

**CITY COUNCIL REGULAR AGENDA MONDAY,
OCTOBER 14, 2019, BEGINS ON PAGE 29**



GLADSTONE CITY COUNCIL

OPEN STUDY SESSION MEETING MONDAY, OCTOBER 14, 2019

AGENDA

TIME: 7:15 PM

1. **2018-2019 City Council Goals-** City Manager Wingerson will provide an update on the progress towards achieving our current goals.



Department of General Administration

Memorandum

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

FROM: Scott Wingerson, City Manager

DATE: October 10, 2019

SUBJECT: 2018-2019 City Council Goals

Goal setting is a primary tool used to move our community forward. The 2018-2019 City Council goals inspire staff to innovate and demonstrates investment in strategic projects and programs. Thank you to the Mayor and City Council for your vision and leadership.

Please find following a brief snapshot of progress toward achieving the 2018-2019 goals.

I. City Council Goal: Promote Gladstone as a safe place with a focus on traffic enforcement and the recruitment and retention of high quality police officers.

An innovative pay structure has been created that combines structured compensation with proficiency standards. The purpose is to provide the highest level of service to residents, and retain and recruit the best young officers. Also implemented was a lateral entry program for police and fire that will help fill entry level vacancies.

The Public Safety Department developed strategies directed towards reducing violent crime by at least 10% for the calendar year 2019. Violent crimes on the Missouri Uniform Crime Reporting Program include: Criminal Homicide/Manslaughter, Rape/Attempted Rape, Robbery, and Aggravated Assault. Forty incidents of violent crime were reported in Gladstone through July in 2019 compared to sixty-nine incidents reported through the first seven months of 2018. This represents a 42% decline in reports of violent crime.

Property crimes listed on the Missouri Uniform Crime Reporting Program include: Burglary, Larceny/Theft, Motor Vehicle Theft, and Arson. Three hundred fifty-six (356) incidents of Part I property crimes were reported in Gladstone through July in 2019

compared to three hundred fifty-eight (358) incidents reported through the first seven months of 2018.

A new CAD/RMS software vendor has been identified, reviewed, and recommended for acquisition (Zuercher Technologies, a Central Square Technologies Company). The acquisition of this software is part of a partnership with Excelsior Springs Police Department, who is also implementing this software platform. The proposal was presented to the City Council on August 26, 2019 and approved on Monday, September 9, 2019.

A new crime analyst was hired and assumed her position in March, 2019. She has been instructed to develop and produce regular reports on violent crime in the following categories:

- Multi-family complexes
- Private Property (homes)
- Commercial Property
- Other locations
- Crimes with a connection to illegal drugs
- Offenders known to victims
- Offenders not known to victims (random)
- Develop “hot spot” lists of criminal activity
- Identify associations among identified criminals

The top three traffic accident locations usually involve the following intersections: NE 72nd Street and Missouri Route 1 Highway (N. Prospect), NE 72nd, North Oak Trafficway, and NE 64th Street and Missouri Route 1 Highway (N. Prospect).

Analyzing these top three accident locations collectively, a twenty-five percent (25%) reduction of traffic accidents were realized.

Five officers (one sergeant and four police officers) are currently assigned to the Accident Investigation/Traffic Safety Unit rendering the unit fully staffed.

Focus traffic enforcement efforts of police officers on:

- High accident locations
- Violations that contribute to the cause of traffic crashes
- Identifying drivers operating vehicles while under the influence of alcohol and/or drugs.

Two additional radar trailers were purchased and deployed in June, 2019. The Accident Investigation/Traffic Unit Supervisor shares the data collected with citizens who request the radar trailers. This information includes the top speeds recorded and time of day of the most frequent number of speeding offenses.

Public Works completed installation of two radar signs (solar powered) in the 7000 block of N. Woodland (one for northbound traffic, the other for southbound traffic) in August, 2019 in response to citizen complaints of excessive speed in this area.

The Traffic Division applied for a grant through Mid-America Regional Council (MARC) in their "2019-2020 Destination Safe" grant program. On July 24, 2019, he was notified the department was awarded \$6,007.00 to purchase solar-powered speed/radar signs for school zones.

II. Implement a proactive residential and commercial code enforcement program focused on public education, responsiveness, and adherence to codes.

The action plan presented in November, 2018 has been implemented. The plan provided for an adoption of a more stringent Missouri State Statute, revision to the notification letters, education of the public, training of the two new Neighborhood Relations and Maintenance Coordinators, implementation of uniforms, proactive inspections based on dividing the City into four (4) inspection quadrants, and a stronger approach to issuing citations. See below for more detail on the process.

When Notice and Order letter(s) are sent, a copy of the Property Maintenance Guidelines Brochures or Commercial Code Brochure, along with pictures of the violation(s), are included. Orange and black signs are placed in the right-of-way on properties that have nuisance violations.

Updated City regulations pertaining to nuisances as noted above.

Weeds:

- Reduced weed height to seven (7) inches from ten (10) inches:
 - City abates if not abated by property owner.
 - Issue court summons if second or subsequent notices are sent; no matter who mowed with previous notice(s).
 - City's mowing costs are placed on property owner's tax bill if not paid by property owner.

Rubbish and Garbage:

- If abated by City of Gladstone....
 - Court summons issued.
 - City's abatement costs are placed on property owner's tax bill if not paid by property owner.

Vehicle nuisances:

- If abated by City of Gladstone....
 - Court summons issued.

- City's abatement costs are placed on property owner's tax bill if not paid by property owner.

Other nuisance:

- If abated by the City of Gladstone....
 - Court summons issued.
 - City's abatement costs are placed on property owner's tax bill if not paid by property owner.

III. Develop an innovative housing strategy designed to encourage residential density.

Staff has researched and understands City Code revisions necessary to accommodate residential density. A pilot plat was presented and approved adhering to the concepts of increased density.

Gladstone, Mission, and MARC hosted the Housing Summit which was well attended by the region and served to brainstorm possible housing alternatives.

Staff continues to seek development interests to pilot these density desires in existing neighborhoods.

IV. Continue commitment to Downtown and commercial corridors through innovative strategies and partnerships.

- Antioch Road- Major projects announced and underway include: Hy-Vee major remodel, Hy-Vee gas remodel, Early Education Center at Prospect Plaza, luxury laundromat, Burger King, and Wendy's. Opportunities include Scola property, car wash, triangle, land around QuikTrip.
- Downtown- Major projects include Iwerx, DesignWerx, Stone Canyon Pizza, Fairfield Inn and Suites, La Tiara, The Heights repairs.

V. Continue implementation of all Master Plans including:

Director Nebergall recently provided an overview of capital improvement projects to the City Council. Following is a brief summary.

Parks: Hobby Hill Park was dedicated and is experiencing heavy use. The restrooms were renovated at Happy Rock Park, pickle ball courts were added to Meadowbrook Park, backstops and fencing were replaced at the softball complex.

Cultural Arts: Happy Rock Park art will be installed this Fall. Art based programming continues to evolve with new offerings such as Young Rembrandts, and Hip Hop Theater.

Facilities: Office and locker room facilities were renovated at Public Works. City Hall has been delayed pending progress on the Public Safety headquarters.

Streets/Sidewalks: Approximately \$1.5 million is allocated to the general street maintenance program this season. This is nearly double previous year funding. Additionally, Old Pike Road is nearing completion while 76th Street is in right-of-way acquisition. Finally, Shoal Creek Trail is nearing completion and Pleasant Valley Road is operational.

Stormwater: Funding of miscellaneous projects continues. These are generally small scale "backyard" projects. Wet weather during the last few years has hastened some of these projects.

Potable Water: Funding of \$800,000 was allocated to water main replacements which are currently being installed. Additionally \$2.5 million of main replacement is being financed and will be designed and constructed over the next 24 months.

Comprehensive Plan: An RFQ for consulting services has been drafted. The first step is to engage ETC to perform a citizen satisfaction survey. More detail in this area is planned to be presented at goal setting.

Atkins-Johnson: An opportunity to purchase 18 acres +/- adjacent to the farm presented itself. The proposed financing allocates approximately \$180,000 to replace the existing barn.

VI. Build public support by providing factual information for implementation of the Shaping Our Future sales tax request resulting in successful passage of an April ballot issue.

The April ballot issue passed by more than 80%.

VII. Begin the process of developing a unified messaging strategy.

City Staff has been working with Trozzolo Communications to gauge residents/non-residents perception of the City of Gladstone as well as developing and implementing a unified messaging strategy internally and externally.

Trozzollo has been engaged and performed a perception analysis. This analysis determined that Gladstone currently lacks identity in the region. Since completion of the perception analysis, City Staff has been working with Trozzollo on Phase 2, which focuses on key brand messaging that can be used consistently throughout all internal and external communications, including the Gladstone website, social media platforms, and magazine in an effort to build rapport with audiences to broaden the city's reputation.

Key Messages are being created around the major themes of:

- **INSPIRED – It's why we do it.**

Our transformation is grounded in a down-home work ethic and a sense of pride in our hometown.

A vibrant community is blooming here, with events and entertainment at Linden Square, a community center, farmers market and parks.

This is home. There are many types of neighborhoods and a mix of home options for every stage of life.

- **INNOVATIVE – It's how we do it.**

Our city is focused on what's ahead, setting goals and achieving them.

Entrepreneurs and new ventures have a home here, and help strengthen our city's reputation and contribution to the region.

- **INVESTED – It's who we are.**

We are fully invested in fostering a welcoming community, where people of all walks of life thrive.

Residents are heard, and are invited to invest themselves and take an active role in shaping our city's future.

Our city is in it together, focused on developing the best possible community for the next generation of residents and businesses.

When We're All In, we are: An Extraordinary Team of Everyday Heroes

Many of the goals have a multi-year perspective. Staff is preparing a discussion about the next steps for the 2019-2020 Council goal setting session.

Thank you for your consideration of this information. If you should desire to discuss this matter in greater detail, please advise.

Encl

Contacts

City of Gladstone

Community Development

7010 N Holmes St
Gladstone, MO 64118
(816) 436-2200

Animal Control

(816) 436-1810

Clay County Public Health

(816) 595-4200

Clay County Senior Services

(816) 455-4800

Code Enforcement & Permits

(816) 423-4111

Donate Cars

(800) 237-5714

Fire Marshal

(816) 423-4081

Household Hazardous Waste

(816) 784-2080

Planning & Zoning

(816-) 423-4110

Public Safety (non-emergency)

(816) 436-3550

Public Works

(816) 436-5442



*This brochure is provided for informational purposes
and in no way substitutes for or overrides the codes
and policies formally adopted by the City of Gladstone.*

Revised 5/2019

Property Maintenance Guidelines



Keeping Gladstone a "gem in the Northland" is the responsibility of every citizen, young and old. It is a responsibility that goes beyond basic ordinance requirements, reaching instead to higher community standards that will reduce crime and increase the livability of our neighborhoods.

Towards this end, this brochure has been developed to assist citizens in identifying some of their property maintenance responsibilities, and when to report violations.

The **City's Property Maintenance Regulations** provide minimum requirements pertaining to all premises and structures. Its intent is to ensure public health, safety and welfare as affected by the continued occupancy and maintenance of structures and premises. Visit the City's website to access the entire text of the City Code.

www.gladstone.mo.us



Code Violation Process

How to Report a Code Violation | Code Violations can be reported by phone, walk-in, or on the Gladstone City website. Reports are anonymous. In all cases, the **complete address** of the home being reported must be provided. In some cases, the Code Enforcement Officer may need to enter your property to view violations in the backyard of a neighboring property.

By phone | Code Violations can be phoned in to:
Community Development Department
816-423-4111

Walk-in | The Community Development Department is located at:
7010 N Holmes Street
Gladstone, MO 64118

Online | Visit the City website at:
www.gladstone.mo.us.
From the Residents drop-down tab, select "**Code Violation Request Form**". Complete the form and hit the submit button at the bottom of the page. A member of Community Development will respond to your report within 24 hours.

How does a complaint get handled | Code Enforcement must provide due process when requiring abatement of violations.

The Code Enforcement Officer must:

1. Verify a violation exists.
2. Issue a written notice to the property owner/resident by letter and/or sign in yard with a compliance date.
3. If violation exists upon re-inspection, a 2nd notice may be written and/or court summons.
4. Continued non-compliance may result in a court summons.

Property Maintenance

Composting | Each property may have one covered bin. The maximum size is 600 cubic ft./4' in length. It must be located in backyard 5' from any property line.

House Numbers | The address shall be legible and visible from the street. Address characters shall be a contrasting color from the house. Numbers/letters shall be Arabic and each character shall be not less than 4" high.



Minimum Housing Standards | All wood, siding, shingles, roof coverings, railings, walls, porches, doors, gutters, windows, screens and any other exterior parts of residential structures must be maintained in weather-tight, rodent proof, sound condition, and in good repair.

Open Storage* | Unsheltered storage of personal property is prohibited. This includes abandoned, discarded or unused objects or equipment of any kind, appliances, vehicle parts, tires, scrap metal, toys in disrepair, furniture and barrels as well as firewood (unless neatly stacked in back yard), and landscaping, lumber or building materials (unless being used in a current project).

Rubbish/Garbage* | All exterior property and premises shall be free from any accumulation of rubbish, garbage, litter and debris that have been thrown away and that are lying on the ground.

Property Maintenance

Vehicles* | No inoperative or unlicensed vehicles shall be parked, kept, or stored on any premises, except as provided for in other regulations. Vehicle repair of any kind is not allowed, except as provided for in other regulations. Vehicles may not be parked on the grass or block the sidewalk.

NOTE: If the vehicle parked on street is inoperative or not currently licensed, call the Traffic Desk (Public Safety) at 423-4048 to report.

Vehicles for Sale | Only one vehicle may be for sale at any time. Vehicles must be parked on a paved surface. Vehicle sales are limited to four per calendar year.



Yard Maintenance* | Weeds/grass growth should not exceed 7 inches. Diseased or dying trees/shrubs must be removed. Trees/Shrubs/Vegetation may not obstruct the street view or sidewalk. Blowing/raking/dumping leaves or grass clippings into the street, ravine or stream is prohibited. No burning of tree limbs or yard waste is allowed. Poison ivy/oak/sumac/thistles must be removed.

** Non compliance may result in contractor abatement with a tax lien or additional real estate tax placed on the property.*

Maintenance

Overhang Extensions | All overhang extensions, including but not limited to: canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts, shall be maintained in good repair and properly anchored. Weather coating materials should be applied to protect exposed surfaces from the elements.

Parking/Loading Areas | All loading areas, auto service stations, drive-in's, and other commercial and industrial parking areas shall be paved with concrete/bituminous concrete or its equivalent, and maintained in a proper state of repair.

Sidewalks | Commercial property owners or tenants must keep sidewalks clean, clear and in proper state of repair.

Signage | Business owners who are replacing or adding new Permanent Signs must submit their plans to the Community Development Department for review.

The review fees are:

Commercial New	\$200.00
Replacement	\$100.00

Permit fees are based on valuation.

All business owners who wish to display outdoor advertising of any kind must first obtain a Temporary Sign Permit from the City of Gladstone. The fee for a 10-day Temporary Sign Permit is \$100.00.

For signage requirements, please refer to the City of Gladstone's Sign Ordinance.

Maintenance

Vacant Structures/Land | All vacant structures and land should be maintained in a clean, safe, secure, and sanitary condition so as not to cause blight or adversely affect public health.



Contacts

City of Gladstone Community Development

7010 N Holmes St
Gladstone, MO 64118
(816) 436-2200

Code Enforcement & Permits (816) 423-4111

Planning & Zoning (816-) 423-4110

Public Works (816) 436-5442

Fire Marshal (816) 423-4081

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12/2018

Commercial Code Brochure



The City of Gladstone is proud to collaborate with its business community in order to preserve and enhance the quality of life that residents and visitors experience.

The Community Development Department is responsible for administering the City Code for all commercial properties and businesses.

This brochure is provided to assist Gladstone business owners in meeting the Code standards of the City of Gladstone and highlights some of the most common code compliance issues. All information herein was verified as current and accurate at the time of printing. However, Codes are subject to change. Please contact Code Enforcement to verify any questions you may have at (816) 423-4111, and visit the City's website to access the entire text of the City Code.

www.gladstone.mo.us



Licenses



Licenses | Businesses in Gladstone must be licensed on an annual basis*. To receive a Business License from the City you must fill out a Business License Application and pay the required license fee(s).

Gladstone-based businesses must provide a paid Business Property Tax Receipt with renewal, or if new, Proof of Registration with Clay County.

Retail sales require a "No Tax Due" statement from the Missouri Department of Revenue.

Businesses doing construction work must provide a Workers' Compensation Certificate, or a notarized Workers' Comp Affidavit (if qualified).

Fees | Business License Fees are .30 per \$1,000 of gross receipts for the licensing period of July 1 to June 30, plus a \$30.00** flat fee.

Your business may be subject to these additional license fees:

Amusement	\$25.00
Cigarettes	\$1.00
Liquor	(see City Clerk)
Master Electrician	\$100.00**
Master Plumber	\$100.00**

* Business Licenses must be current before permits can be issued.

** Fees are prorated after January 1st.

Maintenance

Building Numbers | Address shall be legible and in a position that is visible from the street fronting the property. Address characters shall contrast with the background. Numbers/letters shall be Arabic and each character shall be not less than 8" high with a minimum stroke width of 1/2".

Equipment/Noise | Exterior work/noise performed between 10:00am to 7:00pm. Work before or after these hours must have prior written approval from the Community Development Department.

Exterior Surfaces | All exterior surfaces, including windows and doors, shall be maintained in good, clean, and sanitary conditions. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

Fire Safety | Safe unobstructed pathways shall be maintained to all exits to a public way. Aisle width and exit capacities should be in conformance with International Fire Code. Emergency escape openings should be operational from the interior of the building. All means of egress should be indicated with an Exit Sign.

Garbage/Trash | Garbage containers must have a closeable top and be leak-proof. All commercial containers shall display the name and contact information of the company responsible for servicing the container. Trash should not be allowed to accumulate. All dumpsters, trash pads, trash collection or storage areas shall be screened from all adjoining properties.

Maintenance

Graffiti | If a property is defaced, it is the owner's responsibility to restore surfaces affected by graffiti to an approved state of maintenance and repair. Please report all graffiti incidents to Public Safety.

Grass/Hedges/Shrubs/Trees | Hedges, shrubs, trees, bushes, vines or any planting used as a property line shall not extend into any public walkway or obstruct any fire hydrant or other public utility valve. Trees should be trimmed to clear paved walkways by a minimum of 8', and streets by a minimum of 13'. All dead and dying trees should be removed. Weeds/grass growth should not exceed 10 inches.

Inoperable/Dismantled Vehicles | No inoperative or unlicensed vehicles shall be parked, kept, or stored on any premises, except as provided for in other regulations. Vehicle repair of any kind is not allowed, except as provided for in other regulations.

Lighting | Means of egress, including exterior egress, shall be illuminated at all times the build is occupied, with a minimum of one foot-candle (11 lux) at floors, landings, and treads.



NOTICE AND ORDER

Letter Date

Property Owner / Resident
7010 N. Holmes Street
Gladstone, MO. 64118

Re: 7010 N. Holmes Street
13614001000800

The City of Gladstone is committed to maintaining quality neighborhoods and an excellent community environment, which is an expectation of our residents. We know that achieving this goal relies on the cooperation of everyone within the community. Keeping Gladstone, a great place to live is the responsibility of every resident. It is a responsibility that goes beyond basic ordinance requirements, reaching instead to a higher community standard that will reduce crime and increase the livability and property values of our neighborhoods. The City's Property Maintenance Regulations provide minimum requirements pertaining to all premises and structures. Its intent is to ensure the public health, safety, and well-being of those who choose to reside here.

The property referenced above was inspected on **DATE OF INSPECTION**, and observed that it was in violation of the City of Gladstone's Property Maintenance Regulations pertaining to nuisance.

Violation Detail:

Ordinance 4.321 Section NUMBER [PMR] NUISANCE NOT ADDRESSED UNDER PUBLIC NUISANCE

Violations Description:

SPECIFIC TO SECTION

Violation Noted:

WHAT WAS IN VIOLATION

Violation Remedy:

WHAT NEEDS TO BE DONE TO BRING INTO COMPLIANCE

The City requests that you voluntarily comply with the violation remedy by **DATE**. Enclosed are pictures of the violation(s) noted.

On or after the provided deadline, Code Enforcement staff will conduct another inspection. If the property is not in compliance after the inspection, the City may:

- Contract to have the violation(s) abated, at your expense; and
- Cause the cost to be added to your annual real estate tax bill.

The cost to have the City of Gladstone correct the violation will be significantly higher and includes a \$150 administrative fee. In addition, you will be cited for the violation and provided a date to appear in municipal court, which will likely result in the assessment of an additional fine and court costs. Clearly, this is much costlier than if you perform or even contract the work yourself before the deadline. We encourage you to do everything possible to voluntarily abate the violation(s) and avoid this action. You may want to consider asking for assistance from family or friends.

You have the right to appeal this "Notice and Order" to the Board of Zoning and Adjustments (BZA) within the time frame given to abate the violation(s) or twenty (20) days, whichever comes due first. The filing fee for this appeal is \$200.

We are willing to assist you in any way we can, with the exception of delaying the abatement of the violation past the deadline. We hope you will work with us to maintain a positive community environment. If you have any questions or need further information please feel free to call me at (816) 423-4111.

We greatly appreciate your cooperation,

First, Last Name
Property Code Enforcement Inspector

CC: Name
Case File CE-XX-XXXXXX



Department of Public Works Memorandum

DATE: September 19, 2019

TO: Scott Wingerson, City Manager

FROM: Timothy A. Nebergall, Director of Public Works

RE: Capital Improvements and Master Plans Update

Effective master planning and project implementation is essential to the long-term viability of the community. The purpose of this study session is to provide a brief overview of the progress made over the past year.

City Street

The City continues to invest heavily in the maintenance of City streets and the completion of major street projects including Pleasant Valley Road, Old Pike Road, and NE 76th Street. The City has been awarded over \$4-M in federal grants and continues to work jointly with the Gladstone Special Road District to fund street improvements. The City has also submitted 7 projects to the Mid-America Regional Council (MARC) for inclusion in the 2050 Long-Range Transportation Plan including the Gladstone Parkway, Missouri Route 1 and NE 72nd Street Intersection Improvements, N. Antioch Road, N. Broadway, N. Oak Trafficway, NE 72nd Street, and the Vivion Road Trail. Additional funding for street maintenance is proposed as part of an anticipated 2020 financing package.

Completed Projects:

- NE Pleasant Valley Road Improvements – N. Indiana Avenue to N. Jackson Street in partnership with KCMO - \$3.5-M
- 2018 Street Maintenance Program - \$1-M

Under Construction:

- Old Pike Road – Vivion Road to NW Englewood Road - \$2.0-M
- 2019 Street Maintenance Program - \$1.9-M

Funded Projects:

- NE 76th Street – N. Oak Trafficway to N. Brooklyn Avenue - \$2.3-M

Sidewalk Master Plan (2015)

Walkability is a major goal of the City of Gladstone. Approximately 9,000-linear feet of new sidewalk is currently programmed including:

Completed Projects:

- NE Pleasant Valley Road – N. Antioch Road to N. Jackson Street in conjunction with street improvements
- NE 64th Street Sidewalk – N. Bellefontaine to N. Indiana - \$50,000
- NE 64th Street and N. Antioch Road Pedestrian Signal Upgrades (Prospect Plaza) - \$50,000

Under Construction:

- Old Pike Road – Vivion Road to NW Englewood Road - \$2.0-M
- ADA Sidewalk Upgrades in conjunction with the 2019 Street Maintenance Program
- N. Broadway/NW 72nd Street Pedestrian Signal Upgrades - \$230,000

Funded Projects

- NE 72nd Street – Missouri Route 1 to N. Olive Street - \$25,000
- NE 76th Street – N. Oak Trafficway to N. Brooklyn Avenue in conjunction with street improvements

Stormwater Master Plan (2015)

The City continues to place an emphasis on stormwater management. Additional funding will be available after FY23 when a significant amount of debt has been repaid in the Capital Improvements Sales Tax fund (CIST).

Completed Projects

- N. Locust & NE 70th Street Pipe Replacement in the vicinity of Iwerx - \$50,000
- 301 NW 59th Terrace Bank Stabilization - \$25,000

Funded Projects

- Project No. 4 - NE 76th Street and N. Tracy Avenue Storm Drainage - \$90,000
- Carriage Commons Box Culvert - \$100,000
- NE 68th Terrace & N. Bellefontaine – \$85,000

Sanitary Sewer Master Plans (2002)

In 2018, the City spent approximately \$20,000 in the Rock Creek basin to reduce infiltration and inflow into the sanitary sewer collection system. Approximately \$30,000 was spent in the Mill Creek basin to increase system capacity and reduce the risk of sanitary sewer backups. An additional \$100,000 is programmed in 2019 to replace approximately 400-linear feet of 8-inch sanitary sewer in the vicinity of 6510 N. Grand.

Water Distribution Master Plan (2015)

Approximately 1.25-miles of new water main are currently under construction at a cost of approximately \$1-M. An additional \$2-M of water main replacement is planned as part of the anticipated 2020 financing package.

Under Construction:

- N. Montgall/N. Agnes – NE 67th Terrace to NE 67th Terrace
- N. Wabash – M-1 to NE 64th Street
- N. Olive – NE 61st Terrace to Shady Lane Drive
- N. Wayne – NE 65th Street to NE 67th Terrace
- NE 75th Terrace – N. Highland to N. Woodland

Parks and Recreation Master Plan (2012)

In 2012, the City of Gladstone completed a Parks and Recreation Master Plan. This document established the framework for upgrades to the existing park system, the development of Hobby Hill Park, and the expansion of the City's trail system.

Completed Projects

- Hobby Hill Park - \$1.8-M
- Happy Rock Park Restroom/Shelter Improvements - \$115,000
- Replacement of Happy Rock Park (West) and Oak Grove Playground Surfaces - \$80,000
- Meadowbrook Park Improvements (Pickle Ball, Playground, Shelter) - \$135,000

Under Construction:

- Shoal Creek Trail – N. Antioch Road to N. Brighton Avenue in partnership with KCMO - \$500,000
- Hobby Hill Disc Golf- \$25,000

Funded:

- Rock Creek Trail Phase 2 – Hidden Hollow Park to Missouri Route 1 - \$600,000
- Linden Connector – NIC to M-1 - \$870,000

Cultural Arts Master Plan (2014)

Funded Projects

- Happy Rock Park Art - \$50,000
- Temporary Art in Downtown - \$5,000

Facilities Master Plan (2015)

The City continues to pursue opportunities to improve City facilities. City-wide energy efficiency improvements were completed in 2018 utilizing an alternative financing mechanism called performance contracting. Financing was also secured to make upgrades at Public Works and City-wide facility improvements are proposed as part of the anticipated 2020 financing package.

Completed Projects

- Public Works improvements including the installation of LED exterior lighting, and upgrades to common areas including the conference room and breakroom - \$200,000



Update on City Master Plans

Timothy A. Nebergall, Director of Public Works

September 23, 2019

City Street Plan



NE Pleasant Valley Road (2018)

City Street Plan



2018 Street Maintenance Program - 10 Lane Miles

City Street Plan

2019 Street Maintenance
Program - 20 Lane Miles



City Street Plan

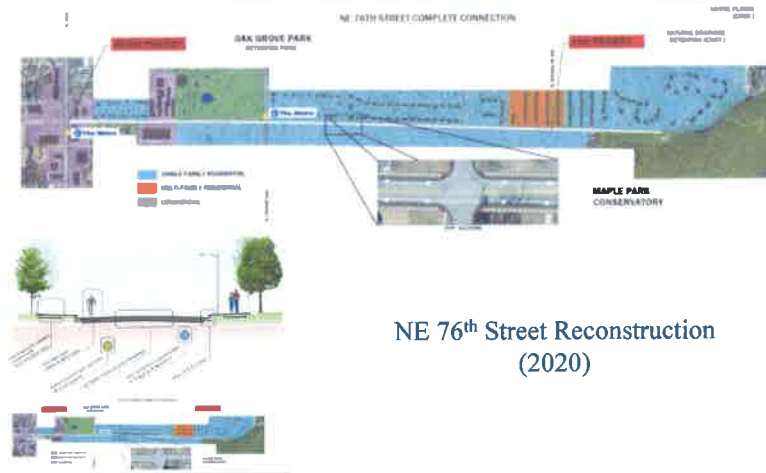


Old Pike Roadway Improvements
Gladstone, Missouri



Old Pike Road (2019)

City Street Plan



NE 76th Street Reconstruction
(2020)

Sidewalk Master Plan



NE Pleasant Valley Road
Antioch to N. Jackson
(2018)



NE 64th Street
N. Bellefontaine to N. Indiana
(2018)

Sidewalk Master Plan

NE 64th Street and N. Antioch Road
Pedestrian Signal Upgrades



ADA Ramp Upgrades

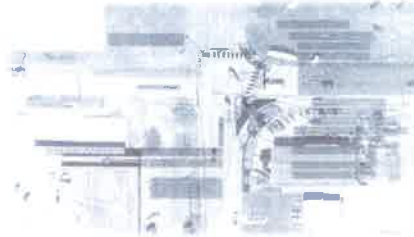


NE 72nd Street – M-1 to
N. Olive Street
In-fill Sidewalk

Sidewalk Master Plan



Old Pike Sidewalks



N. Broadway Avenue &
NE 72nd Street
Intersection
Improvements

Stormwater Master Plan



N. Locust & NE
70th Street



301 NW 59th Terrace
Bank Stabilization

Water Distribution Master Plan



2018

- N. Woodland Avenue
- NE 67th Street
- N. Wyandotte Avenue
- N. Highland Avenue

2019

- N. Montgall/N. Agnes
- N. Wabash Avenue
- N. Olive Street
- N. Wayne Avenue
- NE 75th Terrace

Parks & Recreation Master Plan



SPR AMBROSIO



Hobby Hill Park

Parks & Recreation Master Plan



Happy Rock Park
Restroom/Shelter Improvements



Happy Rock Park (West) and Oak
Grove Park Playground Surfaces

Parks & Recreation Master Plan



Meadowbrook Park Playground (2018)

Parks & Recreation Master Plan



Shoal Creek Trail – N. Antioch Road to N. Brighton Avenue (2019)

Parks & Recreation Master Plan



Rock Creek
Greenway Trail Phase 1
(2017)

Rock Creek
Greenway Trail Phase 2
(2020)

The Linden Connector Trail



Happy Rock Park Art

Facilities Master Plan



Public Works
Facility
Improvements
(2019)

Questions?



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 14, 2019**

The City Council will meet in Closed Executive Session at 6:15 pm Monday, October 14, 2019, in the City Manager's office, Gladstone City Hall, 7010 North Holmes, Gladstone, Missouri. The Closed Executive Session is closed pursuant to RSMo. Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, 610.021(2) Real Estate Acquisition Discussion, 610.021(9) Employee Groups, and 610.021(13) Personnel Records.

OPEN STUDY SESSION: 7:15 PM

1. 2018-2019 City Council Goals- City Manager Wingerson will provide an update on the progress towards achieving our current goals.

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 September 23, 2019, Closed City Council Meeting Minutes.
6. Approval of the September 23, 2019, Regular City Council Meeting Minutes.

7. CONSENT AGENDA

RESOLUTION R-19-52 A Resolution authorizing acceptance of work under contract with Tailor Made Exteriors, LLC, for the Happy Rock Park East Restroom Renovation Project, and authorizing final payment in the amount of \$5,794.81 for Project CE1862.

RESOLUTION R-19-53 A Resolution authorizing the City Manager to execute a contract with EverReady Services, LLC, in the total amount not to exceed \$26,000.00 per season for the 2019, 2020, and 2021 Holiday Lighting.

RESOLUTION R-19-54 A Resolution authorizing acceptance of a proposal from Shawnee Mission Ford for the acquisition of a 4X2 Crew Cab truck and a 4X2 Super Cab truck in the total amount of \$69,983.00.

RESOLUTION R-19-55 A Resolution accepting easements from certain property owners in conjunction with the Northeast 76th Street Improvements Project from North Oak Trafficway to North Brooklyn, Project TP1818.

REGULAR AGENDA

8. Communications from the Audience.

9. Communications from the City Council.

10. Communications from the City Manager.

11. FIRST READING BILL NO. 19-42 An Ordinance authorizing the City Manager to execute an intergovernmental agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the 2020 Regional Household Hazardous Waste Collection Program in the amount of \$29,229.19.

12. FIRST READING BILL NO. 19-43 An Ordinance amending Schedule V of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to establish no-parking areas on Northeast Brooktree Lane.

13. FIRST READING BILL NO. 19-44 An Ordinance approving the Final Plat of 6401 North Prospect Avenue, in Gladstone, Clay County, Missouri; (commonly known as Prospect Plaza), and directing the appropriate officials to affix their signatures to said Plat for recording.

14. PUBLIC HEARING: RIGHT OF WAY VACATION

15. FIRST READING BILL NO. 19-45 An Ordinance vacating the Right-of-Way located at 7010 North Holmes Street, Gladstone, Missouri, generally located in Parcel 1, Block 21 in Linden, Clay County, Missouri.

16. Other Business.

17. Adjournment.

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

City Clerk Ruth Bocchino Posted at 11:00 am
City of Gladstone October 10, 2019
7010 North Holmes
Gladstone, MO 64118
816-423-4096



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 23, 2019**

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

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

ABSENT: City Manager Scott Wingerson

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

Mayor Suter opened the Regular City Council Meeting Monday, September 23, 2019, at 7:31 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 Suter asked all to join in the Pledge of Allegiance to the Flag of the United States of America and thanked VFW Post 10906 for presenting the colors; Charlie Cram, Joe Liles, Carla Gleaton, and Stan Stoner.

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

The Agenda was approved as published.

Item No. 5. On the Agenda. Approval of the September 9, 2019, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the September 9, 2019, Closed City Council meeting as presented. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman

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

Item No. 6. On the Agenda. Approval of the September 9, 2019, Regular City Council Meeting Minutes.

Mayor Pro Tem Moore moved to approve the minutes of the September 9, 2019, Regular City Council meeting as presented. **Councilman Mallams** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 7. On the Agenda. **PROCLAMATION:** Fire Prevention Week

Mayor Suter presented the Proclamation to Marc Wachter, Fire Marshal.

Item No. 8. On the Agenda. **PROCLAMATION:** Volunteer Appreciation Week

Mayor Suter presented the Proclamation to the Gladstone Emergency Management Agency members: Everett Jones, Debbie Cosselboom, Cathy Gable, Deb McGlaughlin, Jim Olshefski, and Joe Griggs.

Item No. 9. On the Agenda. **PROCLAMATION:** Volunteers in Police Service Week

Mayor Suter presented the Proclamation to the VIPS members: Everett Jones, John Legrotte, and Clark Sauer.

Item No. 10. On the Agenda. **PROCLAMATION:** Code Enforcement Month

Mayor Suter presented the Proclamation to Alan Napoli, Community Development Administrator, and Eric Milsap, Code Enforcement Officer.

Item No. 11. On the Agenda. **CONSENT AGENDA.**

Following the Clerk’s reading:

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

Councilman Mallams moved to approve **RESOLUTION R-19-48** A Resolution authorizing the City Manager to execute an agreement for Audit Services for the City of Gladstone, Missouri, with Berberich Trahan & Co. P.A. (BT & Co.). **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-49** A Resolution authorizing Change Order No. 13 in the amount of \$156,320.00 to the contract with Lan-Tel Communications Services, Incorporated, for the 2019 Curb, Gutter, and Sidewalk Project TP1804. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-50** A Resolution authorizing Change Order No. 1 in the amount of \$242,212.20 to the contract with Metro Asphalt Incorporated, for the 2019 Mill and Overlay Program Project TP2006. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to **APPROVE OUTDOOR SPECIAL EVENT PERMIT:** iWerx Promotional Event, 602 Northeast 70th Street, Linden Square, Sunday, September 29, 2019, 2:00 – 10:00 pm. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to **APPROVE FINANCIAL REPORT FOR TWO MONTHS ENDING AUGUST 2019.** **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

REGULAR AGENDA.

Item No. 12. On the Agenda. Communications from the Audience.

There were none.

Item No. 13. On the Agenda. Communications from the City Council.

Councilman Yarber stated: *"I was very excited to attend, with our true Mayor, the Climate Action Summit that took place; it was the first time many of the cities and government officials across the Kansas City Metropolitan area came together to begin to figure out how to address the climate crisis. One of the speakers, Bob Berkebile, had a very short quote, and I'll quote him very shortly, it put everything in perspective. He said: 'The future of the human race will be decided in the next decade.' This is a tremendous urgency in action. We need to be thinking in completely different ways. Many of the speakers talked about how the models of how we did things in the past are not going to help us in the future. Certainly we had other powerful speakers such as the young Swedish girl who addressed the U.N. earlier; Greta Thunberg. She put it in much starker terms. She often refers to the fact that we are living in a 'house on fire' referring to our planet. When you see what is happening in the Amazon Rain Forest and we've got cities like Houston largely under water right now, we see that this is not something that is about future action. These are things that we need to be taking action on now. It was great that we saw all kinds of people coming together to begin to talk about a real plan. A coordinated*

plan, not just little things here and there, but a coordinated plan from-we'd like to see more done on the Federal level but certainly State level and our Municipal level in addition to other non-government agencies. It was very exciting to attend and I'm glad that we were represented there."

Councilman Mallams stated: *"Thank you, Mayor. I'd like to take this time to recognize and congratulate Firefighter Jason Lawson and Firefighter Andy Starz from our Public Safety Department. They participated in the 911 Memorial Stair Climb. They joined Firefighters from across the Kansas City area. They were placed on a team that came together for a day of extreme physical challenge and reflection to honor New York's bravest, who sacrificed their lives on September 11, 2001. Two wonderful employees from our Public Safety Department, and please pass that along. Thank you, Mayor."*

Councilman Garnos stated: *"Thank you, Mayor. I just wanted to report we last week had a Board of Zoning Adjustment meeting and discussed marijuana cultivation regulations as well as mobile food establishments, or food truck regulations. We had some very wide discussions, some very good questions. I think the proposed regulations are going to still be going through the Neighborhood Commission and Planning Commission before they come here for Open Study. There is still plenty of time for input and refinement. That process has started. I wanted to let you know that the Parks and Recreation Advisory Board meeting was cancelled last week due to a lack of a quorum. Thank you."*

Mayor Pro Tem Moore stated: *"Thank you, Mayor. A couple of things: first of all, I did have the opportunity on Saturday to attend the bus tour that Director Nebergall and Director Merkey coordinated for the CIP, Capital Improvements Committee group. I wanted to say a special thanks to them for making that happen. Pretty much we saw a lot of the things that Director Nebergall talked about tonight, but seeing them live and in person really makes an impact about how many great changes are happening in the city. I want to give a special shout to the Capital Improvements Committee: Ron Guglielmino, Bev Johnson, Chase Cookson, Renee Hill, Katie Middleton, Bill Turnage, Pete Hall, and John Houlihan who also attended as well as Dominic Accurso, Glen Whitten, and some other staff. It was a very great tour. I also wanted to say a special thank you to Director Nebergall, and I thank the staff, for the welcome signs that we are seeing around Gladstone. I don't know if you have noticed, they are about this big, but lots of times, with nine square miles, a lot of people don't know when you come in and out of Kansas City and into Gladstone. We are seeing some more welcome signs so hopefully people will be more focused on 'yes, you are in Gladstone.' My final comment is a shout out to Leann Smith, who has been the DARE Officer at Antioch Middle School for 14 years. She received the Missouri DARE Lifetime Achievement Award this summer. That is a great honor for Leann and her great service to the city and all those students who have seen her at Antioch Middle School. Thank you, Mayor."*

Mayor Suter stated: *"Thank you, very much. It's great to hear all the accolades that our staff accumulates because they certainly deserve it. It has been a busy last couple of weeks as we are into the Fall season of things. A couple of weeks ago, the City Manager and I and our Community Center staff gave a tour and some conversations to Councilmembers and city staff from Basehor, Kansas, who are looking to build a Community Center. Like many folks in the*

area, ours is the one that everybody wants to come look at and to figure out exactly how we did it. It was a good, fruitful conversation and I appreciate the staff time that was spent on that. We also took a meeting shortly after that with Synergy Services who are exploring a new transitional housing program that they would like to see instituted and they wanted to share that bit with us and to talk about opportunities for that in Gladstone. I did have the privilege of attending the Climate Summit as Councilman Yarber said; that was an exciting day. It was a sold out crowd at the Johnson County Community College. A lot of interest in that topic. Not as many Missourians as Kansans, so we have to work on the Missouri side in the future. I got to stop in at the Fiesta on the Square, which was a really nice, successful event this year. I think the efforts that our staff made to do publicity in Spanish and to work through the Hispanic Chamber of Commerce and other organizations really did help with attendance and I think once you get that kind of first really good one, then you know it is going to be more successful every year. I'm on a committee with the Northland Regional Chamber and we are dealing with KCATA around bus transportation and routes in the Northland. As you know, KCATA has a whole big project out and about and so we are trying to work out the details a bit with them before it gets too close to implementation. I attended the Northland Regional Chamber's monthly lunch. I had the opportunity to provide a welcome and to participate in the American Legion welcome event to host the National Commander of the America Legion here in Gladstone at the Elks. We had a wonderful dinner; that was an interesting night. There were all kinds of officers from the District and Region in addition to our local folks. I attended the Northland Regional Chamber Women Connect event along with Mayor Pro Tem Moore. That's an opportunity to get to know some of the Kansas City City Council members and particularly new females. That was an interesting evening as well. I attended the Advisory Board meeting for the Communities for All Ages Program and the Mid America Regional Council where our Alan Napoli, who heads up our efforts; we were the first city in the region to become a Gold Standard Community for All Ages, and so they were sharing some updates with the Advisory Board and he did an excellent job sharing some of the progress we have made in Gladstone. I attended the Look North luncheon with a number of Councilmembers for the Clay County Economic Development Council and then I represent the city on Mid America Regional Council's Complete Count Committee and that is the Census, of course getting prepared for the 2020 Census which is a challenging event coming up. I wanted to remind folks that Gladfest is coming up on October 4, 5, and 6 and so hopefully we will have good weather and I encourage people to come out and participate."

Item No. 14. On the Agenda. Communications from the City Manager.

Assistant City Manager Bob Baer stated: "Just a couple of things. This year's Whiskey Fest is going to take place on Saturday, October 12, 4:30 to 9:30 at Linden Square. I have sat in on some of the planning. I know Director Merkey and staff are going to plan something bigger and better than we have had in the past and we have had great ones in the past so I am really looking forward to that. Big thanks to the Kansas City Business Journal. If anybody had read the article that was done in there, it was a feature article about our developing downtown; really tasteful, and a big KUDOS to the present Council and the other people, staff, and even prior Councilmembers who saw this vision and are moving in that direction."

Mayor Suter stated: "It's great publicity and it's always nice when reporters get it right and do their job. She really double-checked her facts and so that was really helpful."

Item No. 15. On the Agenda. **RESOLUTION R-19-51** A Resolution authorizing acceptance of a proposal from Superior LLC, a subsidiary of Central Square Technologies, Lake Mary, Florida, for the purchase of Public Administration Software for the total purchase amount of \$373,814.20.

Mayor Pro Tem Moore moved to approve **RESOLUTION R-19-51** A Resolution authorizing acceptance of a proposal from Superior LLC, a subsidiary of Square Technologies, Lake Mary, Florida, for the purchase of Public Administration Software for the total purchase amount of \$373,814.20. **Councilman Mallams** seconded.

Mayor Suter stated: *"This is for public concern; this is an updating of the software platforms for the city, the technology that we operate on. It will allow us to become much more app-based as a whole organization, so we are really excited to see this come to fruition."*

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

Item No. 16. On the Agenda. **FIRST READING BILL NO. 19-40** An Ordinance directing the City Manager to participate in the Missouri Highways and Transportation Commission Blueprint for Safer Roadways Program and sign an agreement with the Commission to utilize State Road Funds in an amount of no more than \$6,007.00 for the purchase of Radar Speed Signs for the City of Gladstone.

Councilman Yarber moved Bill No. 19-40 be placed on its First Reading. **Councilman Mallams** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Yarber moved to accept the First Reading of Bill No. 19-40, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Mallams** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Yarber moved to accept the Second and Final Reading of Bill No. 19-40, and enact the Bill as **Ordinance 4.491**. **Councilman Mallams** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0).

**THE FOLLOWING SECTIONS (ITEMS NO. 17 AND 18 ON THE AGENDA) WERE
RECORDED BY A COURT REPORTER MONDAY, SEPTEMBER 23, 2019.
PLEASE SEE ATTACHED DOCUMENTS.**

Item No. 17. On the Agenda. **PUBLIC HEARING:** Site Plan Revision for property at 6221 North Chestnut Avenue.

Item No. 18. On the Agenda. FIRST READING BILL NO. 19-41 An Ordinance approving a Site Plan Revision for property at 6221 North Chestnut Avenue.

Councilman Mallams moved Bill No. 19-41 be placed on its First Reading. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 19-41, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Garnos** seconded. The Vote: “aye”, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 19-41, and enact the Bill as **Ordinance 4.492**. **Councilman Garnos** seconded. The Vote: “aye”, Councilman R.D. Mallams and Councilman Bill Garnos. “Nay”, Councilman Kyle Yarber, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (2-3). The Bill Failed.

Item No. 19. On the Agenda. Other Business.

There was no other business to come before the Council.

Item No. 20. On the Agenda. Adjournment.

Mayor Suter adjourned the September 23, 2019, Regular City Council meeting at 10:11 pm.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____

Mayor Carol J. Suter

RESOLUTION NO. R-19-52

A RESOLUTION AUTHORIZING ACCEPTANCE OF WORK UNDER CONTRACT WITH TAILOR MADE EXTERIORS, LLC, FOR THE HAPPY ROCK PARK EAST RESTROOM RENOVATION PROJECT, AND AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$5,794.81 FOR PROJECT CE1862.

WHEREAS, work under the contract with Tailor Made Exteriors, LLC, for the Happy Rock Park East Restroom Renovation, Project CE1862, has been completed to the satisfaction of the Director of Parks, Recreation and Cultural Arts.

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

THAT, the City Manager of the City of Gladstone, Missouri is hereby authorized to accept work under the contract and make final payment as follows:

Original Contract Amount:	\$ 70,774.04
Change Orders:	45,122.08
Revised Contract Amount:	\$ 115,896.12
Amount Paid to Date:	110,101.31
Total Amount Due Final Pay:	\$ 5,794.81

FURTHER, THAT, funds for such purpose are authorized from the 2017 lease purchase.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14th DAY OF OCTOBER 2019.

Mayor Carol J. Suter

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-52

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 9/23/2019

Department: Parks & Recreation

Meeting Date Requested: 10/14/2019

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

Subject: Final payment approval, Project CE1862 Happy Rock Park East Restroom Renovation.

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

Budget Discussion: Funds are budgeted in the amount of \$ 115,000.00 from the OTHER Fund. Ongoing costs are estimated to be \$ 0.00 annually. Previous years' funding was \$0.00.

Original Contract Amount:	\$ 70,774.04
Change Orders:	45,122.08
Revised Contract Amount:	\$ 115,896.12
Amount Paid to Date:	110,101.31
Total Amount Due Final Pay:	\$ 5,794.81

Public/Board/Staff Input: Several increases to the scope of work for this project were made as the work progressed and the determination was made that the budget would allow. These increases include the addition of new apron at the restrooms, a new standing seam metal roof on both the restrooms and the adjacent shelter, and new sidewalk to and repainting of the shelter.

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

Justin Merkey
Department Director/Administrator

City Attorney

City Manager

RESOLUTION NO. R-19-53

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH EVERREADY SERVICES, LLC, IN THE TOTAL AMOUNT NOT TO EXCEED \$26,000.00 PER SEASON FOR THE 2019, 2020, AND 2021 HOLIDAY LIGHTING.

WHEREAS, EverReady Services, LLC, has installed and maintained the Holiday Lights since the program's inception without complaint; and

WHEREAS, previous efforts to obtain bids resulted in EverReady Services, LLC, completing the Holiday Lighting project and the proposed 2019, 2020, and 2021 project costs have been negotiated in accordance with the Purchasing Policy.

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to execute a contract with EverReady Services, LLC, for work as outlined in the attached proposal document for a total amount not to exceed \$26,000.00 per year through 2021.

FURTHER, THAT, funds for such purpose are authorized from the General Fund.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14th DAY OF OCTOBER 2019.

Mayor Carol J. Suter

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-53

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 10/7/2019

Department: Parks & Recreation

Meeting Date Requested: 10/14/2019

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

Subject: Holiday Lighting – EverReady Services 3 Year Contract

Background: Four years ago, the City placed an advertisement for bids for holiday lighting. No bids were received and as a result, the City has entered into negotiations with EverReady Services to perform this service on an annul basis.

Budget Discussion: Funds are budgeted in the amount of \$ 26,000.00 from the General Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$26,000.00

Public/Board/Staff Input: EverReady Services has been involved with the City's holiday lighting since its inception. In view of the prior lack of interest in providing this service by any other parties, and in accordance with the provision in the Purchasing Policy which allows a service agreement to be renewed based on good workmanship and performance, City staff recommends the award of a 3 year contract for the 2019, 2020, and 2021 holiday seasons in the amount of \$26,000 per year (\$78,000 total). The agreement can be cancelled by either party with 60 days written notice.

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

Justin Merkey
Department Director/Administrator

City Attorney

City Manager

RESOLUTION NO. R- 19-54

A RESOLUTION AUTHORIZING ACCEPTANCE OF A PROPOSAL FROM SHAWNEE MISSION FORD FOR THE ACQUISITION OF A 4X2 CREW CAB TRUCK AND A 4X2 SUPER CAB TRUCK IN THE TOTAL AMOUNT OF \$69,983.00.

WHEREAS, Mid-America Council for Public Procurement (MACPP) requests and accepts proposals for specialty equipment on a State level; and

WHEREAS, staff reviewed the MACPP contracts for the purchase of a 4X2 Crew Cab truck and a 4x2 Super Cab truck; and

WHEREAS, the Department of Public Works recommends the acceptance of the MACPP contract proposal from Shawnee Mission Ford for the purchase of a 4X2 Crew Cab truck and a 4x2 Super Cab truck for the net amount of \$69,983.00.

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

THAT, the City Manager of the City of Gladstone, Missouri, be and is hereby authorized to accept the proposal of Shawnee Mission Ford in the amount of \$69,983.00.

FURTHER, THAT, funds for such purpose are authorized from the CWSS Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 14th DAY OF OCTOBER 2019.

Mayor Carol J. Suter

Attest:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-54

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 10/8/2019

Department: Public Works

Meeting Date Requested: 10/14/2019

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

Subject: Fleet Truck Purchase

Background: Staff reviewed the Mid-America Council for Public Procurement (MACPP) contracts for the purchase of a current model year F-350 4x2 Crew Cab truck and a current model year F-150 4x2 Super Cab truck. MACPP requests and accepts proposals for specialty equipment on a State level.

Budget Discussion: Funds are budgeted in the amount of \$ 72,500 from the CWSS Fund. Ongoing costs are estimated to be \$ 500 annually. Previous years' funding was \$N/A

Public/Board/Staff Input: After reviewing the MACPP contracts for an F-350 4x2 Crew Cab truck and an F-150 4x2 Super Cab truck, it is the recommendation of the Department of Public Works to accept the bid of Shawnee Mission Ford in the amount of \$44,771 and \$25,212 respectively for a total of \$69,983. The trucks will replace the current 2009 Ford Ranger. Asset # 1404. VIN #1FTYR14D69PA08314 and current 2008 F-350 Crew Cab. Asset #1381. VIN #1FTWW30Y58EA02440. Both of the current trucks will be sold at auction at a later date.

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

Timothy A. Nebergall
Department Director/Administrator

City Attorney

City Manager

RESOLUTION NO. R-19-55

A RESOLUTION ACCEPTING EASEMENTS FROM CERTAIN PROPERTY OWNERS IN CONJUNCTION WITH THE NORTHEAST 76TH STREET IMPROVEMENTS PROJECT FROM NORTH OAK TRAFFICWAY TO NORTH BROOKLYN, PROJECT TP1818.

WHEREAS, easements from certain property owners are necessary for the City to construct public improvements in conjunction with the Northeast 76th Street Improvements Project from North Oak Trafficway to North Brooklyn (TP1818).

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

THAT, the easements from the property owners attached hereto as Exhibits "S" through "BB" are hereby accepted. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-19-35, R-19-36, and R-19-44.

Temporary Construction Easements

"S" – Jenifer E. Loesing	1301 NE 76 th Street
"T" – Justin Sipe	1401 NE 76 th Street
"U" – Katy Thanh Nguyen Family Wealth Trust	1403 NE 76 th Street
"V" – Steven R. Ferro & Laura D. Giggy-Ferro	1709 NE 76 th Street
"W" – Tanya S. Galujsha	1305 NE 76 th Street

Permanent Easements

"X" – Jenifer E. Loesing	1301 NE 76 th Street
"Y" – Justin Sipe	1401 NE 76 th Street
"Z" – Katy Thanh Nguyen Family Wealth Trust	1403 NE 76 th Street
"AA" – Barbara J. Weber	1207 NE 76 th Street

Quit-Claim Deed

"BB" – Jenifer E. Loesing	1301 NE 76 th Street
---------------------------	---------------------------------

FURTHER, THAT, the City Manager of the City of Gladstone is hereby authorized to execute and undertake and perform on behalf of the City of Gladstone, Missouri, the obligations and undertakings set forth in said conveyances; and

FURTHER, THAT, the City Clerk is hereby directed to record said documents in the Office of the Recorder of Deeds, Clay County, Missouri.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 14TH DAY OF OCTOBER, 2019.

Mayor Carol J. Suter

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-19-55

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 10/8/2019

Department: Public Works

Meeting Date Requested: 10/14/2019

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

Subject: NE 76th Street Improvements – N. Oak Trafficway to N. Brooklyn #TP1818

Background: Easements and/or Right-of-Way are needed from forty-two (42) properties to complete this project.

Budget Discussion: Funds are budgeted in the amount of \$ 2.4 M from the TST Fund. Ongoing costs are estimated to be \$ N/A annually. Previous years' funding was \$N/A

Public/Board/Staff Input: Staff requests that the easements listed on the attached resolution be submitted to the City Council for acceptance. Easement labeling is a continuation of the easements submitted and accepted under resolutions R-19-35, R-19-36, and R-19-44. Easements for this project have been acquired from 20 of 42 property owners.

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

Timothy A. Nebergall
Department Director/Administrator

City Attorney

City Manager

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF GLADSTONE AND THE MID-AMERICA REGIONAL COUNCIL (MARC) SOLID WASTE MANAGEMENT DISTRICT FOR THE 2020 REGIONAL HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM IN THE AMOUNT OF \$29,229.19.

Legislative Findings

1. Cass, Clay, Jackson, Platte, and Ray Counties and the City of Kansas City have formed the MARC Solid Waste Management District (SWMD) pursuant to Sections 260.300 through 260.345 of the Revised Statutes of Missouri (1986 & Cum. Supp. 1990); and

2. The members of the SWMD include most cities within the member counties including the City of Gladstone; and

3. The City of Gladstone will be responsible for an annual fee for 2020 in the amount of \$29,229.19, which is \$1.07 per resident based on 2018 population estimates; and

4. It is in the best interest of all of the citizens of Gladstone to continue the City's membership in the SWMD Regional Household Hazardous Waste Collection Program.

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

SECTION 1. The City Manager of the City of Gladstone, Missouri, is hereby authorized to execute the agreement with the MARC SWMD for the Regional Household Hazardous Waste Collection Program.

SECTION 2. Funds for the program costs are budgeted in the City of Gladstone's General Fund.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14th DAY OF OCTOBER, 2019.

Mayor Carol J. Suter

Attest:

Ruth E. Bocchino, City Clerk

1st Reading: October 14, 2019

2nd Reading: October 14, 2019



Request for Council Action

☐ RESOLUTION #

☒ BILL # 19-42

ORDINANCE # 4.492

Date: 10/8/2019

Department/Office: Public Works

Meeting Date Requested: 10/14/2019

Public Hearing: ☐ Yes ☒ No Date: Click here to enter a date.

Subject: Household Hazardous Waste Agreement

Requested Action: Approval of the 2020 HHW Agreement.

Background: The City of Gladstone has participated in the MARC Regional Household Hazardous Waste Collection Program since 2006. This program requires the City to enter into a new Intergovernmental Agreement annually. In order to continue in the program, staff is requesting that the City Council authorize the City Manager to execute a new agreement with MARC.

The annual cost of participation in 2019 was \$29,039.80 based upon \$1.07 per resident. The annual cost of participation in 2020 will increase to \$29,229.19 based upon \$1.07 per resident and 2018 population estimates. During the half of 2019, a total of 400 residents participated in the program and safely disposed of approximately 29,161 lbs of household hazardous waste, which is approximately a 22% increase from 2018.

Since 2006, the City has hosted annual events where residents could bring their material for disposal. In 2020, the City will hold a similar event. During all of these events, the City receives numerous expressions of appreciation for providing the opportunity to dispose of hazardous waste material. Without this program, much of this material would accumulate in resident's homes or be disposed of improperly.

Budget Discussion: Funds are budgeted in the amount of \$29,000 in FY20 from the General fund. Ongoing costs are estimated to be \$0.00.

Public/Board/Staff Input: n/a

Recommendation: The Environmental Management Advisory Committee (EMAC) and City staff recommends the approval of this agreement.

Distribute Original Contracts to: ☐ City Clerk

Tim Nebergall

Legal PC

City Manager SW

RCA DUE TO CITY CLERK WEDNESDAY 2:00 PM

Revised 1/10/2018

AN ORDINANCE AMENDING SCHEDULE V OF THE MODEL TRAFFIC CODE (GLADSTONE MUNICIPAL CODE SECTION 4.100.020) TO ESTABLISH NO-PARKING AREAS ON NORTHEAST BROOKTREE LANE.

WHEREAS, the City Council of the City of Gladstone, Missouri, desires to maintain the safety and well being of the citizens of Gladstone, Missouri, in connection with traffic control.

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

SECTION 1. REPEAL OF EXISTING ORDINANCE. That, the section of Ordinance 2.564 restricting parking on both sides of Northeast Brooktree Lane from North Antioch Road to North Norton Avenue is hereby repealed.

SECTION 2. NO-PARKING AREAS ADDED. SCHEDULE V of the Model Traffic Ordinance (Gladstone Municipal Code Section 4.100.020) is hereby amended as follows:

LOCATIONS OF NEW NO-PARKING AREAS

- a. Both sides of Northeast Brooktree Lane from North Bales Avenue to Missouri Route 1.
- b. The south side of Northeast Brooktree Lane from the centerline of the driveway entrance to 4005 Northeast Brooktree Lane to a point 40 feet west.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective from and after its passage.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14th DAY OF OCTOBER, 2019.

Mayor Carol J. Suter

ATTEST:

Ruth E. Bocchino, City Clerk

1st Reading: October 14, 2019

2nd Reading: October 14, 2019



Request for Council Action

RES ☐ #

BILL ☒ # 19-43

ORD # 4.493

Date: 10/8/2019

Department: Public Works

Meeting Date Requested: 10/14/2019

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

Subject: NE Brooktree Lane No Parking

Background: The Brooktree HOA requested that no-parking be removed along NE Brooktree Lane. The no-parking signs were removed; however, the ordinance was never repealed.

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

Public/Board/Staff Input: It is the recommendation of the Departments of Public Safety and Public Works to repeal the ordinance restricting parking on both sides of NE Brooktree Lane from N. Antioch Road to N. Norton Avenue and add no parking on NE Brooktree Lane from N. Bales Avenue to Missouri Route 1 and on the south side of NE Brooktree Lane from the centerline of the driveway entrance to 4005 NE Brooktree Lane to a point 40 feet west.

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

Timothy A. Nebergall
Department Director/Administrator

City Attorney

City Manager

BILL NO. 19-44

ORDINANCE NO. 4.494

AN ORDINANCE APPROVING THE FINAL PLAT OF 6401 NORTH PROSPECT AVENUE, IN GLADSTONE, CLAY COUNTY, MISSOURI; (COMMONLY KNOWN AS PROSPECT PLAZA), AND DIRECTING THE APPROPRIATE OFFICIALS TO AFFIX THEIR SIGNATURES TO SAID PLAT FOR RECORDING.

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

SECTION 1. ACCEPTANCE. It appearing to the Council of the City of Gladstone, Missouri, from the Plat filed and exhibited to them that all parties having any right, title, or interest in or to said property described more particularly in the attached Final Plat having signed said Plat, and it is in the best interests of the City of Gladstone to approve and accept the same; it is hereby ordained by the Council of the City of Gladstone, that the Final Plat described in the attached Exhibit "A" as "Prospect Plaza First Plat, also known as 6401 N Prospect Avenue, legally described as BEG NE COR INTERS N PROSPECT AVE/NE 64TH ST, N813, E267, NE141.13, E212.91, SE94.91, W28.4SE278.9, S434.27, W310, S241.9, is hereby accepted.

SECTION 2. SIGNATURES. The proper officials of the City of Gladstone, Missouri, are hereby authorized and directed to affix their signatures to said Plat in a manner suitable for recording.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 14TH DAY OF OCTOBER, 2019.

Mayor Carol J. Suter

ATTEST:

Ruth Bocchino, City Clerk

1st Reading: October 14, 2019

2nd Reading: October 14, 2019

File #2019-009



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 19-44

ORD # 4.494

Date: 10/8/2019

Department: Community Development

Meeting Date Requested: 10/14/2019

Public Hearing: Yes ☐ Date:

Subject: Re-Plat of Prospect Plaza – North Kansas City School District Early Education Center

Background:

Gladstone Investors LLC is requesting a re-plat for the purpose of selling a portion of the Prospect Plaza Shopping Center to the North Kansas City School District to create an early education center. The School District plans to create an early education center in the space previously occupied by Hobby Lobby. There is a desire to expand into the adjacent Price Chopper grocery store if that space becomes available in the future.

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

Public/Staff Input/Commission:

The Planning Commission voted unanimously in favor to approve the re-plat.

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

Austin Greer, Assistant To the City Manager/Planning Administrator

City Attorney

City Manager

DEVELOPMENT APPLICATION



CITY OF GLADSTONE
7010 N HOLMES STREET
GLADSTONE, MISSOURI 64118
PHONE: 436-4110 FAX: 436-2228

File #:

Date:

2019-012
8-13-19
PC 9-3-19
CC 9-23-19

Application Type:

- | | |
|---|--|
| <input type="checkbox"/> Special Use Permit (\$500) | <input type="checkbox"/> Right-of-Way Vacation (\$200) |
| <input type="checkbox"/> Zoning Change (\$500) | <input type="checkbox"/> Variance -- BZA (\$200) |
| <input type="checkbox"/> Site Plan Revision (\$500) | <input checked="" type="checkbox"/> Final Plat/Replat (\$75) |

Address of Action: 6401 N Prospect Ave. Gladstone, MO 64119

Legal Description:

attach under separate cover if needed

BEG NE COR INTERS N PROSPECT AVE/ N 6TH ST, S813, E267, N8141, E21291, S179491, W2815E2789, S43427, W310, S2419

Proposed Change: Final Plat

Applicant/Property Owner Information:

- ☐ Applicant(s) GLADSTONE INVESTORS LLC
Company _____
Address 1 Hillcrest Center, Suite 310 Spring Valley, NY 10977
Phone 929-322-3611 Fax: 816-531-5409 E-Mail: Joel@endeavorrealties.com
- ☐ Property Owner (if different than applicant) _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____
- ☒ Architect/Engineer Martin Mueller
Company Mel Laughlin Mueller, Inc.
Address 218 West Mill St. Liberty, MO 64068
Phone 816-407-0002 Fax: 816-407-0003 E-Mail: _____

Please indicate in one box above which person is to be the contact.

Applicant's Signature

Mel Laughlin Mueller

Date

Aug-13-19

DEVELOPMENT APPLICATION

OWNER'S AUTHORIZATION

I, Meyer Lebowitz, do hereby authorize Gladstone Investors LLC
(Owner's name) (Applicant's name)

to apply for the following action on my property at _____

- a. Rezone from _____ to _____
- b. Site Plan Revision _____
- c. Special Use Permit _____
- d. Variance _____
- e. Plat/Replat _____

Date: Aug-13-19

Owner's Signature:

Meyer Lebowitz

NOTARIZATION

State of NY

County of Kings

Subscribed and sworn before me this 13th day of August, 2019.

Notary's Signature:

S. Roth

My Commission expires:

05/24/2022

(seal)

SVETLANA ROTH
Notary Public, State of New York
No. 01RO622666
Qualified in Kings County
Commission Expires 5/24/2022

DEVELOPMENT APPLICATION

City Code Variance Request: Board of Zoning Adjustment

SUMMITTAL REQUIREMENTS

Completed application
Owner's authorization signed (if applicable)
Legal description- County records
Information on the proposed change including pictures of the property, property surveys, written comments from impacted neighbors, etc.

DEPOSIT FEE

The \$200 fee listed on the form and paid at the time of application is a deposit toward the costs the City of Gladstone incurs during the processing of your application. This fee goes toward the following costs:

Office fee \$75.00
Certified mail notices to surrounding property owners within 185' - amount varies.*
Planning Commission Legal Notice- amount varies*

** Indicates fees for items required by State Law. The fee amount for certified mail will vary depending upon the number of property owners within 185 feet of your property. The Legal Notice fee will also vary generally depending upon the length of the legal description of your property.*

After the total costs are compiled for your application, you will be billed for any costs remaining over the initial \$200 application deposit fee. If the costs accrued are under \$200, you will be reimbursed for the difference.

As the money deposited for your application goes toward real costs paid by the City, there is no refund if your application is denied by the Board of Zoning Adjustment. If you withdraw your application before some of the costs are accrued by the City, you may be entitled to a refund.

Preliminary & Final Plat/Replat Submittals

SUMMITTAL REQUIREMENTS

Completed application
Owner's authorization signed (if applicable)
Legal description- County records
Digital copy of plans (if necessary)
(1) 11x17 paper copy (if necessary)
(1) 24x36 Mylar copy (if necessary)
(3) 24x36 paper copies folded (if necessary)

FEE

The \$75 fee listed on the form and paid at the time of application goes toward the costs the City of Gladstone incurs during the processing of your application. As the fee for your application goes toward real costs paid by the City, there is no refund.

DEVELOPMENT APPLICATION

Office Use Only:

Publication Dates:

Planning Commission _____
 City Council _____
 BZA _____

Public Hearing Dates:

Planning Commission _____
 City Council _____
 BZA _____

Planning Commission

Date

☐ Approval _____
☐ Denial _____
☐ Withdrawn _____

City Council

Date

☐ Approval _____
☐ Denial _____
☐ Withdrawn _____

BZA

Date

☐ Approval _____
☐ Denial _____
☐ Withdrawn _____

Deposit:

\$ _____

Charges:

Office Fee	\$	75.00
Certified Mail (\$	_____
PC Legal Notice	\$	_____
CC Legal Notice	\$	_____
Other	\$	_____
Sub-total	\$	_____
Balance	\$	_____

Amount Overpaid \$ _____

Check Requested _____

Amount Underpaid \$ _____

Invoice Requested _____

OWNER/DEVELOPER:
EASTONE INVESTORS LLC
ONE MILLCREEK CENTER STE 310

SECTION



5

McLAUGHLIN MUELLER, INC.
Professional Land Surveyors
218 West Mill Street
Liberty, MO 64068
PH 816-407-0002 FX 816-407-0003
Corporation LS 1999141096

PROSPECT PLAZA FIRST FLAT, SECTION 19, 151N, R32W
GLADSTONE, CLAY COUNTY, MISSOURI

THIS MEDIA SHOULD
NOT BE FINGERPRINTED
* INDEXED DOCUMENT *



Community Development Department

Staff Report

Date: October 1, 2019

File #: 2019-012

Requested Action: Re-Plat

Date of PC Consideration: October 7, 2019

Date of Council Consideration: October 28, 2019

Applicant: Gladstone Investors LLC

Owner: Gladstone Investors LLC

Architect/ **Martin Mueller**

Engineer: McLaughlin Mueller Inc.

Address of Property: 6401 N Prospect Avenue Gladstone, Missouri 64119
(Prospect Plaza Shopping Center)

Planning Information

- Current Zoning: CP -2 General Business Commercial; CP – 3 Planned Commercial
- Zoning History: Commercial
- Planned Land Use: Commercial
- Surrounding Uses: North – Commercial/Residential; South – Commercial/Residential; East – Residential; West – Commercial/Residential
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Additional Information

- Public Utility Availability: Existing
- Ingress/Egress: N. Prospect Avenue - Two separate locations; NE 64th St. – One location
- Traffic Impacts: Similar to historical use of the shopping center; no change in impact
- Parking Provided: Sufficient parking provided

Analysis

The applicant is requesting a re-plat for the purpose of selling a portion of the Prospect Plaza Shopping Center to the North Kansas City School District to create an early education center. The School District plans to create an early education center in the space previously occupied by Hobby Lobby.

Recommended Conditions

None.

Recommendation

City Staff recommends that the request be **APPROVED**.

GLADSTONE PLANNING COMMISSION MINUTES

Council Chambers October 7, 2019

1. **Meeting called to Order– Roll Call.** Chair McGee called the meeting to order at 7:00 p.m.

Commissioners present were: Chase Cookson
Mike Ebenroth
J.N. Hernandez
Alicia Hommon
Gary Markenson
Jennifer McGee, Chair
Katie Middleton
Kim Murch
James New
Bill Turnage
Larry Whitton

Also present: Jean Moore, Mayor Pro Tem
RD Mallams, Council Member
Alan Napoli, Building Official/Com Dev Administrator
Austin Greer, Asst to the City Manager/Planning Administrator
Cheryl Lamb, Administrative Assistant

2. **Pledge of Allegiance to the United States of America.**
3. **Approval of Previous Meeting Minutes (September 16, 2019) and Amendment of the August 19, 2019 Minutes.** Chair McGee asked if there was a motion to approve the minutes from the September 16, 2019 meeting.

Mr. Turnage moved to approve the minutes; Mr. New seconded. The minutes were approved, 11–0.

Chair McGee asked Mr. Greer to discuss amending minutes from the August 19, 2019 meeting.

Mr. Greer explained that there was a voting tally error on staff's end with Sheri Poindexter no longer being on the Commission. The amendment will correct the final vote tally (on the Public Hearing: Site Plan Revision, 6221 N Chestnut Avenue, File #2019–008 from 9–3 amended to 8–3).

Chair McGee asked if there was a motion to approve the minutes from the August 19, 2019 as amended meeting.

Mr. Markenson moved to approve the revised minutes; Mr. Whitton seconded. The minutes were approved as amended, 11-0.

4. Other Business. None.

5. PUBLIC HEARING: for a Re-plat, Zoning Change & Site Plan Revision at NW Old Pike Rd. Applicant: Blake Bauer. Owner: V T Inc. File #2019-014

MOTION: by

6. CONSIDERATION: of a Re-plat of Prospect Plaza. Applicant/Owner: Gladstone Investors LLC. File #2019-012. Mr. Greer shared that the applicant is requesting a re-plat for the purpose of selling a portion of the Prospect Plaza Shopping Center to the North Kansas City School District to create an early education center. The School District plans to create an early education center in the space previously occupied by Hobby Lobby. There were no recommended conditions. City Staff recommends that the request be APPROVED.

Chair McGee asked if there was anyone who wanted to make a presentation for this proposal.

Mr. Greer stated that the applicant did not have a presentation.

Mr. Markenson asked if they were going to divide the building.

Mr. Greer replied yes.

Mr. Ebenroth asked if the property was zoned commercial.

Mr. Greer said it was commercial and will remain commercial, without a retail center.

Mr. Markenson asked what will be at the location.

Mr. Greer said it will be an Early Education Center for North Kansas City Schools.

Mr. Markenson asked if it is owned by North Kansas City Schools.

Mr. Greer confirmed that was correct.

Mr. Markenson asked if that would take them off the tax role.

Mr. Greer said it would.

Mr. Markenson asked where the children would play outdoors and mentioned that there were no green spaces around that building.

Robert de la Fuente, Vice President of STAR Development Corporation at 244 West Mill Street, Liberty, Missouri, approached the podium. He replied that most of the activities would take place inside the center.

Mr. Markenson asked what age group would be attending school there.

Mr. de la Fuente said he believed they would be from 2–5 years old. He feels they have a great program.

Chair McGee asked what the center's hours would be.

Mr. de la Fuente replied they would be typical school hours; between 8am to 5pm or 8am to 6pm.

Mr. Turnage said he heard a rumor that the development could go beyond just the Hobby Lobby building.

Mr. de la Fuente said they may expand into the Price Chopper store if that space became available.

Chair McGee asked if there were any other questions. None.

MOTION: by Mr. Cookson, seconded by Katie Middleton to approve the re-plat of Prospect Plaza, File #2019-012. The motion carried 11-0.

6. Communications from City Council.
7. Communications from City Staff.
8. Communications from Planning Commission Members.
9. Adjournment. Mr. New motioned to adjourn; Ms. Middleton seconded.

Chair McGee adjourned the meeting at 7:55 p.m.

Respectfully submitted:

Cheryl Lamb, Recording Secretary

Approved as corrected _____

Jennifer McGee, Chair

Approved as submitted _____

BILL NO. 19-45

ORDINANCE NO. 4.495

AN ORDINANCE VACATING THE RIGHT-OF-WAY LOCATED AT 7010 NORTH HOLMES STREET, GLADSTONE, MISSOURI, GENERALLY LOCATED IN PARCEL 1, BLOCK 21 IN LINDEN, CLAY COUNTY, MISSOURI.

WHEREAS, Final Plat was recorded on January 4, 2006; and

WHEREAS, the right-of-way located on the property included within the boundaries of said plat is no longer necessary; and

WHEREAS, no utilities have objected to the proposed vacation of said right-of-way, the right-of-way will not damage any person, and the right-of-way is not necessary to the public welfare nor presently in use; and

WHEREAS, pursuant to Section 8.120.100 of the City Code, the Planning Commission reviewed the proposed vacation of the right-of-way at its meeting on September 16th, 2019, voted to recommend approval of the vacation.

WHEREAS, pursuant to Section 8.120.080 of the City Code, notice was published in a newspaper of the October 14th meeting of the City Council where the vacation of right-of-way would be considered; and

WHEREAS, based on the information provided to it, the City Council desires to vacate the right-of-way described herein.

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

SECTION 1. The right-of-way legally described in Exhibit "A" attached hereto and incorporated herein by reference is hereby vacated; and

SECTION 2. The City Clerk is hereby directed to record a certified copy of this Ordinance and in the Office of the Recorder of Deeds, Clay County, Missouri.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**INTRODUCED, READ, PASSED AND MADE EFFECTIVE BY THE COUNCIL OF
THE CITY OF GLADSTONE, MISSOURI, THIS 14th DAY OF OCTOBER, 2019.**

Mayor Carol J. Suter

ATTEST:

Ruth Bocchino, City Clerk

FIRST READING: October 14, 2019

SECOND READING: October 14, 2019:

File # 2019-013



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 19-45

ORD # 4.495

Date: 10/8/2019

Department: Community Development

Meeting Date Requested: 10/14/2019

Public Hearing: Yes ☒ Date: 10/14/2019

Subject: Right of Way Vacation – City Hall – Public Safety Headquarters Financing

Background:

In order for the City of Gladstone to proceed with the Public Safety Headquarters financing, the City of Gladstone must vacate an alleyway that is currently located in the middle of City Hall. City Staff has notified the relevant utility companies by mail. City Staff is not aware of any utilities located in this alleyway found on the plat.

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

Public/Staff Input/Commission:

The Planning Commission voted unanimously in favor of vacating this right of way in order for City Leadership to proceed with the Public Safety Headquarters financing.

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

Austin Greer, Assistant To the City Manager/Planning Administrator

City Attorney

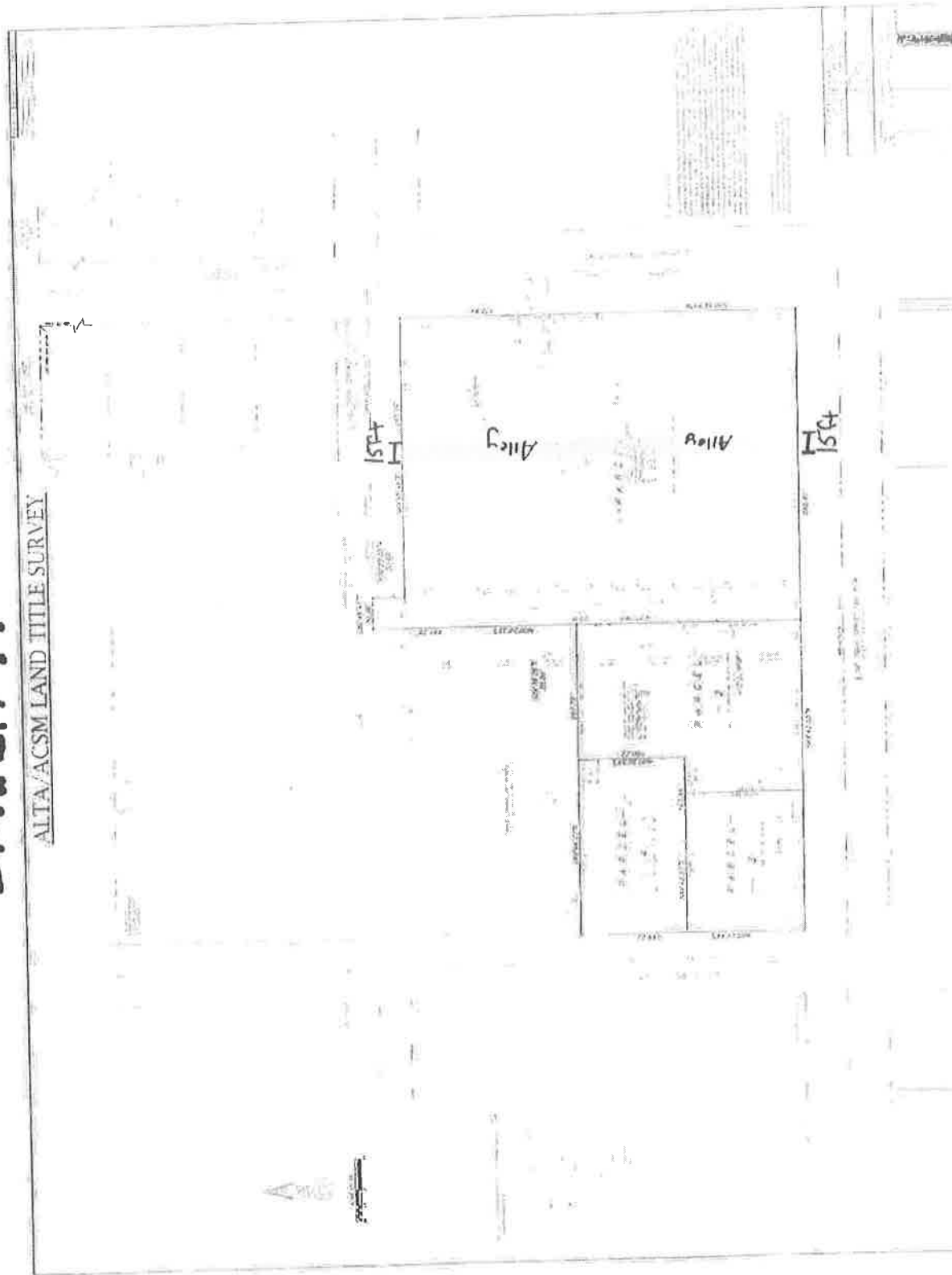
City Manager

(Space above reserved for Recorder of Deeds certification)

1. Title: Right of Way Vacation
2. Date: 10/14/19
3. Grantors: City of Gladstone, Missouri
4. Grantee (s): City of Gladstone, Missouri
5. Mailing Address: 7010 N. Holmes, Gladstone, Missouri 64118
6. Legal Description: LINDEN ALL BLK 21 & ADJ VAC ST BEG SE COR BLK 21, N371.78, W 135, N30, W170.67, S401.7, E 298.23 TO POB
7. Reference Book & Page: N/A

Exhibit A

ALTA/ACSM LAND TITLE SURVEY



DEVELOPMENT APPLICATION



CITY OF GLADSTONE
7010 N HOLMES STREET
GLADSTONE, MISSOURI 64118
PHONE: 436-4110 FAX: 436-2228

File #: 2019-013
Date: 9-4-19

Application Type:

- | | |
|---|---|
| <input type="checkbox"/> Special Use Permit (\$500) | <input checked="" type="checkbox"/> Right-of-Way Vacation (\$200) |
| <input type="checkbox"/> Zoning Change (\$500) | <input type="checkbox"/> Variance - BZA (\$200) |
| <input type="checkbox"/> Site Plan Revision (\$500) | <input type="checkbox"/> Final Plat/Replat (\$75) |

Address of Action: 7010 N. Holmes Street

Legal Description:

Attach under separate cover if needed.

Proposed Change:

Right of Way Vacation at City Hall - This is tied to the Public Safety Headquarters project approved by Gladstone voters.

Applicant/Property Owner Information:

- ☐ Applicant(s) City of Gladstone (Community Development)
Company _____
Address 7010 N. Holmes, Gladstone, MO 64118
Phone _____ Fax: _____ E-Mail: _____
- ☐ Property Owner (if different than applicant) City of Gladstone
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____
- ☐ Architect/Engineer _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____

Please indicate in one box above which person is to be the contact.

Applicant's Signature

[Signature]

Date

DEVELOPMENT APPLICATION

Office Use Only:

Publication Dates:

Planning Commission _____
City Council _____
BZA _____

Public Hearing Dates:

Planning Commission _____
City Council _____
BZA _____

Planning Commission

Date

- ☐ Approval
☐ Denial
☐ Withdrawn

City Council

Date

- ☐ Approval
☐ Denial
☐ Withdrawn

BZA

Date

- ☐ Approval
☐ Denial
☐ Withdrawn

Deposit:

\$ _____

Charges:

Office Fee	\$	75.00
Certified Mail (_____ @ _____)	\$	_____
PC Legal Notice	\$	_____
CC Legal Notice	\$	_____
Other	\$	_____
Sub-total	\$	_____
Balance	\$	_____

Amount Overpaid \$ _____

Check Requested _____

Amount Underpaid \$ _____

Invoice Requested _____

DEVELOPMENT APPLICATION

Applicants Requiring a Public Hearing: Right-of-Way Vacation

SUBMITTAL REQUIREMENTS

Completed application
Owner's authorization signed (if applicable)
Legal description- County records
Digital copy of plans (if necessary)
(1) 11x17 paper copy (if necessary)
(1) 24x36 Mylar copy (if necessary)
(3) 24x36 paper copies folded (if necessary)

DEPOSIT FEE

The \$200 fee listed on the form and paid at the time of application is a deposit toward the costs the City of Gladstone incurs during the processing of your application. This fee goes toward the following costs:

Office fee \$75.00
Certified mail notices to surrounding property owners within 185'- amount varies.*
Planning Commission Legal Notice- amount varies*
City Council Legal Notice- amount varies*

** Indicates fees for items required by State Law. The fee amount for certified mail will vary depending upon the number of property owners within 185 feet of your property. The Legal Notice fee will also vary generally depending upon the length of the legal description of your property.*

After the total costs are compiled for your application, you will be billed for any costs remaining over the initial \$200 application deposit fee. If the costs accrued are under \$200, you will be reimbursed for the difference.

As the money deposited for your application goes toward real costs paid by the City, there is no refund if your application is denied by the City Council. If you withdraw your application before some of the costs are accrued by the City, you may be entitled to a refund.

LEGAL PROTEST PETITIONS

In accordance with State Law, neighboring property owners who are displeased with the application request may decide to circulate a protest petition against it. While the details and requirements for this petition are beyond the scope of this handout, it generally works as follows:

If the petition is signed by owners of 30% of the surrounding property that is within 185 feet of the parcel (minus street right-of-ways), the final City Council action has to have a minimum of four (4) positive votes for the request to be approved. The application cannot be approved if three (3) vote "yes" and two (2) "no".

For further information regarding this handout, please call or come by the Community Development Department at 7010 N. Holmes, 423-4110.

DEVELOPMENT APPLICATION

OWNER'S AUTHORIZATION

I, Scott Wingerson, City Manager do hereby authorize City of Gladstone
(Owner's name) (Applicant's name)

to apply for the following action on my property at City Hall -
7010 N. Holmes, Gladstone, MO 64118

- a. Rezone from _____ to _____
- b. Site Plan Revision _____
- c. Special Use Permit _____
- d. Variance _____
- e. Plat/Replat _____

Date: _____ Owner's Signature: [Signature]

NOTARIZATION

State of _____

County of _____

Subscribed and sworn before me this _____ day of _____.

Notary's Signature:

My Commission expires: _____

(seal)

DEVELOPMENT APPLICATION

Additional Required Documents

(check if needed)

Comments

☐ Site Plan

☐ Traffic Study

☐ Landscaping Plans

☐ Storm Water
(Pre – Post – BMP)

☐ Photometric Study

☐ Sign Plan

☐ Colored Elevation /
Rendering

☐

Planning Commission Process

Number of Planning Commissioners
Length of time until Public Hearing

12

Refer to Planning Commission Calendar

City Council

Length of time until City Council Meeting*
*final decision comes from City Council

Refer to City Council Calendar

GLADSTONE PLANNING COMMISSION MINUTES

Council Chambers September 16, 2019

1. Meeting called to Order– Roll Call. Chair McGee called the meeting to order at 7:00 p.m.

Commissioners present were: Chase Cookson
Mike Ebenroth
Gary Markenson
Katie Middleton
Kim Murch
James New
Bill Turnage
Larry Whitton
Jennifer McGee, Chair

Also present: Jean Moore, Mayor Pro Tem
RD Mallams, Council Member
Bob Baer, Assistant City Manager
Alan Napoli, Building Official/Com Dev Administrator
Austin Greer, Asst to the City Manager/Planning Administrator
Cheryl Lamb, Administrative Assistant

Not present: J.N. Hernandez
Alicia Hommon

2. Pledge of Allegiance to the United States of America.
3. **ADOPTING: a Revised Agenda for September 16, 2019.** Chair McGee informed the Commission that there was a revised agenda and the first action was to adopt the revised agenda. She asked for a motion to adopt the revised agenda.

MOTION: by Mr. Whitton; seconded by Ms. Middleton. The agenda was adopted as revised, 10-0.

4. **Approval of Previous Meeting Minutes: August 19, 2019.** Chair McGee asked if there was a motion to approve the minutes from the August 19, 2019 meeting.

Mr. Murch moved to amend the minutes on Cross Recording pages 50, 51 and 53 from MS. MURCH to MR. MURCH.

Chair McGee moved to amend the minutes on page 9 of the PC packet, but on Cross Recording page 20, line 13 from “Please approach the podium and state your name and our address” to “Please approach the podium and state your name and your address”.

Mr. Markenson moved to approve the minutes as amended; Mr. Murch seconded. The minutes were approved as amended, 10-0.

5. Other Business. None.

6. **CONSIDERATION: OF A Right-of-way Vacation for 7010 N Holmes. File #2019-013.** Mr. Greer thanked the Commission for approving the revised agenda so they could address this issue. He referred to the overhead showing an application from the Community Development department asking to vacate a right-of-way that runs through the middle of the City Hall building. This was flagged by a title company when they were working on the Public Safety headquarters financing. The right-of-way needs to be vacated so they can take the next steps to get the project going. They are looking for an informal recommendation from the Planning Commission to vacate this right-of-way so they can start looking at the other steps of the financing of the Public Safety headquarters.

Mr. Markenson asked if there was anything in the right-of-way.

Mr. Greer replied that they were sitting in it right now. The answer was no. They don't believe anything is there. They will notify the utility companies in the next week or so to let them have the opportunity to come to the next City Council meeting and either oppose it or nothing at all.

MOTION: by Mr. Ebenroth; seconded by Mr. New to recommend the Right-of-way Vacation at 7010 N Holmes. File #2019-013. Recommended by vote, 10-0.

7. **REVIEW: of new Chapter 2900, Marijuana Cultivation Regulations.** Mr. Napoli shared that the first section, Division 1. Scope and Administration, was standard information and was pretty much how all of the Chapters start. He wanted them to know that this was the chapter on the enforcement. There will be an ordinance that actually adopts this chapter and that will come forward to the Council. After they review the chapter it will go to the Neighborhood Commission and the Council will hear it on the 11th of November.

Mr. Napoli reviewed Part 2- Administration and Enforcement. He shared that the BZA was the appealing body for this. He then covered Division 2- Definitions. He noted that a Primary Caregiver can only take care of three (3) people; themselves if they are approved to use medical marijuana, and two (2) other people. They cannot take care of three (3) people excluding themselves.

Mr. Napoli reviewed Division 3– Cultivation. He stated that home grow was not considered a business so they would not have a license. He shared that one of the issues that came up with BZA was that “grow area” was not specifically defined and they will be coming up with a definition. They felt it was too open so they will come up with a definition where the grow area will be specifically inside the primary structure; not in the backyard, not in a greenhouse, not in a shed. He mentioned on item 6 that they are limiting the wattage of lights to 1,000 watts, but not the number of lights.

Mr. Markenson asked if the section applies to outdoor cultivation and indoor cultivation.

Mr. Napoli clarified that it was indoor only. They don't have grow area specifically defined here, so grow area will indicate that the grow area will have to be inside the primary structure.

Mr. Markenson asked why they don't want them to use a shed or an outbuilding.

Mr. Napoli said it ties back into the State regulations.

Mr. Whitton asked if they have a burglar alarm on the place where they are growing this. He believes people will be breaking in to get it.

Mr. Napoli replied that it wasn't required here. When they get to the dispensaries, they have much tighter security. The only thing that was required was that everything was locked up. The intent of it, theoretically, was that somebody would be living there as they are growing it. The way everything was written, in theory they don't have to be living there as long as it was designed to be an occupiable, habitable place, and has all the functions; they don't have to live there. The intent when they were putting the information together was that somebody would be living there aka the home grow. That wasn't specified there.

Mr. Whitton said that without an alarm someone could break in. It's a business. They break into businesses all the time.

Mr. Murch asked what the first sentence on item 1 referred to. It says “the primary use of the residential property where marijuana is grown shall remain at all times a residence”.

Mr. Napoli clarified that the resident doesn't have to reside there; it just says a residence. If there is a vacant house right now it is still a residence. It's not somebody who is residing there, but the residence has those legal functions. They could modify that so it is an occupied residence. They could look at that and he would have to check back against the state to make sure that they can do that. He doesn't recall and referred to Mr. Greer.

Mr. Greer said that a lot of it is like the land use regulations they went through. Ninety-five percent of it is covered by state regulations. Staff is taking an effort with 5% of what they can do to fill in the blanks.

Mr. Murch commented that he read through the regulations ten different times. In his opinion, it is dealing with the assumption that marijuana is bad; that it's recreational; it's got to be under lock and key. He could have a medicine cabinet full of opioids, which are way worse than this and he doesn't have to have it under lock and key. To him, it is like these people they are talking about have severe medical issues but yet we are treating them like criminals. He asked why they can't grow it outdoors. He grew up in an area where every ditch in the country had marijuana growing on it. He understands that this deals with growing or cultivating. It doesn't address the number of plants, which he assumed the state does. It doesn't address their ability to go in and check to see how many plants are there. It also, as he got further into it, he sees that it starts to deal with odor and smell. Personally, he knows what marijuana smells like. He finds the smoke and the smell intoxicating. He wanted to know what a public nuisance is. That becomes the next question. As he read it, it was like we are missing the point here. This is for medical and the voters of the state of Missouri voted to make it legal. But we are treating people like criminals.

Mr. Napoli explained when they get down to the odor part he would discuss it more.

Mr. Greer said the state is dictating a lot of what we are able to do. Mr. Murch made good points, but on the other side, it's hard to deal with. There are three (3) components that municipalities are having to deal with and they are land use and zoning, the home grow portion and the decriminalization of the public safety side too. That is coming forward as well, but he made a lot of valid points.

Mr. Murch asked if the state is saying it has to be under lock and key.

Mr. Greer replied that they have their own security measures.

Mr. Murch asked to him clarify if the state is saying it has to be under lock and key, or it that the City.

Mr. Baer replied it is the state law.

Mr. Murch asked if the state is saying it can't be grown outdoors or in a greenhouse.

Mr. Napoli and Mr. Greer confirmed that was correct.

Mr. Greer added that it is a difficult topic because it's a new frontier.

Mr. Murch asked where the break is between residential and commercial growers.

Mr. Napoli said this is strictly residential, home grow.

Mr. Murch replied that they do address it with a business license.

Mr. Napoli shared that when they get down to the business license that would be for the dispensaries. There's no grow operation, they don't have any. If they ever got into that there would be some changes. Basically, what they are saying is since they aren't selling it, they don't need a business license because they are growing it for their own specific use. It's not a product that they are selling so they would not need a business license.

Mr. Greer added that their understanding was that one (1) individual; one (1) qualifying patient can have up to six (6) plants. If someone is growing it for two (2) others, they can only have 18 plants at a time in their home. They aren't selling that product. That is the way they read the state law. He asked if that clarified it.

Mr. Murch restated that these are people who are going to be dealing with severe medical conditions and they are treating them like a criminal and the city is now the Gestapo. Because it will be the city that has to enforce the misdemeanors, he doesn't know what the misdemeanor fine is for any of this stuff.

Mr. Greer said from an enforcement side it will be difficult because the department of Health and Senior Services is supposed to take on the enforcement side of it as well. However they accomplish that goal, he wasn't sure.

Mr. Murch asked him to repeat who would handle the enforcement.

Mr. Greer repeated that it will be the Department of Health and Senior Services. They are the department that. . .

Mr. Murch asked where they are located.

Mr. Napoli replied they are the state of Missouri.

Mr. Murch asked where.

Mr. Napoli said he believes they are in Jeff City. Basically, as they go through here, one of the things is that he will not be going into houses to see how many plants they have. If someone will be doing home grow and they are adding electrical outlets or upgrading their service, we will be doing inspections on the electrical work, things that relate to building construction.

Mr. Murch said they have to go in, they have to ventilate it. They have to have an odor scrubber.

Mr. Greer said he hoped that they would call them.

Mr. Napoli said they would be coming in to get the appropriate permits for that work to be done. But he won't be going in there on a regular basis or annually to check on how many plants they are growing or any of that. He would mostly be there the first time they set it up to do their plumbing, electrical work. If it meets code, they approve it and they are out of there.

Mr. Murch asked who will determine what a public nuisance for odor is.

Mr. Napoli said they will discuss that later in the regulations.

Mr. Cookson asked what was the rationale for the limitation for the wattage for the lights.

Mr. Napoli replied said that a 1000 watt light is a pretty good size light. They are trying to keep it around standard lighting and not getting some huge old lights that overtax a home. Some people have bought big halogen lights and used them. He said 1000 watts is quite a bit of watts and some good heat will come off of that lightbulb.

Chair McGee asked about the growing area being secured by lock and key and wanted to know if the growing area is inside a house and there is a lock on the front door of that house, does that qualify or do they mean it needs to be in a locked room.

Mr. Napoli said he looks at it as a front door is locked and you can't get in that house, it is secured. He continued by reviewing Cultivation, and then moved to Public Nuisance. He clarified that if someone is cultivating and they have a home grow and the house next door is getting odor in his window, the determining factor on whether it is a nuisance or not is going to be hard to determine. The bigger issue on that one is when there are duplexes or 4-plexes. If they are outside using their medical marijuana while that odor is floating upstairs and the person upstairs doesn't like it, public safety will be the people who will be addressing this issue. There may be a time where he has to get involved.

Mr. Murch asked if the state specifies if it's a single family residence versus a multi-family.

Mr. Napoli explained that the "use" would be the thing; the "grow" is there, but the use of it. They don't specify if it's a single family, duplex, 4-plex, condo; just it's a residence. Theoretically, they could have it in an apartment complex. He continued reviewing the Public nuisance, grow section.

Mr. Murch asked about it being a misdemeanor and having the right to appeal someone's opinion of a noxious order, and they have 10 days to do that. Yet every day that they haven't taken care of the noxious odor is another misdemeanor every day according to this.

Mr. Baer asked to address this from a Public Safety standpoint. If someone has a noxious odor coming from their house it could be their garbage. If your neighbor is willing to sign to a complaint, they would site you into court; they would issue you a court date; they would issue you a citation. Then your neighbor would have to come in and testify against you. He shared that would be the Clay County Prosecutor. The City does not issue misdemeanors. That's a state thing. The difference in a misdemeanor and a felony is a state thing. An ordinance violation is what the city would deal with regarding that.

Mr. Murch said that someplace in there it talks about being a misdemeanor.

Mr. Baer said that is like saying the court could fine you up to \$10,000 or 80 days in jail. It never happens. That's not going to happen. It may say it's a misdemeanor, but it's whether the state prosecutor files against it or not.

Mr. Murch shared that every day that goes by is like a new ticket.

Mr. Napoli replied that they would have to write a new summons every day to do that. It just isn't automatic.

Mr. Murch replied that they could do that.

Mr. Napoli agreed in theory. He would have to look at it. Typically, the way this is, it isn't every day. The nuisances are every 10 days. He read the regulations that say "each day that a prohibited condition is maintained shall constitute a separate offense." He said they would have to write a citation every day.

Mr. Murch asked if that would be his responsibility.

Mr. Napoli said it would be our responsibility if we did it every day.

Mr. Markenson asked if they needed any sort of vote on this.

Mr. Napoli replied no. This was to advise the Commission where it is going. After tonight, they will let you know if it passes with the Council or not. It just ties back with the zoning issues they have. It was mainly to keep them in the loop.

Mr. Markenson clarified that it isn't part of the zoning ordinance.

Mr. Napoli confirmed it was not part of the zoning ordinance. This will actually be in the Building Construction ordinance.

Mr. Murch commented that it does go into the public record and, in the event there is ever a lawsuit on it, the ethical standard of whatever they say tonight is used in court.

Mr. Ebenroth asked if this is restricted to a single family residence.

Mr. Napoli said no. It could be a duplex, condo, apartment complex, as long as it is a residential structure that has those requirements of the sink, bathroom, kitchen, cooking, that type of thing.

8. **REVIEW: of new Chapter 3000, Mobile Food Establishment Regulations.** Mr. Markenson asked if there was an existing ordinance on Mobile Food Establishments or if this was all new.

Mr. Napoli replied that this was all brand new. The beginning is the same thing: general stuff, applicability, administration, violations and the appeals process. The Board of Zoning Adjustments would be the appealing body. He reviewed the definitions. There were no questions.

Mr. Napoli reviewed business licenses and operating locations, hours.

Mr. Markenson asked why there was a restriction from 11 until 2. He wanted to know what would happen if they want to have breakfast or operate until 2:30 or 3:00.

Mr. Napoli replied they can look at that on a case-by-case basis. Basically, everyone who has called has wanted to have lunch or come in for a special event. There haven't been any requests for mid-afternoon snacks or tea and crumpets, or serving breakfast burritos, that type of thing. There haven't had any of those issues come up.

Mr. Markenson asked why we are doing this now.

Mr. Napoli said they have had increased calls for having mobile food establishments, specifically during types of events. Three years ago there were no calls. This last year there were about a half-dozen calls and this year there have been another half-dozen calls plus. More and more people are looking at doing that type of thing for other reasons than just Gladfest. They want to have something there in case someone comes in with a little pushcart. If you go by Home Depot you will see a little hot dog guy out there selling hot dogs and brats. We may have someone at Walmart that may want to do that also. This will allow those requests to happen. In the past they've been told they could not do it unless it was specifically inside that structure.

Mr. Greer added that it is a cool concept to have food trucks in Gladstone. Since we are getting more people trying to do it here, they think it would be pretty wise to have something in place. Then we don't have to say they can't be here at the softball complex during an event or at a

Linden Square concert. Having something on the books will be really helpful. The limiting of the hours comes into play when you have places like Stone Canyon and Summit Grill and Laughing Place Bakery and those types of places that are paying leases at brick and mortar. We want to protect them so mobile food trucks can't come in and put them out of business completely because they are mobile and their expenses are lower. That is where you will see the downtown come into play too. We want to protect those brick and mortar places.

Mr. Markenson said they are protected because they can't go into the downtown area. He asked if this will limit the hours of the ice cream vendor from hours other than 11 to 2.

Mr. Napoli said he doesn't know. It's a good question.

Mr. Greer added that was why they are getting their feedback on this. This was the first or second rough draft and they will make provisions to it as they go.

Mr. Murch asked if this would impact Linden Square as well. There are food trucks that go down there for arts day or whatever.

Mr. Napoli replied yes and no. That is kind of jumping ahead a little. Linden Square activities, Theatre in the Park, movie night, Gladfest- all of those require a Special Event Permit. With that permit, there is a sheet they provide with specific regulations the city has that they want a variation, such as smoking, drinking at Gladfest, dogs in the park, park open later than normal. This will be added so when those events are coming up there will be a section that food vendors can be at those events during those hours.

Mr. Murch asked if that would apply to the Farmer's Market.

Mr. Napoli said the Farmer's Market has a Special Event Permit so that would tie in.

Mr. Murch clarified that would allow them different hours.

Mr. Napoli confirmed that was correct.

Mr. Murch stated that they would apply to him to be able to smoke dope at Gladfest.

Mr. Napoli replied in theory, yes. The event person would have to apply for it so they would need to get with Amy.

Mr. Markenson asked if a Mobile Food Establishment was required to obtain a Gladstone business license.

Mr. Napoli said yes. They are required to have a business license.

Mr. Markenson asked if they were required to show that they have been inspected by the County Health department.

Mr. Napoli replied yes. The county stuff is all part of the business stuff. That is required. The Fire Marshall will be checking them out also. He will go and check the large ones that have propane tanks to make sure they are done right, make sure they have the proper fire extinguishing equipment and all of that. The little pushcarts that are not propane operated he won't be worried about those. If they are propane, he will address those.

Mr. Napoli continued reviewing the remaining requirements.

Mr. Murch had a question about Hy-Vee. They have a barbeque truck on their own private land. He asked if that was legal.

Mr. Napoli stated that was part of their process and zoning that was approved when Hy-Vee wanted to do all that stuff.

Mr. Markenson said the 11 until 2 seemed too restrictive. If he were writing this ordinance he would give them a little more leeway, that's just his personal opinion.

Mr. Napoli said they were open. He picked the lunch hours because that was all they have been asked about, except when it came to some special events. They are open. If somebody came in they wouldn't say no they can't do it. They may have to amend the ordinance and look at widening it. Right now all talks on the staff side were addressing lunch hours, which was what had been addressed with by the vendors who have called.

Mr. New asked if it could be reworded to say, "Hours between 11 and 2; other hours will be considered."

Mr. Napoli said he would look at it. He doesn't know if they can do it but he will look at it and talk to legal.

Mr. New said if he was a vendor wanting to do this and looked at those hours that he would think he couldn't do it in Gladstone.

Mr. Turnage asked that with the business license, food safety precautions, and restrictions; how could anybody make much money.

Mr. Napoli said they are doing it now because Kansas City has them. They get a business license, they get a health department inspection, and they pay to work in the areas they are in. They are making money somehow.

Mr. Greer added that an interesting point to that– and he's not sure how he knows this except that he works with Gladfest– is that a lot of the food trucks have a minimum they have to meet in revenue that has to be guaranteed. That's why they haven't seen a lot of food trucks per se like you would see in Westport here in Gladstone. They have to make a certain amount of money for it to be worthwhile.

Mr. New commented that he was on vacation in Orlando a couple of years ago and his wife found an area that was a park that was all food trucks. It was like a food truck mall. The person who owned the space had this concept, he had the land and he had hookups. Anybody who has a food truck lines up. It was like walking through a mall.

Mr. Napoli shared there were some areas in Portland when he was there. There was an area, semi-business district area, where there were no people parking. That was where all the food trucks would be at lunch. Down in Memphis at City Hall, they have a little concrete area out front and there are six (6) food trucks that are allowed to go there between certain hours for lunch. There are some areas that are designed and set up to have the food trucks there on a regular basis.

Mr. Murch asked if it is a 503 organization, do all of these things still apply to them, like Gladfest.

Mr. Napoli replied that Gladfest would all be tied with the Gladfest Special Event permit. There are no issues there. If it's a 501 c 3, basically it is a not-for-profit and if they are doing anything 72 hours or less there are no issues there. It's like the Girl Scout cookies. They are only out there for a day or two or the weekend. As long as it's 72 hours or less and they are a not-for-profit, they don't have to worry about anything.

Mr. Markenson asked if there is any enforcement of sales tax collections.

Mr. Greer said he wasn't sure that would be our area.

Mr. Napoli said their business license should show their gross receipts.

Mr. Markenson said there is a number there so you can check them.

Mr. Napoli said that would fall under the finance department primarily.

9. Communications from City Council. None.

10. **Communications from City Staff.** Mr. Napoli reminded the Commission that last year they had approved a site plan for Gladstone Foods. They are still planning to do the structure and are planning to start in March, 2020. Hy-Vee has started inside the store. There is a temporary flower area. They just received revised plans on the Fast & Fresh Store with one comment to address on that. The kiosk is waiting on a couple of comments to come back and it's on order right now. There will be a time where everything will be going on at once at Hy-Vee.

Mr. Greer clarified that Gladstone Foods is adjacent to the Community Center. It is the taco factory, La Tiera Tacos. He also reminded them that Gladfest is October 4th, 5th & 6th this year so make sure you come out and buy some stuff and check out some of the concerts.

11. **Communications from Planning Commission Members.** Mr. Murch asked if there was an update on any of the projects that they have approved with the hotel.

Mr. Greer said he believes they will submit their building permits at the end of this month to the middle of next month. They should be seeing those soon. They just got their bids back from contractors and they were really favorable. They should be seeing something in the next month or so.

Ms. Middleton asked for clarification on the gas station behind the neighborhood. She wanted to know the difference in the types of zoning. There was something about it being a CP as opposed to a different type of zoning.

Mr. Greer explained the CP-1, CP-2, CP-3, etc. The P stands for "planned" which means they are in a planned district. If there is something major being done to the exterior, if they are adding or subtracting square footage, or adding a roof like the fuel station roof (canopy), that would constitute going to the Planning Commission. Another really good example would be the Wendy's that was approved. The Planning Commission didn't have to approve that because the zoning was C2, so it was a straight zoning, it didn't have the "Plan" to it. It was allowed to go in that zoning so they went straight to building permit, be approved by City Council, and start work.

Ms. Middleton shared that she didn't understand the difference between what makes one planned versus the other.

Mr. Greer said they want to see a lot of the zoning properties go to a planned district because it allows us to have some say on what the building can look like or what the site plan can look like. With the Comprehensive Plan, they want it to be as esthetically pleasing as possible. If we can help that in some ways, we want to. With the Wendy's, they knew the product they were going to put out there being brand new, it was a straight zoning so it went straight to building permit.

Mr. Whitton added if the footprint of the building on the lot changes, then they have a P zoning.

Mr. Greer agreed. He shared another example being the work that is going on at the Heights at Linden Square, the apartment complex, the exterior work that is being done. There's no square footage being added or subtracted there. They are just redoing the paneling and some of the Juliet balconies on the outside. Therefore, it didn't have to go to Planning Commission. With the gas station/convenience store, since they are adding a canopy and fuel stations and subtracting square footage that would constitute coming to the Planning Commission.

Ms. Middleton confirmed that being a C without being a CP they have more freedom to do what they want.

Mr. Greer agreed, as long as they fit within the zoning code, what is allowed. And that was the code that Alan and he wrote. Whenever a project wants to come in, or a development, they like to see if what they want to do fits with that zoning designation.

Mr. Markenson suggested that when they come to Gladfest to please come to the Rotary Mobile Food Establishment and get a turkey leg. He will be there.

Mr. Murch asked for an update on the Master Plan and if the money was allocated and whether a firm had been picked.

Mr. Greer said they are still working on the Comprehensive Plan. They are working on the RFP right now. It is circulating amongst the staff at this point. They are hoping to get that done by the end of the year and at least get it bid out and see who they are going to choose.

Mr. Murch replied that they are really looking at 2020 before they start.

Mr. Greer confirmed that was correct.

12. Adjournment. Mr. Markenson motioned to adjourn; Ms. Middleton seconded.

Chair McGee adjourned the meeting at 7:46 p.m.

Respectfully submitted:

Cheryl Lamb, Recording Secretary

Approved as corrected _____

Jennifer McGee, Chair

Approved as submitted _____



DISPATCH: St. Joseph News-Press • Smithville Herald • Kearney Courier • Liberty Tribune • Gladstone Dispatch • Green Acres Publication • Daily Star-Journal • Read It Free - NWMO KANSAS Atchison Globe Hiawatha World • Miami County Republic • Osawatomie Graphic • Louisburg Herald • Read It Free - Miami County

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Proof of Ad 10/01/19

Account: 90701	Ad ID: 6618928	Discount: \$0.00
Name: CHERYL LAMB	Description: Hearing Oct 14.Vacation of Right-Of-Way	Gross: \$160.26
Company: CITY OF GLADSTONE	Run Dates: 10/03/19 to 10/10/19	Paid Amount:- \$0.00
Address: 7010 N. HOLMES	Class: 189	Amount Due: \$160.26
GLADSTONE, MO 64118	Orig User: SANDRAR	
Telephone: (816) 423-4110	Words: 349	
	Lines: 72	
	Agate Lines: 119	

Publication	Start	Stop	Inserts	Cost
Courier Tribune	10/03/19	10/10/19	2	\$106.84
Gladstone Dispatch	10/03/19	10/10/19	2	\$53.42

Proof

(Published in the Courier-Tribune Thurs. 10/03/19 & Thurs. 10/10/19)

NOTICE OF PUBLIC HEARING

VACATION OF RIGHT-OF-WAY

The City Council of the City of Gladstone, Missouri, will hold a public hearing during its meeting beginning at 7:30 p.m. on October 14, 2019, in the City Council Chambers at Gladstone City Hall, 7010 North Holmes, Gladstone Missouri 64118. The hearing is being held pursuant to the provisions of Section 8.120.080 of the Gladstone City Code regarding the vacation of certain right-of-way described herein.

1. A petition for the vacation of right-of-way has been filed with the Gladstone City Clerk.

2. The description of the land where the right-of-way proposed to be vacated is located is as follows:
All of Block Twenty-one (21), together with the East 1/2 of vacated Oakley Avenue lying adjacent to said Block 21 on the West, AND all of the following described tract being that part of the vacated intersection of Oakley Avenue and 11th Street, described as follows: Beginning at the Northwest corner of Block 21; thence North in a line which is the prolongation of the West line of Block 21, a distance of 30 feet to the centerline of 11th Street; thence West 30 feet to the center of the intersection of Oakley

Avenue and 11th Street and also the center of Oakley Avenue; thence South in a line parallel to and 30 feet West of the West line of Block 21 and in the centerline of Oakley Avenue, a distance of 30 feet to a point which would be the prolongation of the North line of Block 21; thence East 30 feet to the Northwest corner of Block 21 and the Point of Beginning, all in LIN-DEN, an addition in and to the City of Gladstone, Clay County, Missouri.

3. A copy of the petition for the vacation of right-of-way is available for review at the office of the Gladstone City Clerk during regular business hours.

4. All interested persons shall be given an opportunity to be heard at the public hearing.

/s/ Ruth Bocchino
Ruth Bocchino
City Clerk
City of Gladstone, Missouri

TO: AT&T
1523 Oak Street
Kansas City, MO 64108

FROM: Community Development Department

DATE: September 30, 2019

SUBJECT: Right-of-Way Vacation at 7010 N Holmes Street, Gladstone, Missouri

Public Hearing File #2019-013

Public notice is hereby given that the City Council will hold public hearing on **Monday, October 14, 2019 at 7:30 pm** on a Right-of-Way Vacation at 7010 N Holmes Street. The property is legally described as LINDEN ALL BLK 21 & ADJ VAC ST BEG SE COR BLK 21, N371.78, W 135, N30, W170.67, S401.7, E 298.23 TO POB in the City of Gladstone, Clay County, Missouri.

Applicant/Owner: City of Gladstone – Gladstone City Hall

The applicant is requesting a right-of-way vacation at Gladstone City Hall to build a new facility over an existing easement.

This letter is being sent to you to determine if there are any utilities running through this easement. If you have any questions, please call the Community Development Department at 423-4110.

Thank you.

TO: Kansas City Power & Light
1200 Main Street
PO Box 418679
Kansas City, MO 64141-9679

FROM: Community Development Department

DATE: September 30, 2019

SUBJECT: Right-of-Way Vacation at 7010 N Holmes Street, Gladstone, Missouri

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Thank you.

TO: Spire Energy
700 Market Street
PO Box 418679
St. Louis, MO 63101

FROM: Community Development Department

DATE: September 30, 2019

SUBJECT: Right-of-Way Vacation at 7010 N Holmes Street, Gladstone, Missouri

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TO: Charter Communications Headquarters
Re: Spectrum/Time Warner Easements
12405 Powerscourt Dr.
St. Louis, MO 63131

FROM: Community Development Department

DATE: September 30, 2019

SUBJECT: Right-of-Way Vacation at 7010 N Holmes Street, Gladstone, Missouri

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