures	<u><u>\$ 22,820,742</u></u>		

The Statement of Receipts and Expenditures does not take into account the use of lease purchase proceeds or fund balance from previous periods to fund expenditures. All funds continue to have a positive fund balance.

Indebtedness of the City

General Obligation Bonds	\$ 1,000,000
Revenue Bonds	2,800,000
Certificates of Participation (COP)	20,445,000
Department of Natural Resources	418,465
Lease Purchase	18,384,040
	<u><u>\$ 43,047,505</u></u>

This statement was prepared from recorded receipts and expenditures as shown on the books and records for the City of Gladstone, Missouri, and in compliance with Missouri Revised Statutes, Sec. 77.110. This statement is true and correct to the best of my knowledge.

Mayor Bill Garnos

Date

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF GLADSTONE, MISSOURI AND GLAD HOTEL DEVELOPERS, LLC.

WHEREAS, the City of Gladstone, Missouri (the “**City**”) is supportive and encourages high-quality development and redevelopment within the City, including the redevelopment of properties located within Downtown Linden and along the North Oak Corridor; and

WHEREAS, Glad Hotel Developers, LLC (the “**Company**”) has proposed to construct a multi-use development on property generally located within Downtown Linden and along the North Oak Corridor, as more specifically described in the Development Agreement and exhibits attached thereto (the “**Project**”),

WHEREAS, the City and the Company have agreed upon terms of a Development Agreement regarding the Project which sets forth the duties and obligations of the City and the Company concerning the acquisition of certain property contemplated by the Development Agreement and to be incorporated into the Project; the design and construction of the Project; and other matters pertinent to the Project; and

WHEREAS, the City Council desires to authorize the City Manager to execute said Agreement on behalf of the City.

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

Section 1. That the City Manager is hereby authorized to execute on behalf of the City the Development Agreement by and between the City and Glad Hotel Developers, LLC, substantially in the form attached hereto as **Exhibit A**.

Section 2. That the City Manager, City Clerk, and such other officials of the City may execute any other additional documents or take such other actions as necessary, incidental or expedient to carry out the intent of this Ordinance, and the authority granted herein.

Section 3. The Mayor is authorized to sign this ordinance approving it on behalf of the City.

Section 4. The City Clerk is hereby directed to attest to the Mayor’s signature.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 28TH DAY OF JANUARY 2019.

Mayor Bill Garnos

ATTEST:

Ruth E. Bocchino, City Clerk

First Reading: January 28, 2019

Second Reading: January 28, 2019

BILL NO. 19-08

ORDINANCE NO. 4.459

AN ORDINANCE ALLOWING THE "SHOW ME GREEN SALES TAX HOLIDAY" TO APPLY TO THE LOCAL SALES TAXES OF THE CITY OF GLADSTONE BETWEEN APRIL 19 AND APRIL 25, 2019.

WHEREAS, Sec. 144.526, RSMo. Supp. 2008, establishes the "Show Me Green Sales Tax Holiday" to exempt retail purchases of certain qualifying appliances from state sales tax; and

WHEREAS, Sec. 144.526.4, RSMo. Supp. 2008 also provides that political subdivisions in the State may allow the Show Me Green Sales Tax Holiday to apply to local sales taxes by enacting an ordinance to do so; and

WHEREAS, the Show Me Green Sales Tax Holiday encourages the purchase of energy efficient appliances by exempting them from sales tax, thereby effectively reducing the consumer's cost for such appliances; and

WHEREAS, incentivizing consumer awareness of and investment in energy efficient appliances can reasonably be expected to reduce energy consumption across the state and have the added benefit of promoting retail sales activity in order to assist in overcoming the economic crises we all face; and

WHEREAS, the City Council finds and believes that the City's participation in the Show Me Green Sales Tax Holiday by also exempting qualifying purchases from local sales taxes will enhance the incentive to consumers and further advance the laudable goals the Holiday is intended to accomplish as aforesaid.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

Section 1.

For purposes of this Ordinance, the following terms shall mean: (1) "*Appliance*", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers, and heat pumps.

(2) "*Energy star certified*", any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.

Section 2.

By enacting this ordinance the City of Gladstone hereby elects to allow the Show Me Green Sales Tax Holiday established by Sec. 144.526, RSMo. Supp. 2008, to apply to its local sales taxes so that there shall be exempted from local sales taxes all retail sales of any energy star certified new appliance, up to one thousand five hundred dollars per appliance, during a seven-day period beginning at 12:01 a.m. on April 19, 2019 and ending at midnight on April 25, 2019.

Section 3.

This ordinance shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. Such retailer shall offer a sales tax refund in lieu of the sales tax holiday.

Section 4.

The Missouri Department of Revenue shall be notified by March 16th of the adoption of this Ordinance and the election to allow the Show Me Green Sales to Holiday to apply within the City of Gladstone.

Section 5.

This Ordinance shall be in full force and effect both from and after its passage and approval by the City Council.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 28th DAY OF JANUARY, 2019.

Mayor Bill Garnos

ATTEST:

Ruth Bocchino, City Clerk

1st Reading: January 28, 2019

2nd Reading: January 28, 2019



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # Bill No. 19-08

ORD # 4.459

Date: 1/22/2019

Department: Finance

Meeting Date Requested: 1/28/2019

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

Subject: Show Me Green Sales Tax Holiday

Background: Every year, the City Council is presented with an ordinance to participate in the "Show Me Green" sales tax holiday. The ordinance will be on the agenda for the January 28th City Council meeting.

Budget Discussion: Funds are budgeted in the amount of \$ [Click here to enter amount](#) from the Choose a Fund Fund. Ongoing costs are estimated to be \$ [Click here to enter amount](#) annually. Previous years' funding was \$ [Click here to enter amount](#)

Public/Board/Staff Input: The Missouri "Show Me Green" sales tax holiday grants businesses in the City the ability to exempt sales tax on the purchase of retail Energy Star Certified appliances, up to one thousand five hundred dollars per appliance. Appliance is defined as clothes, washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators, freezers, and heat pumps. The sales tax holiday is between 12:01 A.M. April 19, 2019 to midnight April 25, 2019.

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

Dominic Accurso
Department Director/Administrator

PC
City Attorney

SW
City Manager