

CITY COUNCIL MEETING MONDAY MARCH 25,  
2019

CITY COUNCIL REGULAR AGENDA BEGINS ON  
PAGE 4



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

**AGENDA**

**TIME: 7:15 pm**

- 1. Planning Sustainable Places (PSP) North Oak Complete Streets Grant-** Chris Cline of Confluence will explain the background to this recently awarded Planning grant and the vision it will provide for North Oak Trafficway moving forward.



***Department of Community Development***  
***Memorandum ASG 19-2***

**DATE:** March 19, 2019

**TO:** Scott Wingerson, City Manager

**FROM:** Austin Greer, Assistant To The City Manager/Planning Administrator

**SUBJECT:** Planning Sustainable Places (PSP) North Oak Complete Streets Grant

**Description:** The City of Gladstone, in partnership with Kansas City, Missouri (KCMO) and the Mid-America Regional Council (MARC), was awarded \$102,200.00 in federal Planning Sustainable Places (PSP) grant funding for completion of a North Oak Complete Streets Study. This study will seek to establish a common vision and provide accommodations for all North Oak Trafficway users from NE Indianola Drive to NE Barry Road. The project will include a detailed review of past corridor plans, high-quality bicycle and pedestrian amenities, integration of high-capacity transit, the feasibility of a road diet, and extensive citizen engagement. Confluence was selected to perform the work through a qualifications-based selection process administered by MARC. The total cost of the study is \$159,700 and the City's local match is \$25,000. Gladstone is the lead agency on the project.

**Background:** The North Oak Complete Streets plan will assess the feasibility and implementation of high-quality on-street bikeway facilities (such as protected bike lanes or a two-way protected cycle track), improved pedestrian connections, accommodations, and crossings, and integration of high-capacity transit corridor accommodations. The project will also build upon previous streetscape planning efforts conducted along the corridor (North Oak Corridor Streetscape Master Plan, 2011 within Kansas City, Missouri) and will tie into capital improvements planned south of NE Indianola Drive. Through the city's comprehensive update to Bike KC, North Oak has been identified as the key north/south corridor in the city's bikeway system north of the Missouri River. This corridor leads directly to Burlington Avenue in North Kansas City where a high-quality two-way "cycle track" is planned and to the Heart of America Bridge spanning the Missouri River which has dedicated bike/pedestrian facilities. The KCATA has also identified North Oak as a key corridor for enhanced transit in the Northland. This study will be complex due to its commercial nature, multiple access driveways, constrained right-of-way, and high motor vehicle volumes. However, as it is one of the most direct, connected, and commercially vibrant corridors in the Northland it is a critical multimodal route. This study will seek to provide accommodations for all road users and bring a cohesive vision for North Oak in multiple communities.



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

**CLOSED SESSION**

The City Council will meet in Closed Executive Session at 7:00 pm Monday, March 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, and 610.021(9) Employee Groups.

**OPEN STUDY SESSION 7:15 PM**

1. **Planning Sustainable Places (PSP) North Oak Complete Streets Grant**-Chris Cline of Confluence will explain the background to this recently awarded planning grant and the vision it will provide for North Oak Trafficway moving forward.

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

**7. LEADERSHIP ACADEMY GRADUATES**

**8. PROCLAMATION: GLADSTONE ANIMAL CONTROL OFFICER APPRECIATION WEEK**

**9. PROCLAMATION: NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK**

**10. PROCLAMATION: ARBOR DAY**

**11. CONSENT AGENDA**

**RESOLUTION R-19-14** A Resolution declaring certain city property surplus and authorizing the donation of surplus items to the Midwest Recycling Center.

**APPROVE OUTDOOR SPECIAL EVENTS:**

Gladstone Summertime Blues Fest, 7600 N. Troost Avenue, Oak Grove Park, Friday, June 7, 5:00 pm – 11:00 pm; Saturday, June 8, 3:00 pm – 11:00 pm, 2019.

Kid's Fest, 602 NE 70<sup>th</sup> Street, Linden Square, Saturday, July 27, 2019, 9:00 am – 1:00 pm.

Mayor's Christmas Tree Lighting, 602 NE 70<sup>th</sup> Street, Linden Square, Tuesday, November 26, 2019, 6:00 pm – 9:00 pm.

**APPROVE FINANCIAL REPORT FOR MONTH END FEBRUARY 2019**

**REGULAR AGENDA**

**12. Communications from the Audience.**

**13. Communications from the City Council.**

**14. Communications from the City Manager.**

**15. RESOLUTION R-19-15** A Resolution encouraging the residents of Gladstone to become informed on the proposed one-half percent sales tax and to vote on April 2, 2019.

- 16. RESOLUTION R-19-16** A Resolution authorizing the City Manager to enter into a proposed Lease Agreement with Piece 18 LLC (Stone Canyon Pizza) to operate a restaurant at 504 Northeast 70<sup>th</sup> Street, Suite A, Gladstone, Missouri, 64118.
- 17. FIRST READING BILL NO. 19-13** An Ordinance authorizing the City Manager to execute an Agreement between the City of Gladstone, Missouri, and the Mid-America Regional Council (MARC) to participate in and fund the North Oak Complete Streets Project as part of the Planning Sustainable Places (PSP) Program; City Project #TP1910.
- 18. FIRST READING BILL NO. 19-14** An Ordinance repealing Ordinance 4.398 pertaining to the Missouri Clean Energy District and Property Assessed Clean Energy Program.
- 19. FIRST READING BILL NO. 19-15** An Ordinance authorizing the City of Gladstone, Missouri, to issue its Taxable Industrial Development Revenue Bonds (Royal Park Apartment Homes Project), Series 2019, in a principal amount not to exceed \$4,070,000.00 to finance the costs of a project for STKC Properties LLC, a Missouri Limited Liability Company, consisting of the construction and equipping of improvements to commercial facilities; approving a plan for an Industrial Development Project for the Company; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds.
- 20. Other Business.**
- 21. 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 12:00 pm March 21, 2019
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**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, MARCH 11, 2019**

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

City Manager Scott Wingerson  
Assistant City Manager Bob Baer  
Deputy City Clerk Becky Jarrett  
Attorney Padraic Corcoran

**ABSENT:** City Clerk Ruth Bocchino

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

**Mayor Garnos** opened the Regular City Council Meeting Monday, March 11, 2019, at 7:49 pm in the Gladstone City Council Chambers.

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

All Councilmembers were present.

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

**Mayor Garnos** asked all to join in the Pledge of Allegiance to the Flag of the United States of America and thanked American Legion Post 626: Commander Douglas Millison, Jerry Braton, Bill Thompson, and David Bowman for posting the Colors.

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

Item No. 11a was added to the Regular Agenda, Resolution R-19-12.

**Item No. 5. On the Agenda.** Approval of the February 25, 2019, Closed City Council Meeting Minutes.

**Councilman Mallams** moved to approve the minutes of the February 25, 2019, Closed City Council meeting as presented. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Item No. 6. On the Agenda.** Approval of the February 25, 2019, Regular City Council Meeting Minutes.

**Mayor Pro Tem Suter** moved to approve the minutes of the February 25, 2019, Regular City Council meeting as presented. **Councilman Yarber** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Item No. 7. On the Agenda.** American Legion Centennial Day.

**Mayor Garnos** read the Proclamation and presented to the American Legion Post 626.

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

Following the Clerk’s reading:

**Councilmember Mallams** moved to approve the Consent Agenda as published. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Councilmember Mallams** moved to approve the Outdoor Special Events:

C3 Kansas City Church Easter Egg Hunt, 7600 N. Troost Avenue, Oak Grove Park, Saturday, April 13, 2019; 11:00 am to 1:00 pm.

Spring Beautification Event, 7512 NE Antioch Road, Happy Rock Park West, Friday, April 26 through Sunday, April 28, 2019; 8:00 am to 5:00 pm daily.

Spring Brush drop off, 4000 NE 76<sup>th</sup> Street, Public Works Facility, Friday, May 3 through Sunday, May 5, 2019; 8:00 am to 5:00 pm daily.

Household Hazardous Waste Event, 7512 NE Antioch Road, Happy Rock Park West, Saturday, May 11, 2019; 8:00 am to 12:00 pm.

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



**Councilmember Mallams** moved to **APPROVE BUILDING PERMIT**: Wash House, 6309 NE Antioch Road, Gladstone, Missouri, 64119, addition to the front of the building.

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

## **REGULAR AGENDA.**

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

There were no communications from the audience.

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

**Councilman Yarber** stated: *“I attended quite a few events. I won’t talk about all of them but one; I’d like congratulate you, Mayor, for the speech you gave at the State of the Cities event recently. Also, to congratulate you for successfully helping the groundbreaking last Friday for the Shoal Creek Trail extension. You did a very good job, you didn’t slip on the shovel or anything so we were glad to see that happen.”*

**Councilman Mallams** stated: *“Thank you, Mayor. Last week I attended the Arts Commission meeting and during this meeting we discussed and came to an agreement for the permanent art projects that would be constructed on the East side of Happy Rock Park. The artist is Jim Gallucci, and the basic design of the project is a gateway, and it is entitled Double Flutter. It will serve as a gateway into the park and at an upcoming City Council meeting a presentation will be made to the Council explaining the significance of the projects, and visually you will be able to view the proposed art. Thank you, Mayor.”*

**Mayor Pro Tem Suter** stated: *“I’ve been out of town so I was so sorry to miss some of the openings and ribbon cuttings and stuff that happened last week. I’m just getting caught up today. I did want to comment, I had to drive by Hobby Hill Park today and the playground was crawling with people and the parking lot was full. It’s really gratifying to see that we have been able to meet what clearly was a need in that part of our community for outdoor recreation.”*

**Mayor Garnos** stated: *“It’s been a busy couple of weeks. I had the privilege of attending the Mayor’s Prayer Breakfast downtown which is always one of my favorite events. The State of the Cities address at the Clay County Economic Development Council luncheon was fun. It’s always fun to be able to brag about Gladstone in front of all the other Northland cities. We have been busy. We have had two ribbon cuttings and an open house in the last week in Gladstone. As Councilman Yarber mentioned, I had the privilege of attending the groundbreaking ceremony for the Shoal Creek Parkway Trail extension which will be running from Happy Rock Park over to North Brighton. We had a nice cold groundbreaking last Friday and we had a lot of members of the Kansas City City Council here and their Parks Board. It was a nice event.”*

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

City Manager Wingerson stated: *"Thank you, Mayor. Two quick things: City Crews and private contractors have been working overtime filling pot-holes on arterials and fixing the worst of the worst; in fact we made the TV news last week about that; about doing a good job and being on top of it. Thank you to Public Works and the private contractors. We will keep going back and filling pot-holes until we don't anymore. It's going to take a little bit of time. Second thing of three, is the "Frequently asked Questions" brochure is on the front page of our Gladstone website, Gladstone.mo.us, it talks about the April 2 election. It's very factual and objective. It gives people a resource to answer any questions they may have about that. Finally, part of the Legion contingent was Dave Olson. I was hoping he would be introduced and stick around for a few minutes to see you work. Dave Olson was the Gladstone City Manager in the 1970's and did a great job and went on to be famous as the City of Kansas City, Missouri, City Manager, and in 1988 was the City Manager of the Year in the State of Missouri. We had fame with us and we didn't get a chance to celebrate it but hopefully he will watch this on-line and know we talked about him."*

**Item No. 11a. On the Agenda.** **RESOLUTION R-19-12** A Resolution amending or revising the 2019 General Fund, Community Center Parks Sales Tax Fund, Public Safety Sales Tax Fund, Capital Improvement Sales Tax Fund, Transportation Improvement Sales Tax Fund, Capital Equipment Replacement Fund, and Combined Water and Sewage System Fund, for the City of Gladstone, Missouri, and authorizing expenditures of funds.

**Councilmember Moore** moved to approve **RESOLUTION R-19-12** A Resolution amending or revising the 2019 General Fund, Community Center Parks Sales Tax Fund, Public Safety Sales Tax Fund, Capital Improvement Sales Tax Fund, Transportation Improvement Sales Tax Fund, Capital Equipment Replacement Fund, and Combined Water and Sewage System Fund, for the City of Gladstone, Missouri, and authorizing expenditures of funds. **Mayor Pro Tem Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

**Item No. 12. On the Agenda.** **RESOLUTION R-19-13** A Resolution authorizing the City Manager to execute a contract with Genesis Environmental Solutions, Incorporated in the total amount not to exceed \$31,842.00 for the painting of the outdoor swimming pool; Project OP1957.

**Councilman Mallams** moved to approve **RESOLUTION R-19-13** A Resolution authorizing the City Manager to execute a contract with Genesis Environmental Solutions, Incorporated in the total amount not to exceed \$31,842.00 for the painting of the outdoor swimming pool; Project OP1957. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

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

Rhianda Randolph, 3011 NE Walnut Road, Kansas City, Missouri, approached Council and stated: *"Excuse me, Mayor, (unintelligible remarks)...so this year our Gladfest parade was cancelled due to inclement weather...I wanted to ask where those funds go to for next year, ..."*

**Mayor Garnos** stated: *"Please, we have to get your name and address for the record for our minutes also, so come on up to the podium if you like. And your question again was..."*

Ms. Randolph stated: *"I was wondering, since the...(Ms. Randolph was asked to use the mic). My name is Rhianda Randolph. Hello Mr. Mayor. I was just wondering since the parade was cancelled this year due to weather constraints, where does that money go to for next year? Does it go to next year or where does that money go to?"*

**Mayor Garnos** stated: *"Good question. Mr. City Manager?"*

City Manager Wingerson stated: *"It goes to the Chamber of Commerce Scholarship Fund."*

**Mayor Garnos** stated: *"So the money for the entrance fees for the parade and things that went to the Chamber would have gone to their Scholarship Fund?"*

City Manager Wingerson stated: *"Yes, sir."*

Ms. Randolph stated: *"My daughter is in Girl Scouts, so I was just wondering, Mr. Mayor, and so it's my first time here so I just wanted to know where the money goes to that we..."*

**Mayor Pro Tem Suter** stated: *"All of the booth rentals and all of that, when the people sign their contracts and agreements to be in, it's all a non-refundable deposit so everybody knows if something happens and the weather doesn't work, that they don't get their money back. So the money goes to the Chamber and then for the Scholarship Fund and for their expenses because, you know, preparing for it costs money even if it doesn't happen."*

Ms. Randolph stated: *"Absolutely, thank you for your time."*

**Mayor Pro Tem Suter** stated: *"I think that was the first time it's ever been cancelled. I think the first time in the history of the parade."*

Ms. Randolph stated: *"I just wanted to bring that up because I thought it would be a good thing to talk about since it got cancelled."*

**Mayor Garnos** stated: *"There was a lot of disappointment that day. Thank you."*

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

**Mayor Garnos** adjourned the March 11, 2019, Regular City Council meeting at 8:10 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

## **List of Leadership Academy Graduates**

Emily Bennett

Jerry Braton

Todd Comer

Catherine Corcoran

Nelson Duncan

Luz Duran

Robert Franke

Emily Lenhausen

Helen Murch

Claire Puckett

Ashlyn Stone

Ronald Wages

Jordan Williams

Sharon Wilson

## **PROCLAMATION OF THE MAYOR**

**WHEREAS**, the National Animal Control Association has designated the second week of April each year as **ANIMAL CONTROL OFFICER APPRECIATION WEEK**; and

**WHEREAS**, the various Federal, State, and Local Government Officials throughout the Country take this time to recognize, thank, and commend all **ANIMAL CONTROL OFFICERS** for the dedicated service they provide to the citizens; and

**WHEREAS**, the City of Gladstone, Missouri, would like to express its sincere thanks and appreciation for the outstanding service the **GLADSTONE ANIMAL CONTROL OFFICERS** in the **PUBLIC SAFETY DEPARTMENT** provide on a daily basis to the citizens of the City; and

**WHEREAS**, the Gladstone City Council recognizes and commends the **GLADSTONE ANIMAL CONTROL OFFICERS** for the many dedicated and long hours of service they perform in serving this community, and for fulfilling the **GLADSTONE ANIMAL CONTROL UNIT'S** commitment to providing the highest and most efficient level of customer service.

**NOW, THEREFORE, I, BILL GARNOS**, Mayor of the City of Gladstone, Missouri, on behalf of the members of the Gladstone City Council, and the citizens of the City of Gladstone, do hereby officially recognize the week of April 14th-April 20th, 2019, as

### **GLADSTONE ANIMAL CONTROL OFFICER APPRECIATION WEEK**

in the City of Gladstone, Missouri, and encourage all citizens to express their sincere appreciation of the service and dedication of our Animal Control Officers.

## **PROCLAMATION**

**WHEREAS**, professional telecommunicators perform a critical function when an emergency occurs requiring police, fire, or emergency medical services; and

**WHEREAS**, thousands of dedicated telecommunicators daily serve the citizens of the United States by answering their calls for police, fire and emergency medical services and by dispatching the appropriate assistance as quickly as possible; and

**WHEREAS**, professional telecommunicators are critical to our city's emergency response and homeland security services, dispatching law enforcement, firefighters, emergency medical services, and other emergency responders 24 hours a day, seven days a week; and

**WHEREAS**, professional telecommunicators are not visible as the men and women who arrive on the scene of emergencies, but provide the vital link to public safety services as part of the first responder team.

**THEREFORE**, I Bill Garnos, Mayor of the City of Gladstone Missouri, on behalf of the members of the Gladstone City Council and all Gladstone residents, do hereby proclaim the week of April 14– 20, 2019, as:

### **NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK**

in Gladstone, Missouri, in honor and recognition of our Telecommunicators and the vital contributions they make to the safety and well-being of our citizens.

Signed this 25th Day of March 2019

# **PROCLAMATION**

**WHEREAS**, in 1872, J. Sterling Morton first proposed that a special commemorative day be officially established for the planting of trees and in 1970, the United States Congress set aside a special day to acknowledge mankind's responsibility to the natural environment; and

**WHEREAS**, these holidays, now designated as Arbor Day and Earth Day, are observed nationally on an annual basis during the month of April; and

**WHEREAS**, trees and the natural environment serve to assist in the moderation of temperature, help provide the clean air we breathe, produce oxygen and habitat for wildlife, and provide a source of joy, beauty, and spiritual renewal for the community; and

**WHEREAS**, trees and proper care for our Gladstone environment serve to increase property values, enhance the vitality of business areas, and serve to beautify our surroundings.

**NOW, THEREFORE, I, Bill Garnos**, Mayor of the City of Gladstone, Missouri, on behalf of the members of the Gladstone City Council, encourage our citizens to support efforts that focus upon environmental betterment and the planting of trees and proclaim Friday, April 5th, 2019 as:

## **ARBOR DAY**

in Gladstone, Missouri and urge all citizens to participate in recognition of this observance.

Signed this 25th Day of March 2019



**RESOLUTION NO. R-19-14**

**A RESOLUTION DECLARING CERTAIN CITY PROPERTY SURPLUS AND AUTHORIZING THE DONATION OF SURPLUS ITEMS TO THE MIDWEST RECYCLING CENTER.**

**WHEREAS**, the items set forth in the attachment, Exhibit "A" are no longer necessary for any municipal public purpose of the City; and

**WHEREAS**, the items set forth in Exhibit "A" are obsolete technology that would be more costly to properly dispose of than their present value, and therefore, should be donated to the Midwest Recycling Center, which is able to salvage and otherwise properly dispose of such obsolete technology.

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

**THAT**, the items set forth in Exhibit "A" are hereby declared as surplus property of the City of Gladstone; and

**FURTHER, THAT**, the City Manager of the City of Gladstone is hereby authorized to donate the items set forth in Exhibit "A" to Midwest Recycling Center.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 25TH DAY OF MARCH 2019.**

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Mayor Bill Garnos

**ATTEST:**

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Ruth E. Bocchino, City Clerk



## *Request for Council Action*

RES ☒ # R-19-14

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/20/2019

Department: Finance

Meeting Date Requested: 3/25/2018

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

Subject: Surplus IT Equipment

Background: IT equipment is utilized by staff every day to assist in providing city services. Over time, the equipment comes to the end of its useful life or it is not economical to pay for repair. Certain IT equipment (mostly monitors and PC's) should be disposed of properly.

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

Public/Board/Staff Input: Staff has diligently looked for the best way to surplus IT equipment that has come to the end of its useful life. Staff is recommending disposing equipment (see Exhibit A for list of equipment to be disposed) by donating the equipment to Midwest Recycling Center, where the equipment will be recycled and disposed of.

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

Dominic Accurso  
Department Director/Administrator

PC  
City Attorney

SW  
City Manager

# Exhibit "A"

Surplus Item	IT Asset	Serial Num	Purchased
DC5800 MT pc	C.268	2UA8140QNM	04/01/08
DC5800 MT pc	C.274	2UA8140QNN	04/01/08
DC5800 MT pc	C.265	2UA8140QNG	04/01/08
DC5800 MT pc	C.293	MXL90707XW	02/23/09
HP 6005 pro pc	C.324	2UA0160WPY	06/08/10
HP 6005 pro pc	C.309	2UA0160WQ2	06/08/10
HP 6005 pro pc	C.316	2UA0160WQP	06/08/10
HP 6005 pro pc	C.322	2UA0160WQ3	06/08/10
HP 6005 pro pc	C.310	2UA0160WPT	06/08/10
HP 6005 pro pc	C.317	2UA0160WQC	06/08/10
HP 6005 pro pc	C.314	2UA0160WQN	06/08/10
HP 6005 pro pc	C.325	MXL1200T9Z	06/16/11
HP 6005 pro pc	C.328	MXL1200TC3	07/15/11
HP 6200 pro pc	C.335	MXL2120M83	04/04/12
HP 6200 pro pc	C.339	MXL2120MBC	04/04/12
HP 6200 pro pc	C.346	MXL2120LWX	04/24/12
HP 6200 pro pc	C.343	MXL2120M8S	04/24/12
HP 6200 pro pc	C.340	MXL2120MBM	04/24/12
HP 6200 pro pc	C.334	MXL2120LX0	04/24/12
HP 6305 pro pc	C.404	2UA4221RKT	06/27/14
HP L1910 monitor	M.314	CNC818P9TG	06/18/08
HP L1910 monitor	M.318	CNC818P9P6	06/18/08
Asus 24 vw246h monitor	M.356	A3LMQ5088941	05/19/10
Lexmark Wheelwriter 1500 IBM	na	na	na
Pitney Bowes 1250 Mail Opener	na	na	na

# 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: MARCH 12, 2019**  
**PERMIT NO.: BP-19-00186**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: GLADSTONE SUMMERTIME BLUESFEST**  
**LOCATION OF EVENT: 7600 N. TROOST AVENUE**  
**OAK GROVE PARK**  
**DATE OF EVENT: FRIDAY, JUNE 7, 2019**  
**SATURDAY, JUNE 8, 2019**  
**TIME OF EVENT: FRIDAY, 5:00PM – 11:00PM**  
**SATURDAY, 3:00PM – 11:00PM**  
**EST. ATTENDANCE: 15,000**

## 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 Gladstone Area Chamber of Commerce is respectfully requesting the above temporary variance be approved for the 23<sup>rd</sup> annual Gladstone Summertime Bluesfest. City staff has reviewed the application and find that the requested variance are appropriate for this venue.

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: 3/12/2019

Department: Community Development

Meeting Date Requested: 3/25/2019

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

Subject: Outdoor Special Event Permit

Background: Gladstone Area Chamber of Commercial will host their 23<sup>rd</sup> annual Gladstone Summertime Bluesfest. The event will take place at Oak Grove Park on Friday, June 7, 2019 from 5:00pm – 11:00pm and Saturday, June 8, 2019 from 3:00pm – 11:00pm, with an estimated attendance of 15,000. There will be international, national, regional, and local blues musicians performing.

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

Oak Grove Park  
Amphitheatre

Requested  
Smoking  
Permitted Area

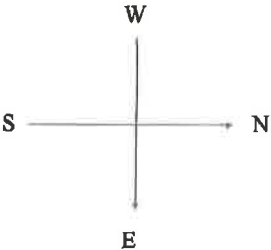
Park Shelter  
(Bluesfest VIP Area)

Food &  
Beverage  
Sales

POND

Bluesfest Seating

Requested  
Smoking  
Permitted  
Area



Oak Grove Park  
Amphitheatre

Alcohol Consumption Area  
Inside Fencing

Requested  
Smoking  
Permitted Area

Park Shelter  
(Bluesfest VIP Area)

POND

Bluesfest Seating

Food &  
Beverage  
Sales

Requested  
Smoking  
Permitted  
Area

Alcohol Consumption Area  
Inside Fencing

Snow Fencing

Snow Fencing  
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# 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: MARCH 7, 2019**  
**PERMIT NO.: BP-19-00166**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: KID'S FEST**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: SATURDAY, JULY 27, 2019**  
**TIME OF EVENT: 9:00AM – 1:00PM**  
**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 \_\_\_\_\_
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** Parks, Recreation, and Cultural Arts Department will be holding their annual Kid's Fest. This will be a family funfest for children of all ages. There will be games, 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: 3/7/2019

Department: Community Development

Meeting Date Requested: 3/25/2019

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

Subject: Outdoor Special Event Permit

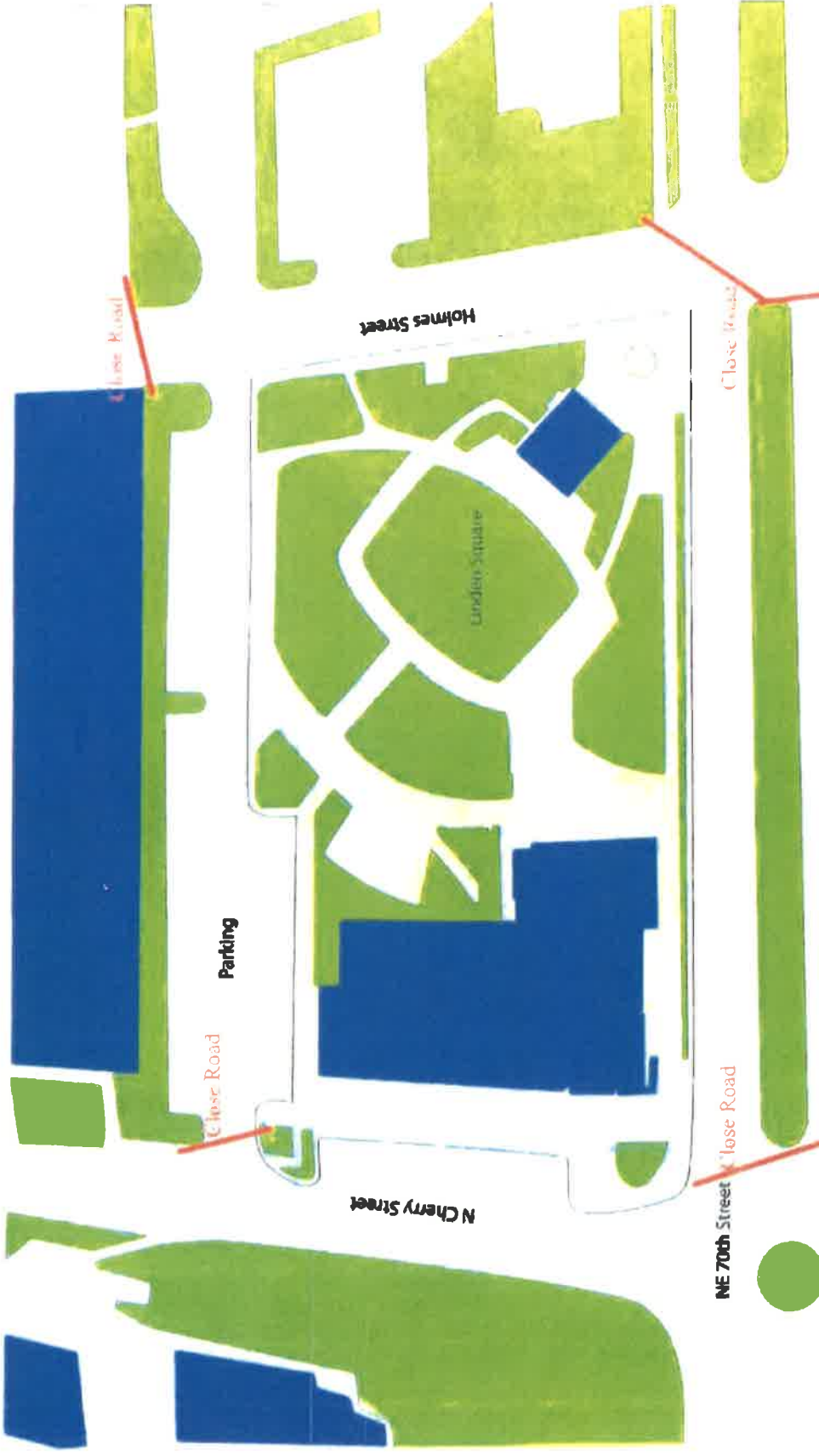
Background: Parks, Recreation, and Cultural Arts Department will be having their annual Kid's Fest. The event will take place at Linde Square on Saturday, July 27, 2019 from 9:00am – 1:00pm, with an estimated attendance of 400+.

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



# Linden Square Festival Map



# 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: MARCH 7, 2019**  
**PERMIT NO.: BP-19-00165**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: MAYOR'S CHRISTMAS TREE LIGHTING**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: TUESDAY, NOVEMBER 26, 2019**  
**TIME OF EVENT: 6:00PM – 9:00PM**  
**EST. ATTENDANCE: 1,000**

## 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 Department will be hosting the annual Mayor's Christmas Tree Lighting Ceremony. There will be a speech from the City's illustrious Mayor. There will be a variety of activities leading up to the lighting of the Christmas tree and Downtown Gladstone.

NE 70<sup>th</sup> Street will be closed both directions adjacent to Linden Square, as will the entrances to City Hall and Oak Hill Day School on NE 70<sup>th</sup> Street. In addition, a portion of the parking lot on the north side of Linden Square will be closed off.

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: 3/7/2019

Department: Community Development

Meeting Date Requested: 3/25/2019

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

Subject: Outdoor Special Event Permit

Background: Parks, Recreation, and Cultural Arts Department will be hosting the Annual Mayor's Christmas Tree Lighting Ceremony. The event will take place at Linden Square on Tuesday, November 26, 2019 from 6:00pm – 9:00pm, with an estimated attendance of 1,000.

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 Eight Months Ended  
February 28, 2019

## GENERAL FUND

Revenue Source	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
Property Tax	\$ 3,412,774	\$ 3,412,629	\$ 145	0%	96%	\$ 3,551,050
Sales Tax	2,586,777	2,575,333	11,444	0%	64%	4,025,000
Gross Receipts Tax	2,354,057	2,541,028	(186,971)	-7%	66%	3,587,000
Licenses & Permits	502,853	536,506	(33,653)	-6%	74%	682,550
Intergovernmental	1,010,663	906,606	104,057	11%	74%	1,371,500
Charges for Services	2,524,416	2,370,321	154,095	7%	64%	3,918,609
Fines & Forfeitures	434,595	535,803	(101,208)	-19%	58%	754,500
Operating Revenues	12,826,135	12,878,226	(52,091)	0%	72%	17,890,209
Misc. Revenue	646,236	699,382	(53,146)	-8%	64%	1,003,512
Equity Transfer	100,000	2,004,809	(1,904,809)	-95%	100%	100,000
Total Revenues	\$ 13,572,371	\$ 15,582,417	\$ (2,010,046)	-13%	71%	\$ 18,993,721

Total revenues for the General Fund through eight months or 67% of this fiscal year are \$13,572,371 compared to total budgeted revenues for the year of \$18,993,721. Operating revenues for the General Fund are \$12,826,135 while last year at this time operating revenues were \$12,878,226 resulting in a \$52,091 decrease from 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 \$11,444. Gross receipts taxes are down 7% or \$186,971 from last year, mainly due to decreasing telecom and wireless gross receipts. License and Permits revenues are down 6% or \$33,653 from the same time as last year due to less new construction activity. Intergovernmental is up 11% or \$104,057, largely due to state gasoline taxes. Charges for Services are up 7% or \$154,095 compared to the previous year due to senior activities. Fines and Forfeitures are down 19% or \$101,208 from the same time last year due to the effects of state legislation and fewer citations issued. Miscellaneous Revenue is down 8% due mainly to fewer transfers into the General Fund from other funds and insurance settlements. Equity transfer is down due to prior year re-appropriations of \$2,004,809.

Expenditure Function	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
General Administration	\$ 809,380	\$ 797,881	\$ 11,499	1%	58%	\$ 1,387,103
Finance	1,065,246	984,128	81,118	8%	68%	1,568,783
Public Safety	5,585,240	5,364,082	221,158	4%	66%	8,429,853
Public Works	1,550,250	1,551,950	(1,700)	0%	64%	2,437,663
Community Development	492,941	518,596	(25,655)	-5%	60%	816,603
Parks & Recreation	2,022,439	1,818,493	203,946	11%	82%	2,470,846
Non-Departmental	624,098	735,389	(111,291)	-15%	70%	890,976
Transfers/Debt	277,643	304,053	(26,410)	-9%	70%	395,015
Total Expenditures	\$ 12,427,237	\$ 12,074,572	\$ 352,665	3%	68%	\$ 18,396,842

Expenditures through eight months or 67% of this fiscal year amounted to \$12,427,237 or 68% of FY19 budgeted expenditures of \$18,396,842. This indicates that actual expenditures are 3% or \$352,665 more than last year's expenditures of \$12,074,572. General Administration expenditures are comparable to last year, up 1%. Finance expenditures are up 8% due to changes in personnel and refund to Medicare. Public Safety expenditures are up \$221,158 or 4% due to increased personnel costs. Public Works expenditures are comparable to the prior year. Community Development expenditures are down 5% due to personnel changes. Parks & Recreation expenditures are up 11% or \$203,946 from the same time last year due mainly to increases in Senior Activities. Non-Departmental is down 15% or \$111,291 due to decreased insurance costs, and downtown development expense classifications. Current revenues are greater than expenditures in the amount of \$1,145,134.

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

Revenue Source	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
Sanitation	\$ 4,316,227	\$ 4,116,936	\$ 199,291	5%	66%	\$ 6,542,500
Water	2,947,870	2,833,428	114,442	4%	68%	4,328,931
Operating Revenues	7,264,097	6,950,364	313,733	5%	67%	10,871,431
Misc Revenue	86,814	164,416	(77,602)	-47%	71%	122,000
Equity Transfer	-	64,126	(64,126)	-100%	0%	-
Total Revenues	<u>\$ 7,350,911</u>	<u>\$ 7,178,906</u>	<u>\$ 172,005</u>	<u>2%</u>	<u>67%</u>	<u>\$ 10,993,431</u>

Total budgeted revenues for the fiscal year are \$10,993,431. Total revenues through eight months or 67% of this fiscal year, amounted to \$7,350,911 or 67% of FY19 budgeted revenues. Operating revenues are up 5% or \$313,733 from last year due to rate increases in both water and sewer. Miscellaneous revenues are down \$77,602 due to KCP&L rebates received in the prior year.

Expenditure Function	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
Production	\$ 751,381	\$ 905,345	\$ (153,964)	-17%	57%	\$ 1,310,806
Operations & Maint	920,878	634,021	286,857	45%	47%	1,941,226
Sewer Collection	283,955	254,519	29,436	12%	55%	517,900
Non-Departmental	4,031,045	3,836,697	194,348	5%	63%	6,443,594
Debt Payments	431,503	436,226	(4,723)	-1%	41%	1,059,905
Total Expenses	<u>\$ 6,418,762</u>	<u>\$ 6,066,808</u>	<u>\$ 351,954</u>	<u>6%</u>	<u>57%</u>	<u>\$ 11,273,431</u>

Total budgeted expenses for the fiscal year are \$11,273,431. Total expenses through eight months or 67% of this fiscal year amounted to \$6,418,762 or 57% 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 45%, or \$286,857 from the previous year due to water main replacements and repairs. Sewer division expenditures are up 12% or \$29,436 due to personnel costs. 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 \$932,149.



### COMMUNITY CENTER AND PARKS TAX FUND

Revenue Source	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 555,501	\$ 552,732	\$ 2,769	1%	64%	\$ 874,000
Intergovernmental	700,000	700,000	-	0%	100%	700,000
Charges for Service	745,042	751,632	(6,590)	-1%	57%	1,304,825
Other Revenue	<u>165,817</u>	<u>137,084</u>	<u>28,733</u>	<u>21%</u>	<u>67%</u>	<u>249,000</u>
Operating Revenues	2,166,360	2,141,448	24,912	1%	69%	3,127,825
Misc Revenue	32,013	102,937	(70,924)	-69%	56%	56,700
Transfers	749,500	752,500	(3,000)	0%	100%	749,500
Equity Transfer	<u>292,015</u>	<u>186,265</u>	<u>105,750</u>	<u>57%</u>	<u>100%</u>	<u>292,015</u>
Total Revenues	<u>\$ 3,239,888</u>	<u>\$ 3,183,150</u>	<u>\$ 56,738</u>	<u>2%</u>	<u>77%</u>	<u>\$ 4,226,040</u>

Total budgeted revenues for the fiscal year are \$4,226,040. Total revenues through eight months or 67% of this fiscal year, amounted to \$3,239,888 or 77% of FY19 budgeted revenues. Operating revenues are up 1% or \$24,912 compared to FY18. Sales tax received is up 1% or \$2,769. Charges for Service are comparable to last year, down 1%. Other revenue is up 21% due to increased banquet room and pool/facility rental. Miscellaneous revenue is down 69% or \$70,924 due to insurance settlements in the prior year. Equity adjustment is up \$105,750.

Expenditure Function	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
Community Center	\$ 586,726	\$ 591,907	\$ (5,181)	-1%	68%	\$ 864,987
Natatorium	553,416	523,291	30,125	6%	63%	884,762
Outdoor Pool	98,027	94,765	3,262	3%	50%	195,152
Non-Departmental	111,815	105,203	6,612	6%	78%	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>\$ 2,448,521</u>	<u>\$ 2,388,407</u>	<u>\$ 60,114</u>	<u>3%</u>	<u>58%</u>	<u>\$ 4,226,040</u>

Total budgeted expenditures for the fiscal year are \$4,226,040. Total expenses through eight months or 67% of this fiscal year, amounted to \$2,448,521 or 58% of FY19 budgeted expenses. Community Center expenses have decreased 1% from the same time last year due to prior year equipment purchases and reduced utilities. The Natatorium expenses are up 6% or \$30,125 from the same time last year because of personnel costs and chemicals. Outdoor Pool expenses are up 3% due to personnel. Non-departmental is up 6% or \$6,612 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 \$791,367.

## PUBLIC SAFETY SALES TAX FUND

Revenue Source	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
Sales Tax	\$ 555,485	\$ 552,717	\$ 2,768	1%	64%	\$ 874,000
Misc Revenue	5,154	9,478	(4,324)	-46%	115%	4,500
Equity Transfer	71,686	-	71,686	0%	100%	71,686
Total Revenues	<u>\$ 632,325</u>	<u>\$ 562,195</u>	<u>\$ 70,130</u>	<u>12%</u>	<u>67%</u>	<u>\$ 950,186</u>

Total budgeted revenues for the fiscal year are \$950,186. Total revenues through eight months or 67% of this fiscal year amounted to \$632,325 or 67% of FY19 budgeted revenues. Sales tax on a cash basis is up 1%. Misc. revenue is down \$4,324 from the previous year due to the sale of assets.

Expenditure Function	February 2019	February 2018	\$ Change	% Change	% of Budget	FY19 Budget
PSST Law	\$ 322,950	\$ 403,117	\$ (80,167)	-20%	48%	\$ 667,283
Non-Departmental	30,214	23,293	6,921	30%	64%	46,968
Debt Payments	31,895	37,662	(5,767)	-15%	14%	235,935
Total Expenses	<u>\$ 385,059</u>	<u>\$ 464,072</u>	<u>\$ (79,013)</u>	<u>-17%</u>	<u>41%</u>	<u>\$ 950,186</u>

Total budgeted expenditures for the fiscal year are \$950,186. Total expenses through eight months or 67% of this fiscal year are \$385,059 or 41% of the FY19 budgeted expenses. Law division is down 20% due to personnel vacancies. Non-Departmental is up 30% 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 \$247,266.

Respectfully submitted,



Dominic Accurso  
Director of Finance

## **RESOLUTION NO. R-19-15**

### **A RESOLUTION ENCOURAGING THE RESIDENTS OF GLADSTONE TO BECOME INFORMED ON THE PROPOSED ONE-HALF PERCENT SALES TAX AND TO VOTE ON APRIL 2, 2019.**

**WHEREAS**, the Gladstone City Council deems Police, Fire, and Public Works to be important and essential services provided by local governments; and

**WHEREAS**, the Gladstone City Council recognizes the perception and delivery of Public Safety and general services, combined with a low unemployment rate in our region, has created a challenging and competitive hiring environment; and

**WHEREAS**, the Gladstone City Council further recognizes that some of the current Public Safety facilities are inadequate and not able to meet the needs of a modern Public Safety Department; and

**WHEREAS**, the citizen-based strategic planning effort, Shaping Our Future, has identified, prioritized, and outlined the critical comprehensive measures that need to be addressed by the City of Gladstone; and

**WHEREAS**, Shaping Our Future has recommended to the City Council that a proposed one-half percent sales tax be added as a ballot measure to the April 2, 2019, election to address these issues; and

**WHEREAS**, the Gladstone City Council asks residents to become informed on the proposed one-half percent sales tax by going to the City webpage ([www.gladstone.mo.us](http://www.gladstone.mo.us)) and viewing the frequently asked questions regarding the proposed tax.

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

**THAT**, the City Council, hereby publicly encourages all residents to become informed on the proposed one-half percent sales tax and to exercise their right to vote in the upcoming election on April 2, 2019.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 25TH DAY OF MARCH, 2019.**

---

Mayor Bill Garnos

ATTEST:

---

Ruth Bocchino, City Clerk



## *Request for Council Action*

RES ☒ # R-19-15

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/19/2019

Department: General Administration

Meeting Date Requested: 3/25/2019

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

Subject: A Resolution encouraging residents to become informed on the proposed one-half percent sales tax by going to the City webpage ([www.gladstone.mo.us](http://www.gladstone.mo.us)) and viewing the frequently asked questions regarding the proposed tax; and exercising their right to vote in the April 2, 2019, election.

Background: The recommendations made by Shaping Our Future are briefly outlined in the proposed Resolution, which encourages residents to become informed on the one-half percent sales tax initiative and to vote in the upcoming election on April 2, 2019. Due to Section 115.646 RSMo of the Missouri State Statutes, which prohibits the use of public funds to support a ballot measure, this Resolution can only recommend that residents educate themselves on the issue and encourage them to vote.

Budget Discussion: Funds are budgeted in the amount of \$ 0 from the N/A Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: Staff recommends passage of the Resolution

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

Bob Baer  
Assistant City Manager/Department Director

PC  
City Attorney

SW  
City Manager

**RESOLUTION NO. R-19-16**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROPOSED LEASE AGREEMENT WITH PIECE 18 LLC (STONE CANYON PIZZA) TO OPERATE A RESTAURANT AT 504 NORTHEAST 70<sup>TH</sup> STREET, SUITE A, GLADSTONE, MISSOURI, 64118.**

**WHEREAS**, the City of Gladstone owns a former United States Postal Office building, Gladstone 18, located on real property described as all of lots 4, 5, 6 and 7, Block 23, Linden addition to the City of Gladstone, Clay County, Missouri, more commonly known as 504 Northeast 70<sup>th</sup> Street, Gladstone, Missouri; and

**WHEREAS**, the above described land lies within the Downtown Village Center which the City of Gladstone is developing for public purposes to enrich and enhance the quality of life in Gladstone; and

**WHEREAS**, Stone Canyon Pizza submitted a proposal and has negotiated a proposed lease agreement with City staff for the operation of a restaurant consisting of approximately ±4,000 square feet for a term of five (5) years from the commencement date, with reasonable market rent rates, and such other terms as more particularly set forth in the proposed lease document.

**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 enter into the proposed agreement with Piece 18 LLC (Stone Canyon Pizza), on the terms and conditions described herein and as more particularly set forth in the lease document and to take any other such measures as may be required to ensure the opening of the new restaurant.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 25TH DAY OF MARCH 2019.**

---

Mayor Bill Garnos

ATTEST:

---

Ruth Bocchino, City Clerk



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

RES ☒ # R-19-16

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/18/2019

Department: General Administration

Meeting Date Requested: 3/25/2019

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

Subject: Stone Canyon Pizza Lease Agreement

Background: Stone Canyon Pizza submitted a proposal and has negotiated a proposed lease agreement and option to purchase with City staff for the operation of a restaurant consisting of approximately ±4,000 square feet for a term of five (5) years from the commencement date, with reasonable market rent rates, and such other terms as more particularly set forth in the proposed lease document. This Resolution authorizes the City Manager to enter into the proposed agreement with Piece 18 LLC (Stone Canyon Pizza), on the terms and conditions described herein and as more particularly set forth in the lease document and to take any other such measures as may be required to ensure the opening of the new restaurant.

Budget Discussion: Funds are budgeted in the amount of \$ 75,000 from the CERF Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: Staff recommends approval of the proposed Resolution

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

Bob Baer  
Department Director/Administrator

PC  
City Attorney

SW  
City Manager

**BILL NO. 19-13**

**ORDINANCE NO. 4.464**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF GLADSTONE, MISSOURI, AND THE MID-AMERICA REGIONAL COUNCIL (MARC) TO PARTICIPATE IN AND FUND THE NORTH OAK COMPLETE STREETS PROJECT AS PART OF THE PLANNING SUSTAINABLE PLACES (PSP) PROGRAM; CITY PROJECT #TP-1910.**

**WHEREAS**, the PSP program provides local governments with financial support to advance planning and project development activities in support of MARC's Transportation Outlook 2040 Plan; and

**WHEREAS**, the City of Gladstone, Kansas City, Missouri, (KCMO), and MARC desire to establish a common vision and provide accommodations for all North Oak Trafficway users from Northeast Indianola Drive to Northeast Barry Road; and

**WHEREAS**, the North Oak Complete Streets Project was awarded \$102,200.00 in federal PSP funds to combine with \$25,000.00 in local funds from the City of Gladstone and \$32,500.00 from KCMO.

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

**THAT**, the City Manager is hereby authorized to execute an Agreement with MARC to participate in the North Oak Complete Streets Project and to fund the local match in the amount not to exceed \$25,000.00.

**FURTHER, THAT**, funds for the project are available in the Transportation Sales Tax Fund.

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

---

Mayor Bill Garnos

Attest:

---

Ruth E. Bocchino, City Clerk

First Reading: March 25, 2019

Second Reading: March 25, 2019



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 19-13

ORD # 4.464

Date: 3/18/2019

Department: Community Development

Meeting Date Requested: 3/25/2018

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

Subject: Planning Sustainable Places (PSP) North Oak Complete Streets Grant

Background: The City of Gladstone, in partnership with Kansas City, Missouri, (KCMO) and the Mid-America Regional Council (MARC), was awarded \$102,200.00 in Planning Sustainable Places (PSP) grant funding for completion of a North Oak Complete Streets Study. This study will seek to establish a common vision and provide accommodations for all North Oak Trafficway users from NE Indianola Drive to NE Barry Road. The project will include a detailed review of past corridor plans, high-quality bicycle and pedestrian amenities, integration of high-capacity transit, the feasibility of a road diet, and extensive citizen engagement. Confluence was selected to perform the work through a qualifications-based selection process administered by MARC. The total cost of the study is \$159,700 and the City's local match is \$25,000. Gladstone is the lead agency on the project.

Budget Discussion: Funds are budgeted in the amount of \$ 25,000 from the TST Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: The Mid-America Regional Council and the City of Kansas City, MO have already signed the agreement. Austin Greer, Assistant To the City Manager/Planning Administrator will be the project lead moving forward for the City of Gladstone.

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

Department Director/Administrator  
Austin Greer

PC  
City Attorney

SW  
City Manager



MID-AMERICA REGIONAL COUNCIL'S  
PLANNING SUSTAINABLE PLACES PROGRAM

AGREEMENT

19114

**PARTIES:**           **City of Gladstone, Mo.**, hereinafter referred to as the "Sponsor"

**Mid-America Regional Council**, hereinafter referred to as "MARC"

**City of Kansas City, Mo.**, hereinafter referred to as "KCMO"

**PURPOSE:**           The Planning Sustainable Places (here in after known as "PSP") program provides local governments with financial support to advance detailed planning and project development activities in support of Transportation Outlook 2040's activity centers and corridors framework. Funds received will be used to advance detailed local planning in support of the North Oak Complete Streets project as detailed in Exhibit A.

The program looks to facilitate the following objectives:

- Support the development and implementation of local activity center plans consistent with the Creating Sustainable Places principles, identified regional activity centers, and the land use policy direction outlined in *Transportation Outlook 2040*.
- Support localized public engagement and community consensus building.
- Support the identification and conceptualization of transportation projects, land use strategies, and related sustainable development initiatives that help to realize and advance the objectives identified in the Creating Sustainable Places initiative, Transportation Outlook 2040, and the MARC Board's adopted policy statement on regional land use direction.

**EFFECTIVE**           The parties mutually agree to Articles I, II, III, and IV in accordance with this Agreement from the 7<sup>th</sup> day of February, 2019 until the 31<sup>st</sup> day of January, 2020.

**ARTICLE I**

**SPONSOR AGREES:**

1. To fund their portion of the PSP program's required local match of \$25,000.00 with a one-time payment upon receipt of invoice for the local match;
2. That any change order or request for additional services must be submitted through MARC to the contracted consultant. If the resulting change order or request for additional services requires additional funding, payment shall be the responsibility of the Sponsor;
3. To provide a project manager and coordinate the consultant team;
4. To participate in the PSP program management and provide MARC all required technical assistance, data and any other necessary information needed to successfully manage and comply

with federal requirements regarding the PSP project;

5. Agree to include designated MARC project liaison in study advisory committee; and
6. To provide a selection committee to review consultant vendor proposals, interview prospective consultant vendors, and make final selection of vendor.

## **ARTICLE II**

### **MARC AGREES:**

1. To provide project liaison and project management;
2. To administer awarded Planning Sustainable Places federal funding of \$102,200.00, unless state or federal funding sources withdraw funding;
3. To coordinate and conduct consultant selection process to meet state and federal procurement requirements in the use of federal funds that includes but is not limited to debarment and Disadvantaged Business Enterprise (DBE) requirements;
4. To provide oversight of federal requirements that governs the use of federal funds in connection with the PSP program; and
5. To administer consultant invoicing and reimbursement process per state and federal guidelines.
6. To accept consultant deliverables only with City, Brookside CID, and Troost CID approval.

## **ARTICLE III**

### **KCMO AGREES:**

1. To fund their portion of the PSP program's required local match of \$ 32,500.00 with a one-time payment upon the receipt of invoice for the local match (funds breakdown: \$10,000.00 District 1, \$10,000.00 District 2, and \$12,500.00 District 4);
2. To designate up to two representatives to serve in a study advisory committee.

## **ARTICLE IV**

### **ALL PARTIES MUTUALLY AGREE:**

3. That this Agreement and all contracts entered into under provisions of this Agreement shall be binding upon **City of Gladstone, Mo., City of Kansas City, Mo., and MARC**; and
4. That no third party beneficiaries are intended to be created by this Agreement, nor do the parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

## **ARTICLE V**

1. **EMPLOYEE ELIGIBILITY VERIFICATION.** MARC shall execute and submit an affidavit, in a form prescribed by the CITY, affirming that MARC does not knowingly employ any person in connection with the contracted services who does not have the legal right or authorization under federal law to work in the United States as defined in 8 U.S.C. §1324a(h)(3). MARC shall attach to the affidavit documentation sufficient to establish MARC's enrollment and participation in an electronic verification of work program operated by the United States Department of Homeland Security to verify information of newly hired employees, under the Immigration and Reform and Control Act of 1986. MARC may obtain additional information about E-Verify and enroll at <https://e-verify.uscis.gov/enroll/StartPage.aspx?JS=YES>. If MARC is enrolled in E-Verify, the first and last

pages of the E-Verify Memorandum of Understanding that MARC will obtain upon successfully enrolling in the program shall constitute sufficient documentation for purposes of complying with this section. MARC shall submit the affidavit and attachments to the CITY prior to execution of the contract, or at any point during the term of the contract if requested by the CITY.

2. AUDITS.

(a) For purposes of this Section:

1. "CITY" shall mean the City Auditor, the City's Internal Auditor, the City's Director of Human Relations, the City Manager, the City department administering this Contract and their delegates and agents.
2. "Record" shall mean any document, book, paper, photograph, map, sound recordings or other material, regardless of physical form or characteristics, made or received in connection with this Contract and all Contract amendments and renewals.

(b) MARC shall maintain and retain all Records for a term of five (5) years that shall begin after the expiration or termination of this Contract and all Contract amendments. CITY shall have a right to examine or audit all Records, and MARC shall provide access to CITY of all Records upon ten (10) days written notice from the CITY.


(c) The books, documents and records of MARC in connection with this Contract shall be made available to the City Auditor, the City's Internal Auditor, the City's Director of Human Relations and the City department administering this Contract within ten (10) days after the written request is made.

[Balance of Page Intentionally Left Blank]

IN WITNESS WHEREOF: the parties hereto have caused this Agreement to be signed by their authorized officers on the day and year first above written.

**Mid-America Regional Council**

David Warm  
Executive Director



Date: 2/7/19

**City of Gladstone, Mo.**

Scott Wingerson  
City Manager

Date: \_\_\_\_\_

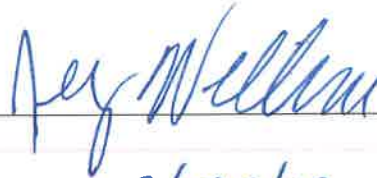
Attest: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Ruth E. Bocchino  
City Clerk, City of Gladstone, MO

**City of Kansas City, Mo.**

Jeffrey Williams  
Director



Date: 2/22/19

Attest: \_\_\_\_\_

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Randall J. Landes  
Director of Finance

by: Eric B. Cleveland

Date: 3/4/19

Approved as to form:

Sam B. [Signature]  
Assistant City Attorney

## Exhibit A



## MARC Transportation Department 2019 Planning Sustainable Places Call for Projects

### Summary of North Oak Complete Streets

#### Gladstone

##### Contact Information

Organization: Gladstone  
Contact person: Anthony Sands  
Title: City Engineer  
Phone: 816-520-9167  
E-mail: [AnthonyS@gladstone.mo.us](mailto:AnthonyS@gladstone.mo.us)  
Organization address: 7010 N Holmes  
Gladstone, MO 64118

##### General Information

Project name: North Oak Complete Streets

Project description: The North Oak Complete Streets Plan will assess the feasibility and implementation of high-quality on-street bikeway facilities (such as protected bike lanes or a two-way protected cycle track), improved pedestrian connections, accommodations, and crossings, and integration of high-capacity transit corridor accommodations. The project will also build upon previous streetscape planning efforts conducted along the corridor (North Oak Corridor Streetscape Master Plan, 2011 within Kansas City, Missouri) and will tie into capital improvements planned south of NE Indianola Drive. Through the city's comprehensive update to Bike KC, North Oak has been identified as the key north/south corridor in the city's bikeway system north of the Missouri River. This corridor leads directly to Burlington Avenue in North Kansas City where a high-quality two-way "cycle track" is planned and to the Heart of America Bridge spanning the Missouri River which has dedicated bike/pedestrian facilities. The KCATA has also identified North Oak as a key corridor for enhanced transit in the Northland. This study will be complex due to its commercial nature, multiple access driveways, constrained right-of-way, and high motor vehicle volumes. However, as it is one of the most direct, connected, and commercially vibrant corridors in the Northland it is a critical multimodal route. This study will seek to provide accommodations for all road users and bring a cohesive vision for North Oak in multiple communities.

Project Type: Sustainable Places Project

Project Contact: Anthony Sands, P.E., City Engineer, City of Gladstone Public Works, Phone: 816-423-4154, Email: [anthonyS@gladstone.mo.us](mailto:anthonyS@gladstone.mo.us)

Project Location: North Oak Trafficway from NE Indianola Drive to NW Barry Road. This project is located within portions of Kansas City, Missouri and the City of Gladstone.

Project Scope: Anticipated tasks: a. Review of existing plans, including but not limited to: i. 2018 Bike KC Master Plan ii. KCMO Complete Streets Ordinance (2017) iii. MARC Regional Bikeways Plan iv. North Oak Corridor Streetscape Master Plan v. Briarcliff-Winnwood Area Plan vi. Gashland-Nashua Area Plan vii. Vivion Road Streetscape Plan viii. Kansas City TOD Policy ix. Gladstone Village Center Transportation Study x. North Oak Trafficway: Road Diet Review xi. Gladstone Sidewalk Master Plan Deliverable for task a. will include summary memo of plan findings, recommendations, and themes. Additionally, concept development and final report will cite how plan recommendations were or were not incorporated. b. Review of existing traffic data & evaluation of current ROW conditions Deliverable for task b. will



include summary report of road diet feasibility and intersections with impacts, including potential capacity limitations. Additionally, Synchro/SimTraffic reports and a summary of delay and travel time for the corridor using existing traffic volumes for the existing street configuration and alternative configurations. c. Robust public engagement, including comprehensive steering committee/working group, technical review committee (Gladstone staff, KCMO staff, KCATA, etc.), and public outreach. Public outreach will include traditional public meetings, citizen & business survey, and concept demonstration project. Other public outreach methods are welcome too in order to ensure the community has opportunity to provide input and comment on proposed altered conditions. Reports and memos should reference how public outreach was conducted and all outreach efforts should be documented, including parties contacted. d. Prepare conceptual plan(s) related to complete streets/multimodal improvement options. Deliverable for task d. includes the preparation of concept plan(s) that include example sections, pavement markings, and intersection treatments. This deliverable will consist of a strip map for the corridor showing existing and proposed cross sections and callout notes for specific treatments. A general overview of proposed treatments that apply consistently along the corridor (e.g. uniform enhanced crosswalk markings) should also be included with sample images and locations for said improvements. e. Technical review and public evaluation of concept plan(s) Deliverable for task e. includes a final summary report and of recommended conditions and implementation strategies, including public & technical feedback, needed next steps, prioritized improvement scheme, and concept level cost estimates.

Consistent with relevant local plan(s)?

Yes

The challenges and opportunities North Oak pose have resulted in conflicting recommendations related to bikeway accommodation along the corridor. Some plans recommend removal of bicycle accommodations on parts of the corridor (such as the North Oak Corridor Streetscape Master Plan) while others promote it as a critical route in need of safe accommodation (such as the draft 2018 Bike KC Master Plan). The Gashland-Nashua Area Plan identifies North Oak as a bicycle route from N Cookingham Drive to the north city limits of Gladstone (consistent with the original Bike KC Plan), and make recommendations including, "integrate bicycle (and pedestrian) accommodations as part of all major street improvement projects." North Oak is also identified as a bicycle route (consistent with the original Bike KC Plan) in the Briarcliff-Winnwood Area Plan, which states that "Some bicycle routes identified on the map may not currently be suitable for safe travel by bicycle, and may require significant improvements before they can be safely used for this purpose." The North Oak corridor was identified in the 2015 Gladstone Sidewalk Master Plan as a high priority route for pedestrian infrastructure improvements and expanded North-South mobility options. North Oak is described with great detail in the City of Gladstone's Comprehensive Plan as an area of significant mixed use infill development potential. The Comprehensive plan focuses on transit and multimodal objectives for the corridor. This study must holistically evaluate the feasibility of bike accommodations on this corridor without limiting the ability to improve pedestrian accommodations and high-capacity transit which retaining efficiencies for suitable vehicular travel. This is consistent with the Kansas City, Missouri Complete Streets Ordinance (Committee Substitute for Ordinance No. 170949) passed on December 7, 2017 which seeks to ensure that all roadways in Kansas City, Missouri are complete streets safe for all roadway users.

Core elements included in previous plans?

No  
NA

Relationship to transportation issues:

The goal of this study is to specifically examine the feasibility, including opportunities, challenges, and alternatives to improving transportation choice for all road users and modes of transportation along North Oak Trafficway. This effort seeks to increase safe and comfortable transportation choices for the most vulnerable road users – pedestrians, bicyclists, and those getting on/off transit. This project will specifically examine the type of facility and implementation challenges/opportunities to installing high quality on-street bicycle facilities on a critical north/south corridor in the Northland in two communities (Gladstone and Kansas City). Through the City of Kansas City, Missouri's recent update to its comprehensive bike plan, the 2018 Bike KC Master Plan identifies North Oak as a key connecting route. Its directness, continuity, and direct access to commercial spaces and transit makes this corridor a critical spine for Kansas City, Missouri's bikeway system. Additionally, North Oak is a key transit corridor north of the Missouri River. Its surrounding commercial land uses and adjacent neighborhoods also draw many pedestrians to the corridor. Currently, however, North Oak primarily functions primarily as an automobile focused corridor. Pedestrians, transit users, and cyclists are extremely vulnerable on this high speed, high motor vehicle volume (approximately 16,000 ADT as of 2014 count) roadway. Through examination of protected bikeways, enhanced pedestrian treatments, and the integration of high capacity transit on North Oak, this study seeks to improve multimodal transportation options for all road users.

The North Oak Corridor is of vital importance to both the City of Gladstone and the City of Kansas City, Missouri. Robust public engagement will be critical to ensuring that all parties have been afforded the



Robust citizen engagement component description:	<p>opportunity to weigh in on the vision for North Oak as a multimodal transportation spine. The specific type of engagement that will be conducted during this study will include a comprehensive steering committee/working group which will lead the public discourse for the project, a technical review committee (Gladstone staff, KCMO staff, KCATA, etc.) to ensure the project is sound and viable in its outreach methods and recommendations, and general public outreach. Public outreach will include traditional public meetings in both cities, citizen &amp; business surveys, online feedback via the City of Kansas City, Missouri's KCMomentum page, a project website, and a concept demonstration project along or near the corridor. The consultant team for this project would be encouraged to utilize other public outreach methods too to ensure the community has opportunity to provide input and comment on proposed altered conditions.</p>
Future vibrancy description:	<p>Most North Oak acts as a linear activity center spine for the Northland connecting Kansas City, Missouri to North Kansas City and Gladstone. North Oak is a vibrant mixed use commercial corridor with jobs, services, residential, and institutional uses throughout, and it acts as a major artery for the Northland neighborhoods that sit adjacent to its path. This study and its analysis and of safe, high quality protected bikeway, the integration of enhanced transit, and the facilitation of safer, more comfortable pedestrian conditions specifically address many of the stated goals in Kansas City, Missouri area plans through which North Oak traverses. Specifically:</p> <ul style="list-style-type: none"> <li>• Promote a "balanced" and efficient transportation system that uniformly considers the needs of vehicles, transit services, pedestrians, and bicycles</li> <li>• Coordinate with other jurisdictions to implement a regional transportation system</li> <li>• Improve transportation options throughout the plan area by making transit use more convenient, safe, and affordable and by providing additional transit service as needed</li> <li>• Provide a safe, accessible, attractive and convenient network of sidewalks, trails, and bicycle routes with convenient access to transit services and jobs</li> <li>• Create a rapid transit system that builds strong neighborhoods and supports economic development</li> </ul> <p>This project will support these long-term goals by creating transportation choice, promoting resource conservation and energy efficiency, designing for healthier lifestyles, more holistically connecting activity centers, and much more to enhance vibrant communities along the corridor. The creation of Gladstone's downtown area is directly connected to North Oak. The goal of creating a sustainable connected downtown in Gladstone where one has not existed before has hinged on the regional link provided by the corridor. As density and walkability grow in this area, the ability of mode choice to expand and grow along North Oak at the same time will directly contribute to the success this new activity center's future.</p>
Implementation timeline:	NA
Actionable budget documentation:	NA
Improved travel choices promotion :	<p>The goal of this study is to explicitly examine and promote improved travel choice in a part of the region dominated by the use of single-occupancy vehicles. Thorough conversation with the community and technical analysis of enhanced protected bikeways, safer pedestrian conditions, and a greater transit access will promote transportation choice. This work will not only build upon previous planning efforts in the Northland, but will explicitly assist in moving the Kansas City, Missouri 2018 Bike KC Master Plan effort forward as it identified North Oak as a key north/south bikeway spine north of the Missouri River. Not only will this project help move the 2018 Bike KC Master Plan forward, it will capitalize on two projects south of this study area boundary – the capital improvements project on North Oak from NE Indianola Dr. south to the city of North Kansas City, Missouri which will add protected bikeways, and the planned two-way cycle track along Burlington St. in North Kansas City, Missouri that will connect to the Heart of America bridge. The North Oak Complete Street study will not be a multimodal study in isolation. It will be a study that builds upon work being conducted in multiple municipalities and will create a cohesive multimodal corridor connecting a growing Northland to the downtown Kansas City, Missouri – economic center of the region.</p>
Sustainable land-use patterns promotion:	<p>North Oak is a mix of commercial, institutional, and residential uses. As part of this study, access management and transit-oriented design much be part of the evaluation. Additional transportation options – including protected bikeways and enhanced transit areas – will create a more desirable streetscape that will be conducive to promoting sustainable land-use patterns. Neighborhoods will become more connected and the experience of a multimodal corridor through multiple jurisdictions will be cohesive in a new and sustainable way. This study – and subsequent capital improvements – will help strengthen the region's growing desire to see multimodal transportation options, transit-oriented development patterns, and walkable commercial corridors.</p>
Environmental stewardship:	<p>Environmental stewardship is a core component of multimodal transportation options and walkable/bikeable environments. Short trips along the corridor currently conducted via single occupancy vehicle may be replaced by walking or biking trips if appropriately safe and well-designed facilities are present. Green streetscape elements including bio-swales, permeable pavement, etc. will</p>

	also be explored through this project. This would assist in the reduction of rainwater intake and native plantings and tree coverage can lead to CO2 reductions. Active transportation (walking, biking, and greater transit use) will lead to a reduction in emissions and a healthier planet and population.
Housing choice:	Multimodal transportation choice is beneficial for all people but provide additional benefit to those individuals with modest means. Facilitating the growth of a regional bikeway system and promoting high-capacity transit on North Oak will assist all residents. A more complete multimodal transportation network will provide a greater population of people access to a growing housing market north of the River, high-quality public education systems in the Northland, and additional job opportunities. Furthermore, enhanced streetscape environments encourage housing development and infill while also ensuring that the residents already surrounding the North Oak corridor can enjoy the "live, shop, work, enjoy" model.
Public Health improvement:	As stated in question 17, active transportation projects that enhance an area's bikability and walkability promote reductions in air quality through fewer car trips, enhance the public health by helping people engage in more moderate and vigorous physical activity on a routine basis, and improve mental health. This can help with a person's weight loss, prevention of adult-onset diabetes, better cardiovascular outcomes and increased energy. Furthermore, streets that are designed to safely accommodate pedestrians and bicyclists help reduce pedestrian/bike crash rates – an inherent improvement for public health.
Support for investment in areas with existing infrastructure:	Major investments are being made by multiple jurisdictions along North Oak. The city of North Kansas City, Missouri recently completed a Planning Sustainable Places project along Burlington Rd and created the concept of a protected two-way cycle track along the length of the corridor connecting to the Heart of America's dedicated bike/pedestrian accommodations. The City of Kansas City, Missouri's capital improvement plan for North Oak Trafficway from the City of North Kansas City, Missouri to N. Indianola Dr. will include separated bikeway accommodations. The City of Gladstone continues to re-develop its downtown area adjacent to the North Oak corridor into a walkable, mixed use environment. The Downtown Gladstone area was identified as a mobility hub in the KC Smart Moves 3.0 study. This project expands on the Village Center Transportation Study which identified significant multi-modal improvements on North Oak with the objective of integrating the new downtown center. Future transportation projects are geared towards removing barriers adjacent to the corridor between neighborhoods and commercial districts helping create easily accessible connections into the North-South movement of North Oak. To add, the KCATA beginning in 2018 and into 2019 will examine enhanced transit options long North Oak to anchor transit service in the Northland. This project would also tie into planned roadway improvements along Englewood Blvd and Vivion Rd, as well as private investments including a major redevelopment of the Metro North Mall site, planned campus improvements to the Midwest Baptist Theological Seminary, and the recently constructed Northland Innovation Center.
Economic growth:	The Indianapolis Cultural Trail (an eight mile multimodal trail installed primarily along repurposed roadway) saw an increase in assess property value from 2008 to 2014 of \$1 billion. The following economic impacts have also been attributed to this successful bike/pedestrian corridor: • 11,372 jobs created • 50% of businesses saw an increase in revenue • Trail users spend \$3.6 million annually (\$53 by the average trail user and \$113 by out-of-town trail users) Investments in multimodal accommodations enliven communities and promote greater access to a wider variety of jobs and geographies. The encouragement and implementation of transit-oriented development and a more walkable/bikeable environment will attract private and public investment alike along North Oak and will assist in an increased tax base and a greater variety of jobs.
Use of planning resource(s):	Data collection will occur using standard resources, including the US Census, City of Kansas City, Missouri and Gladstone ROW data, MARC open data, and project specific data collection outreach using survey technologies. UAS aerial imagery will be utilized where possible for supplementing visualization tools. QLO Lidar data collected through the MARC 2018 Kansas City Metropolitan Region Lidar Project will also be utilized for physical topography data. Scenario planning and visualization will be used to determine how various multimodal and streetscape options will be addressed throughout the corridor.
Resiliency Promotion:	A resilient community is one that plans for and accommodates all persons and options known at any given time. Currently, North Oak lacks resiliency as it is a primarily singularly functioning corridor reliant on the use of private automobiles. Through planning for and implementing enhanced transit, pedestrian facilities, and a high-quality bike facility, North Oak can transform into a safe corridor for all users and therefore immediately improve its resiliency. To add, to help Gladstone and Kansas City, Missouri remain regionally and nationally competitive to attracting and retaining employers and workers we must keep up with the growing trend of multimodal accommodations. No longer are singularly functioning roadways working on the national stage, and this study would assist the Northland and our greater region remain economically competitive.

Innovation use:	This project in its public outreach and concept design delivery must think beyond the status quo of our community. This project must engage residents, businesses, and visitors in a meaningful way to ensure proper feedback is received. This may involve roadway demonstration projects and scenario modeling. As the right-of-way will have constraints for most of the corridor and access management will be an essential element of this study, the team selected for this project must also be willing to suggest innovative roadway configurations. Ten years ago, protected bikeways and cycle tracks were a new concept on the national stage and now they are commonplace. Ensuring that new roadway designs are explored and considered will help make this an innovative project for the region.
Serves MARC defined redevelopment area?	Yes The entirety of the North Oak corridor boundary for this study is within MARC's defined redevelopment area. This project will improve the pedestrian, transit, and bicycling environment to help create a new multimodal transportation network and therefore serves to increase transportation choice in the redevelopment area. This project's boundaries also connect to other redevelopment areas through the City of Kansas City, Missouri and the region.
Serves a MARC listed activity center?	Yes Much of the study boundary along North Oak is within MARC's activity centers, particularly through Gladstone and north to NW Barry Rd. Much of the Northland is outside of the activity centers area, and North Oak represents a central spine of activity in the Northland, making it all the more important as a transportation and land use corridor.
Serves a future transit corridor?	Yes North Oak through the entirety of this project's study boundary is identified as a "Fast Frequent" Smart Moves 3.0 corridor. Furthermore, the KCATA has an upcoming North Oak Transit Improvement Study starting in 2018 and into 2019 that will review future opportunities for the current North Oak route and greater Northland connections. This study will work in close coordination with the KCATA. The goal of this study is to increase bicycle, pedestrian, and transit accommodations in a holistic manner.
Serves environmental justice tract(s)?	Yes This project has many areas in its boundaries that are within and directly adjacent to environmental justice areas. In fact, much the area surrounding this corridor represents one of only two environmental justice areas in Missouri north of the Missouri River. This project will help connect environmental justice populations to areas both north and south to jobs and other economic development opportunities, both in Gladstone and in Kansas City, Missouri.
Partnerships description:	The City of Gladstone, Missouri is the lead applicant for this project but has worked in close coordination with the City of Kansas City, Missouri on a partnership for this proposal. Both cities are contributing financially to this project to help exceed the minimum required 20% match. Additionally, the KCATA will be a close partner in this project as evidenced by their submitted letter of support for this project. This project also ties into work being completed in the City of North Kansas City, Missouri along Burlington. Both the City of Gladstone and Kansas City, Missouri staff will help lead this effort to ensure both cities' technical staff, elected officials, and general public are aware of the project and can provide input.
Partnerships financial commitment:	NA
Equity and/or typically underrepresented stakeholders partnership:	The North Oak corridor in this project's study boundary is home to a relatively diverse demographic and economic base in a first ring suburban area. Many multifamily residences are along or adjacent to the corridor, rents and income is relatively lower in this area compared to the surrounding Northland community. Some important demographics about the North Oak Corridor (those census tracts directly adjacent to the corridor) include the following 2012-2016 ACS info: •39,160 residents live along the corridor •14% of all persons live below the poverty level • That figure is 42% for African Americans along the corridor & 20% for Hispanics •81% of people drive alone to work, 9% car pool, 6% work from home, 2% walk, 1% take public transit, & 0% bicycle to work
Local activities supporting the project:	Kansas City, Missouri is in the midst of changing how it approaches roadway projects. Through the passage of the Complete Street Ordinance, the update to the city's comprehensive bike plan, and the passage of an \$800 million general obligation bond package that set aside specific money for sidewalk improvements and complete street roadway projects the City of Kansas City, Missouri is significantly investing in the future of multimodal transportation. In fact, one of the first GO Bond projects underway for the City of Kansas City, Missouri is improvements to North Oak from N. Indianola Dr. south to the city limit of North Kansas City, Missouri. This project capitalizes upon that and will help continue its momentum. Gladstone continues to re-develop and infill new projects adjacent to the North Oak corridor from city limit to city limit. Creating vibrant North-South mobility options along the corridor is echoed in all recent master planning studies and the City's comprehensive plan.  NA



Commitment from  
developer(s) and/or land  
owner(s):

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**Project Financial Information**

Total Cost: 187500 (Thousands of \$)  
Federal amount 130000 (Thousands of \$)  
Minimum Funding amount 130000 (Thousands of \$)  
Non-federal Cash Match amount: 57500 (Thousands of \$)  
Source of Local Match: KCMO PIAC 2018 Contingency Funds & Gladstone TST

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**Supporting Documents**

- File 1: [781 ProjID-Gladstone KCMO NKC Support Letters.pdf](#)
  - File 2: [781 ProjID-KCATA PSP letter of support - Gladstone.pdf](#)
  - File 3: [781 ProjID-D1 Memo - Highway 9 Trail, N Oak - 6-5-18 .pdf](#)
  - File 4: [781 ProjID-D2 Memo - MO Riverfront Rec and N Oak Complete Streets - 6-15-18.pdf](#)
- 

**No comments submitted.**

[Return to the List of Projects](#)

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**600 Broadway, Suite 200  
Kansas City, MO 64105  
816/474-4240  
Fax 816/421-7758**

MARC programs that receive federal funding may not discriminate against anyone on the basis of race, color or national origin, according to Title VI of the Civil Rights Act of 1964, [Title VI policy](#) | [Americans with Disabilities Act resources](#)

**BILL NO. 19-14**

**ORDINANCE NO. 4.465**

**AN ORDINANCE REPEALING ORDINANCE 4.398 PERTAINING TO THE MISSOURI CLEAN ENERGY DISTRICT AND PROPERTY ASSESSED CLEAN ENERGY PROGRAM.**

**WHEREAS**, the City Council understands the advantages of the Property Assessed Clean Energy (PACE) program through the Missouri Clean Energy District for its residents; and

**WHEREAS**, the City Council also understands the burden that the collecting of the PACE program liens has placed on the Clay County Collector and Assessor, in addition to the collecting of the City's real or personal property taxes levied; and

**THEREFORE**, the City Council does not wish to burden the County any more than needed.

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

**Section 1.** That the City Council of the City of Gladstone, Missouri hereby repeals City Ordinance 4.398 in its entirety.

**Section 2.** That this Ordinance shall become effective upon the date of passage.

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

---

Mayor Bill Garnos

Attest:

---

Ruth Bocchino, City Clerk

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

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



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 19-14

ORD # 4.465

Date: 1/30/2019

Department: Community Development

Meeting Date Requested: 3/25/2019

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

Subject: Ordinance repealing Ordinance #4.398

Background: The Clay County Collector and Assessor have both advised the City that they cannot handle the collection of the Missouri Clean Energy District, Property Assessed Clean Energy (PACE) program and the City's assessment of real or personal property taxes.

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: Staff has discussed this matter and spoken/emailed representatives from MCED and feel that until Missouri Clean Energy District and Clay County come to an agreement the City needs to dissolve its agreement with Missouri Clean Energy District.

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

Alan Napoli  
Community Development Administrator/Building Official

PC  
Attorney

SW  
City Manager

## LYDIA McEVOY

Clay County Collector

## CATHY RINEHART

Clay County Assessor

One Courthouse Square  
Liberty, MO 64068

lmcevoy@claycountymo.gov  
crinehart@claycountymo.gov

December 3, 2018

**Re: City collections contract, notice of non-renewal**

Dear City Council and officials:

Effective with the 2019 tax year, for cities that have enabled residential Property Assessed Clean Energy (PACE) programs to operate within their borders, the Offices of Collector and Assessor will choose to dedicate county resources to monitoring and collecting those liens, and will no longer be able to collect real or personal property taxes levied by those cities.

Beginning in 2017, the Offices of Collector and Assessor have been presented with an exponentially increasing number of residential PACE liens to be collected on residential real property tax bills. Clay County has rejected this program, but the liens are coming to the tax bills through city ordinances authorizing these liens at the city level.

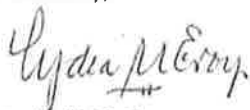
Unfortunately, these liens are creating an excessive administrative burden on county offices, and no reasonable compensation for this additional work has been offered by the Missouri Clean Energy District or the authorizing cities. Since these liens were added as special assessments, both offices have seen a dramatic increase in customer service and legal concerns, absorbing staff time and resources.

Since residential PACE liens are an optional item for each city, but are required to be collected by the county, the most efficient use of government resources requires us to collect city taxes or PACE liens, but not both. Please note that commercial PACE liens do not present the same concern and are not the subject of this letter. Commercial PACE liens are collected by third parties, and thus do not create any burden on county offices.

We are giving you this notice as far in advance as possible, so that city officials can determine the best course of action. The Offices of Collector and Assessor view each city as an important ally, and we seek to serve each city well. These liens are interfering with those established relationships, and we stand ready to discuss options for compromise.

If the city is unwilling to simply rescind its residential PACE participation ordinance, please call us to schedule a meeting to discuss other options for compromise.

Sincerely,



Lydia H McEvoy  
Clay County Collector of Revenue



Cathy Rinehart  
Clay County Assessor



BRYAN CAVE LEIGHTON PAISNER LLP  
Riverview Office Center  
221 Bollvar Street Suite 101  
Jefferson City MO 65101 1574  
T: +1 573 556 6620  
F: +1 573 556 6630  
www.bclplaw.com

February 25, 2019

The Honorable Lydia McEvoy  
Clay County Collector  
One Courthouse Square  
Liberty, MO 64068

Re: Missouri Clean Energy District IGA

Dear Collector McEvoy:

Thank you for your email to David Pickerill, dated February 7, 2019, regarding the proposed intergovernmental agreement ("IGA") between the Missouri Clean Energy District (the "District") and Clay County, and your proposed edits and additions to the IGA. I have been asked by the District to respond to your email and suggested edits and additions, because they largely focus on legal issues, rather than administrative issues.

In reading your email and submission, it occurred to me that you may not be familiar with the Missouri HERO Program Handbook; the HERO Financing Program Application, which attaches a form of the Assessment Contract and its Addendum, along with a four-page Financing Estimate; and the Completion Certificate (collectively, "the Contractual Documents" or "the Contract"). Exhibit B to the Assessment Contract states that the Contract includes the Assessment Contract itself and these documents. The law firm which prepared these Contractual Documents made sure that they complied with Missouri law generally and Missouri's PACE statutes in particular. I enclose copies of these Contractual Documents for your review.

I trust that after reading this letter, which references specific provisions in these Contractual Documents, and reviewing these Contractual Documents in detail, you will become more familiar with the District's PACE program, and your concerns about the PACE program will be assuaged. I begin by now addressing the numbered points in your email, which state your goals for an IGA.

#### 1. COMPLIANCE WITH STATE LAW AND BEST PRACTICES

Like you, the District's goal is to comply with state law and to adopt those best practices that are suitable to Missouri as a whole. As shown in detail in the remainder of this letter, the Contract does comply with state law, in particular the PACE statutes which govern the PACE program.

With respect to the Department of Energy's Best Practice Guidelines, once you have reviewed all the Contractual Documents and considered our analysis in this letter, if there is a specific guideline that you think is neglected by the District, please let us know which guideline that is. We are willing to consider specific recommendations.

However, it is not your prerogative to "enforce this compliance by excluding non-compliant liens from the tax bill." As the Court of Appeals made clear, you as the Collector have no right to refuse to bill and collect PACE contracts. Should you persist in believing that the assessments do not comply with state law, even after reading the Contractual Documents, your remedy is to ask the County Prosecutor to request the state Attorney General to investigate whether that is the case. It is not your role to rule on compliance with state law; nor is it in your purview as Collector to enforce what you believe may be best practices. Your jurisdiction is limited in both subject matter and geography.



Your counsel's letter of February 15, 2019 erroneously asserts (in item # 8) that the District and Renovate America have no program for holding contractors accountable. (As you know, Renovate America partners with the District to administer the residential PACE program.) In fact, before Renovate America adds a contractor to its list, it reviews the contractor's corporate information, including licensing and insurance, Dunn & Bradstreet information, and social media ratings. It does not allow contractors who do not meet its initial screen into the PACE program. Additionally, it has the right to terminate from the program contractors for behaviors that conflict with its participation guidelines, and it exercises that right when appropriate.

## 2. PROPER PAYMENT TO THE COLLECTOR

Your second stated goal is to ensure "proper payment to the Office of Collector for the additional administrative burden related to the customer service of these liens." That was also the stated reason for your letter to the municipalities in Clay County, demanding that they either rescind their PACE ordinances or suffer your termination of contracts to collect their property taxes. From my review of your edits to the IGA, you appear to address this payment issue in your proposed changes to paragraphs 1 B and E. We currently have no objection to your changes to 1 B. However, your reference to obtaining additional reporting only by special request at "appropriate compensation" is too vague a price term to be acceptable or even enforceable as a contract term. Please specify a price for us to consider.

Given this payment issue was the premise for your demand that the municipalities rescind their PACE ordinances, any agreement on this issue would be subject to your reversing your position and assuring the municipalities in writing that they need not rescind the PACE ordinances in order for you to collect their property taxes.

## 3. FAIRNESS TO TAXPAYERS

Your third stated goal is to ensure "fundamental fairness to taxpayers, similar to that afforded by all other ad valorem taxes." Like you, the District's goal is to be fair with property owners, and the Contractual Documents are fair. To demonstrate this, I now address your stated goal's five bullet points.

- INTEREST AND PENALTIES ON DELINQUENCIES

Your first bullet point regarding "single source interest on delinquent bills" is misplaced. You, Trish Hughes, and I discussed this issue previously. As I have explained, the law does not support your personal opinion on this issue. Section 67.2815.3, RSMO, of the PACE statutes indicates that the special assessments issued to property owners who enter into assessment contracts may include "administration fees, interest and other financing costs reasonably required by a clean energy board." The statutes are also clear that the initial special assessment may include both principal and interest. It is this total amount--of principal and interest--that the Collector is to collect "in the same manner and with the same priority as ad valorem real property taxes." Section 62.2815.5, RSMo. These collection procedures also include the imposition of interest and penalties on the full amount of the special assessment. Moreover, the Financing Estimate (on page 3) clearly informs the property owner, "If your property tax payment is late, you are subject to penalties and late fees established by the tax collector." The property owner must initial that disclosure to signify she has read and agrees to this term. All of these factors demonstrate that the collection of a penalty for delinquent PACE payments is authorized by statute and contract and thus complies with state law and is fair.

- RIGHT TO PROTEST

As to your second bullet point, we agree that borrowers should have the right to protest if the Collector misstates the amount the assessment contract specifies is due, because that is the only recourse that the taxpayer has against the Collector in the administrative scheme. However, the right to protest is not the appropriate remedy for consumers who may have a disagreement with Renovate America or the District. The relationship between borrowers and Renovate America is not an administrative relationship, but a contractual relationship. Thus, borrowers have contractual rights and remedies with respect to Renovate America and the District that are not available in your administration of your revenue collection duties. In addition, while your assessment of property taxes is mandatory, borrowers enter into PACE assessment contracts voluntarily, fully informed beforehand of their rights and obligations. Borrowers even have the contractual right to cancel their assessment agreements "at no cost, at any time prior to signing a Completion Certificate." Assessment Contract, Section 15. Thus, the Contract provides borrowers with adequate remedies, and the right to protest is confined, as otherwise, to protesting an error you may make in stating the amount the assessment contract specifies is due.

- DETAILED DISCLOSURE OF AMOUNTS TO BE PAID

We agree with respect to the third bullet point that borrowers have the right to know and understand what they are paying. For this reason, Renovate America has included detailed disclosure regarding the amounts to be paid in principal, interest, and fees, both annually and over the life of the assessment, in the Missouri HERO Program Handbook, the HERO Financing Program Application, the Assessment Contract and the Financing Estimate. See, for example, the Assessment Contract's Section 3, Exhibit B and Addendum; pages 1 and 2 of the Financing Estimate; and, Section 6 of the Handbook. Once you have carefully reviewed these Contractual Documents, we would be open to considering any specific request you might have.

Additionally, both Renovate America and the District publish their contact information so that property owners may call them with questions about the PACE program. Property owners may find contact information on the District's website (including all its executive officers; simply enter Missouri Clean Energy District in your browser) and just above the District's signature line on their Notice of Assessment. Renovate America publishes a toll free number (855-HERO-411) and an email address (Info@heroprogram.com) on the top of each page of the Application, in the middle of page 1 of the Financing Estimate, and on the top of the first page of the Completion Certificate. Sections 2.2 and 2.3 of the Program Handbook (which can be found online) also explain the operations of the Program Call Center and provide other program contact information and useful resources. Accordingly, you can direct taxpayers to these resources for answers to their questions or concerns.

- DISCLOSURE OF RIGHTS

We agree with respect to your fourth bullet point that borrowers should receive written documents that accurately reflect their rights under the PACE assessment contracts. Once again, we believe that the Missouri HERO Program Handbook, the HERO Financing Program Application, the Assessment Contract and the Financing Estimate adequately inform the applicants of their rights. See, for example, the HERO Financing Program Application's Section 2; the Assessment Contract's Section 13(j) and 15; the Financing Estimate's notice of Right to Cancel at page 3; and, Section 8 of the Handbook. Once you have carefully reviewed these Contractual Documents, if you feel some particular law or Constitutional provision has been overlooked, please specify in writing what that law or provision may be and why you think it is overlooked, for our consideration.

- WAIVER OF JURY TRIAL AND ARBITRATION

With respect to your fifth bullet point, please specify what right you believe taxpayers are asked to waive that you believe is applicable in this contractual context. You have not identified any in your letter.

In the past, you have complained about the arbitration provisions in the assessment contracts, so perhaps your concern is the waiver of the right to a jury trial, which is part of Section 13, entitled Arbitration Agreement. Your concern in this regard is unjustified.

As a general matter, arbitration is an accepted alternative to expensive judicial proceedings, and the Supreme Court has repeatedly upheld its use, provided adequate disclosure is made and consent manifested. Our contractual documents meet the disclosure and consent requirements. The Assessment Contract clearly and conspicuously explains the arbitration and waiver provisions over the course of a page; and, it requires the property owner to acknowledge and separately agree to these terms with their initials at the conclusion of this lengthy explanation. This same clear and conspicuous explanation also appears in the application at page 4-5, such that the property owner has ample time to consider these points and, if she desires, consult with an attorney. Additionally, both the Application, in subsection "I" on page 5, and the Assessment Contract, in Section 13(j) provide the borrower with the right to opt out of the Arbitration Agreement within 15 days of signing the contract. This is a manifestly fair approach to agreeing to arbitration; and, no Missouri court has ruled otherwise.

#### 4. YOUR PROPOSED CHANGES TO THE IGA

I will now address the specific changes you made to our proposed IGA. We believe the specific changes you request are unwarranted. Most if not all of your concerns are unfounded and reflect the fact that you are not familiar with our Contractual Documents. Additionally, it is not in your purview as Collector to force the District to change its documentation or adopt what you believe may be a best practice by refusing to bill and collect PACE assessments. Nevertheless, if you specifically identify a particular practice recommended by the DOE, we are willing to consider any specific recommendation for the future, particularly those that pertain to your ministerial duty to bill and collect PACE assessments.

- YOUR PROPOSED SECTION 1

We currently have no objection to your changes to SECTION 1 B or to SECTION 1 D.

We have two objections to your changes to SECTION 1 E. One, your reference to obtaining additional reporting only by special request at "appropriate compensation" is too vague a price term to be acceptable or even enforceable. Two, your approval of a special request should not be unreasonably withheld and, if withheld, the reason for withholding consent should be expressly stated in writing.

- YOUR PROPOSED SECTION 2

With respect to your addition to SECTION 2 A, please specify what form you are requesting that the District use, so that we can consider whether it is feasible and appropriate. Your current language is too vague for us to agree to.

We have two objections to your proposed SECTION 2 B. First, on a minor point, it is unnecessary for the District to give you each year all assessment contracts. It suffices for the District to provide you with copies of contracts for those assessments that will be collected for the first time in any given year. Second, our Contractual Documents already contain the requisite finding of economic benefit. In Section 9 (d) of the Assessment Contract, "The Property Owner expressly acknowledges that the acquisition

and/or installation of the Project on the Property confer a special economic benefit to the Property in an amount at least equal to the total assessments under this Contract." Similarly, the last paragraph in Section 12 provides, "The Property Owner further acknowledges that the Property Owner has received or will receive an estimated benefit by financing a project through the District that equals or exceeds the total assessments under the assessment contract as required by Section 67.2815 of the PACE Act." Moreover, the issue of economic benefit is not within the purview of your duties; and, you do not have the technical qualifications or expertise in finance or energy conservation to evaluate the economic benefit of energy conservation efforts and clean energy improvements. RSMO 67.2810.3 directs the responsibility for evaluating the economic benefits of the PACE program to the Director of the Department of Natural Resources, not to you or any other individual collector across the state.

In your proposed SECTION 2 C, you ask that we provide copies of the annual report we are required to provide the Department of Natural Resources in this regard. We are agreeable to doing so; and the report should satisfy your personal curiosity regarding PACE's economic benefits, because it includes:

(1) A brief description of each project financed by the clean energy development board during the preceding calendar year ...;

(2) The amount of assessments due and the amount collected during the preceding calendar year;

(3) The amount of clean energy development board administrative costs incurred during the preceding calendar year;

(4) The estimated cumulative energy savings resulting from all energy efficiency improvements financed during the preceding calendar year; and

(5) The estimated cumulative energy produced by all renewable energy improvements financed during the preceding calendar year.

Moving on, we object to your proposed SECTION 2 D for all the reasons discussed above. As noted, the Contractual Documents adequately inform borrowers of their rights and obligations, and the right to protest is only applicable to errors made by the Collector in listing the amount of the contractual assessment. Additionally, we note that the Contractual Documents discuss the legal timeline for foreclosure. See, for example, Assessment Contract Section 6 and Application Section 1 b.

We object to your proposed SECTION 2 E for all the reasons discussed on page 1 above, including that you misread the law specific to PACE assessments.

- YOUR PROPOSED SECTION 5

We have no objection to your proposed SECTION 5 A.

Even though we have been sending you signed copies of each assessment contract, we object to your proposed SECTION 5 B. You have a ministerial duty to bill and collect all PACE assessments, regardless of what they state and whether they bear a wet signature. Moreover, the assessment contract meets the six requirements of RSMO Section 67.2815.2, as I shall now explain in detail.

RSMO Section 67.2815.2(1) Exhibits A and B to each Assessment Contract describe the project (e.g. the installation of a solar photovoltaic system consisting of a panel and an inverter) and the estimated cost of the project in the estimated disbursement amount. Section 4.4 of the Handbook describes how

the project will either reduce energy consumption or create energy from renewable sources through the use Eligible Products, as described in the online Eligible Product List. (See Handbook Appendix D for the link for the list.) Section 7 of the Application provides "financing will not be used to finance any equipment that is not an Eligible Product on the Program's Eligible Product List or approved as a custom product by the Program." Section 1 j of the Handbook also describes validation procedures.

RSMO Section 67.2815.2(2) The Contract verifies the final cost of each project through the Completion Certificate and insures that any amounts advanced by the District will not exceed the final cost by enforcing a maximum financing amount on each project, as explained in Section 4.5.1 of the Handbook.

RSMO Section 67.2815.2(3) Please refer to the contractual acknowledgements of economic benefits, discussed above.

RSMO Section 67.2815.2(4) Section 3 of the assessment agreement contains the required agreement by the property owner to pay annual special assessments for a period not to exceed twenty years.

RSMO Section 67.2815.2(5) The Handbook discloses in Section 7.8.1 that the special PACE assessments stay with the property when it is sold. Additionally, the Assessment Contract in Section 9(b) states, "This Contract establishes rights and obligations that are for the benefit of the Property and, therefore such rights and obligations run with the land pursuant to Section 67.2815 and shall be obligations upon future owners of the Property."

RSMO Section 67.2815.2(6) Section 9(c) of the Assessment Contract acknowledges no subdivision of the property subject to the assessment contract shall be valid unless the contract or an amendment divides the total annual assessment due between the newly subdivided parcels pro rata to the special benefit realized by each.

Moving on to your proposed SECTION 5 C, we do not agree to provide to the homeowner contracts in the language primarily spoken in their home. Chinese, Japanese, French, German or some other language may be the taxpayer's primary language, but she may comprehend English sufficiently to enter into a contract in English. Thus, the broad rule you demand is unnecessary. Do you provide your property tax statements in the taxpayer's primary language?

We object to your proposed SECTION 5 D, for all reasons explained above. As noted, you fail to identify any particular "best practice", let alone one that the Contract ignores. Should you take the time to review our Contractual Documents and specifically identify a particular practice recommended by the DOE, we are willing to consider any specific recommendation for the future. However, it is not in your purview as Collector to force the District to adopt what you believe may be a best practice by refusing to bill and collect PACE assessments.

We also object to your proposed SECTION 5 E. It would require that in certain value calculations, the District use the "market value of the property as determined by the Assessor." Among other things, we believe that this conflicts with the DOE's Best Practices, Section 2.2. That section recommends that PACE programs "should determine market value of the property using valuation methods and tools appropriate for their market and individual properties, including automated valuation methods or desktop appraisals performed by a licensed appraiser with training and certification in the valuation of green and sustainable buildings." In conformity with that recommendation, Renovate America uses an automated value model that is appropriate for buildings with energy conservation and green energy improvements. See Application Section 1 g. (If the property owner disagrees with the AVM value, she may choose to pay for an appraisal, pursuant to Handbook Section 4.3.) We do not believe that the

Lydia McEvoy  
The Honorable Lydia McEvoy  
February 25, 2019  
Page 7

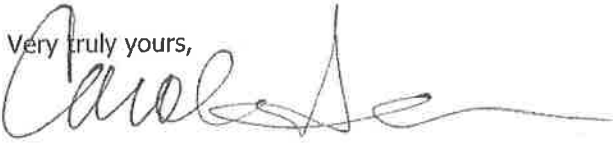
BRYAN  
CAVE  
LEIGHTON  
PAISNER 

Assessor's valuation methodology meets the recommended best practice, while Renovate America's does.

Please let me know if you would like us to prepare another version of the IGA that incorporates those of your suggestions that we agree to.

Finally, just as you copied your email to Kansas City, we are copying Kansas City and the other municipalities listed below on this letter and its attachments, so that they may better understand our Contract and rest assured that it is compliant with state law and best practices.

Very truly yours,



Carole L. Iles

Enclosures: Missouri HERO Program Handbook  
HERO Financing Program Application  
Financing Estimate  
HERO Financing Program Completion Certificate

cc: Excelsior Springs  
Gladstone  
Kansas City  
North Kansas City

**BILL NO. 19-15**

**ORDINANCE NO. 4.466**

**AN ORDINANCE AUTHORIZING THE CITY OF GLADSTONE, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS (ROYAL PARK APARTMENT HOMES PROJECT), SERIES 2019, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,070,000 TO FINANCE THE COSTS OF A PROJECT FOR STKC PROPERTIES LLC, A MISSOURI LIMITED LIABILITY COMPANY, CONSISTING OF THE CONSTRUCTION AND EQUIPPING OF IMPROVEMENTS TO COMMERCIAL FACILITIES; APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR THE COMPANY; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.**

**WHEREAS**, the City of Gladstone, Missouri (the "City") is a third class city and political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri; and

**WHEREAS**, the City is authorized under the provisions of Article VI, Section 27 of the Missouri Constitution, as amended, and Sections 100.010 to 100.200, inclusive, of the Revised Statutes of Missouri, as amended (collectively, the "Act"), to purchase, construct, extend and improve certain projects (as defined in the Act) for the purposes set forth in the Act and to issue industrial development revenue bonds for the purpose of providing funds to pay the costs of such projects and to lease or otherwise dispose of such projects to private persons or corporations for manufacturing, commercial, warehousing and industrial development purposes upon such terms and conditions as the City shall deem advisable; and

**WHEREAS**, in order for STKC Properties LLC, a Missouri limited liability company (together with any successors or assigns, the "Company"), to construct and renovate improvements to certain commercial facilities (collectively, the "Project"), the Council hereby determines and declares the official intent of the City to finance the costs of the Project out of the proceeds of industrial development revenue bonds to be issued under the Act (the "Bonds"); and

**WHEREAS**, the City has prepared a plan for industrial development with respect to the Project (the "Plan") as required by Section 100.050 of the Act, notice of the Project was given to the taxing jurisdictions in accordance with Section 100.059.1 of the Act, and, subject to allowing for additional comments from taxing districts, the City now desires to approve the Plan; and

**WHEREAS**, the City has and does hereby find and determine that it is desirable for the economic development of the City and within the public purposes of the Act that the City proceed with the issuance of the Bonds for the purpose described above; and

**WHEREAS**, because the Bonds will be payable solely out of payments, revenues and receipts derived by the City from the lease of the Project to the Company and from no other

source, the City has determined that it is appropriate that the Bonds be sold to the Company pursuant to Section 108.170 of Revised Statutes of Missouri, as amended, which provides that notwithstanding any other provisions of any law or any charter provision to the contrary, industrial development revenue bonds may be sold at private sale.

**WHEREAS**, the City further finds and determines that it is necessary and desirable in connection with the approval of the Plan and the issuance of the Bonds that the City enter into certain documents, and that the City take certain other actions and approve the execution of certain other documents as herein provided;

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

**Section 1. Public Purpose.** The Council hereby finds and determines that the Project will promote the economic welfare and the development of the City, and the issuance of the Bonds by the City to pay the costs of the Project will be in furtherance of the public purposes set forth in the Act.

**Section 2. Approval of Plan.** The Council hereby approves the Plan for Industrial Development Project attached hereto as **Exhibit A** in accordance with Section 100.050 of the Act.

**Section 3. Authorization and Sale of the Bonds.** The City is hereby authorized to issue and sell its Taxable Industrial Development Revenue Bonds (Royal Park Apartment Homes Project), Series 2019, in an aggregate principal amount not to exceed \$4,070,000, for the purpose of providing funds to pay the costs of the Project. The Bonds shall be issued and secured pursuant to the herein authorized Trust Indenture and shall bear such date, shall mature at such time, shall be in such denominations, shall bear interest at such rate (not to exceed 8.00%), shall be in such form, shall be subject to redemption, shall have such other terms and provisions, shall be issued, executed and delivered in such manner and shall be subject to such provisions, covenants and agreements as are specified in the herein authorized Trust Indenture upon the execution thereof, and the signatures of the officers of the City executing the Trust Indenture shall constitute conclusive evidence of their approval and the City's approval thereof. The sale of the Bonds to the Company at private sale pursuant to the provisions of Section 108.170 of Revised Statutes of Missouri, as amended, at the interest rate and upon the terms set forth in the Trust Indenture is hereby approved.

**Section 4. Limited Obligations.** The Bonds and the interest thereon shall be limited obligations of the City payable solely out of the payments, revenues and receipts derived by the City from the herein authorized Lease Agreement, and such payments, revenues and receipts shall be pledged and assigned to the Trustee as security for the payment of the Bonds as provided in the Trust Indenture. The Bonds and interest thereon shall not be deemed to constitute a debt or liability of the City within the meaning of any constitutional provision, statutory limitation or City code provision and shall not constitute a pledge of the full faith and credit of the City. The issuance of the Bonds shall not, directly, indirectly or contingently, obligate the City to levy any form of taxation therefore or to make any appropriation for their payment.



**Section 5. Approval and Authorization of Documents.** The following documents (the "City Documents") are hereby approved in substantially the forms presented to the Council at this meeting (copies of which documents shall be filed in the records of the City), and the City is hereby authorized to execute and deliver the City Documents with such changes therein as shall be approved by the officials of the City executing such documents, such officials' signatures thereon being conclusive evidence of their approval thereof:

(a) Trust Indenture dated as of the date set forth therein (the "Trust Indenture"), between the City and Security Bank of Kansas City, Gladstone, Missouri (the "Trustee"), pursuant to which the Bonds shall be issued and the City shall pledge and assign the payments, revenues and receipts received pursuant to the Lease Agreement to the Trustee for the benefit and security of the owners of the Bonds upon the terms and conditions as set forth in the Trust Indenture;

(b) Lease Agreement dated as of the date set forth therein (the "Lease Agreement"), between the City and the Company, under which the City will (i) provide funds for the construction, improvement and equipping of the Project and (ii) lease the Project to the Company pursuant to the terms and conditions in the Lease Agreement, in consideration of rental payments by the Company which will be sufficient to pay the principal of, premium, if any, and interest on the Bonds;

(c) Bond Purchase Agreement dated as of the date set forth therein, between the City and the Company, pursuant to which the Company agrees to purchase the Bonds; and

(d) Performance Agreement dated as of the date set forth therein, between the City and the Company, pursuant to which the City will grant the Company certain rights with respect to the abatement of *ad valorem* real property taxes on the Project in consideration for the Company's agreement to operate each facility comprising the Project as a commercial facility.

**Section 6. Execution of Documents.** The Mayor or the City Manager of the City is hereby authorized and directed to execute the Bonds and to deliver the Bonds to the Trustee for authentication for and on behalf of and as the act and deed of the City in the manner provided in the Indenture. The Mayor or the City Manager of the City is hereby authorized and directed to execute the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk of the City is hereby authorized and directed to attest to and affix the seal of the City to the Bonds and the City Documents and such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

**Section 7. Further Authority.** The City shall, and the officials, agents and employees of the City are hereby authorized and directed to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to

carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the City Documents.

**Section 8. Severability.** The sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of the Ordinance are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 9. Governing Law.** This Ordinance shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

**Section 10. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the City Council and approval by the Mayor, which approval shall not be granted if comments on the Plan are received by the City from taxing districts subsequent to the adjournment of the City Council meeting of March 25, 2019 and by 5:00 p.m. on March 26, 2019.

[Signature Page Follows]

**PASSED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI,  
THIS 25<sup>th</sup> DAY OF MARCH, 2019.**

---

Bill Garnos, Mayor

(SEAL)

ATTEST:

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Ruth Bocchino  
City Clerk

First Reading: March 25, 2019

Second Reading: March 25, 2019

**APPROVED AND MADE EFFECTIVE BY THE MAYOR OF THE CITY OF  
GLADSTONE, MISSOURI, THIS 28<sup>th</sup> DAY OF MARCH, 2019.**

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Bill Garnos, Mayor

(SEAL)

ATTEST:

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Ruth Bocchino  
City Clerk

First Reading: March 25, 2019

Second Reading: March 25, 2019



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 19-15

ORD ☒ # 4.466

Date: 3/18/2019

Department: General Administration

Meeting Date Requested: 03/25/2019

Public Hearing: Yes ☒ Date: 3/25/2019

Subject: An Ordinance authorizing the City of Gladstone, Missouri, to issue its taxable industrial development revenue bonds (Royal Park Apartment Homes Project), Series 2019, in a principal amount not to exceed \$4,070,000 to finance the costs of a project for STKC Properties LLC, a Missouri Limited Liability Company, consisting of the construction and equipping of improvements to commercial facilities; approving a plan for an industrial development project for the company; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of bonds.

Background: STKC Properties, LLC has agreed to the terms of a development plan with the City of Gladstone for the property located at 18 NW 72nd Street Gladstone, Missouri. This development plan includes the issuance of taxable industrial revenue bonds, authorized under Missouri Sections 100.010 to 100.200, RSMo. The proceeds of the bonds will be used to improve the property as outlined in the development agreement.

Budget Discussion: Funds are budgeted in the amount of \$ 0 from the GENERAL fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0

Public/Board/Staff Input: N/A

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

Bob Baer  
Assistant City Manager

PC  
City Attorney

SW  
City Manager