

**REGULAR CITY COUNCIL MEETING  
AGENDA BEGINS ON PAGE 31  
FEBRUARY 25, 2019**



**GLADSTONE CITY COUNCIL**  
**OPEN STUDY SESSION MEETING**  
**MONDAY, FEBRUARY 25, 2019**

**AGENDA**

**TIME: 6:45 pm**

- 1. Linden Square Programming-** Marketing Specialist, Michael Lee, will give a PowerPoint presentation featuring events, programs, and concerts at Linden Square for the 2019 season.
- 2. Mid-Year Budget-** Attached please find the FY19 mid-year budget for your review. Finance Director Dominic Accurso will provide an overview and answer questions Monday evening.

***Department of Parks, Recreation, & Cultural Arts***  
***Memorandum***



**DATE:** February 20, 2019

**TO:** Scott Wingerson, City Manager

**FROM:** Justin Merkey, Director of Parks, Recreation & Cultural Arts

**RE:** Linden Square 2019 Entertainment Schedule

The Linden Square summer program is close to being complete. Staff reviewed last year's lineup, made adjustments and retained successful programs. The adjustments to create a consistent program were made last year resulting in increased attendance. Similar to last year, no programming will be held the first weekends of each month as June is BluesFest, and July and August are Theatre in the Park Production nights. The Friday night series will kick off on Friday, June 14 with Platinum Express. More popular bands, with a larger following, will perform on the second Saturday of every month, which will kick off with Landslide, the Fleetwood Mac Experience and Killer Queen, the Queen Tribute band on July 13. Similar to last year and after being well received, magicians/comedians will perform prior to the Saturday night bands taking the stage. Similar to past years, a variety of music will be performed throughout the season, with a country act scheduled for the fourth Friday of every month. After being a great success, Whiskey Fest will return and we are hoping for a larger attendance along with increasing the number of distillers present. Bubbles Wine and Spirits will again be a big help for this event and assist in bringing national brands to the table. The Food. Art. Drink. Festival will again be two days (Friday and Saturday evening). We will again host Kids Fest and Fiesta on the Square, along with three movie nights, Drive-In at the Square with the possibility of an additional Halloween-themed movie night. Finally, we are working with the North Kansas City Schools SAGE Program where four different groups will present an event to be considered as a Linden Square program. The final selected program will be presented to City Council at a future meeting and if accepted, the program will be added to the overall entertainment slate.

Attached, please find the 2019 Sounds on the Square schedule, as well as a calendar view of all events scheduled for the season. We are excited for the season to kick off and feel we have a solid plan of events that will reach our diverse population within Gladstone. Michael Lee will be at Monday evening's City Council meeting to further explain the plans for this summer and field questions from the Members of City Council.

Should you have any questions, please let me know.

### Sounds on the Square Dates and Performers

Date	Performer
<b>6/14</b>	Platinum Express (80s Rock/Cover)
6/21	Cherry Bomb – Food. Art. Drink. Festival
6/22	A La Mode – Food. Art. Drink. Festival
	Grand Marquis – Food. Art. Drink. Festival
	The Phantastics – Food. Art. Drink. Festival
6/27	Midnight Rodeo (Country)
7/12	Funk Syndicate (Pop/R&B)
7/13	Landslide and Killer Queen – Fleetwood Mac Experience and Queen Tribute
7/19	Retroactive (80s Rock/Cover)
7/26	The Phillip Michaels Band (Country)
8/9	Steamboat Bandits (Bluegrass)
8/10	Goddesses of Rock (80s, 90s, 00s)
8/16	Switch (80s Rock/Cover)
8/23	State Line Drive (Country)
8/30	Anne Lee and the Lucky So and Sos (Jazz/Blues)
9/13	TBD
9/14	KC Latin/Jazz Allstars
9/20	Women of Rock (80s Rock/Cover)
9/27	Rusty Laffoon Band (Country)
10/12	Lyin' Eyes – Whiskey Fest
	TBD – Whiskey Fest
	Outlaw Jim and the Whiskey Benders – Whiskey Fest

## Linden Square Summer/Fall 2019 Programming



**A look at what's to come!  
May-October of 2019**

## SAGE Cultural Program



- \* North Kansas City School District's SAGE program Partnership
  - \* Focused on inclusion and community building
- \* SAGE students will present their ideas to City Council at one of the March meetings.
- \* Last year students held a "Brazilian Culture Fest"
- \* Tentatively Schedule for May 18<sup>th</sup>

## 2019 Sounds on the Square

June 14, 2019

- \* No programming on First Fridays or Saturdays
  - \* Blues Fest & Theater In the Park Weekends
- \* Second Fridays
  - \* Bluegrass/Pop/Jazz/Blues
- \* Second Saturdays (larger concert experiences)
  - \* Fleetwood Mac & Queen Tribute
  - \* KC Latin and Jazz Orchestra at Fiesta on the Square
  - \* Goddesses of Rock — All female cover group paying tribute to 15+ female recording artists.

## 2019 Sounds on the Square

- \* Third Fridays
  - \* 80s cover bands
- \* Fourth Fridays
  - \* Country Night
- \* Fifth Fridays will follow the same rules as Second Fridays
  - \* Blues/Pop/Jazz



## Drive-In at Linden Square

Sponsored by: **Citizens**  
Bank & Trust

- \* **Movies held**

- \* June 1<sup>st</sup>
- \* June 29<sup>th</sup>
- \* July 27<sup>th</sup>

- \* **Citizens Bank & Trust Partnership**

- \* **Vendors**

- \* Cotton Candy
- \* Games
- \* Face painting



## 2019 Sounds on the Square

### ❖ **Festivals**

- ❖ **Woofstock**
- ❖ **Food. Art. Drink. (It's not just a FAD)**
- ❖ **Fun in the Sun Kids Fest**
- ❖ **Fiesta on the Square**
- ❖ **Whiskey Fest**

# NAWS WOOFstock

June 2, 2019

**NAWS** 

Northland Animal Welfare Society

- \* The Northland Animal Welfare Society is a Gladstone-based nonprofit organization focused around the proper care of animals in the Northland
- \* For the past 11 years this organization has held their major fundraiser, WOOFstock at Zona Rosa.



## Food. Art. Drink. (it's not just a F.A.D.)

June 21-22, 2019



- \* 4<sup>th</sup> Annual installment of Linden Square's Art Festival
- \* 25+ artists
- \* 5 local bands
- \* Food trucks
- \* Craft Beer Trailer.
- \* Our musical lineup
  - \* Friday, June 21
    - \* 7:00 p.m. — Cherry Bomb
  - \* Saturday, June 22
    - \* 5:00 p.m. — A La Mode
    - \* 6:30 p.m. — Grand Marquis
    - \* 8:30 p.m. — The Phantastics





## 2019 Fun in the Sun Kids Fest

July 27, 2019

- \* Cutie Pie Tri
- \* Face Painting
- \* Balloon Making
- \* Kite Making
- \* Vendor Activities



## Fiesta on the Square

September 14, 2019

- \* **Celebration of the Hispanic Culture at Linden Square.**
  - \* Mi Ranchito to provide guests with a taco bar.
- \* **Other vendors bring classic hispanic desserts and drinks that match the theme**
- \* **KC Latin & Jazz Allstars provide guests with musical entertainment.**



# 2019 Whiskey Fest

October 12, 2019

- \* Our most popular event of the 2018 season will make a return in 2019.

- \* 3 Bands
- \* 12+ Distilleries
- \* 2 Food Trucks
- \* 1 Good Time



October 12, 2019  
4:30-9:30 p.m.

438 E. 7th St.  
Gladstone, MO 64118  
lindensquare.info

Sponsored by...



## Ideas for new programs

2019

- \* **Gladstone Theatre in the Park at Linden Square (October)**
  - \* Dracula
- \* **Linden Square Murder Mystery (October)**
  - \* Contracted group can be hired to take guests on an interactive journey.
  - \* Dinner/drinks Ticketed event
- \* **Drive-In at the Square Double Feature (October)**
  - \* A Halloween double-feature movie night
    - \* (1) family friendly movie
    - \* (1) a later second feature movie specifically for an older demographic.

**Questions?**

2019 Calendar plan – Sounds on the Square – Special Event, needs musician – Special event doesn't need musician – other/TBD

# May

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1.	2.	3.	4.
5.	6.	7.	8.	9.	10.	11.
12.	13.	14.	15.	16.	17.	18. Tentative SAGE Program
19.	20.	21.	22.	23.	24.	25.
26.	27.	28.	29.	30.	31.	

# June

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1. Drive-In Movie Night
2. NAWS WOOFSTOCK	3.	4.	5.	6.	7. BluesFest at Oak Grove Park	8. BluesFest at Oak Grove Park
9.	10.	11.	12.	13.	14. Sounds on the Square Kickoff – Platinum Express	15.
16.	17.	18.	19.	20.	21. Food. Art. Drink. Festival	22. Food. Art. Drink. Festival
23.	24.	25.	26.	27.	28. Midnight Rodeo	29. Drive-In Movie Night
30.						

# July

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1.	2.	3.	4.	5. GTIP at Oak Grove Park	6. GTIP at Oak Grove Park
7. GTIP at Oak Grove Park	8.	9.	10.	11.	12. Funk Syndicate	13. Landslide/ Killer Queen Experience
14.	15.	16.	17.	18.	19. Retroactive	20.
21.	22.	23.	24.	25.	26. The Phillip Michaels Band	27. Kids Fest Drive-In Movie
28.	29.	30.	31.			

# August

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1.	2. GTIP at Oak Grove Park	3. GTIP at Oak Grove Park
4. GTIP at Oak Grove Park	5.	6.	7.	8.	9. Steamboat Bandits	10. Goddesses of Rock
11.	12.	13.	14.	15.	16. Switch	17.
18.	19.	20.	21.	22.	23. State Line Drive	24.
25.	26.	27.	28.	29.	30. Anne Lee and the Lucky So and Sos	31.

# September

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1.	2.	3.	4.	5.	6.	7.
8.	9.	10.	11.	12.	13. Sounds on the Square (Band TBD)	14. Fiesta on the Square — KC Latin/Jazz Allstars
15.	16.	17.	18.	19.	20. Women of Rock	21.
22.	23.	24.	25.	26.	27. Rusty Laffoon Band	28.
29.	30.					



# October

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1.	2.	3.	4. Gladfest	5. Gladfest
6.	7.	8.	9.	10.	11.	12. Whiskey Fest
13.	14.	15.	16.	17.	18. Potential GTIP Third Performance (Dracula)	19. Potential GTIP Third Performance (Dracula)
20.	21.	22.	23.	24.	25. Halloween Drive-In movie night	26. Murder Mystery
27.	28.	29.	30.	31.		



## *Department of Finance*

### *Memorandum*

**DATE:** February 21, 2019

**TO:** Scott Wingerson, City Manager

**FROM:** Dominic Accurso, Director of Finance

**RE:** 2019 Fiscal Year Midyear Budget

The Midyear Budget review for Fiscal Year 2019 is complete and hereby submitted to the City Council for review. The midyear budget review gives staff the opportunity to compare budget projections to actual revenues and expenditures, economic trends, and adjust budgeted funding levels based upon unique circumstances that have arisen in the first seven months of the fiscal year. This memorandum and exhibits will provide information on the General Fund, Community Center and Parks Tax Fund (CCPT), Public Safety Sales Tax Fund (PSST), Combined Water and Sewerage System Fund (CWSS), Capital Improvements Sales Tax Fund (CIST), Transportation Sales Tax Fund (TST) and Capital Equipment Replacement Fund (CERF). The comparisons referencing budgeted revenues and expenditures in the narrative are based on the January Interim Financial Report.

#### GENERAL FUND (Exhibit A)

During the first seven months of the fiscal year, the General Fund has experienced multiple events that have called for adjustments in both revenue and expense. Operating revenue is trending 1% higher than the previous year. Sales tax in the General Fund is 3% over previous year. While telecom and wireless gross receipts taxes are down, electricity gross receipts have increased yielding a 3% increase from the previous year. Charges for services are 6% over projected total revenues due to senior activities. Fines and forfeitures have decreased from prior year due to fewer tickets being issued and legislation. Miscellaneous revenue has decreased from prior year, but on track to exceed budget while the equity transfer has decreased due to prior year re-appropriations.

Increases in budgeted expenditures are mainly due to senior activity expenditures and one time expenditures. Additional revenue from senior activities will offset the additional senior activity expense. One time expenditures and additional expenses will be funded by one time revenues and other revenue adjustments. Supplemental requests for professional services, supplies and maintenance are being recommended in the amount of \$561,715 (\$387,175 of which is Senior

Activities). Staff is recommending budget authority for expenditures of \$18,829,017 from \$18,267,302.

#### COMMUNITY CENTER AND PARK TAX FUND (Exhibit B)

Adjustments for the CCPT fund supplement maintenance and repairs and electricity for the Community Center and Municipal Pools. Operating revenues for the fund have increased from the prior year; however charges for service and other revenue are behind expected budgeted revenue with 7 out of 12 months completed in the fiscal year. Supplemental requests will be funded by increasing the equity transfer from \$187,085 to \$292,015. Primary new supplemental requests include \$50,000 for additional electricity, \$27,000 for HVAC re-commissioning and the remainder for a pump motor for the competition pool and the gymnasium floor screen and recoat. Staff is recommending increasing the budget authority for the CCPT fund to \$4,226,040 from \$4,132,396, an increase of \$93,644.

#### PUBLIC SAFETY SALES TAX FUND (Exhibit C)

Revenue for the PSST is tracking slightly ahead of expected budgeted revenue. Sales tax is up 2% from the previous year with 61% of the total budgeted revenue collected at January 31<sup>st</sup> or 58% of the fiscal year passed. Expenditures are below expected budgeted due to staffing levels. Staff is recommending additional budget authority of \$27,600 to fund additional equipment. The equipment consists of two new radar trailers and replacements to Shield and homemade PEW tracking. The equipment will be funded by an equity transfer. Projected ending fund balance for PSST will be \$174,021.

#### COMBINED WATERWORKS AND SEWERAGE SYSTEM (CWSS) FUND (Exhibit D)

Actual revenues for the CWSS fund are tracking right along with budget with 59% of budgeted revenues received with 58% into the fiscal year. Expenditures are slightly more than the previous year, but below actual budgeted with 53% of budget used 58% into the fiscal year. Due to the increased usage and water main breaks, staff is recommending supplementary chemicals (\$25,000) and water line supplies (\$15,000). Staff is also recommending the re-appropriation of \$290,000, the remaining balance of 2018 fiscal year's water main replacement budget. We are requesting budget authority to be increased from \$10,943,431 to \$11,273,431 or an increase of \$330,000

#### Capital Improvement Sales Tax Fund (Exhibit E)

Adjustments to the Capital Improvement Sales Tax Fund include prior year's projects cost to complete in the amount of \$309,876. The recommended budget authority for CIST is \$2,977,598. Projected ending fund balance available for future projects is \$178,909.

### Transportation Sales Tax Fund (Exhibit F)

Adjustments needed for the Transportation Sales Tax Fund is to fund prior year's projects cost to complete in the amount of \$1,120,181. Budget authority requested for TST is \$3,803,142. Projected ending fund balance available for future projects is \$1,357,812.

### Capital Equipment Replacement Fund (Exhibit G)

Staff is recommending adjustments to the Capital Equipment Replacement Fund (CERF) to fund downtown Gladstone development plans that carried into the 2019 fiscal year as well as additional property and development plans for the current fiscal year. Budget authority requested for CERF is \$2,570,315 leaving a projected ending fund balance of \$194,600.

### CONCLUSION

In conclusion, the General Fund, the Community Center Park Tax Fund, the Public Safety Sales Tax Fund, Combined Water and Sewer System Fund, Capital Improvement Sales Tax Fund, Transportation Sales Tax Fund and Capital Equipment Replacement Fund all ended fiscal year with a positive fund balance. These adjustments in budget authority will assist staff in carrying out council goals and improve operations at the City.

Staff recommends budget authority for the General Fund of \$18,829,017, \$4,226,040 in the CCPT Fund, \$950,186 for PSST, \$11,273,431 in the CWSS Fund, \$2,977,598 in the CIST Fund, \$3,803,142 in the TST Fund, and \$2,570,315 in the CERF Fund. A resolution to amend the 2019 Budget based on recommended budgets will be placed on the Council agenda for consideration on March 11, 2019. If you have any questions, please contact me at your convenience.

GENERAL FUND  
STATEMENT OF REVENUES & EXPENDITURES

	ORIGINAL BUDGET <u>2019</u>	MIDYEAR <u>2019</u>	BUDGET VARIANCE
Revenue Sources			
Property Tax	3,491,050	3,551,050	60,000
Sales Tax	3,965,000	4,025,000	60,000
Gross Receipts Tax	3,502,000	3,587,000	85,000
Licenses & Permits	702,550	682,550	(20,000)
Intergovernmental	1,341,500	1,371,500	30,000
Charges for Services	3,274,100	3,758,100	484,000
Fine & Forfeitures	959,500	754,500	(205,000)
Misc. Revenue & Transfers	936,512	1,003,512	67,000
Operating Revenues	18,172,212	18,733,212	561,000
Accounting Only - Lease proceeds		-	-
Equity Transfer	100,000	100,000	-
TOTAL REVENUE	18,272,212	18,833,212	561,000
Expenditures			
General Administration	1,366,603	1,387,103	20,500
Finance	1,529,243	1,568,783	39,540
Public Safety	8,404,853	8,429,853	25,000
Public Works	2,379,163	2,437,663	58,500
Community Development	816,603	816,603	-
Parks & Recreation	2,494,846	2,903,021	408,175
Non-Departmental & Transfers	1,275,991	1,285,991	10,000
Sub-total	18,267,302	18,829,017	561,715
Dept requests	-	-	-
Lease exp	-	-	-
TOTAL EXPENDITURES	18,267,302	18,829,017	561,715

## GENERAL FUND - ANALYSIS OF FUNDS AVAILABLE

	2018 <u>ACTUAL</u>	2019 <u>ORIGINAL</u>	2019 <u>MIDYEAR</u>
Beg Funds Available	4,793,717	3,701,692	3,701,692
Revenues	20,479,459	18,272,212	18,833,212
Equity Adj	(2,004,809)	(100,000)	(100,000)
Net Funds Available	23,268,367	21,873,904	22,434,904
Expenditures	(19,566,676)	(18,267,302)	(18,829,017)
Net Income (Loss)	912,783	4,910	4,195
Ending Funds Available	3,701,692	3,606,602	3,605,887
20% Fund Balance Req			3,601,616
Over (Under) Fund Bal Req			4,270

COMMUNITY CENTER PARKS SALES TAX FUND  
STATEMENT OF REVENUES & EXPENDITURES

	ORIGINAL BUDGET 2019	MIDYEAR 2019	BUDGET VARIANCE
Revenue source:			
Community Center/Natatorium			
Sales Tax	874,000	874,000	-
Fee increases			
Charges for Services	1,176,325	1,168,825	(7,500)
Rents & Royalties - Facility Rental	253,000	249,000	(4,000)
NKC Operating User Fee	700,000	700,000	-
Total Comm Ctr/Natorium	3,003,325	2,991,825	(11,500)
Outdoor Pool			
Charges for Services	136,000	136,000	-
Total Outdoor Pool	136,000	136,000	-
Miscellaneous Revenue	56,700	56,700	-
Total Operating Revenues	3,196,025	3,184,525	(11,500)
NKC Capital User Fee	-	-	-
Misc Revenue	-	-	-
Transfers In	749,500	749,500	-
Add'l equity tsfr			
Equity Transfer	187,085	292,015	104,930
Total Non-Operating Revenues	936,585	1,041,515	104,930
<b>TOTAL REVENUES</b>	<b>4,132,610</b>	<b>4,226,040</b>	<b>93,430</b>
Expenditures:			
Community Center	837,676	866,708	29,032
Natatorium	831,398	887,741	56,343
Outdoor Pool	182,183	190,452	8,269
Non-Departmental	143,549	143,549	-
Transfer Out - Capital Projects	-	-	-
Debt Requirements	2,137,590	2,137,590	-
<b>TOTAL EXPENDITURES</b>	<b>4,132,396</b>	<b>4,226,040</b>	<b>93,644</b>

## CCPT - ANALYSIS OF FUNDS AVAILABLE

	2018 ACTUAL	2019 ORIGINAL BUDGET	2019 MIDYEAR
Beginning Unreserved Fund Balance	1,774,069	1,895,396	1,895,396
Equity Transfer	-	(187,085)	(292,015)
Revenue	5,769,579	4,132,610	4,226,040
Expenditures	(5,648,253)	(4,132,396)	(4,226,040)
Net Income (Loss)	121,327	214	-
Projected End Unreserved Fund Balance	1,895,396	1,708,525	1,603,381

PUBLIC SAFETY SALES TAX FUND  
STATEMENT OF REVENUES & EXPENDITURES

	Original Budget 2019	MIDYEAR 2019	BUDGET VARIANCE
Revenue Sources			
Sales Tax	874,000	874,000	-
Misc. Revenue & Transfers	-	-	-
Interest Revenue	4,500	4,500	-
Equity transfer	<u>44,086</u>	<u>71,686</u>	<u>27,600</u>
TOTAL REVENUE	922,586	950,186	27,600
Expenditures			
PSST	643,703	643,703	-
Non-Departmental	<u>278,883</u>	<u>306,483</u>	<u>27,600</u>
TOTAL EXPENDITURES	922,586	950,186	27,600

PSST - ANALYSIS OF FUNDS AVAILABLE

	2018 ACTUAL	Original Budget 2019	MIDYEAR 2019
Beg Funds Available	214,183	245,707	245,707
Revenues	879,781	922,586	950,186
Equity Transfer	<u>-</u>	<u>(44,086)</u>	<u>(71,686)</u>
Net Funds Available	1,093,964	1,124,207	1,124,207
Expenditures	<u>(848,257)</u>	<u>(922,586)</u>	<u>(950,186)</u>
Ending Funds Available	245,707	201,621	174,021
Net Income (Loss)	31,524	-	-

**COMBINED WATERWORKS & SEWER SYSTEM FUND  
STATEMENT OF REVENUES & EXPENDITURES**

	Original Budget 2019	Midyear 2019	Budget Variance
Revenue source:			
Water	4,278,931	4,328,931	50,000
Sanitation	6,542,500	6,542,500	-
Interest	60,000	60,000	-
Other income	62,000	62,000	-
Operating revenue	<u>10,943,431</u>	<u>10,993,431</u>	<u>50,000</u>
Transfers In	-	-	-
Use of Reserves	-	-	-
Equity Transfer	-	290,000	290,000
TOTAL REVENUE	<u>10,943,431</u>	<u>11,283,431</u>	<u>340,000</u>
Expenditures:			
Water Production	1,288,806	1,313,806	25,000
Water Operations & Maint	905,726	920,726	15,000
Sewer Collection	5,358,408	5,358,408	-
Non-Departmental & Transfers	1,456,586	1,456,586	-
Debt Requirements	1,059,905	1,059,905	-
Capital Outlay/Projects	874,000	1,164,000	290,000
TOTAL EXPENDITURES	<u>10,943,431</u>	<u>11,273,431</u>	<u>330,000</u>

**CWSS - ANALYSIS OF FUNDS AVAILABLE**

	2018 Actual	Original Budget 2019	Midyear 2019 Budget
Beginning Unreserved Retained Earnings	1,651,671	2,693,763	2,693,763
Equity Adj		-	(290,000)
Revenue	10,556,994	10,943,431	11,283,431
Expenses	<u>(9,514,902)</u>	<u>(10,943,431)</u>	<u>(11,273,431)</u>
Ending Unreserved Retained Earnings	2,693,763	2,693,763	2,703,763
20% Retained Earnings Req'd		2,188,686	2,254,686
Over (Under) 20% Retained Earnings Req'd			449,077
Net Income (Loss)	1,042,092	-	10,000



**Exhibit E****Capital Improvement Sales Tax Fund  
Statement of Revenue & Expenditures**

	2019 Midyear
Fund Balance, July 1, 2018	1,038,507
Budgeted Revenue, FY 2019	2,118,000
Total Funds Available	3,156,507
Budgeted Expenditures, FY 2019	2,977,598
PROJECTED FUND BALANCE, June 30, 2019	178,909

	BUDGETED 2019
REVENUE	
Sales Tax	1,710,000
Interest	8,000
Transfer In-Other	400,000
TOTAL REVENUE	2,118,000
EXPENDITURES	
Debt Service	836,122
Engineering Division Transfer	100,000
Arts Council	17,100
Transfers Out-Interfund	649,500
<b>Stormwater Projects</b>	
Master Plan Implementation	90,000
Misc. Storm Projects	75,000
<b>Parks Projects</b>	
Parks Trail Replacement Program	20,000
Parks Master Plan Implementation	340,000
<b>Facilities Projects</b>	
City Hall Improvements	440,000
Public Works Improvements	100,000
TOTAL EXPENDITURES	2,667,722
 Prior Year Projects To Be Completed	 309,876
 TOTAL EXPENDITURES	 2,977,598

**Transportation Sales Tax Fund  
Statement of Revenue & Expenditures**

Fund Balance, July 1, 2018	2,932,954
Budgeted Revenue, FY 2019	<u>2,228,000</u>
Total Funds Available	5,160,954
Budgeted Expenditures, FY 2019	<u>3,803,142</u>
PROJECTED FUND BALANCE, June 30, 2019	<u><u>1,357,812</u></u>

**BUDGETED  
2019**

<b>REVENUE</b>	
Sales Tax	1,710,000
RZB Subsidy	18,000
Special Road District Funds	290,000
Interest Income	10,000
Transfers In	<u>200,000</u>
<b>TOTAL REVENUE</b>	<u><u>2,228,000</u></u>
<b>EXPENDITURES</b>	
Debt Service	537,614
Transportation Services	110,347
Administration Services	100,000
Transfers Out-Interfund	100,000
<b>Road Projects</b>	
Street Mill and Overlay Program	400,000
Intermediate Maintenance	100,000
City Intermediate Maintenance	20,000
Pleasant Valley Road Construction	380,000
Old Pike Road Construction	450,000
NE 76th Street Design	95,000
<b>Sidewalk/Trail Projects</b>	
New Curb, Gutter, Sidewalk	50,000
ADA/Curbcut Sidewalks	50,000
Arterial Sidewalk Program	50,000
Sidewalk Master Plan	
Traffic/Ped Signal Upgrades - NE 64th Street & N. Antioch	50,000
Shoal Creek Greenway Trail - Happy Rock to N. Brighton	190,000
<b>Prior Year Projects To Be Completed</b>	<u>1,120,181</u>
<b>TOTAL EXPENDITURES</b>	<u><u>3,803,142</u></u>

**Exhibit G**

**Capital Equipment Replacement Fund  
Statement of Revenue & Expenditures**

Fund Balance, July 1, 2018	2,146,058
Budgeted Revenue, FY19	618,857
Total Funds Available	<u>2,764,915</u>
Budgeted Expenditures, FY19	<u>(2,570,315)</u>
Projected Fund Balance, June 30, 2019	<u><u>194,600</u></u>

	2019 Original Budget	2019 Midyear	Budget Variance
Revenue			
Interest Earnings	23,000	23,000	-
Taxes/Transfer	380,000	518,357	138,357
Other	55,000	77,500	22,500
Total Revenue	<u>458,000</u>	<u>618,857</u>	<u>160,857</u>
Expenditures			
Capital Expenditures	300,000	2,509,000	2,209,000
COP Debt Service	29,815	29,815	-
Transfer Out	31,500	31,500	-
Total Expenditures	<u>361,315</u>	<u>2,570,315</u>	<u>2,209,000</u>

## FY 2019 Midyear Supplemental Requests

Fund	Dep	Div	Object	Account Description	Assigned Dent rank	Narrative	Justification Amount	Budget Team recommend
<b>General Fund</b>								
101	10	11	440160	Contractural		Phase II of perception study	15,000	15,000
101	10	14	440190	Medical Services		Pre-employment screening	<u>5,500</u>	<u>5,500</u>
<b>Total General Administration</b>							<b>20,500</b>	<b>20,500</b>
101	20	21	440160	Contractural		Medicare reimbursement	<u>39,540</u>	<u>39,540</u>
<b>Total Finance</b>							<b>39,540</b>	<b>39,540</b>
101	30	32	440650	Prisoner Housing		Half way through the fiscal year and 70% of the budget has been paid out	20,000	15,000
101	30	34	430610	Vehicle Maintenance		Half way through the fiscal year and 90% of the budget has been used for ambulance and fire truck repair	15,000	10,000
101	30	32	460400	Equipment Capital		We currently receive so many traffic requests that it is impossible for the Traffic Unit to deploy the lone trailer to all requests. Response to City Council objective of making Gladstone a safer place in part by proper traffic enforcement.	<u>13,000</u>	<u>-</u>
<b>Total Public Safety</b>							<b>48,000</b>	<b>25,000</b>
101	40	42	440551	Streetlight Repair	1	Repair costs have increased and more than usual repairs this year	6,500	6,500
101	40	43	430610	Automotive Supplies	2	Additional funds needed to service fleet	12,000	12,000
101	40	42	430330	Salt/Calcium Chloride	3	Used more salt than usual this year	<u>75,000</u>	40,000
101	40	42	430250	Signs	4	Purchased more signs than usual	<u>5,000</u>	<u>-</u>
<b>Total Public Works</b>							<b>98,500</b>	<b>58,500</b>

Fund	Dep	Div	Object	Account Description	Assigned Dent rank	Narrative	Justification Amount	Budget Team recommend
101	60	63	440160	Contractual		Mowing & Landscaping for Hoppy Hill and PVR.	5,000	5,000
101	60	63	450110	Buildings		Tuck point rock wall on south side of building	4,500	-
101	60	63	450110	Buildings		Annual inspection of fire extinguishers, lights, sprinkler and alarm systems	11,000	11,000
101	60	63	450150	Trash Collection		Additional charges for contaminated recycling bins	10,000	5,000
101	60	67		Senior Programing			<u>387,175</u>	<u>387,175</u>
Total Parks and Recreation							<u>417,675</u>	<u>408,175</u>
101	99	99	440151	Development Agreements		Additional expenses for downtown developments	<u>10,000</u>	<u>10,000</u>
Total Non-Departmental							<u>10,000</u>	<u>10,000</u>
Total General Fund							<u><u>634,215</u></u>	<u><u>561,715</u></u>

CCPT

202	80	82	440520	Electricity		Additional electricity needs	25,000.00	25,000
202	80	82	450110	Buildings	4	Electrical Panel Replacement	2,171.50	-
202	80	82	450110	Buildings	9	Fire sprinkler system inspection	625.00	-
202	80	82	450110	Buildings	6	Gymnasium Floor Screen & Recoat (Includes Studio A & Studio B)	4,031.90	4,032
202	80	83	440520	Electricity		Additional electricity needs	25,000.00	25,000
202	80	83	450110	Buildings	3	HVAC re-commissioning	27,199.00	27,000
202	80	83	450110	Buildings	2	Pump Motor for Competition Pool	4,342.99	4,343
202	80	83	450110	Buildings	4	Electrical Panel Replacement	2,171.49	-
202	80	83	450110	Buildings	9	Fire sprinkler system inspection	625.00	-
202	80	83	450110	Buildings	8	Epoxy Coating on Leisure Pool Deck	<u>30,750.00</u>	<u>-</u>
202	80	85	450110	Buildings	1	VFD for Outdoor Pool	8,269.20	8,269
202	80	85	450110	Buildings	5	Investigation of Leak at Municipal Pool	2,400.00	-
202	80	85	460440	replace dropslide, cost 10k to repair	7	Key Log Rolling Water Feature	<u>4,512.98</u>	<u>-</u>
Total CCPT							<u>137,099</u>	<u>93,644</u>

Fund	Dep	Div	Object	Account Description	Assigned Dent rank	Narrative	Justification Amount	Budget Team recommend
<b>PSST</b>								
203	99	99	460400	Equipment Capital		Will replace Shield & home made PEW's tracking	14,600	14,600
203	99	99	460400	Equipment Capital		We currently receive so many traffic requests that it is impossible for the Traffic Unit to deploy the lone trailer to all requests. Response to City Council objective of making Gladstone a safer place in part by proper traffic enforcement.	<u>13,000</u>	<u>13,000</u>
<b>Total PSST</b>							<b>27,600</b>	<b>27,600</b>
<b>CWSS</b>								
501	70	72	420310	Chemicals	1	2019 midyear water production projections show an increase of 55 million gallons over prior year (contingent on demand)	25,000	25,000
501	70	73	430520	Water Line Supplies	2	Due to excessive number of water breaks, funds have been depleted for repairs	15,000	15,000
501	70	73	460300	Improvements		Remaining budget from previous year's water main replacements	290,000	290,000
501	70	73	430210	Rock	3	Due to excessive number of water breaks, funds have been depleted. Rock is used to backfill water main break holes.	<u>5,000</u>	<u>-</u>
<b>Total CWSS</b>							<b>335,000</b>	<b>330,000</b>



**CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, FEBRUARY 25, 2019**

**CLOSED SESSION**

The City Council will meet in Closed Executive Session at 6:15 pm Monday, February 25, 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), Real Estate Acquisition Discussion, 610.021(9) Employee Groups, and 610.021(12) Contract Negotiations.

**OPEN STUDY SESSION 6:45 PM**

- 1. Linden Square Programming-** Marketing Specialist Michael Lee will give a PowerPoint presentation featuring events, programs, and concerts at Linden Square for the 2019 season.
- 2. Mid-Year Budget-** Attached please find the FY19 mid-year budget for your review. Finance Director Dominic Accurso will provide an overview and answer questions Monday evening.

**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 February 11, 2019, Closed City Council Meeting Minutes.**
6. **Approval of the February 11, 2019, Regular City Council Meeting Minutes.**

## **7. CONSENT AGENDA**

### **APPROVE OUTDOOR SPECIAL EVENTS:**

Sounds on the Square, 602 NE 70<sup>th</sup> Street, Linden Square, Friday June 14; Friday June 21; Saturday June 22; Friday June 28; Friday July 12; Saturday July 13; Friday July 19; Friday July 26; Friday August 9; Saturday August 10; Friday August 16; Friday August 23; Friday August 30; Friday September 13; Saturday September 14; Friday September 20; Friday September 27; Friday October 12; 7:00 pm-9:30 pm.

Gladstone Farmer's Market, 602 NE 70<sup>th</sup> Street, Linden Square, May 1-October 26; Wednesdays 2:00 pm-6:00 pm; Saturdays 8:00 am-1:00 pm.

Drive-In at the Square, 602 NE 70<sup>th</sup> Street, Linden Square, Saturday May 25, Saturday June 29, Saturday July 27, Saturday August 31, Saturday October 26, 7:00 pm-11:00 pm.

Walk-N-Wag, 7511 NE Antioch Road, Happy Rock Park East (softball complex) Saturday April 6, 8:00 am-12:00 pm.

Flashlight Easter Egg Hunt, 7511 NE Antioch Road, Happy Rock Park East (softball complex), Friday April 12, 7:00 pm-8:30 pm.

Touch a Truck, 7512 NE Antioch Road, Happy Rock Park West, Saturday May 4, 10:00 am-12:00 pm.

Food-Art-Drink Festival, 602 NE 70<sup>th</sup> Street, Linden Square, Friday June 21, 5:00 pm-10:00 pm; Saturday June 22, 12:00 pm-10:00 pm.

Fiesta on the Square, Linden Square, Saturday September 14, 6:00 pm-10:00 pm.

Whiskey Fest, 602 NE 70<sup>th</sup> Street, Linden Square, Saturday October 12, 4:00 pm-10:00 pm.

### **APPROVE FINANCIAL MONTH END FOR JANUARY 2019**

### **REGULAR AGENDA**



**8. Communications from the Audience.**

**9. Communications from the City Council.**

**10. Communications from the City Manager.**

**11. FIRST READING BILL NO. 19-11** An Ordinance authorizing the City Manager to execute a Cooperative Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) for funding operations of the Operation Green Light Traffic Control System.

**12. FIRST READING BILL NO. 19-12** An Ordinance amending Title VI (Utilities and Taxes), Chapter 115 (Rights-Of-Way Management) of the Code of Ordinances, City of Gladstone, Missouri, for the purpose of updating the city's requirements for use of the Public Right-Of-Way and permitting of small wireless facilities.

**13. Other Business.**

**14. 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 4:15 pm  
February 21, 2019



**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, FEBRUARY 11, 2019**

**PRESENT:** Mayor Bill Garnos  
Mayor Pro Tem Carol Suter  
Councilmember Jean Moore  
Councilman Kyle Yarber

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

**ABSENT:** Councilman R.D. Mallams

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

**Mayor Garnos** opened the Regular City Council Meeting Monday, February 11, 2019, at 7:41 pm in the Gladstone City Council Chambers.

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

All Councilmembers were present with the exception of Councilman R.D. Mallams.

**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 January 28, 2019, Closed City Council Meeting Minutes.

**Councilmember Moore** moved to approve the minutes of the January 28, 2019, Closed City Council meeting as presented. **Mayor Pro Tem Suter** seconded. The Vote: "aye", Councilman

Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Item No. 6. On the Agenda.** Approval of the January 28, 2019, Regular City Council Meeting Minutes.

**Mayor Pro Tem Suter** moved to approve the minutes of the January 28, 2019, Regular City Council meeting as presented. **Councilman Yarber** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Item No. 7. On the Agenda. CONSENT AGENDA.**

Following the Clerk’s reading:

**Mayor Pro Tem Suter** moved to approve the Consent Agenda as published. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Mayor Pro Tem Suter** moved to approve **RESOLUTION R-19-08** A Resolution authorizing acceptance of a proposal from Shawnee Mission Ford for the acquisition of a 4x4 Pickup Truck in the total amount of \$25,376.00. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Mayor Pro Tem Suter** moved to approve **RESOLUTION R-19-09** A Resolution authorizing the City Manager to execute a contract with Tailor Made Exteriors in the total amount not to exceed \$70,774.04 for the Happy Rock Park East Restroom Renovation; Project CE1862. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Mayor Pro Tem Suter** moved to approve **RESOLUTION R-19-10** A Resolution authorizing the City Manager to execute a Termination Document regarding the Land Development Agreement and Restrictive Covenant for Englewood Vista Senior Living Facility. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Mayor Pro Tem Suter** moved to approve **RESOLUTION R-19-11** A Resolution authorizing the City Manager to enter into a Labor/Management Committee Agreement with Regional Lodge #50 of the Fraternal Order of Police. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**REGULAR AGENDA.**

**Item No. 8. On the Agenda. Communications from the Audience.**

There were no communications from the audience.

**Item No. 9. On the Agenda. Communications from the City Council.**

**Councilmember Moore** stated: *"Thank you, Mayor. I would just like to express my appreciation to the staff of Public Safety, Parks and Recreation, and our Public Safety Fire and EMS and Police Department. While the rest of us are all tucked in safe and warm and snug in our houses, they are out on the streets serving the residents of the city and they do such an amazing job in all that they do; snow removal and way beyond. I want to express thanks again to all of those members of those staff for all the great work they do."*

**Mayor Pro Tem Suter** stated: *"Ditto, the same. I am also wondering if there isn't some more that the city can do to encourage, I don't want to use the word enforcement, although it should be enforced, I guess; the requirement that property owners clean sidewalks. More and more people use alternate forms of transportation. When the sidewalks aren't clean, especially with the ice as bad as it was, it was absolutely treacherous. Children have to get to the school bus, they walk in the street, and it seems like we are less good at it than we used to be as a community of cleaning sidewalks. I don't know if there is some kind of a publicity campaign or what we need to do to try to encourage people and remind them when they clean their driveway to do the sidewalks as well."*

**Mayor Garnos** stated: *"Thank you. I didn't have any comments until yours; but I will say that those of us from South Dakota do know how to clean driveways and sidewalks. On 75<sup>th</sup> Terrace you will find one clean driveway and sidewalk and that is it. Everything else is ice covered as far as the eye can see in both directions. Other than that, I have nothing to comment on."*

**Item No. 10. On the Agenda. Communications from the City Manager.**

City Manager Wingerson stated: *"Mayor Pro Tem Suter, we will put some thought into your question and see if we can't do some public information to remind people about the Ordinance. Leadership Academy starts this Wednesday with presentations from General Administration and Community Development at 6:00 in City Hall. A full class of 15 this year, so excited to get that started. City Hall will be closed on Monday, February 18, in recognition of President's Day, so we will miss that day here. Finally, we would like to welcome a new member to our extended family, her name is Anna Maureen, she was born on Friday night to Erica Layton, our museum manager. Congratulations to Erica and her husband, Anthony. Thank you, Mayor."*

**Item No. 11. On the Agenda. FIRST READING BILL NO. 19-09** An Ordinance repealing Ordinance No. 4.032 of the City of Gladstone, Clay County, Missouri, Code of Ordinances and enacting a new Ordinance amending the Membership, Terms, Duties and Services of the City of Gladstone Neighborhood Commission.

**Councilmember Moore** moved Bill No. 19-09 be placed on its First Reading. **Mayor Pro Tem Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0). The Clerk read the Bill.

**Councilmember Moore** moved to accept the First Reading of Bill No. 19-09, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Suter** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0). The Clerk read the Bill.

**Councilmember Moore** moved to accept the Second and Final Reading of Bill No. 19-09, and enact the Bill as **Ordinance 4.460**. **Mayor Pro Tem Suter** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Item No. 12. On the Agenda. FIRST READING BILL NO. 19-10** An Ordinance approving the Final Plat of Claymont Pointe 20<sup>th</sup> Replat, a subdivision in Gladstone, Clay County, Missouri, (commonly known as 126, 128, and 130 Pointe Drive), and directing the appropriate officials to affix their signatures to said Plat for recording.

**Councilman Yarber** moved Bill No. 19-10 be placed on its First Reading. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0). The Clerk read the Bill.

**Councilman Yarber** moved to accept the First Reading of Bill No. 19-10, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0). The Clerk read the Bill.

**Councilman Yarber** moved to accept the Second and Final Reading of Bill No. 19-10, and enact the Bill as **Ordinance 4.461**. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (4-0)

**Item No. 13. On the Agenda.** Other Business.

There was no other business to come before the Council.

**Item No. 14. On the Agenda.** Adjournment.

**Mayor Garnos** adjourned the February 11, 2019, Regular City Council meeting at 7:53 pm.

Respectfully submitted:

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Ruth E. Bocchino, City Clerk

Approved as presented: \_\_\_\_

Approved as modified: \_\_\_\_

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Mayor Bill Garnos

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**

**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY, 7, 2019**  
**PERMIT NO.: BP-19-00085**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: SOUNDS ON THE SQUARE**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**

**DATE OF EVENT:** FRIDAY, JUNE 14, 2019  
FRIDAY, JUNE 21, 2019  
SATURDAY, JUNE 22, 2019  
FRIDAY, JUNE 28, 2019  
FRIDAY, JULY 12, 2019  
SATURDAY, JULY 13, 2019  
FRIDAY, JULY 19, 2019  
FRIDAY, JULY 26, 2019  
FRIDAY, AUGUST 9, 2019

SATURDAY, AUGUST 10, 2019  
FRIDAY, AUGUST 16, 2019  
FRIDAY, AUGUST 23, 2019  
FRIDAY, AUGUST 30, 2019  
FRIDAY, SEPTEMBER 13, 2019  
SATURDAY, SEPTEMBER 14, 2019  
FRIDAY, SEPTEMBER 20, 2019  
FRIDAY, SEPTEMBER 27, 2019  
FRIDAY, OCTOBER 12, 2019

**TIME OF EVENT: 7:00PM – 9:30PM**  
**EST. ATTENDANCE: 100 – 1,500**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.  
☐ Section 2.130.010(2) Park rules and regulations (hours).  
☒ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).  
☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.  
☐ Section 2.140.040 Public fireworks display prohibited, exceptions.  
☒ Section 5.110.1800 Drinking in public.  
☐ Section 5.160.230(a) Street use permit (street use permit allowed).  
☒ Section 9.1600.110 Temporary signs.  
☐ Other – Section \_\_\_\_\_  
☐ Other – Section \_\_\_\_\_

**REMARKS:** Parks, Recreation, and Cultural Arts will be presenting an array of live music at Linden Square this year. The concerts are free to the public.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.  
Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map  
☐ Other \_\_\_\_\_



## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/7/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

Background: Parks, Recreation, and Cultural Arts will be hosting an array of live bands at Linden Square between July and October.

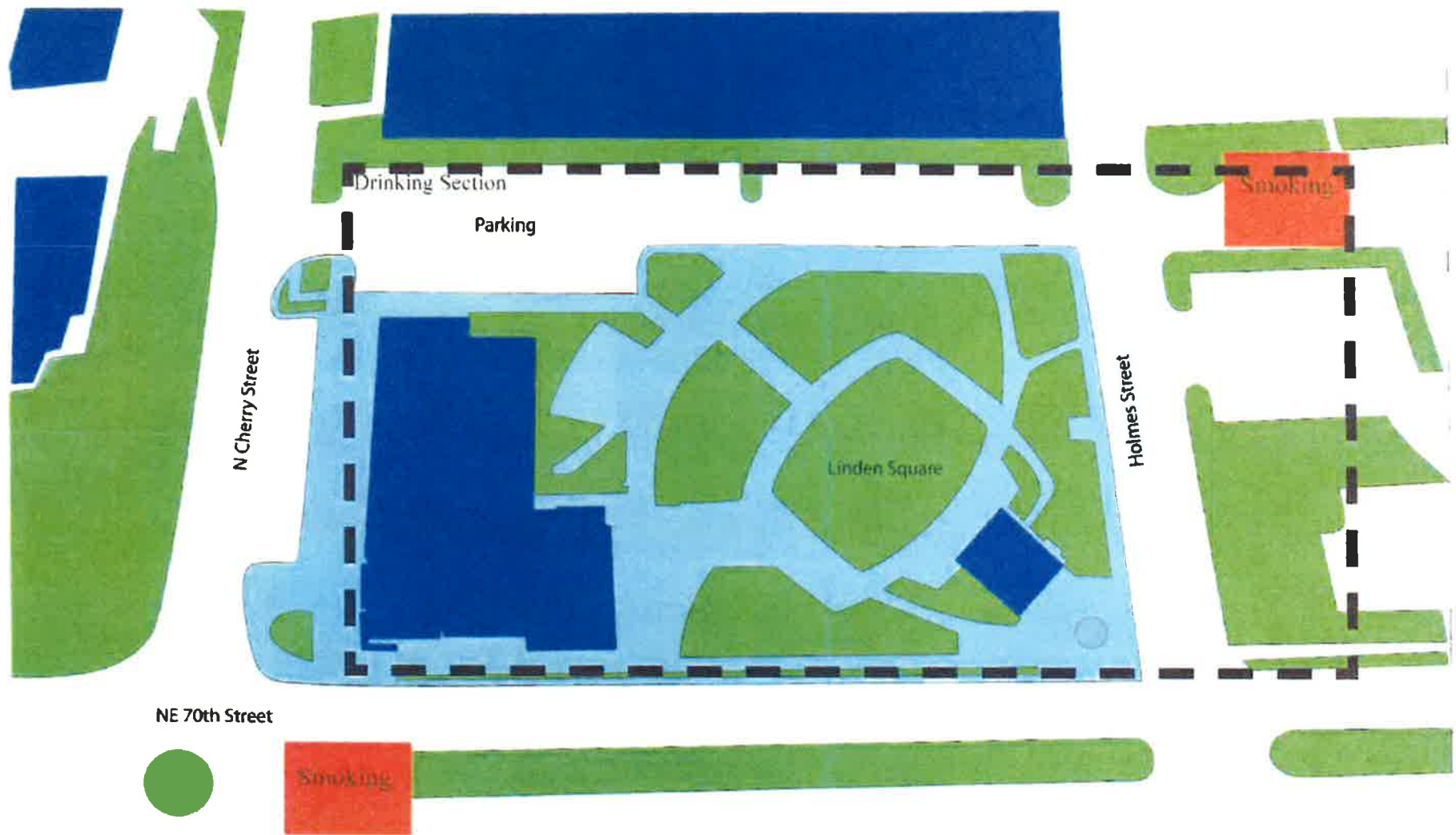
Budget Discussion: Funds are budgeted in the amount of \$ 0.00 from the N/A Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00

Public/Board/Staff Input: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official





# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 19, 2019**  
**PERMIT NO.: BP-19-00131**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: GLADSTONE FARMERS MARKET**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: MAY 1, 2019 THRU OCTOBER 26, 2019**  
**(WEDNESDAY'S AND SATURDAY'S)**  
**TIME OF EVENT: WEDNESDAY'S 2:00PM – 6:00PM**  
**SATURDAY'S 8:00AM – 1:00PM**  
**EST. ATTENDANCE: 1000+**

## REQUESTED TEMPORARY VARIANCE:

- ☐ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☒ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** Gladstone Farmers Market will be operating again this year from Linden Square, particularly the street/drive area between Linden Square and City Hall building. The vendors will be selling local produce and homemade items. Vendors will have their own canopy.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

☒ Map

☐ Other \_\_\_\_\_



## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/20/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

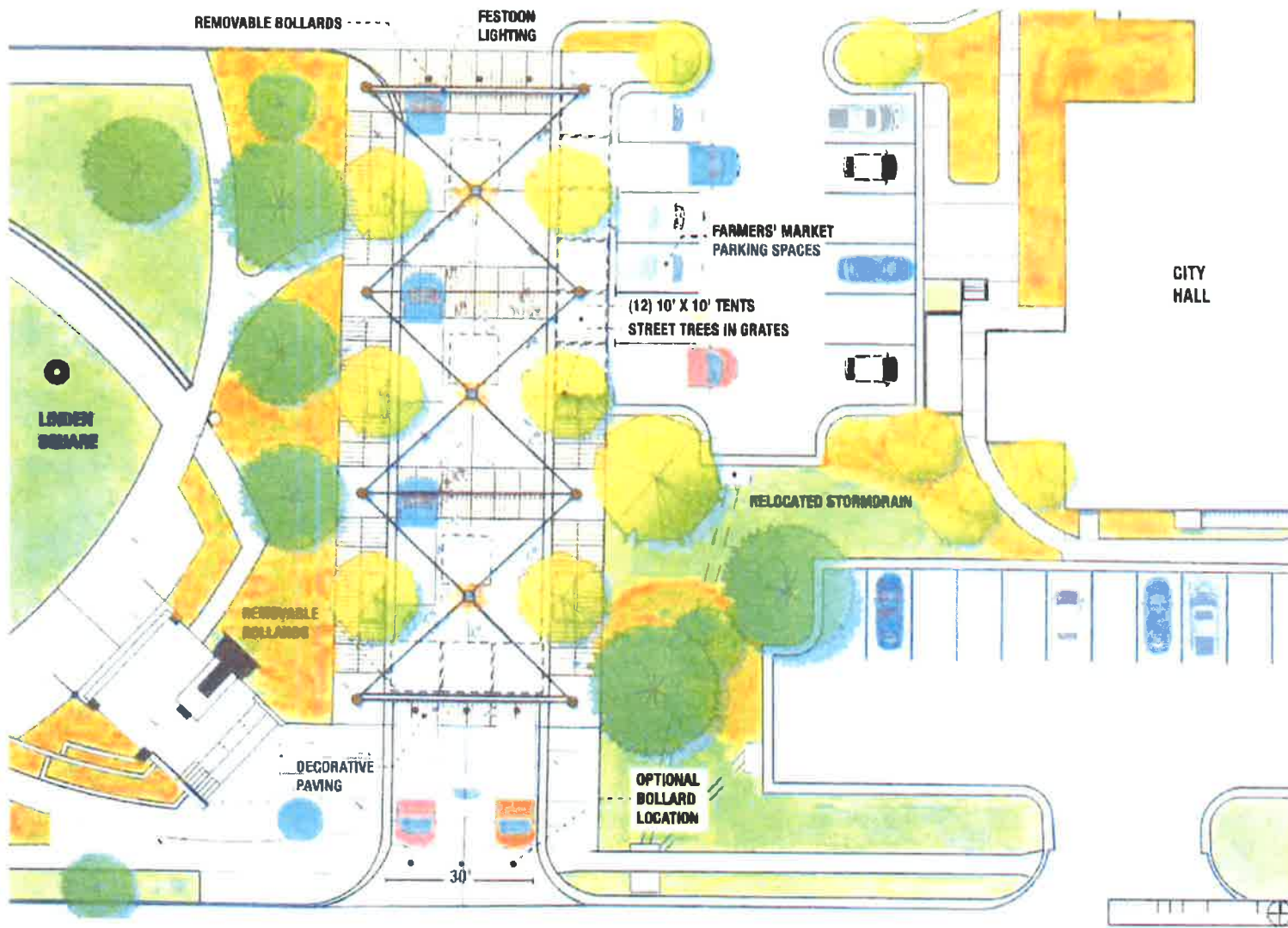
Background: The Gladstone Farmers Market will be operating out of Linden Square from the street/drive area between Linden Square and City Hall Building. There will be ten (10) vendors selling locally grown produce and homemade items.

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: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official

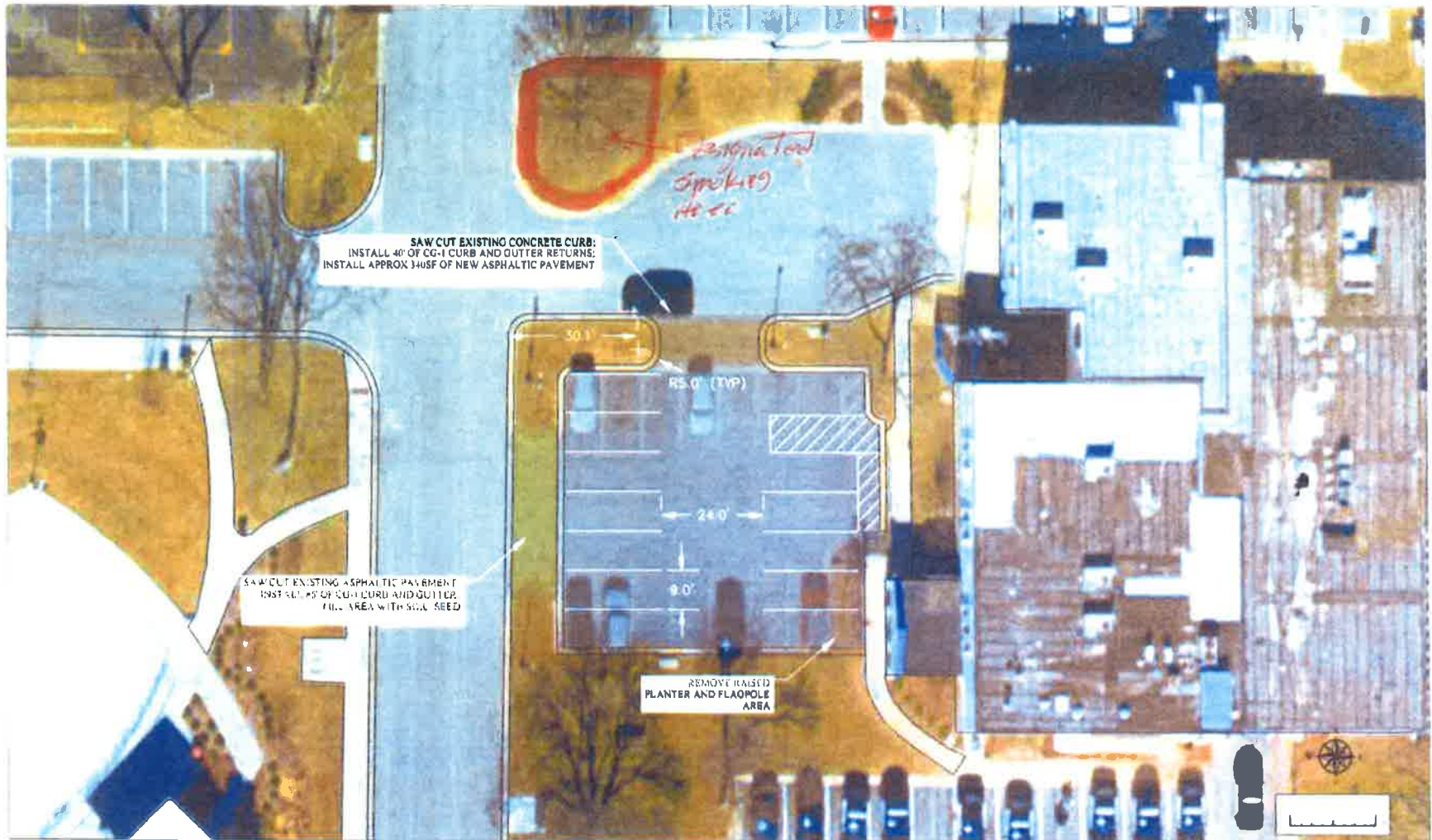


# DOWNTOWN GLADSTONE - FARMERS MARKET CONCEPT PLAN

AUGUST 15, 2017

COMPLETED





# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 7, 2019**  
**PERMIT NO.: BP-19-00083**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: DRIVE-IN AT THE SQUARE**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: SATURDAY, MAY 25, 2019**  
**SATURDAY, JUNE 29, 2019**  
**SATURDAY, JULY 27, 2019**  
**SATURDAY, AUGUST 31, 2019**  
**SATURDAY, OCTOBER 26, 2019**  
**TIME OF EVENT: 7:00PM – 11:00PM**  
**EST. ATTENDANCE: 100+**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.
- ☒ Section 2.130.010(2) Park rules and regulations (hours).
- ☒ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☐ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** Parks, Recreation, and Cultural Arts are presenting five (5) nights of movies at Linden Square. The movies in June and July will be based on the most popular Rated G Disney or DreamWorks films from the previous year. Then in October, looking at a double-feature showing one family-friendly Halloween classic and then an adult-focused horror/Halloween movie.

Signed:

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/7/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

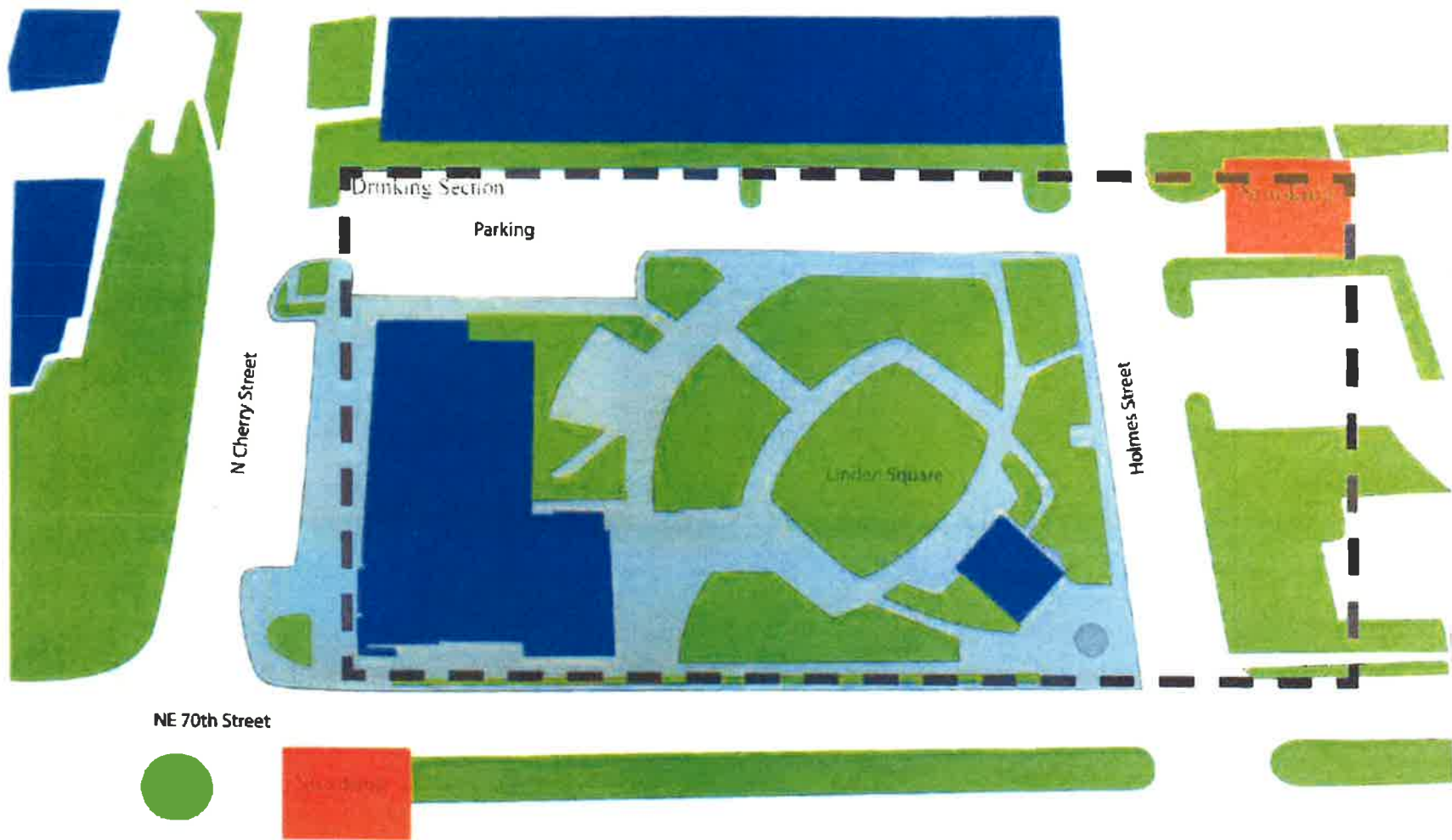
Background: Parks, Recreation, and Cultural Arts annual Drive-In at the Square, aka Movie Night

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: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official





# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 7, 2019**  
**PERMIT NO.: BP-19-00082**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: WALK-N-WAG**  
**LOCATION OF EVENT: 7511 NE ANTIOCH ROAD**  
**HAPPY ROCK PARK EAST (SOFTBALL COMPLEX)**  
**DATE OF EVENT: SATURDAY, APRIL 6, 2019**  
**TIME OF EVENT: 8:00AM – 12:00PM**  
**EST. ATTENDANCE: 400**

## REQUESTED TEMPORARY VARIANCE:

- ☐ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☐ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☐ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☒ Other – Section 9.130.010(3)(e) Park rules and regulations (vehicular use).
- ☒ Other – Section 9.130.010(7)(a) Park rules and regulations (wildlife/domestic animals)

**REMARKS:** Parks, Recreation, and Cultural Arts are holding their annual Walk-N-Wag event. A dog centered festival, where dogs and their owner can enjoy the vendors and other activities.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/7/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

Background: Parks, Recreation, and Cultural Arts annual Walk-N-Wag event at Happy Rock Park East.

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

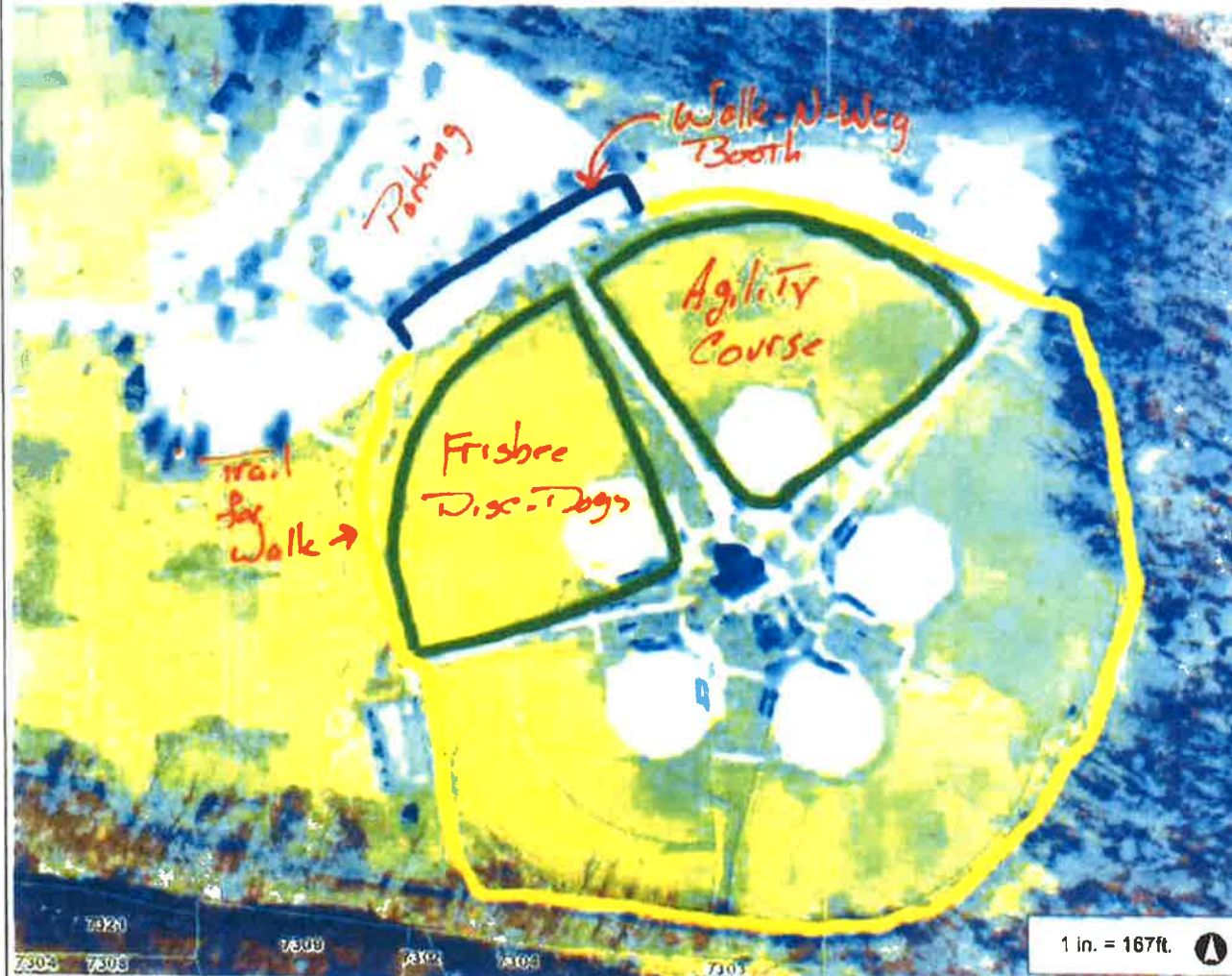
Public/Board/Staff Input: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official



## Gladstone, MO



### Legend

Street Centerline  
House Number

### Notes

1 in. = 167ft.



333.3 0 166.67 333.3 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

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 7, 2019**  
**PERMIT NO.: BP-19-00080**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: FLASHLIGHT EASTER EGG HUNT**  
**LOCATION OF EVENT: 7511 NE ANTIOCH ROAD**  
**HAPPY ROCK PARK EAST – SOFTBALL COMPLEX**  
**DATE OF EVENT: FRIDAY, APRIL 12, 2019**  
**TIME OF EVENT: 7:00PM – 8:30PM**  
**EST. ATTENDANCE: 200+**

## REQUESTED TEMPORARY VARIANCE:

- ☐ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☐ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☐ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** The Parks, Recreation, and Cultural Arts Department are holding their annual Flashlight Easter Egg Hunt. Attendees will check in at the entrance of the softball complex, with all activities being held inside of the complex. There will also be vendors on site for the children.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/7/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

Background: Parks, Recreation, and Cultural Arts annual Flashlight Easter Egg Hunt at Happy Rock Park East.

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: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official





## Gladstone, MO



### Legend

Street Centerline  
House Number

### Notes

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 6, 2019**  
**PERMIT NO.: BP-19-00079**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: TOUCH A TRUCK**  
**LOCATION OF EVENT: 7512 NE ANTIOCH ROAD**  
**HAPPY ROCK PARK WEST**  
**DATE OF EVENT: SATURDAY, MAY 4, 2019**  
**TIME OF EVENT: 10:00AM – 12:00PM**  
**EST. ATTENDANCE: 300+**

## REQUESTED TEMPORARY VARIANCE:

- ☐ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☐ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☒ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** Parks, Recreation, and Cultural Arts are holding their annual Touch-A-Truck event at Happy Rock Park West, in the parking lot. Police and Fire along with Public Works will have their vehicles on display for the attendees. Vendors will be on site to provide activities.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/6/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

Background: Parks, Recreation, and Cultural Arts annual Touch-A-Truck event at Happy Rock Park West.

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: See attached letter of transmittal

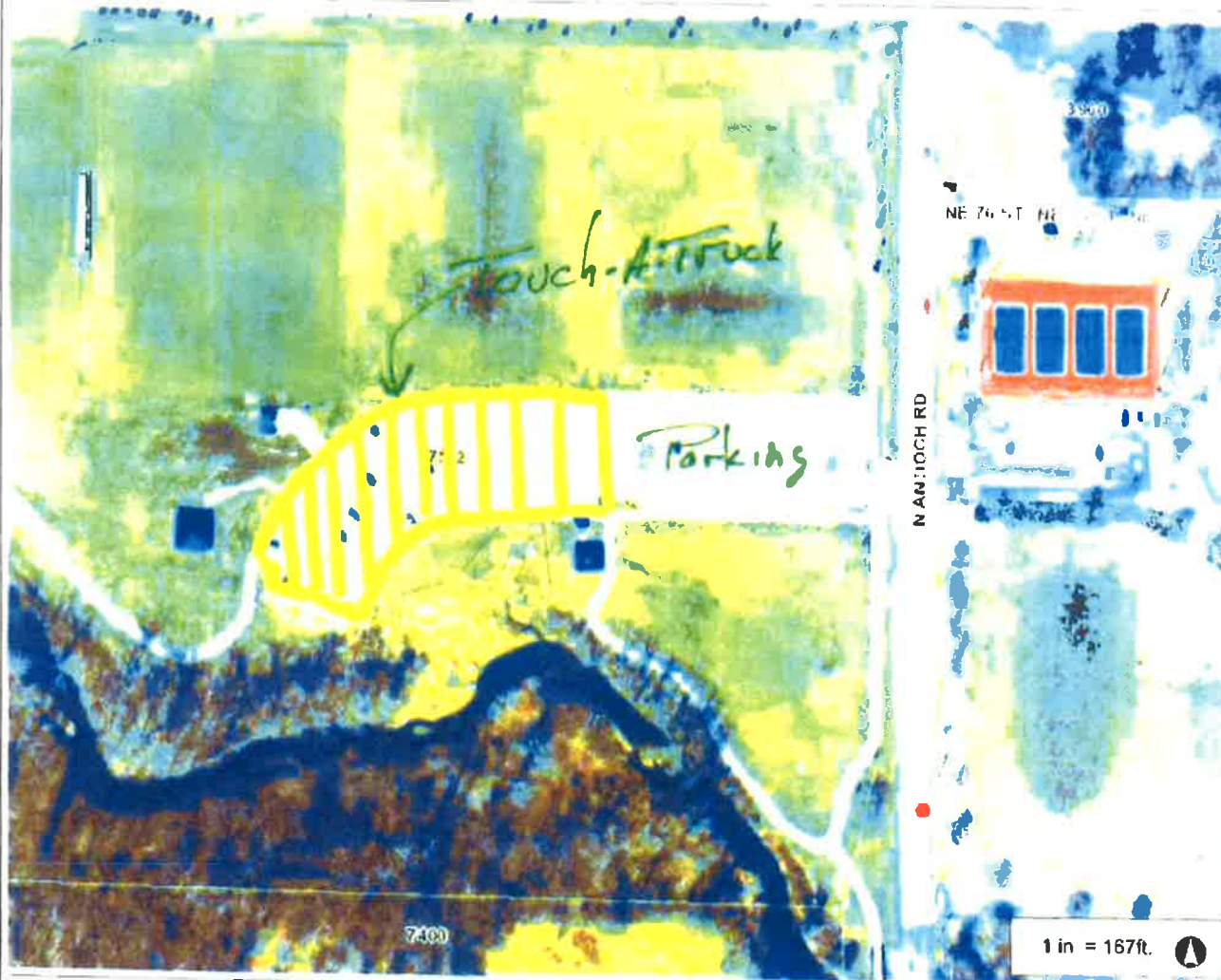
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan Napoli  
Community Development Administrator / Building Official





## Gladstone, MO



### Legend

Street Centerline  
House Number

### Notes

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 7, 2019**  
**PERMIT NO.: BP-19-00086**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: FOOD-ART-DRINK FESTIVAL**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: FRIDAY, JUNE 21, 2019**  
**SATURDAY, JUNE 22, 2019**  
**TIME OF EVENT: FRIDAY: 5:00PM – 10:00PM**  
**SATURDAY, 12:00PM – 10:00PM**  
**EST. ATTENDANCE: 1,200**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.  
☐ Section 2.130.010(2) Park rules and regulations (hours).  
☒ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).  
☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.  
☐ Section 2.140.040 Public fireworks display prohibited, exceptions.  
☒ Section 5.110.1800 Drinking in public.  
☒ Section 5.160.230(a) Street use permit (street use permit allowed).  
☒ Section 9.1600.110 Temporary signs.  
☐ Other – Section \_\_\_\_\_  
☐ Other – Section \_\_\_\_\_

**REMARKS:** Parks, Recreation and Cultural Arts will be hosting the annual the City's Food-Art-Drink Festival at Linden Square. Art will be displaying/selling their artwork in the street adjacent to the Square. In addition, this festival will be going on in conjunction with the Sounds on the Square.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map  
☐ Other \_\_\_\_\_



## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/7/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

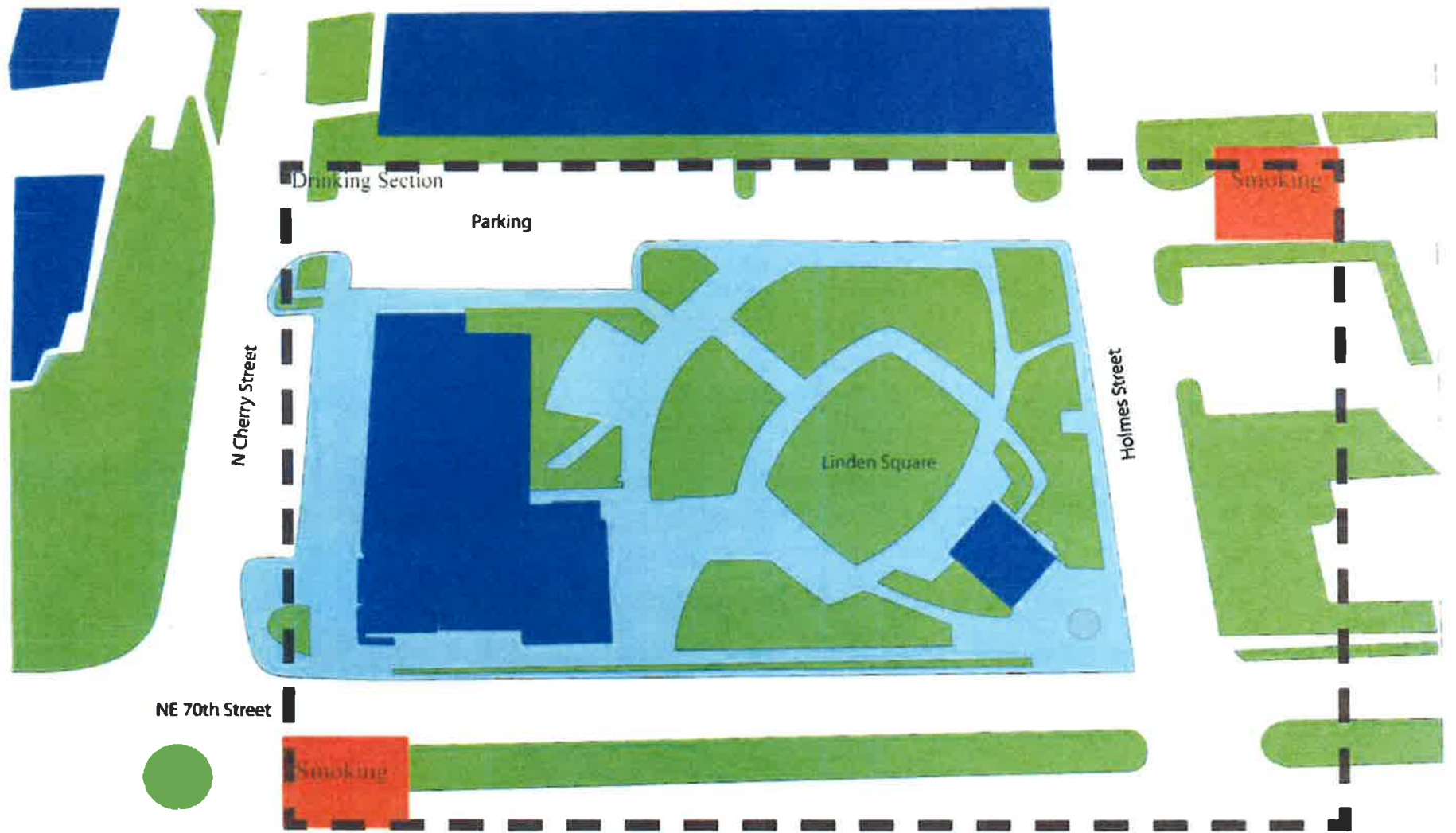
Background: Parks, Recreation and Cultural Arts will be hosting the City's annual Food-Art-Drink Festival.

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: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official



# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 7, 2019**  
**PERMIT NO.: BP-19-00081**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: FIESTA ON THE SQUARE**  
**LOCATION OF EVENT: LINDEN SQUARE**  
**DATE OF EVENT: SATURDAY, SEPTEMBER 14, 2019**  
**TIME OF EVENT: 6:00PM – 10:00PM**  
**EST. ATTENDANCE: 250+**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.
- ☒ Section 2.130.010(2) Park rules and regulations (hours).
- ☒ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☒ Section 5.110.1800 Drinking in public.
- ☒ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☐ Other – Section \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** Parks, Recreation, and Cultural Arts will be holding their annual Fiesta on the Square at Linden Square. This is Gladstone's premier Hispanic heritage celebration featuring authentic drinks, music, cuisine, and activities.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_





## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/7/2019

Department: Community Development

Meeting Date Requested:

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

Subject: Outdoor Special Use Permit

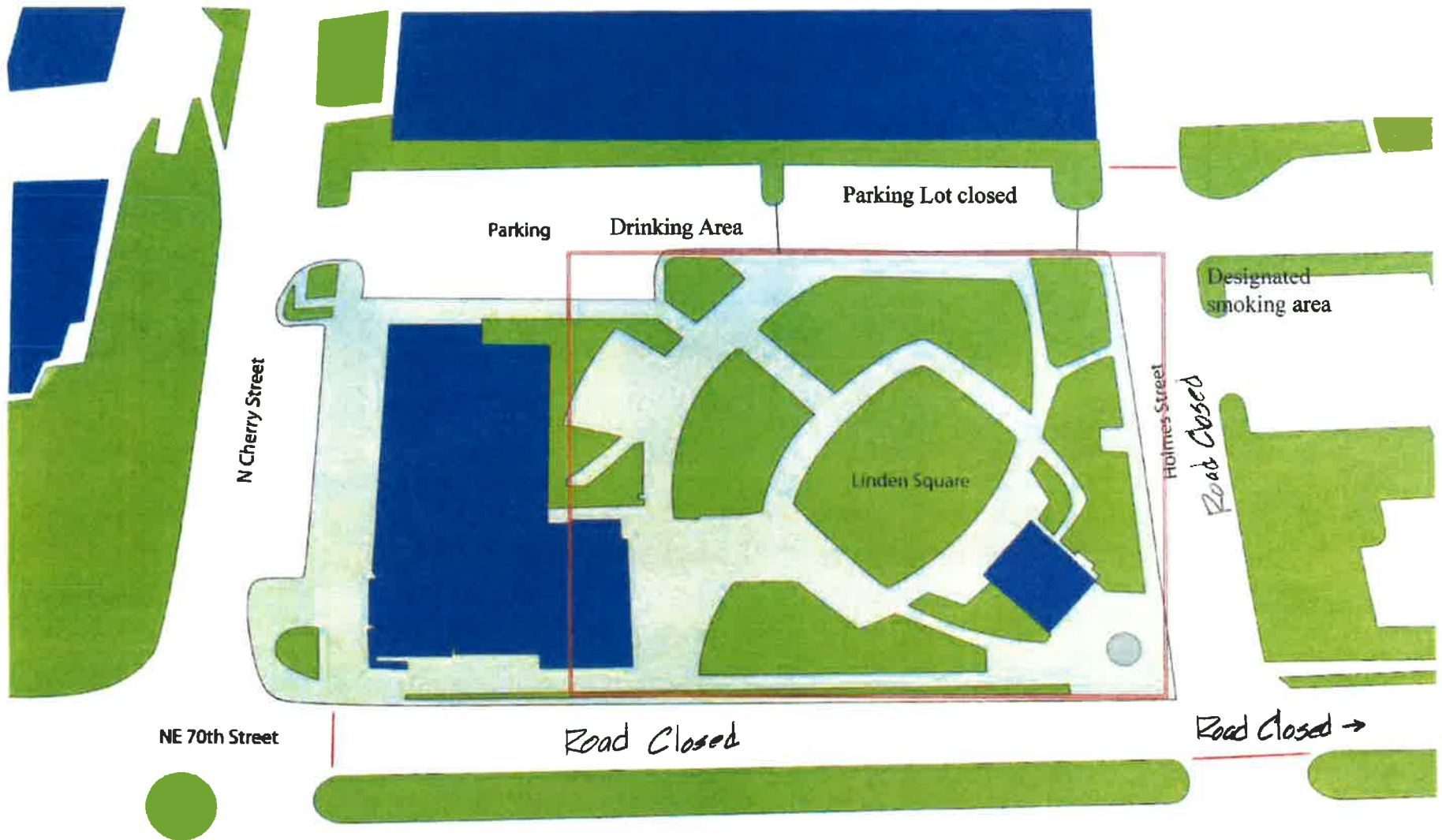
Background: Parks, Recreation, and Cultural Arts department will be holding the annual Fiesta on the Square at Linden Square.

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: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official



# LETTER OF TRANSMITTAL



**CITY OF GLADSTONE**  
**Community Development Department**  
**P.O. Box 10719**  
**Gladstone, Missouri 64188-0719**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: FEBRUARY 7, 2019**  
**PERMIT NO.: BP-19-00084**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: WHISKEY FEST**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: SATURDAY, OCTOBER 12, 2019**  
**TIME OF EVENT: 4:00PM – 10:00PM**  
**EST. ATTENDANCE: 1,600+**

## REQUESTED TEMPORARY VARIANCE:

- ☒ Section 2.120.050 Noise prohibited.  
☐ Section 2.130.010(2) Park rules and regulations (hours).  
☒ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).  
☒ Section 2.135.040 Prohibition of smoking on or within all public park grounds.  
☐ Section 2.140.040 Public fireworks display prohibited, exceptions.  
☒ Section 5.110.1800 Drinking in public.  
☒ Section 5.160.230(a) Street use permit (street use permit allowed).  
☒ Section 9.1600.110 Temporary signs.  
☐ Other – Section \_\_\_\_\_  
☐ Other – Section \_\_\_\_\_

REMARKS: Parks, Recreation, and Cultural Arts will be hosting Whiskey Fest. The event will have several whiskey vendors offering guest a sample of their products. Many of the vendors are local distillers. In addition, food trucks and will augment the guest experience along with the Sounds on the Square concert.

Signed: \_\_\_\_\_

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

## ATTACHMENT(S):

- ☒ Map  
☐ Other \_\_\_\_\_





## ***Request for Council Action***

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 2/7/2019

Department: Community Development

Meeting Date Requested: 2/25/2019

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

Subject: Outdoor Special Event Permit

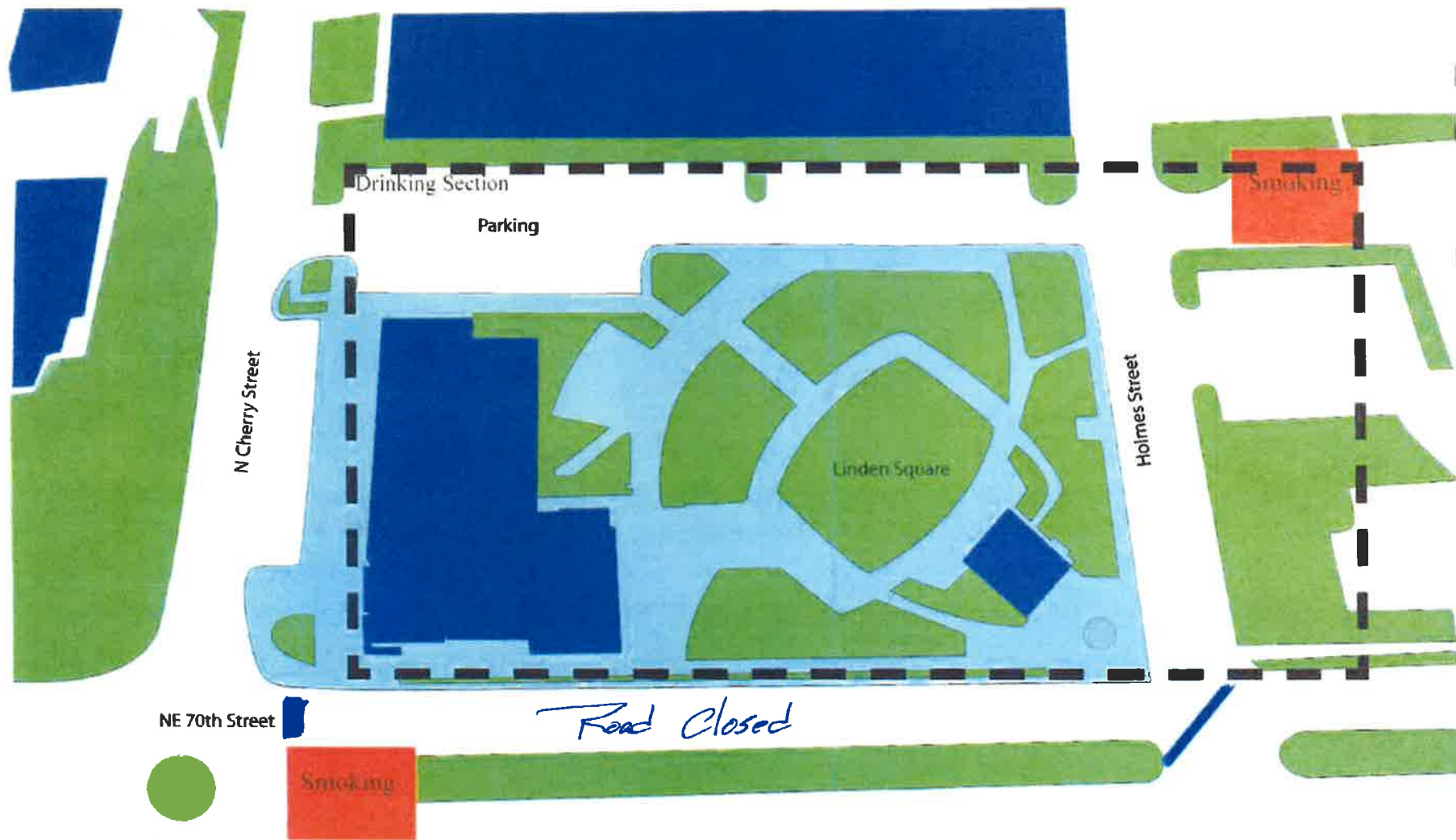
Background: Parks, Recreation, and Cultural Arts annual Whiskey Fest at Linden Square.

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: See attached letter of transmittal

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

Alan Napoli  
Community Development Administrator / Building Official





# CITY OF GLADSTONE MISSOURI

Financial Report for Seven Months Ended  
January 31, 2019

## GENERAL FUND

Revenue Source	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
Property Tax	\$ 3,227,247	\$ 3,251,031	\$ (23,784)	-1%	92%	\$ 3,491,050
Sales Tax	2,385,404	2,317,135	68,269	3%	60%	3,965,000
Gross Receipts Tax	2,085,660	2,031,150	54,510	3%	60%	3,502,000
Licenses & Permits	488,013	516,956	(28,943)	-6%	69%	702,550
Intergovernmental	834,790	813,442	21,348	3%	62%	1,341,500
Charges for Services	2,374,510	2,244,085	130,425	6%	69%	3,434,609
Fines & Forfeitures	385,153	471,131	(85,978)	-18%	40%	959,500
Operating Revenues	11,780,777	11,644,930	135,847	1%	68%	17,396,209
Misc. Revenue	595,120	624,663	(29,543)	-5%	64%	936,512
Equity Transfer	100,000	504,809	(404,809)	-80%	100%	100,000
Total Revenues	<u>\$ 12,475,897</u>	<u>\$ 12,774,402</u>	<u>\$ (298,505)</u>	<u>-2%</u>	<u>68%</u>	<u>\$ 18,432,721</u>

Total revenues for the General Fund through seven months or 58% of this fiscal year are \$12,475,897 compared to total budgeted revenues for the year of \$18,432,721. Operating revenues for the General Fund are \$11,780,777 while last year at this time operating revenues were \$11,644,930 resulting in a \$135,847 increase over last year. Property tax collections are comparable to last year. Sales tax on a cash basis is higher than the same time last year by \$68,269 or 3%. Gross receipts taxes are up 3% or \$54,510 over last year, mainly due to increases in electric and cable gross receipts. License and Permits revenues are down 6% or \$28,943 from the same time as last year due to less new construction activity. Intergovernmental is up 3% or \$21,348. Charges for Services are up 6% or \$130,425 compared to the previous year due to senior activities. Fines and Forfeitures are down 18% or \$85,978 from the same time last year due to the effects of state legislation and fewer citations issued. Miscellaneous Revenue is down 5% due mainly to fewer transfers into the General Fund from other funds. Equity transfer is down due to prior year re-appropriations of \$504,809.

Expenditure Function	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
General Administration	\$ 694,993	\$ 692,940	\$ 2,053	0%	51%	\$ 1,366,603
Finance	967,149	885,387	81,762	9%	63%	1,529,243
Public Safety	4,966,837	4,779,336	187,501	4%	59%	8,404,853
Public Works	1,334,989	1,370,941	(35,952)	-3%	56%	2,379,163
Community Development	434,660	461,142	(26,482)	-6%	53%	816,603
Parks & Recreation	1,815,897	1,698,026	117,871	7%	73%	2,494,846
Non-Departmental	608,351	719,503	(111,152)	-15%	69%	880,976
Transfers/Debt	274,523	301,569	(27,046)	-9%	69%	395,015
Total Expenditures	<u>\$ 11,097,399</u>	<u>\$ 10,908,844</u>	<u>\$ 188,555</u>	<u>2%</u>	<u>61%</u>	<u>\$ 18,267,302</u>

Expenditures through seven months or 58% of this fiscal year amounted to \$11,097,399 or 61% of FY19 budgeted expenditures of \$18,267,302. This indicates that actual expenditures are 2% or \$188,555 more than last year's expenditures of \$10,908,844. General Administration expenditures are comparable to last year. Finance expenditures are up 9% due to changes in personnel and refund to Medicare. Public Safety expenditures are up \$187,501 or 4% due to increased personnel costs. Public Works expenditures are down 3% due to salt inventory not yet being adjusted for expenses. Community Development expenditures are down 6% due to personnel changes and timing of contractual payments. Parks & Recreation expenditures are up 7% or \$117,871 from the same time last year due mainly to increases in Senior Activities. Non-Departmental is down 15% or \$111,152 due to decreased insurance costs, and downtown development expense classifications. Current revenues are greater than expenditures in the amount of \$1,378,498.

#### **COMBINED WATER AND SEWERAGE SYSTEM FUND**

Revenue Source	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
Sanitation	\$ 3,761,533	\$ 3,573,793	\$ 187,740	5%	57%	\$ 6,542,500
Water	<u>2,629,881</u>	<u>2,505,657</u>	<u>124,224</u>	<u>5%</u>	<u>61%</u>	<u>4,278,931</u>
Operating Revenues	6,391,414	6,079,450	311,964	5%	59%	10,821,431
Misc Revenue	80,484	57,551	22,933	40%	66%	122,000
Equity Transfer	<u>-</u>	<u>64,126</u>	<u>(64,126)</u>	<u>-100%</u>	<u>0%</u>	<u>-</u>
Total Revenues	<u>\$ 6,471,898</u>	<u>\$ 6,201,127</u>	<u>\$ 270,771</u>	<u>4%</u>	<u>59%</u>	<u>\$ 10,943,431</u>

Total budgeted revenues for the fiscal year are \$10,943,431. Total revenues through seven months or 58% of this fiscal year, amounted to \$6,471,898 or 59% of FY19 budgeted revenues. Operating revenues are up 5% or \$311,964 from last year due to rate increases in both water and sewer. Miscellaneous revenues are up \$22,933 due to increased interest earnings and sale of assets.

Expenditure Function	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
Production	\$ 676,937	\$ 814,594	\$ (137,657)	-17%	53%	\$ 1,285,806
Operations & Maint	861,084	577,918	283,166	49%	53%	1,636,226
Sewer Collection	217,718	225,827	(8,109)	-4%	42%	517,900
Non-Departmental	3,602,227	3,423,564	178,663	5%	56%	6,443,594
Debt Payments	<u>431,503</u>	<u>436,226</u>	<u>(4,723)</u>	<u>-1%</u>	<u>41%</u>	<u>1,059,905</u>
Total Expenses	<u>\$ 5,789,469</u>	<u>\$ 5,478,129</u>	<u>\$ 311,340</u>	<u>6%</u>	<u>53%</u>	<u>\$ 10,943,431</u>

Total budgeted expenses for the fiscal year are \$10,943,431. Total expenses through seven months or 58% of this fiscal year amounted to \$5,789,469 or 53% of FY19 budgeted expenses. Production expenditures are down 17% due to repairs to well #3 in the previous fiscal year. Operations division expenditures are up 49%, or \$283,166 from the previous year due to water main replacements and repairs. Sewer division expenditures are down 4% or \$8,109 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 are comparable to the prior year. Current revenues exceed current expenses for the fiscal year. Net income on a cash basis is \$682,429.

### COMMUNITY CENTER AND PARKS TAX FUND

Revenue Source	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 513,792	\$ 503,558	\$ 10,234	2%	59%	\$ 874,000
Intergovernmental	700,000	700,000	-	0%	100%	700,000
Charges for Service	649,572	651,127	(1,555)	0%	49%	1,312,325
Other Revenue	<u>124,854</u>	<u>117,967</u>	<u>6,887</u>	<u>6%</u>	<u>49%</u>	<u>253,000</u>
Operating Revenues	1,988,218	1,972,652	15,566	1%	63%	3,139,325
Misc Revenue	28,403	99,503	(71,100)	-71%	50%	56,700
Transfers	749,500	752,500	(3,000)	0%	100%	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>\$ 2,953,206</u>	<u>\$ 3,010,920</u>	<u>\$ (57,714)</u>	<u>-2%</u>	<u>71%</u>	<u>\$ 4,132,610</u>

Total budgeted revenues for the fiscal year are \$4,132,610. Total revenues through seven months or 58% of this fiscal year, amounted to \$2,953,206 or 71% of FY19 budgeted revenues. Operating revenues are up 1% or \$15,566 compared to FY18. Sales tax received is up 2% or \$10,234. Charges for Service are flat compared to last year. Other revenue is up 6% due to increased banquet room rental. Miscellaneous revenue is down 71% or \$71,100 due to insurance settlements in the prior year. Equity adjustment is up \$820.

Expenditure Function	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
Community Center	\$ 509,834	\$ 521,295	\$ (11,461)	-2%	61%	\$ 832,955
Natatorium	491,582	475,170	16,412	3%	59%	830,119
Outdoor Pool	97,048	93,358	3,690	4%	52%	188,183
Non-Departmental	111,063	104,917	6,146	6%	77%	143,549
Debt Payments	<u>1,098,537</u>	<u>1,073,241</u>	<u>25,296</u>	<u>2%</u>	<u>51%</u>	<u>2,137,590</u>
Total Expenses	<u>\$ 2,308,064</u>	<u>\$ 2,267,981</u>	<u>\$ 40,083</u>	<u>2%</u>	<u>56%</u>	<u>\$ 4,132,396</u>

Total budgeted expenditures for the fiscal year are \$4,132,396. Total expenses through seven months or 58% of this fiscal year, amounted to \$2,308,064 or 56% of FY19 budgeted expenses. Community Center expenses have decreased 2% from the same time last year due to prior year equipment purchases and reduced utilities. The Natatorium expenses are up 3% or \$16,412 from the same time last year because of personnel costs and chemicals. Outdoor Pool expenses are up 4% due to personnel. Non-departmental is up 6% or \$6,146 mainly due to an increase in equipment maintenance and insurance expense. Debt payments have increased from the prior year due to the 2017 lease purchase. Net income on a cash basis is \$645,142.

## PUBLIC SAFETY SALES TAX FUND

Revenue Source	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 513,778	\$ 503,544	\$ 10,234	2%	59%	\$ 874,000
Misc Revenue	4,432	9,192	(4,760)	-52%	98%	4,500
Equity Transfer	44,086	-	44,086	0%	100%	44,086
Total Revenues	<u>\$ 562,296</u>	<u>\$ 512,736</u>	<u>\$ 49,560</u>	<u>10%</u>	<u>61%</u>	<u>\$ 922,586</u>

Total budgeted revenues for the fiscal year are \$922,586. Total revenues through seven months or 58% of this fiscal year amounted to \$562,296 or 61% of FY19 budgeted revenues. Sales tax on a cash basis is up 2%. Misc. revenue is down \$4,760 from the previous year due to the sale of assets.

Expenditure Function	January 2019	January 2018	\$ Change	% Change	% of Budget	FY19 Budget
PSST Law	\$ 287,678	\$ 374,511	\$ (86,833)	-23%	45%	\$ 639,683
Non-Departmental	30,001	22,094	7,907	36%	64%	46,968
Debt Payments	31,895	37,662	(5,767)	-15%	14%	235,935
Total Expenses	<u>\$ 349,574</u>	<u>\$ 434,267</u>	<u>\$ (84,693)</u>	<u>-20%</u>	<u>38%</u>	<u>\$ 922,586</u>

Total budgeted expenditures for the fiscal year are \$922,586. Total expenses through seven months or 58% of this fiscal year are \$349,574 or 38% of the FY19 budgeted expenses. Law division is down 23% due to personnel vacancies. Non-Departmental is up 36% 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 \$212,722.

Respectfully submitted,



Dominic Accurso  
Director of Finance

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE AGREEMENT BETWEEN THE CITY OF GLADSTONE AND THE MID-AMERICA REGIONAL COUNCIL (MARC) FOR FUNDING OPERATIONS OF THE OPERATION GREEN LIGHT TRAFFIC CONTROL SYSTEM.**

**Legislative Findings**

1. MARC performed a feasibility study, "*Operation Green Light Feasibility Report, June 2000*," which created a regional arterial traffic signal coordination system known as "Operation Green Light;" and
2. The City of Gladstone operates and maintains six (6) traffic signals on North Oak Trafficway that are included in the Operation Green Light Traffic Control System; and
3. The first cooperative agreement to fund operations was executed by the City of Gladstone covering 2009 through 2014; and
4. A second agreement was executed in 2014 to fund operations in 2015 and 2016; and
5. A third agreement was executed in 2017 to fund operations in 2017 and 2018; and;
6. A fourth agreement is required to fund operations in 2019 and 2020 at a cost of \$3,600.00 per year for a total amount not to exceed \$7,200.00.

**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 the agreement with the Mid-America Regional Council (MARC) for funding operations of the Operation Green Light Traffic Control System in an amount not to exceed \$7,200.00.

**FURTHER**, Funds for the program costs are budgeted in the City of Gladstone's General Fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 25<sup>th</sup> DAY OF FEBRUARY, 2019.**

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Mayor Bill Garnos

Attest:

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Ruth E. Bocchino, City Clerk

1<sup>st</sup> Reading: February 25, 2019

2<sup>nd</sup> Reading: February 25, 2019



## ***Request for Council Action***

RES ☐#

BILL ☒# City Clerk Only

ORD # City Clerk Only

Date: 2/20/2019

Department: Public Works

Meeting Date Requested: 2/25/2019

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

Subject: Cooperative Agreement for funding operations of the Operation Green Light Traffic Control System.

Background: The City of Gladstone has participated in the Operation Green Light Traffic Control System since 2009. Operation Green Light is a regional arterial traffic signal coordination system as described in the attached brochure. A cooperative agreement with the Mid-America Regional Council is necessary to continue participation through 2020.

Budget Discussion: Funds are budgeted in the amount of \$7,200 from the General Fund. The agreement is for 2019 and 2020 at a cost of \$3,600 per year for a total amount not to exceed \$7,200. Previous years' funding was \$9,600.

Public/Board/Staff Input: Staff recommends the approval of this agreement.

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

Timothy A. Nebergall  
Department Director/Administrator

PC  
City Attorney

SW  
City Manager



## FAST FACTS

**700+** Traffic Signals

**200+** Roadway Miles

**1.6 Million** Trips/Day

**50/50** Local Agency/  
Federal Funding

**\$600** Local Agency Annual  
Cost Per Signal

## MOVING FORWARD

OGL is constantly working with partner agencies to look for new and innovative strategies that can be implemented within the Kansas City region to further improve traffic conditions. Some of the strategies and technologies we are currently investigating and implementing include:

- Arterial diversion routes for incidents occurring on interstates
- Adaptive and responsive signal control
- Use of crowd-sourced data in decision making
- Actively preparing for the integration of connected and automated vehicles

[www.marc.org/transportation/commuting](http://www.marc.org/transportation/commuting)

**MARC**  
Mid-America Regional Council

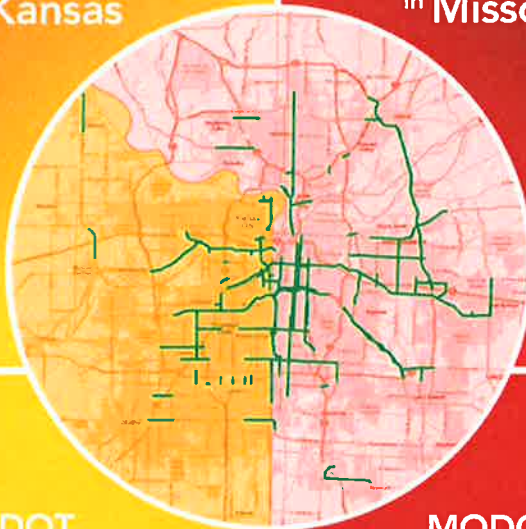


## AGENCIES & PARTNERS

Mid-America Regional Council

**15** Local Governments  
in **Kansas**

**10** Local Governments  
in **Missouri**



KDOT

MODOT

Federal Highway Administration

## BENEFITS OF PARTICIPATION

There are many benefits to partnering in the OGL program. OGL staff coordinate better traffic flow along every corridor by constantly monitoring real-time operations, assisting with timing changes for roadwork projects and incidents, and supporting agency traffic signal maintenance activities. OGL partners often pursue additional funding for traffic signal system improvements together, increasing the chances of being selected. OGL paves the way by providing leadership and coordination in the evaluation of new strategies and technologies to improve the system and benefit every Kansas City area traveler.

*Data Sources: Traffic volume data on designated OGL corridors from MoDOT and KDOT published AADT reports. Population estimates from most recent US Census. Timing benefits averaged from all measured initial corridor timings from 2008 through 2015, including calculated values for delays, fuel, pollution, and the value of time.*



## WHAT IS OGL?

Operation Green Light (OGL) is a regional effort to improve traffic flow and reduce vehicle emissions in the Kansas City area. Coordinated through the Mid-America Regional Council (MARC), it is supported by local agencies, driven by their expert staff, and powered by technology

## WHAT WE DO

OGL works with federal, state, and local agencies to develop and implement a regional network of signals. This system provides uniform traffic management across jurisdictional boundaries in Kansas City allowing for better collaboration among all agencies.

The system coordinates traffic signal timing plans and communication between traffic signal equipment, improving the flow of traffic in the region.

OGL tracks signal-related malfunctions in the field and provides improved maintenance and infrastructure to partner jurisdictions.

OGL is paving the way in the traffic sector within the Kansas City region through innovation and collaboration.

## ANNUAL BENEFITS



**220 MILLION**  
FEWER VEHICLE STOPS



**1.9 MILLION**  
HOURS SAVED



**1.8 MILLION**  
GALLONS SAVED



**3,000 TONS**  
OF POLLUTANTS AVOIDED



**\$35.2 MILLION**  
DOLLARS SAVED

**AN ORDINANCE AMENDING TITLE VI (UTILITIES AND TAXES), CHAPTER 115 (RIGHTS-OF-WAY MANAGEMENT) OF THE CODE OF ORDINANCES, CITY OF GLADSTONE, MISSOURI, FOR THE PURPOSE OF UPDATING THE CITY'S REQUIREMENTS FOR USE OF THE PUBLIC RIGHT-OF-WAY AND PERMITTING OF SMALL WIRELESS FACILITIES.**

**WHEREAS**, the City has previously regulated the construction and deployment of telecommunications facilities and other similar facilities through a variety of ordinances and practices; and

**WHEREAS**, in the 2018 Legislative Session, the 101st Missouri General Assembly approved, and the Governor signed into law, House Bill 1991 with an effective date for a majority of the provisions of January 1, 2019; and

**WHEREAS**, House Bill 1991 amended and added certain provisions to the Revised Statutes of Missouri relating to the City's authority to regulate the construction and deployment of small wireless facilities; and

**WHEREAS**, the Federal Communications Commission did release on September 27, 2018, FCC-18-133 titled Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; and

**WHEREAS**, FCC-18-133 contained both a declaratory ruling and order regarding the City's authority to regulate the construction and deployment of small wireless facilities; and

**WHEREAS**, it is the intent and desire of the City Council of the City of Gladstone, Missouri, to amend and revise the Code of Ordinances, City of Gladstone, Missouri, to conform with both HB 1991 and FCC-18-133 to encourage the deployment of small wireless facilities within the City in a manner that (1) protects the right-of-way as a unique and physically limited resource critical to the travel and transportation of persons and property in the City; (2) manages the right-of-way to ensure that the right-of-way remains accessible for public uses including the partial occupancy of the right-of-way by utilities and public service entities, which enhance the health, welfare, and economic well-being of the City and its citizens; (3) promotes competition, securing higher quality services for the citizens of the City and consumers at large; and (4) does not materially inhibit the provision of telecommunications services.

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

**Section 1. Incorporation of Whereas Clauses.** That the whereas clauses stated above are hereby specifically incorporated into this ordinance by reference herein.

locations or facilities in the rights-of-way to be excluded from use by the ROW user, including but not limited to, ornamental or similar specially-designed street lights or other facilities or locations which, in the reasonable judgment of the director of public works, do not have electrical service adequate or appropriate for the provider's facilities, or cannot safely bear the weight or wind loading thereof, or any other facility or location that in the reasonable judgment of the director of public works is incompatible with the proposed facilities, or would be rendered unsafe or unstable by the installation. To ensure that the right-of-way remains accessible for public uses, to minimize visual obtrusive of facilities, and allow for adequate city maintenance of the right-of-way, a new utility pole and any new ground mounted equipment associated with the new utility pole shall not be installed within one hundred and fifty feet of another utility pole or other ground mounted equipment on the same side of the right-of-way. Should a ROW-user seek to replace a utility pole, said replacement utility pole shall be sited within ten feet of the currently, existing utility pole and shall not be subject to the spacing requirements set forth in this subsection. The spacing requirement set forth in this subsection may be waived or altered by the city-engineer upon the ROW-user establishing good cause as to why said spacing requirement shall be waived or altered.

- (7) The ROW-user shall not interfere with the facilities of other ROW-users without their permission. If and when the city requires or negotiates to have a ROW-user cease using its existing poles and to relocate its facilities underground, all other ROW-users using the same poles shall also relocate their facilities underground at the same time. The cost of such relocations shall be borne in accordance with this chapter and the applicable tariff governing that ROW-user.
- (8) All facilities and other appurtenances laid, constructed, and maintained by the ROW user shall be laid, constructed, and maintained in accordance with acceptable engineering practice and in full accord with any and all applicable engineering codes adopted or approved by the parties and in accordance with applicable statutes of the state, as well as the rules and regulations of the commission or any other local, state, or federal agency jurisdiction over the parties.
- (9) The ROW-user shall cooperate promptly and fully with the city and take all reasonable measures necessary to provide accurate and complete on-site information regarding the nature and location of its facilities within the rights-of-way, both underground and overhead, when requested by the city or its authorized agent for a public improvement. Such location and identification shall be at the sole expense of the ROW-user without any expense to the city, its employees, agents, or authorized contractors.
- (10) It shall be the responsibility of the ROW-user to take adequate measures to protect and defend its facilities in the rights-of-way from harm and damage.
- (11) The city shall have the power to prohibit or limit the placement of new or additional equipment or facilities within the right-of-way if there is insufficient space to accommodate all of the request of potential ROW users. In making such decisions, the city shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, public health and safety, the public's priority needs for the particular utility service, the condition of the right-of-way, the time of the year with respect to essential utilities, the protection of existing equipment in the right-of-way, and future city plans for public improvements and development projects which have been determined to be in the public



- (1) Facilitate orderly construction and maintenance of facilities in the right-of-way, reduce the damage to the facilities of rights-of-way users, and minimize disruption of service to the citizens of the city;
  - (2) Manage the right-of-way to allow efficient location of small wireless facilities and maximize services to the citizens of the city;
  - (3) Allow for the maximum utilization of the rights-of-way to meet the demands due to technical innovations.
  - (4) Encourage responsible construction and maintenance practices in the city rights-of-way.
  - (5) Ensure that regulation of small wireless facilities does not have the effect of prohibiting the provision of personal wireless services, and does not unreasonably discriminate among functionally equivalent providers of such service;
  - (6) Prevent interference with the facilities, maintenance, and operations of the city's utilities and of other utilities lawfully located both within the public rights-of-way and in other locations within the city; and
  - (7) Enhance the ability of providers of communication services to provide such services to the community quickly, effectively, and efficiently
- (c) *Preemption.* Notwithstanding any ordinance to the contrary, the procedures set forth in this article shall be applicable to small wireless facilities existing or installed, built or modified after the effective date of this article to the fullest extent permitted by law. No provision of this article shall apply to any circumstances in which such application shall be unlawful under superseding federal or state law. Furthermore, if any section, subsection, sentence, clause, phrase, or portion of this article is now or in the future superseded or preempted by state or federal law or found by a court of competent jurisdiction to be unauthorized, such provision shall be automatically interpreted and applied as required by law.
- (d) *Sunset.* This article shall expire on January 1, 2021, except that for small wireless facilities already permitted or collocated on authority poles prior to such date, the rate set forth in Sec. 6.115.14002(g) for collocation of small wireless facilities on authority poles shall remain effective for the duration of the permit authorizing the collocation.

#### **Sec. 6.115.1401. Definitions**

As used in this article, the following terms shall have the following meanings:

“Act” means the Uniform Small Wireless Facility Deployment Act, Section 67.5110, et seq., RSMo;

“Antenna”, communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services;

telecommunications demarcation box, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs and related conduit for the connection of power and other services;

“Utility Pole”, a pole or similar structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function, or for the collocation of small wireless facilities; provided, however, such term shall not include wireless support structures, electric transmission structures, or breakaway poles owned by the state highways and transportation commission;

“Wireless Facility”, equipment at a fixed location that enables wireless communications between user equipment and a communications network, including equipment associated with wireless communications and radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term does not include:

The structure or improvements on, under, or within which the equipment is collocated;

Coaxial or fiber-optic cable between wireless support structures or utility poles;

Coaxial or fiber-optic cable not directly associated with a particular small wireless facility; or

A wireline backhaul facility;

“Wireless Infrastructure Provider”, any person, including a person authorized to provide telecommunications service in the state, that builds or installs wireless communication transmission equipment or wireless facilities but that is not a wireless services provider;

“Wireless Provider”, a wireless infrastructure provider or a wireless services provider;

“Wireless Services”, any services using licensed or unlicensed spectrum, including the use of wifi, whether at a fixed location or mobile, provided to the public using wireless facilities;

“Wireless Services Provider”, a person who provides wireless services;

“Wireless Support Structure”, an existing structure, such as a monopole or tower, whether guyed or self-supporting, designed to support or capable of supporting wireless facilities; an existing or proposed billboard; an existing or proposed building; or other existing or proposed structure capable of supporting wireless facilities, other than a structure designed solely for the collocation of small wireless facilities. Such term shall not include a utility pole.

“Zoning Ordinance” the Title VII – Zoning and Planning Ordinance of the City of Gladstone, Missouri.

color as the pole on which they are attached and mounted flush against the pole or in any other matter which would reasonably conceal them. The director, in their discretion, may require additional concealment requirements, including the attachment of banners or signs on either side of any associated pole equipment.

- (3) Associated Ground Equipment. All associated ground equipment mounted as part of a small wireless facility deployment shall be placed to the greatest extent possible in an area so as to minimize its visual intrusiveness and detrimental effect to the legal use of the right-of-way. All associated ground equipment shall be located within a green cabinet or enclosure or any other color cabinet or enclosure that would minimize visual intrusiveness and conceal the associated ground equipment. To the extent possible,
  - (4) Replacement poles. Any replacement utility pole located for the purpose of siting a small wireless facility shall reasonably conform to the appearance of other similar utility or streetlight poles in the area.
- (c) *Decorative Poles*. Any applicant seeking to replace a decorative pole for the purpose of collocating a small wireless facility shall replace said decorative pole with a pole conforming to the design aesthetics of the decorative pole being replaced. Conformance to the design aesthetics of the decorative pole means, that any replacement pole shall at a minimum be of the same or similar design as the decorative pole, contain the same or similar decorative elements of the original decorative pole, be of the same color as the original decorative pole and other decorative poles in the area and that the small wireless facility collocated on the replacement decorative pole be the same color as the decorative pole and the replacement decorative pole.
- (d) *Indemnification, Insurance, Performance Bond*.
- (1) Indemnification. Wireless providers shall indemnify and hold the City, its officers, and employees harmless against any damage or personal injury caused by the negligence of the wireless provider or its employees, agents, or contractors.
  - (2) Insurance. As part of any permit issued by the city under this article, an applicant must provide proof of liability insurance coverage, prior to the effective date of any permit issued, against any damage or personal injury caused by the negligence of the wireless provider or its employees, agents, or contractors in an amount no less than the amount provided for in Section 537.210, RSMo. If the applicant is self-insured, the applicant must submit to the city proof of self-insurance in a comparable amount to the insurance referenced in the previous sentence.
  - (3) Performance Bond.
    - i. An applicant for a permit under this article shall post a performance bond of \$ 1,500 per small wireless facility not to exceed \$75,000 for all small wireless facilities deployed by the applicant. The performance bond shall be used to:

hinder the various utility serving the residents and businesses in the city of their use of any right-of-way. Any and all right-of-way disturbed or damaged during the small wireless facilities work shall be promptly repaired or replaced by the applicant to its previous condition. Any wireless infrastructure provider, contractor or subcontractor must be properly licensed under laws of the state and all applicable local ordinances. Each wireless infrastructure provider, contractor or subcontractor shall have the same obligations with respect to its work as wireless services provider would have hereunder and applicable laws if the work were performed by the wireless services provider. The wireless services provider shall be responsible for ensuring that the work of wireless infrastructure providers, contractors or subcontractors is performed consistent with their permits and applicable law, shall be fully responsible for all acts or omissions of any wireless infrastructure Provider, contractor or subcontractor, and shall be responsible for promptly correcting any acts or omissions by a wireless infrastructure provider, contractor or subcontractor.

- (h) *Location.* Small wireless facilities and utility poles shall be installed and maintained so as not to obstruct or hinder the usual travel or public safety on the right-of-way or obstruct the legal use of the right-of-way by the city or other authorized right-of-way users.
- (i) *Replacement.* The city may require an applicant to replace a utility pole on a nondiscriminatory basis for reasons of safety and reliability.
- (j) *Retained zoning authority.* Where authorized by applicable law the city may require that an applicant under this article receive all zoning approvals necessary or required by the zoning ordinance of the city.
- (k) *Deemed approved facilities.* Should the city fail to act with the time required by applicable law, any small wireless facility collocated on an existing structure or any installation, modification, or replacement of a utility pole shall be done in compliance with each and every provision of this article.

#### **Sec. 6.115.1403. Small Wireless Facilities Permit.**

- (a) *Applications.* Applications for a permit to collocate a small wireless facility on a utility pole or a permit for the installation, modification, or replacement of a utility pole shall be filed on such forms as required by the director and accompanied by the appropriate deposit as stated below. Applications are to be processed subject to the requirements of and in the manner and timeframe as otherwise established in this article and subject to the applicable time frames imposed by applicable law. Applications requesting any information that is prohibited by federal or state law under the applicable circumstance shall be deemed inapplicable to the subject application.

- (1) Collocation Application Fee. An application for a permit to collocate a small wireless facility on a utility pole shall be accompanied by a deposit of one hundred dollars (\$100) for each small wireless facility the applicant seeks to collocate on a utility pole.



- (3) The equipment type and model numbers of the antennas and all other wireless equipment associated with the small wireless facility.
- (4) An attestation that the small wireless facility complies with the volumetric limitations set forth in Sec. 6.115.1401.
- (5) Applicable indemnity, insurance, and performance bond information as required by this article.
- (6) An applicant that is not a wireless services provider must provide evidence of agreements or plans that demonstrate that the small wireless facility will be operational for use by a within one year after the permit for the applicable small wireless facility is issued, unless the city and applicant agree to extend this period in writing or if delay is caused by a lack of commercial power or communications transport facilities to the site and the applicant notifies the city in writing. The non-wireless service provider applicant must provide the above information by attestation, attached to the applicable application.
- (7) A projected commencement and termination date of the work proposed under the permit. If said dates are not known at the time of the application, then any permit holder shall provide the director advanced, written notice of such dates once determined.
- (8) Any information necessary to establish that the proposed collocation of the small wireless facility meets the concealment requirements of Sec. 6.115.1402(b).
- (9) Any information necessary to determine that the collocation meets the height restrictions of Sec. 6.115.1402(a).
- (10) In the event that the proposed small wireless facility is to be attached to an existing utility pole owned by an entity other than the city, the wireless provider shall provide legally competent evidence of the consent of the owners of such pole to the proposed collocation.
- (11) Any other information deemed to be relevant by the director.

(e) *Consolidated Applications.*

- (1) An applicant may file a consolidated application and receive a single permit for the collocation of multiple small wireless facilities. An application may include up to twenty separate small wireless facilities, provided that they are for the same or materially same design of small wireless facility being collocated on the same or materially the same type of utility or wireless support structure and all the collocations are geographically proximate. The denial of one or more small wireless facilities in a consolidated application shall not delay the processing of any other small wireless facilities in the same batch;

- (9) Fail to comply with undergrounding requirements as of January 1, 2018 or any new undergrounding requirements for new developments; or
  - (10) Any other reason as allowed by applicable state or federal law.
- (b) *Denial.* The City shall document the complete basis for the denial in writing and send said denial and any accompanying documentation to the applicant on the day the authority denies the application. The applicant may cure the deficiencies identified by the city and resubmit the application within the timeline provided for in applicable law without paying an additional application fee.

**Sec. 6.115.1405. Fast-Track Small Wireless Facility Deployment**

- (a) *General conditions.* Small wireless facilities meeting the below, additional requirements and all other requirements of this article may be authorized to be collocated with the approval of the director on an expedited 20-day time frame subject to the following additional requirements:
- (1) Only one small wireless facility shall be permitted per structure in the rights-of-way;
  - (2) The small wireless antenna and associated pole equipment shall be of the same or similar color as the pole on which it is to be attached;
  - (3) All wires and cables associated with the small wireless facility shall be installed on the interior of the pole; and
  - (4) No associated ground equipment shall be authorized; and
  - (5) No small wireless facility shall be located in a manner which obstructs or causes a safety concern for vehicle or pedestrian traffic; and
  - (6) If the proposed structure the applicant proposes to locate its small wireless facility on is not structurally sound, but the director finds such to be a desired location, the director can require the applicant to install a new substantially similar structure at its cost.
- (b) *New or replacements poles.* An applicant applying for approval of the siting of a small wireless facility under this section may request or require that a new or replacement utility pole may be located as part of such deployment subject to the following additional requirements:
- (1) The new or replacement utility poles is no greater than five (5) feet taller than the any adjacent or existing utility pole within the same right-of-way;
  - (2) The new or replacement utility pole is of the same or materially similar design as adjacent or surrounding utility poles;

## GLADSTONE PLANNING COMMISSION MINUTES

Council Chambers February 13, 2019

**1. Meeting called to Order- Roll Call.** Chair McGee called the meeting to order at 6:00 pm.

Commissioners present were: Chase Cookson  
Mike Ebenroth  
Alicia Hommon  
Gary Markenson  
Jennifer McGee, Chair  
Kim Murch  
Larry Whitton

Not present: Nathan Hernandez  
Katie Middleton  
James New  
Shari Poindexter  
Bill Turnage

Also present: Kyle Yarber, Councilman  
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 Previous Meeting Minutes: January 22, 2019.** Chair McGee asked if there was a motion to approve the minutes from the January 22, 2019 meeting. Mr. Whitton moved to approve the minutes; Ms. Hommon seconded. The minutes were approved, 7-0.

**4. 2018 Work Plan.** Mr. Greer asked the Commissioners to review the 2018 Work Plan and let him or Mr. Napoli know if they have any questions.

**5. 2019 Work Plan.** Mr. Greer asked the Commissioners to review the 2019 Work Plan and let him or Mr. Napoli know if they have any questions.

As Mr. Corcoran had not arrived, Chair McGee moved to Item 7 on the agenda.

**7. Communications from City Council.** Councilman Yarber shared that he was at Jefferson City at the Legislative Conference which he attended with Assistant City Manager, Bob Baer. They were able to visit with several area State Reps and State Senators. They were able to address some concerns regarding tax collection, legislation regarding court appearances and the State capping what local municipalities can do with sales tax, which should be decided by local voters as it is going for their services.

**8. Communications from City Staff.** Mr. Greer shared that the next meeting will be on March 4, 2019.

**9. Communications from Planning Commission Members.** Mr. Markenson informed the Commission that March 16<sup>th</sup> is the annual Gladstone Rotary Club Pancake and Sausage Breakfast. All of the money goes to local charities. He had tickets available for purchase after the meeting.

6. **Small Cell Ordinance changes.** City Attorney Padriac Corcoran presented a slide show on telecommunications specifically about small wireless facilities and the changes that state and federal law have had on how the city can regulate these wireless facilities. (A copy of the presentation and new ordinance are attached.)

Mr. Corcoran said that the first couple of slides show what they are looking at when it comes to small cell. He referred to photos on the overhead. The small wireless facilities can only communicate at most 2,000 feet. They jump around to get to a macro tower, which are our big towers that you see on North Oak and one at 69<sup>th</sup>. Those send the signal to the national network. Estimated deployment is sixty (60) per square mile.

Mr. Markenson asked if the estimated deployment of sixty (60) per square mile was per carrier.

Mr. Corcoran confirmed that was correct.

Mr. Markenson then asked how many carriers serve the area.

Mr. Corcoran stated that there are four (4). In our denser areas like North Oak, Antioch, downtown Linden, the places where there are a lot of people on their phones. Another way to look at it is 15 per square mile for less dense areas times four (4) which gets you to sixty (60) times the square mileage of the city, which is nine (9) miles exactly. There would be 540 of them deployed within the city in the next five years. This is a high estimate.

Mr. Markenson asked how many municipal-like stations have these towers on them.

Mr. Corcoran said that there are currently none in the City of Gladstone.

Mr. Markenson asked how many were on city buildings, water towers.

Mr. Corcoran replied that there are no small wireless facilities. There are macro towers on the water towers. He referred to his slides for clarification. On the right you see why this is happening. You see reduced latency, increased capacity, limit coverage and what they term bathroom coverage, which means coverage throughout your house or fixed wireless in your home; Google Fiber or Time Warner. Reduced latency has to do with self-driving cars. If you have a self-driving car that is only self-driving because it is connected to wireless it can't ever not be on wireless. If it's not on wireless, it crashes. The self-driving car is a forward example but explains why they are starting to build out now. Currently, the buildout you'll see in phase one is what is called pothole fixing. If you are driving and talking to someone on the phone, which you shouldn't be doing unless you have a handset, and your call drops, that's a pothole. Right now the first fixes are finding those potholes, putting something up in them and actually broadcasting 4G from that small wireless facility.

He shared two wireless examples on the overhead. The one on the right is near Winsted's, next to it. The one on the left is a block away. These are two really good examples of the type of deployment we want to encourage. Getting back to your macro micro small wireless example, the small wireless antenna under Missouri law is only six (6) cubic feet. The macro tower is a full array of about ten (10) foot of antennas. They are significantly smaller. He pointed out two briefcase-size things; those are the battery powers for the antenna. Those are associated pole equipment. On the pole itself there are six (6) cubic foot antenna and two (2) briefcase-size batteries. He then shared bad examples on the overhead. This is what they want to discourage. These are from Mobility in California. Mobility has the contract to do all of Sprint's buildout. They haven't proposed things like this yet. The one they proposed a year and a half ago looked more like our previous examples. These are things to be aware and the previous regulations and what they attempt to stop.

Mr. Corcoran shared the laws that they have to deal with when dealing with small wireless facilities.

Mr. Murch asked about the location of the facilities and what they would do if there was no underground wiring and there wasn't a pole.

Mr. Corcoran said they would request to put up their own pole.

Mr. Murch asked if there could only be one carrier per pole.

Mr. Corcoran shared that is definitely something they will try to enforce as we don't want two of them stacked on top of each other. They could do that, they could put them to the sides, but we want one per pole on the top, if it has to happen at all. It is physically possible for them to do that but our code doesn't allow it.

Mr. Murch asked if our current code addresses these things.

Mr. Corcoran said that the code we have now wouldn't allow it. The code we have now is illegal starting January 14<sup>th</sup> (2019). We just haven't had anyone come in and do anything. Currently, when someone puts up a macro tower they come in to get a special use permit. We are no longer allowed to require special use permits. We can't have any zoning review at all. It has to be in our right-of-way codes.

Mr. Murch asked if we have any kind of concept in this nine (9) square miles of how much of it is underground versus above ground.

Mr. Corcoran shared that what they have been doing when providers come in, we have small wireless facilities, but they also have to lay fiber. We are actually encouraging underground facilities. If they do come in to get a new pole, we have laws about where that pole can go; spacing requirements of 150', there are additional design and concealment requirements. We know how much is underground and we are encouraging more to go underground. The goal for North Oak is essentially to not have anything above ground except light poles. He doesn't know if that is feasible at this point.

Some carriers have been receptive to putting their fiber underground. Some, AT&T, will not be. They use Southwestern Bell's statewide franchise that was granted to them in the 20's. They use that to go into all city right-of-ways without any permits or approvals. Mr. Corcoran covered the statutory items in FCC 18-133 and HB-1991. He shared that there are 500 pages of information in them. They go all the way back to the 1996 Telecommunications Act. Our more up-to-date ones are the FCC Declaratory Ruling in Third Order on FCC 18-133 and then Uniform Wireless Deployment Act, which is our Missouri law on this matter.

He went through the statutory items first. FCC 18-133 preempts any local legal requirements that effectively prohibit service including wireless infrastructure deployments. What happens is you look at the local code and state law and you look at FCC 18-133. If any of the local stuff is more burdensome on a provider, it is preempted by FCC 18-133. This was all thrown out by the Missouri legislature in the last legislative session, so our state law is stricter than city authority. There is also more language about what they consider effectively prohibiting. Materially inhibits or limits is their new kind of rule. With that they have also said that "expensive infrastructure". If we charge somebody \$1,000 per linear foot of stuff in our right-of-way, that's too much and that will materially inhibit and would fall under FCC 18-133. This is the first time they have taken a monetary view of inhibiting the permission of service. There could possibly be 540 of these within the city. If we charged everybody \$5,000 a piece, the carriers wouldn't be able to buildout. That is their argument. They made \$68 billion last year and he believes they would be able to afford it.

The other thing FCC 18-133 does is affects timelines. We have 60 days to review an application for the attachment of a small wireless facility; if they asked to attach to one of our city poles. The city only has 60 days to review all permits, buildings, right-of-ways, everything in 60 days. If they do a new structure, we have 90 days. The FCC order doesn't preempt zoning but those timelines alone preempt zoning. It would be extremely difficult to get a permit application in, review it on the staff level, notice out for a hearing for a special use permit, have that hearing, have the written report done and back to them within

60 days. The current one for new macro towers is 120 days. When Commissioner Piot put that in he knew exactly what he was doing. Not only locally in the state of Missouri but nationally, with what people were charging for attachment to city infrastructure, he disagrees with the FCC. He thinks it was more than reasonable for cities to charge a \$68 billion industry \$500 a month to put something on one of our poles that tax payers paid for. They didn't agree with him. So now our fees must be reasonably approximate to the costs the city incurs, objectively reasonable to pass to the applicant, and no higher than fees charged to competitors in similar circumstances. Reasonably approximate means however long it takes him or Alan or Austin time to review. Objectively reasonable means we can't pass on to them a fee for Scott having to oversee everybody. No higher than fees charged to competitors. There were some cities that were working deals with Verizon specifically. Two good examples that actually came to him were Verizon deployments. They were charging Verizon less because Verizon was doing (inaudible) and then charging AT&T more because AT&T was taking advantage of its position as a subsidiary of Southwestern Bell and putting up really bad deployments.

Our application fees can be \$500 for non-reoccurring fees. That would be the application fee and then our rate, which would be a yearly reoccurring fee, is \$100 for a thousand. We have our \$270, which would be our rate. That is what they view as presumptively reasonable. Now if providers want to put a small wireless facility on North Oak, or they want to put a small wireless facility in downtown Manhattan, they are paying \$270 max.

HB-1991 is a little bit more restrictive than FCC 18-133. It completely preempts the zoning authority as you will see here; "not subject to zoning review or approval" except under very limited circumstances which that would be in historic districts or places zoned primarily for single family prior to August 28<sup>th</sup>. It also sets timelines. Its timelines are even shorter than the FCC's timelines. The city has 15 days to review an application and to see if it is incomplete. If we don't say that it's incomplete within 15 days, it is deemed complete. We have 45 days to approve an application for an attachment and 60 days for a new facility. If we do not meet those timelines, it is deemed approved. If something gets lost in the mail and they can claim that it actually got here somehow, and it doesn't meet any of our requirements, they can just go put it up. We handle that in the ordinance, or try to at least.

Application fees are somewhat similar. The FCC is \$500 for five (5) which would be \$100 per small wireless facility. Here it is \$100 per small wireless facility, so the same. Then we have \$500 for a new pole. Our reoccurring fees are \$150, which is lower than the FCC even. Then for city facilities we can actually negotiate with them somewhat and charge them reasonable nondiscriminatory rates, fees and terms. He doesn't see them coming in to put something on City Hall when they can go on the light pole next to it for less and not have to deal with it.

We have some retained authority. The FCC lets the city use aesthetic requirements that are reasonable, no more burdensome than those on other types of infrastructure deployments, objective, and published in advance. We have four (4) criteria; reasonable, objective, no more burdensome and published in advance. HB-1991 limited that even more. We can't have aesthetic requirements except for decorative poles. We can only have concealment requirements. He takes concealment to be less than aesthetic. Our concealment requirements can be reasonable, objective, and cost effective. For decorative poles, we can require the provider to try to meet the decorative element of the pole. He doesn't perceive them trying to go on the decorative poles. They can put up whatever pole they want 50 feet away and try to do that.

Undergrounding under the FCC has the same criteria as aesthetic requirements. He isn't sure if the FCC didn't understand the undergrounding requirements, but they said we couldn't require undergrounding of an antenna. HB-1991 allows us to deny co-locations and new poles if they don't meet our undergrounding requirements. There needs to be ability for them to appeal that. Under the current ordinance, the appeal would go to the City Engineer as they are the ones who understand the subject matter better than anyone else in the city. They still have to show good cause as to why they can't underground their antennas. Since Verizon has agreed to go underground, we always have them to back us up. If Verizon has gone underground then Sprint and T-Mobile come in and try to go above ground,

our argument would be that if we let you go above ground then we are discriminating against Verizon because we made go underground, which is legal under Missouri right-of-way laws.

Spacing under the FCC is treated the exact same as aesthetic requirements. Under Missouri law we can deny a co-location or a new pole because of the failure to meet our spacing requirements. There needs to be an appeal process. That appeal would also go to the City Engineer. Our current spacing requirement in the ordinance is 150 feet. That is typical of what most cities are going with. We originally discussed 300 feet and mapped it out and realized that would have the effect of prohibiting the provision of wireless services within the city.

Mr. Corcoran ended the presentation and asked for any questions.

Mr. Markenson asked what we can require to go underground except wires.

Mr. Corcoran replied that is exactly what we can require is for the wires go underground. On high priority corridors, North Oak and 72<sup>nd</sup> Street, we might require vaults for the associated ground equipment. That is typically part of these. He shared a picture showing associated ground equipment on the overhead. The city did vaults for Google Fiber.

Mr. Markenson questioned if they can construct these towers in commercial and non-residentially zoned areas in the city's right-of-way.

Mr. Corcoran confirmed that was correct.

Mr. Markenson asked if we can control the spacing between them and certain concealment.

Mr. Corcoran confirmed that spacing, undergrounding and concealment are the three main areas of retained authority that we can use to control the aesthetics.

Mr. Markenson asked if, in Gladstone, most of the small cell facilities are on light poles.

Mr. Corcoran replied that there are no small cells in the city currently. There is a proposal from Mobility from a year ago that was a replacement pole. The city will encourage the replacement of the current wood light poles with the metal light poles. Part of the ordinance requires that the provider has a pre-application meeting with the city and during that meeting we will try to sell them on doing metal poles. We can make it faster and cheaper.

Mr. Markenson asked if, in Gladstone, our cell phones go just through the macro towers.

Mr. Corcoran confirmed that is correct.

Mr. Markenson questioned if that would not be good in the future because they want more coverage.

Mr. Corcoran said that 5G signal doesn't go as far as 4G does. The macro tower serves an area of 2-3 miles. The small wireless, which does 5G, the 5G signal can only travel 2,000 feet. So they need more of those small 5G ones throughout the city and that is why they have done this.

Mr. Markenson confirmed that the existing macro towers don't have enough capacity.

Mr. Corcoran said they can't handle it. Their antennas can't produce 5G wireless signals that broadcast as far as necessary. If they were only on the macro towers, you would have 5G at the base of the pole and nowhere else.

Mr. Ebenroth asked how it would affect residential neighborhoods.

Mr. Corcoran replied that residential neighborhoods were still allowed to use our zoning review approval under Missouri law. From their conversations with most of the providers, AT&T is probably three years away from getting anything from them. Verizon is probably a 1 ½ to 2 years away. Sprint and T-Mobile, who knows; they aren't really proposing a lot of buildout. In our residential areas we are still going to do zoning review and approval in R1 Residential. That will probably look like an administrative review on the city's end because we still have the 45 and 60 day timelines. That is a very quick turnaround to organize everything. We will be a little bit stricter when they go into R1 and will probably require no associated ground equipment and require that it be a steel-side cobra-head with an antenna that is grey that matches the pole, runs in the middle of the pole, and has just those two boxes. AT&T is the one we have to be concerned about. Mike Chambers, who is their lobbyist, was at the last Council meeting and showed us some examples of what they have done in Independence. What they are doing is having Southwestern Bell through their statewide franchise put up a wood pole in a residential area, and then they are going on top and putting a black antenna on top it, and running cables down the side of it, and they have a big box that it is attached to.

Mr. Ebenroth confirmed that they won't be using existing light poles.

Mr. Corcoran shared that AT&T is the one that won't because Southwestern Bell is only charging them a dollar to go on their poles because it is the same company. Southwestern Bell has a state-wide franchise that was granted to them to build out telephone service in the state of Missouri in the 20's. It is still remains active even though multiple people have tried to get the franchise taken away.

Mr. Murch asked what kind of revenue is there for the city for this.

Mr. Corcoran said that if you do the \$150 times 540, around \$89,000 range at full build-out. What we were originally going to charge was \$500 so it would be significantly more than that. It might end up at full build-out be a revenue loser because they might be able to take down some of the macro towers that are on city water towers. They pay significantly more than \$150 a year to be on those. A bit of a revenue bump, probably not enough to cover the cost that Alan will spend reviewing this, and then potentially a revenue decrease in 5-10 years.

Mr. Murch asked what kind of liability is there to the city to have them there if somebody hits one or takes one out with their car.

Mr. Corcoran shared that we require that the carrier has insurance, and state law allows us to require that the carrier has insurance on the pole up to the sovereign immunity cap, \$2.8 million. If anybody hit that pole and the pole collapsed on them and they argued it was because the small wireless facility, the carriers insurance, that they have added the city to, would cover it and the city would not be held individually liable or their insurance would not be held liable.

Mr. Murch asked what happens in five years when this technology is advanced beyond all of this.

Mr. Corcoran stated that the hope is that in five years these get even smaller.

Mr. Murch said we would have all these poles sitting around and now we don't need any of them.

Mr. Corcoran shared that there are abandonment bonds in the ordinance so it will be up to \$75,000 of a bond that is held by the city. So if they abandon it and don't use it for a year, we provide them written notice, and the city can call on the bond and use the bond proceeds to take down the pole. The goal is to attempt to make them put street lights where we don't currently have street lights or where neighbors want street lights. If that does occur, the only thing we have to take down is the actual antenna and the boxes on the sides. We would keep the pole and claim it as city-owned at that point. The city owns about 1,000 poles and KCP&L owns the other 3,000 poles in the city. KCP&L is not subject to any of the law that we discussed tonight. It is not letting wireless providers go on their street lights, and is trying to require them to go just on to the power poles, the wood poles with the powerlines running on them. He



feels that is a worse idea. He doesn't feel that contractors who aren't powerline contractors should be on poles working next to power lines. That is KCP&L's prerogative.

Mr. Murch shared that he is still unsure about when you say they are allowed 60 per square mile. He wasn't sure how we would measure a square mile. If he looks at North Oak and they put 60 of them per square mile down North Oak times four. That would be one every five feet.

Mr. Corcoran said we would deny all of those because it would violate the spacing requirement.

Mr. Murch said that basically every 150 feet down North Oak you could have a pole.

Mr. Corcoran shared that right now there is one every 200 feet.

Mr. Murch asked if that was on both sides of the street.

Mr. Corcoran said the east side currently has one every 200 feet. The entire point is that they are going to try to encourage co-locating on current city facilities and charging them less, making the timelines shorter, making the application fees shorter, to encourage city facilities. The only person that they have had any trouble with is AT&T. Verizon has already come in and showed us where they going to put their small wireless facilities. Their current plan is for five total on North Oak. They are all going on city light poles, everything is undergrounded.

Mr. Murch asked him to clarify that co-locating, you are talking about four carriers can put four antennas on one pole.

Mr. Corcoran said he is talking about one carrier on one pole. Co-location, previous to this year, meant you were putting an antenna on something that already has an antenna on it. Now, with small wireless, co-location means they are putting an antenna on a current pole. That is what co-location means. Under our ordinance and under engineering and building codes, they can't do more than one. Under building codes he doubts that the engineering would work to put two on there. They aren't going to allow two on a pole. Unfortunately, our hands are tied here. They worked with our legislators to try to get a win. He was a member of the MML team that was talking with legislators drafting our model ordinances. Carriers have better lobbyists and they have a lot more. MML has two lobbyists; they brought on a third for this. Sprint probably has 10 in Jeff City.

Mr. Markenson shared that AT&T probably has 20 or 30.

Mr. Corcoran said that AT&T is the only one who has lobbyists specifically for local government. He has never seen that from another business. Ours is Mike Chambers. He does the Northland, St. Joe, and some of the east side of the metro. Sprint doesn't have any lobbyists that come to City Council meetings and talks. The idea is that they will be providing a new service that the citizens want, that the city, in the end wants. We don't want to be the only city in metro that doesn't have 5G. As long as they play by our rules and kind of do something that isn't atrocious, we are probably fine with it. We would have liked to not have these significant caps on our revenue on facilities and properties that the city and the citizens purchased. Here we are. FCC 133 has been called the largest corporate bailout in history because it saved the telecommunications industry close to \$600 million a year over the next 20-30 years. You can add that up to see the revenue loss to cities because of it.

Mr. Ebenroth asked it that would impact franchise taxes.

Mr. Corcoran said that cities are not allowed to charge franchises to telecommunications companies. We have business license taxes. We are seeing decreases in that and it is because, if you look at your phone bill, you will see that you're actual telephone service is about \$10 a month and that your data is about \$80 a month. The current argument from the carriers is that data is not telephone service. He thinks it's kind of crazy since the only way you access it is through your telephone. They have seen decreasing gross receipts for the past four years. There is currently a law suit that just went to the Missouri Supreme

Court and we should be getting a decision here soon that hopefully is beneficial to cities and says that data is subject to gross receipts. If it is, the city of Gladstone would be the next city that is involved in litigation against Sprint, T-Mobile, all of those. If you look at the city's gross receipts, we are seeing a 20% decrease year over year. He doesn't think that anyone's phone bill has gone down 20%.

Mr. Markenson asked who the plaintiff is in that.

Mr. Corcoran said it is the cities of Aurora, Oak Grove, and Cameron. He knows it is those three because he also represents those three.

Mr. Markenson asked what attorneys put that together. He asked if it was Vogel.

Mr. Corcoran confirmed it was Dan Vogel. That litigation has been going on for seven (7) years. Their clients that are involved in that litigation hope that they get a decision at this point; that it's not kicked back down to a lower courts and then cities are involved in ten years of litigation over what is telephone service. Even if that lawsuit does turn out in favor of cities, Sprint, T-Mobile, AT&T and Verizon aren't going to start voluntarily making payments. They're not going to make back payments.

Mr. Markenson asked if they're asking for back taxes.

Mr. Corcoran said that they should be. Their lobbyists went down and had a statutory change that cities can only go back three years for back taxes on telecommunications.

Mr. Markenson said that is a lot of money.

Mr. Corcoran agreed. He said the general estimates they've seen from cities similar in size to Gladstone are about \$200,000 worth of underpayments in a year. There are some cities they represent where T-Mobile actually says they only collected \$15 in money that was subject to gross receipts. They actually had a \$.96 payment to a city of 10,000 people. That was pretty bold and daring.

Mr. Murch asked if there was any ancillary benefit to involving the 911 system.

Mr. Corcoran shared that currently there wasn't. Missouri is behind the times on the 911 system in general. The benefits that we'll see from 5G are connectivity, fewer dropped calls. The latency, when you pick up your phone and you click on something and it takes a little bit of time to load, that would eventually go down to zero. Once it goes to fixed wireless, which means they are your only wireless provider, you don't have Wi-Fi at your house, then the city would want to be one of the more connected cities so that businesses would use it, our citizens could use it. That's why you have actually seen Google Fiber has pulled back from their investment into actual hardline fiber. They are also repositioning to go to the fixed wireless arena. That could be potentially another carrier here.

Mr. Corcoran asked the Commissioners if they wanted to take a look at the new ordinance. It goes over exactly what they talked about here. The first section is our undergrounding and spacing requirements. The second section and the first section incorporate the "whereas" clauses that he drafted. The next section is our actual new article relating to small wireless facilities. It restates a lot of state law, but the key points to note are the concealment requirements and section 6.115.1402B; those are our concealment requirements. You will see we have requirements for concealment for the actual facility itself including shape and color. Then we have the associated pole equipment which does require it to be in a vault or for it to be green. Then replacement poles and we have our decorative poles stuff. The indemnification insurance and performance bond is the next section to take a look at. To try to get around our potential slip-ups where something gets by the 15, 45 or 60 day windows, "k" in that same section is our deemed approved facilities. "Should the city fail to act within the time required applicable law, any small wireless facility collocated on an existing structure or any installation, modification, or replacement of a utility pole shall be done in compliance with each and every provision of this article." He thinks they will argue the applicability of that. He will say that they will argue that this entire ordinance is in violation of every law that they have ever seen; that's what they do every time.

Mr. Markenson said they have lots of lawyers as well as lobbyists.

Mr. Corcoran said that when the city did its right-of-way code six months ago; this goes in the right-of-way code. This doesn't affect the zoning code because we can't have zoning reviewer approval, There is a catch-all where it does say "zoning authority retained" which would be our fallback if it goes over height requirements from state law and our ordinance, or is in a R1 residential district. That's when you, your authority, would step in. He seriously doubts we will do special use permits for those; just do the timelines. We might be back with you in four to five months to do some more code changes to the actual zoning ordinance. He doesn't know how often they're going to be going to R1 to start off with. R1 is typically not dense enough and they don't want to deal with the headaches. The thing he's learned over the past three years is that the carriers want to get this through as quickly as they can, with as minimal pushback as they can, for as cheap as they can. The main operative section is what he believes to be the most important is the last one, section 5 Fast-Track Small Wireless Facility Deployment. That is the city encouraging these two examples. If you do something like these two, the city will approve it on an expedited 20 day timeline instead of a 45 or 60 day. We'll charge you less because there's no associated ground equipment so they're taking up less space on the right-of-way; there is less stuff for us to review. The rate for co-location goes down because they are using less of public property because there is no associated ground equipment. The kind of general requirements to that are:

- (1) Only one small wireless facility shall be permitted per structure in the rights-of-way;
- (2) The small wireless antenna and associated pole equipment shall be of the same or similar color as the pole on which it is to be attached;
- (3) All wires and cables associated with the small wireless facility shall be installed on the interior of the pole; and
- (4) No associated ground equipment shall be authorized; and
- (5) No small wireless facility shall be located in a manner which obstructs or causes a safety concern for vehicle or pedestrian traffic; and
- (6) If the proposed structure the applicant proposes to locate its small wireless facility is not structurally sound, but the director finds such to be a desired location, the director of public works can require the applicant to install a new substantially similar structure at its cost.

Mr. Corcoran believes there will a significant amount of replacements. The banners that the city has put up on poles, even those sometimes fail wind engineering. If a laminated piece of fabric makes the engineering unsound for poles, he assumes a six cubic foot antenna and an 8 cubic foot piece of pole equipment will also make it structurally unsound.

Mr. Corcoran asked for questions. He shared that it is a lot to process. He's had two years to process it. The Commissioners have had 50 minutes. He asked what they think of the ordinance. It isn't the typical zoning thing where a recommendation from the Commission is required. The Council would like to know their thoughts or potential recommendation on anything. They are looking at approval for the first meeting in March. There is a pending application where someone has reached out to the city inquiring on what city codes are regarding this and they didn't tell us where it is but they did send us their construction drawings and it would meet Fast-Track Small Cell Wireless. We don't know who it is. It's coming from a wireless infrastructure provider which is less favorable. We would actually like it if there were less of those people applying to the city because when they put an antenna up, the antenna cannot be used for two years. It is essentially an ugly thing in the right-of-way that provides no benefit. Under our ordinance we do require that it provides service within a year or they have to take it down.

Mr. Cookson appreciates the cleverness with which we are approaching it given the limitations.

Mr. Corcoran said that the example he has given other Boards, Commissions and City Councils is that typically cities regulate with a stick. You do something we don't like and we hit you with a stick so you stop doing it whether it's a fine or just saying no. Now we have to regulate with a carrot. We have to say you can do it cheaper and faster if you do it in a way that we at least kind of like.

Mr. Markenson asked for clarification that the new state law take affect this coming January.

Mr. Corcoran stated that is took affect January 1<sup>st</sup> but the city didn't have any pending applications so state law says that everybody had to adopt ordinances either two months after August 28<sup>th</sup>, or two months after a provider came in and requested. The interesting thing about that statute that said we had to do it within two months of August 28<sup>th</sup> was that statute itself didn't become effective until January 1<sup>st</sup>. As soon as we got any interest, which came in about two weeks ago, we immediately jumped up our timeline to try to get this done. The FCC order went effective January 14<sup>th</sup>. He expects more things to come from the FCC. The current chairman of the FCC is an ex-attorney for AT&T and lobbyist for the telecommunications industry as a whole. He won't be seeing things from the city's side. FCC 18-133 brought up an unpublished ruling by the FCC from twenty years ago and used that as the basis for the entirety of the order.

Mr. Corcoran asked if there was a recommendation from the Commission.

Mr. Markenson said they are all sort of nodding. To really do that, they would have to read the whole thing very carefully and they just received it tonight. He didn't think that anyone really . . .

Mr. Corcoran said he thought that what the Council wanted; that the approach and what they are doing and how we are going to do it was acceptable to the Commission. Unfortunately, the typical authority that the Commission has over wireless infrastructure deployment has essentially been cut due to HB-1991. Previous to this, all of these would have required a special use permits under city code. We would have been having special use permit hearings, five of them every month for the next five years.

**10. Adjournment.** Mr. Markenson motioned to adjourn; Mr. Cookson seconded.

**Chair McGee adjourned the meeting at 6:55pm.**

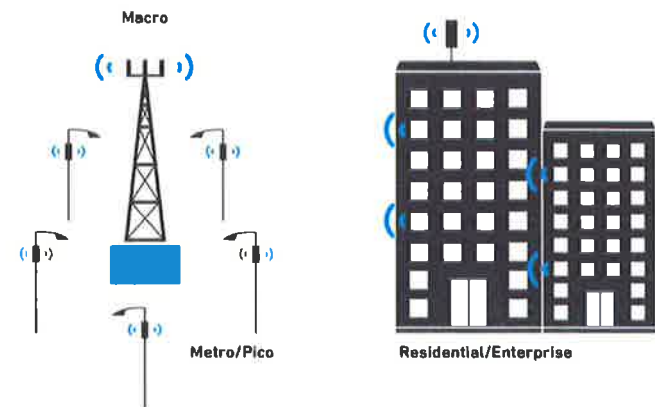
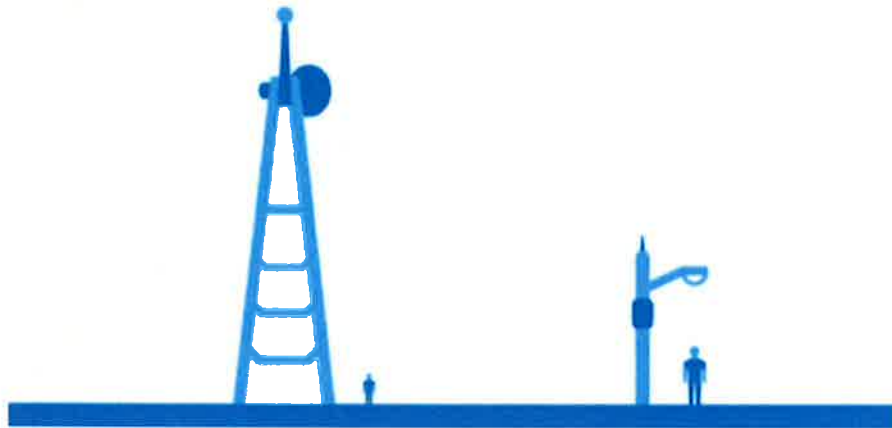
# **Telecommunications**

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# Small Cell Wireless – Generally

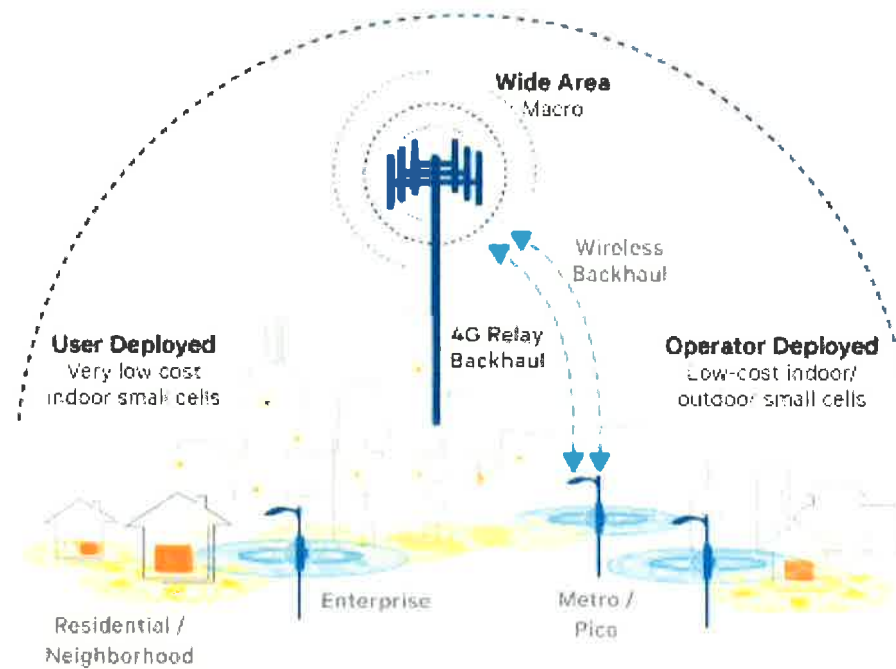


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# Deployment Overview



## Why so many?

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### 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**

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# Summary of Wireless Laws

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- 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
- Three 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

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- 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**

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- “[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**

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- “\$500 for non-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**

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- “\$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

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- 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

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- “...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

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- “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**

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- 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**

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- 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**

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- 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.

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