



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MAY 11, 2020**

REGULAR MEETING: 7:30 PM

In light of public health orders from the Missouri Governor and the Clay County Health Department related to the COVID-19 pandemic, this meeting will be held via audio and video. Members of the public interested in this meeting may listen at City Hall, 7010 North Holmes, in the Council Chambers or livestream at <https://www.gladstone.mo.us/meeting/>. Due to the COVID-19 public health orders, occupancy in the Council Chambers will be limited.

TENTATIVE AGENDA

- 1. Meeting Called to Order.**
- 2. Roll Call.**
- 3. Approval of the April 27, 2020, Regular City Council Meeting Minutes.**

REGULAR AGENDA

- 4. Communications from the City Council.**
- 5. Communications from the City Manager.**
- 6. APPROVE SPECIAL EVENT PERMITS:**
 - Gladstone Farmers Market
 - Drive in at the Square
 - Sounds on the Square
- 7. RESOLUTION R-20-19** A Resolution authorizing the City Manager to execute documents related to disbursements of Coronavirus Relief Fund Allocations from Clay County, Missouri.

8. FIRST READING BILL NO. 20-14 An Ordinance of the City of Gladstone, Missouri, to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials pursuant to the State of Missouri Ethics Law.

9. Other Business.

10. Adjournment.

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

City Clerk Ruth Bocchino

7010 N. Holmes, Gladstone MO

POSTED: May 7, 2020, 3:30 pm



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, APRIL 27, 2020**

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

ALL COUNCILMEMBERS ATTENDED VIA ZOOM

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

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

Mayor Suter opened the Regular City Council Meeting Monday, April 27, 2020, at 7:30 pm.

Item No. 2. On the Agenda. ROLL CALL

All Councilmembers were present via Zoom. The City Manager, Scott Wingerson, the Assistant City Manager, Bob Baer, and the City Clerk, Ruth Bocchino, were present at 7010 North Holmes, Gladstone, Missouri.

Item No. 3. On the Agenda. Approval of the April 13, 2020, Regular City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the April 13, 2020, Regular 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. 4. On the Agenda. PROCLAMATION: BUILDING SAFETY MONTH

Mayor Suter recognized Building Safety Month, and declared May as Building Safety Month.

REGULAR AGENDA.

Item No. 5. On the Agenda. Communications from the City Council.

Councilman Garnos stated: *"Thank you, Mayor. I wanted to thank the City Manager for the update on Council Goals. I appreciated the update. We've got so many projects going on and I know everything is being disrupted so I appreciated the update on all the things, all the irons we've got in the fire, and also the importance of keeping the city's website updated. That seems to be one of the few good sources for up-to-date information on the shut down and the virus. I noticed even in like the Dispatch, the articles in there were out of date by the time they got published and into our driveways. I think the people of Gladstone have our website and it's been great because it's had all of the links to the County Public Health things so when people have asked me a question, I can just refer them to the city website for answers so that has been very helpful and I appreciate keeping that up to date. That's all I've got Mayor, thank you."*

Mayor Suter stated: *"I will add in. It seems like from the last meeting to this meeting has been about 30 years instead of just a couple of weeks. I, too, wanted to express my appreciation to City Manager Wingerson for the goals update. It is always helpful to get those kind of questions answered about what is going on; and I also wanted to assure everybody that progress is being made on a number of fronts behind the scenes. There are a lot of activities that are not held during this time of a shut down; construction projects in particular I'm thinking of; so there are still lots of Public Works things that are going on, parks maintenance things, and some other kinds of projects that the City Manager and staff and others are working on. It isn't like everybody is sitting back at their desk with half of the staff gone and their feet up. There is a lot of work going on. I wanted to start by thanking our Clay County Public Health Director Gary Zaborac for doing such an exceptional job during this very, very, difficult time providing leadership for the County. Obviously, it's just a huge amount of pressure around all of this and we are lucky in Clay County to have a Public Health Director who, unlike pretty much all the others around, has worked diligently to keep all of the elected officials in the County in the loop. Before he has made any decision from the beginning of this to today, he communicates with all of the City Mayors and Commission members. He gives us an opportunity to see what he is going to make public before it goes public and that has been very helpful. Of course the most recent thing we are working on is his roll off plan and that has been with the city leaders for two weeks now; getting edits and rethinking. I really appreciate that. He has come under attack of late from folks who don't agree with the May 3rd roll off; although almost every single county in the entire region is on May 3rd and the whole State of Missouri is on May 3rd, the State of Kansas is on May 3rd, Colorado has actually just upped theirs to May 1st, so there certainly is a huge consensus out there that May 3rd is an appropriate time in this region. Some folks have liked to take to the press to make it sound like it is the opposite and the 15th is what everybody thinks and there is just a couple of outliers, but it is actually completely the opposite. Gary has had personal attacks and insults and he has really held his own, stayed calm, sticks to the facts, and has done what he has said from the beginning which was to do his analysis of the numbers in Clay County and to abide by what he thought was good decision making, assessing the impact of the virus and then the opportunities for moving forward. We have followed his advice from the beginning and his advice was May 15th, when we extended to May 15th, May 15th or sooner; and that was everyone's agreement in the entire region, even though, again, some people are trying to pitch it a little differently now; it was always with 'or sooner.' I think many folks in that group, especially Gary and some of the other counties that have a more rural population; we*

knew from the beginning that it was not likely we were going to go to the 15th because our numbers were so low. Our numbers were significantly below any predictions and so we were sure it was going to be earlier than that. The entire region agreed that the criteria for rolling off this stay at home order would be to get two weeks past a peak in, not just new cases, because the more testing you do you find out more people have it but it doesn't mean they are sick, so it is really about hospitalizations and how much we are using the healthcare system. So, two weeks past the peak and the appearance of more testing. We have accomplished that, and obviously will have easily by the 3rd. Testing has popped up. I'm sure you are aware that both Clay County has a drive through site at Pleasant Valley, and we want to thank Wal Mart for being great corporate citizens. We are happy to partner with them to have them do a drive through site here in Gladstone. I don't think either site has been very busy. Most of the testing has been done by healthcare providers, at the hospital, or doctor's offices, or care centers. I've gone by Wal Mart and there hasn't been too much business up there. They are focusing on First Responders as their first priority for the first week but I think it is not a surprise to Gary that it is not an overwhelming number of people lining up because we just aren't having many incidents of people having symptoms. Getting to this stage of rolling off, or easing of restrictions, it feels like a very long road. As I have told you before, going in was pretty easy because the medical opinion was all unanimous; coming out is going to be very different because there are so many different opinions and so many different experts; so many people challenging numbers, the way numbers are counted, and we are not sure that everybody's actually counting things the same. It's much more complicated at this stage. Also getting here, I do want to say on a personal note, I have taken an extraordinary amount of time and energy as Gladstone's Mayor. Countless hours, day and night, seven days a week without stop since the very beginning for the first week of March. There is just so much that goes on behind the scenes regionally; as I said, just to work with Gary and the County and then in the larger region, there have been so many different ways that folks have tried to communicate, share ideas, get information and process. As the County roll out, things get a little bit more political, seems like I was hoping it would get less, but it certainly hasn't at all. I spent this weekend on the phone in meetings. I wanted to raise this today because I really wanted to be on the record about it and that is, three weeks ago already, after being on phone meetings and Zoom meetings and stuff for almost all of this Sunday, to late Sunday afternoon. By the time I got off, my wonderful husband said 'so, how many other people on that call are unpaid volunteers like you?' Well, none. They are all paid staff or paid elected people. He said, 'well when you are in the big meetings, 40-50 people on those big calls, how many of those people are unpaid volunteers like you?' None. I'm the only one. Everybody else in the region receives some form of compensation to participate. This is just my warning to those of you, if I get reelected, come October, I'm going to get on my soapbox again and say we need to seriously think about joining what everybody else is doing and that is some kind of compensation for us. If this thing comes back in the Fall and the Winter, as many are predicting, the next Mayor is going to get caught in this as well and, not only does it take a toll on you as a Councilmember, but whoever is living in your house with you, when you are shut in, has to put up with all this as well and it's really been unrelenting. The good news is that we are reaching a point of easing restrictions and that to me has felt like just a huge weight off my shoulders. Unfortunately we've had some political upheaval here in the last few days which took away some of the fun of feeling like we were getting to the point of hope. I know that most of our constituents are really ready to get to a point of hope. I continue to participate in this regional conversation; it's called the Multi Agency Coordinating group and it has representatives from all the nine

counties in the MARC region, MARC Board Officers, County Commission heads, a few Mayors, and all of the public safety emergency management network folks, all the healthcare emergency management folks; it's quite an interesting group. It's the first time we have ever attempted to have such a region wide communication. The point of it, and again you hear some of this stuff in the media of late, and mostly it's wrong, but the point of it is not to have group decisions because every jurisdiction has its own authority; and it is not even to establish a consensus of any kind about going forward; although we have, from time to time, had consensus, like on what the criteria should be for when we start to ease, but it is really just a forum for communication so that we can understand what other people are thinking, you know, what theories they are relying on, which way they are kind of leaning; especially when you get a heads up before people take action and then that helps that the rest of us are not blind-sided, or that others aren't blind-sided by unilateral decisions and caught unaware. This group is really worked quite well for it. I don't know if you saw the story from the New York Times. The good news was that the reporter did accurately reflect the candor and directness that has been a part of these conversations. The reason that it is so direct and we have such great candor is because it has not been an open meeting. It's not a public meeting. There is nobody there with a quorum from anything and we are just individual elected officials and other professionals who are meeting. Unfortunately, last week somebody in the group took it upon him or herself to include a New York Times reporter without any notice to anyone else in the group. No one knew they were being recorded and that there was anyone else on that call except the people who were invited and intended to be on. So, that, unfortunately, has just thrown a huge monkey wrench into the process and our ability, I think, going forward, to really have candor, because what we decided, again, this is one of those kind of side conversations all weekend at Mid America Regional Council who hosts these things, all of the media, local, have been down our throats and interviewing and having all kinds of conversations about why a New York Times reporter was included and none of them had access. Some of them had asked for access before and were denied. So it's decided that now we are going to have to give the media access to our meetings all the time. So you know when the reporters are sitting there, the candor is gone and that is unfortunate because it really was a unique experience to be able to let your hair down and speak. Nobody knows who did it. There is lots of, you know, stuff going on trying to figure out who brought this person in, the reporter himself won't say who is source is, so it's too bad. We meet again tomorrow morning. We will be talking now about roll off plans. As you can tell, every single day in the news, right, we have one from the Federal Government, we have the State, we have every County, we have every professional association, we have everybody in the world doing their recommendations for your easing program. Again, I don't think there is any magic to the whole region doing exactly the same thing, and clearly we are not all going to do exactly the same thing. We are to the place in Clay County where we have a final draft of the rules, or the guidelines that we are going to be using for the easing. What we are really seeing, of course now, is a whole lot of virus fatigue. Not just here, but you can see it all over the country; Californians who were supposed to be locked down are flocking to the beaches by the tens of thousands. We can see around in this area that, every day that goes by, there is less compliance with the stay at home order. I really appreciate Gary's strategy on this to have the slow and regulated easing, but a fairly simple one with not a lot of technical rules and not a lot of different stages, but something that will help us naturally move forward and I think in my opinion that is what is really going to happen. As I was talking with Mayor Lucas yesterday, when I look around, I said I would really prefer that the public have enough confidence in us to comply with eased restrictions rather than completely

ignore hard line restrictions. I am glad that Gary is to the point of recognizing that at this point there isn't much point in trying to make everybody not drive around the community, go to the stores; people are not staying home. I think that would make us lose the trust of the public if we try to do things that clearly we don't have public support for. Going forward, this plan has been circulated. I think you all got copies today from the City Manager. It's hopefully the last version. We are not working on anymore edits or anything for the plan. Gary Zaborac plans to make it public on Wednesday because he wants to do some FAQ's, a couple of other kinds of graphs or charts, answers to questions that he wants to publish with it and so he's still working on those. I have asked Scott now to take that from there and give us an update on what is in the plan and how he sees that rolling out in the community and to also update us on the city and how we are easing and how we are going to be ready for this change in status."

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

City Manager Scott Wingerson stated: "Thank you, Mayor. I'm going to divert from the COVID-19 discussion for just a second and tell you in person how pleased we are with MAG Development from Omaha, Nebraska, for contracting with Ronco, also from Omaha, Nebraska, to build a Marriott Fairfield Inn and Suites at the corner of 69th and North Oak. That was a project that we thought would be delayed indefinitely because of the crisis in the world basically and they are pushing forward incredibly hard behind the scenes to make all the pieces come together to let that start. We think construction mobilization will happen yet this week and actual activity the following week. We are super excited that is happening. They are projecting a 400 day, approximately, construction schedule and hope to meet that by 100 days or so, something like that. I wanted to share that. I also wanted to thank the Mayor. I can testify to how much time and energy she has taken in the region and with us to provide her leadership and her knowledge in her articulate manner and her perspective that always represents Gladstone extremely well and that has allowed us as staff to be really effective behind the scenes in side conversations throughout Clay County and the region, so thank you, Mayor. As the Mayor said, the Clay County plan was expected to go public at noon on Wednesday. I believe they have changed that to noon tomorrow with FAQ and exhibits being released Wednesday at noon. So a little bit of a change just in the last hour or so. Regardless of the plan that we subscribe to, whether it's the Governor or the national plan or a different county or a city with their own health agency, there is going to be certain things that are consistent and uniform across all of those plans. Those are things like encourage people to wear masks in public; encourage people to strictly social distance; encourage people to avoid large crowds; it makes common sense. Discourage non-essential travel, especially to areas of the country or the world that are dealing with this problem more than others. For sure restrict visits to long term care facilities and encourage high risk individuals just to stay home. That has been the point of this all along. Also, every plan across the country, I'm sure, will include an increase in testing capacity and as an anecdote, there has been over 2,000 people tested in Clay County as of this afternoon so that is very encouraging. With the Pleasant Valley Baptist Church location, the pop-up location at Antioch Mall, used to be called Antioch Mall, and our partnership with Wal Mart is really going to increase that and the key to us moving forward is the testing so that the health professionals can get the right data and advise us properly. Ultimately, this whole thing is about preserving our health care system so as long as we can continue to do that, we continue to move toward recovery. Some of the things that will factor into our recovery are a reduction in the rate of case increases. That's not

an increase or reduction in the number of cases, that's a reduction in the rate of increase. Clay County Health will want to see that before they move us through the sequenced phasing roll off. We will make sure that the hospital capacity is preserved; we will make sure that every person who has symptoms can be tested in the county and then there is also regional considerations that are really important and the Mayor touched on it because, basically, every county except Jackson County and Kansas City, Missouri, have chosen to start this roll off on May 3rd. All that does is show that the region is largely unified, number one, but it also shows that conditions can differ from county to county and region to region, and zip code to zip code, and State to State as the Mayor pointed out. Today, Clay County Health is reporting 162 confirmed cases and two deaths. In Gladstone, that equates to about 13 households being directly affected by COVID-19. I'll pause there for a shout out to our Emergency Health Providers, our Firefighters, Paramedics and EMT's who are being out there and tracking this every day and they never know what they are walking into and in ten times they have walked into it and taken proper procedures and protocols to protect themselves and all of the residents of Gladstone so thank you to them. In terms of how this affects businesses, again this will be announced by Clay County Health Center tomorrow we think at noon, Step 1 starts on May 3rd and basically it starts with a strong recommendation to continue social distancing and enhanced hygiene, washing your hands and wiping down high touch surfaces and things like that. A strong recommendation that high-risk individuals should continue to stay home. Those are people with compromised immune system or the elderly. At that point, businesses may open up to 25% occupancy as long as social distancing can be maintained so whatever their building code, fire code, occupancy level is, they will be allowed to have 25% of that in their business, in their restaurant, and hair salon, any of those kind of businesses; retail office, all of that applies but gatherings are limited to 10 people so informal gatherings, weddings, funerals, things like that would be 10 people or less. Each phase is expected to last about four weeks. It could be less if we do really well with all those factors that we just talked about; it could be a little bit longer if we don't do so well or if there is a hot spot in the county somewhere. Step 2 would be to continue social distancing and enhanced hygiene, again, encourage individuals with high risk to stay home. Businesses up to 50% occupancy and 50 people as a mass gathering, so you can see how it is phasing up and upping the bar towards normalcy. Step 3, about four weeks after the start of Step 2, would be to continue social distancing and enhanced hygiene, there is a theme to all of these steps if you haven't got that so far; high risk individuals should continue to stay home, businesses are at 100% occupancy and gatherings are at 100 people or less. Finally, Step 4, which would start about four weeks after the start of Step 3, continue social distancing, etc., businesses may open at 100% occupancy and gatherings are limited to 250. The speed of all of this, how we progress as a county through all of those steps, will be based directly on the things and how we perform as a community. With that said, Gladstone has led, the people of Gladstone, the businesses of Gladstone, have led basically Clay County in their compliance and I'd expect no different in this case, so the quicker and more stringent we can be about the factors that affect everybody, the faster we will move through it and be on to something else; and more exciting traditional city stuff. So, in terms of the city, as the Council is fully aware, the services, most of the services that we provide, are currently available to the public. There are very few exceptions to that. We will compare our draft to the draft of the Clay County plan that was provided to us earlier today and when they make their announcement we will be prepared to sort of mirror their announcement first and then provide a working draft for how we will phase things in. We will make every effort to restore building operations and services and programs as soon as allowed under the Clay

County Health order and the plan will be on the website shortly after it is announced tomorrow. I stopped short there, but the Mayor covered most of that. With that, I think I'd like to stop and take a breath with the Mayor's permission and ask if the Mayor or City Council have any questions for me about the Clay County plan, if I'd be able to answer them, or the city's approach to restoring normalcy for city operations and our communications with the community itself."

Mayor Suter asked if there were any questions for the City Manager and stated: *"I think it's going to be really important for Councilmembers to understand the plan and to be able answer questions because the questions are just going to be horrendous; we have all been inundated already. I heard an interesting thing yesterday from a business owner that surprised me so I just would like to give people a heads up. She was interpreting the eased restrictions as if they were somehow mandatory and so her thinking was 'well, so I have to open on the fourth.' No, you don't. 'Well what if my mom doesn't want to go out of the house?' Well, you don't have to. There is nothing mandatory about the easing, right? So people need to be assured that they can still stay home if they don't feel safe; if you don't feel like you can give your employees a safe place to work, don't open; if you don't feel like you can give your customers a safe place to do business, don't open; or, again, make your own rules. I've suggested to people if you want everyone who comes into your place of business or your offices to wear a mask, put a sign on the door and require them to do it. There is flexibility in this whole approach which is some of what I like, so people can proceed with their own comfort level of how safe or secure they feel, recognizing their own vulnerabilities or those of their family members or their employees. It just never occurred to me that someone would see this as somehow mandatory. The easing part; they all got that what you can't do but now somehow she was thinking when we were saying what can do that that meant you have to do that. Just as a heads up, in case you run into it, or you get the feeling that people are misunderstanding a little bit what is happening. I also encourage you to call me anytime, or contact me anytime if you want to know anything from behind the scenes stuff. Most of you are probably glad you don't have to deal with it. I would like Scott to talk a little bit about city staffing and how we are coming back and what our expectations are around serving the community."*

City Manager Wingerson stated: *"Yes, so I'm going to be a little bit vague on that point mainly because we don't know about the status of some PPE and some structural enhancements to protect our people and protect our residents. I'm going to be a little vague. We are going to try to open City Hall as close to May 4th as we possibly can with some qualifications. Basically, sneeze guards are very difficult to find right now. Justin and Charlene and Dominic have done a masterful job of searching those out around the world. We have them ordered and have had them ordered but they may not be here until the 8th or 12th. We are looking for work-arounds there. In terms of staffing, the virus is still out there so our critical First Responders need to be protected and so the shift adjustments that are currently in place for Law Enforcement, Fire, EMS, the Water Treatment Plant, and Dispatch will remain basically intact at least through this first phase. Phase 2 will go back to full staffing. For Parks and Public Works Field Crews will go on a three days on, three days off scenario; so Monday, Tuesday, Wednesday for one crew and Thursday, Friday, Saturday for the second crew and then office personnel will go every other day; so Monday, Wednesday, Friday, and Tuesday, Thursday, Saturday. So the split will be uncomfortable but hopefully it will only last about four weeks and we will be on Step 2 and that*

means full staffing back for all of us in terms of regular full-time and regular part-time employees. Seasonals are a little bit of a different discussion because it will depend on how the programs are offered; primarily in the Parks Department, how that works, and in the Community Center and Parks for issuing programs and large gatherings like Linden Square, etc., will have to be worked out and thought about as we get a little bit closer to that period of time. I don't know if I answered your question, Mayor."

Mayor Suter stated: *"Questions that other Councilmembers might have for him about staff? City events?"*

Councilman Garnos stated: *"Mayor, how about the Community Center? Is that going to be opening consistent with City Hall or are we still going to figure it out later this week?"*

City Manager Wingerson stated: *"No, just general ideas. Nothing carved in stone. The Community Center is difficult because of the number of people to make it worthwhile to open, so to speak, so you are probably looking at Step 2 under the County plan which is 50 people in order to allow the fitness floor to open up. Maybe a small Pilates class or Yoga or something like that at the same time as long as that group is kept to 50 people. You are probably looking at Phase 3 or maybe even Phase 4, Step 3 or Step 4 under the County plan before the gymnasium and banquet facility and all of that is fully functioning. So yeah, we are a little ways out but we will be aggressive in that. The Community Center staff has done a great job cleaning the place and we will keep doing that so I think we are very safe to do it but we will have to be consistent with what Clay County is asking us to do."*

Councilman Garnos stated *"Thank you."*

Mayor Suter asked if there was anything else and stated: *"I think, I hope that we are able to make decisions incrementally so that we don't make a decision early, like to cancel the whole season of something and then we get through these phases much faster than we thought and then you have the community all upset because they don't have the amenities and it didn't turn out to be necessary to keep them all closed or cancelled. I know it's hard with some of the contracts we have with people and with staffing but I guess that would be my hope is that we don't do too many sweeping decisions. It's just like this whole process has not been one of big sweeping decisions and literally things change; as Scott said; I mean we just got done looking at this plan, and I was just talking to Gary by text and then by the time I turned on my machine, it has changed already from Wednesday to Tuesday. That is how this whole thing has been like from day to day, every couple of days, everything just keeps moving and changing and so it is hard on everybody, it would be easier to make big sweeping decisions but I think that we will better serve the community if we can hold back. I also think it is important for the city government to reflect the roll off stages so we were talking about this, we have trouble with the spit-guards, or whatever, for the fourth but I think it would be very hypocritical if the city was saying, well we support businesses opening on the fourth but we aren't going to open City Hall. I think we need to do some work around because I think we really do need to model what we are saying is safe for the rest of the community. I think we need to model it. We certainly have employees, just like the general public, where you have a few people that on one end they are so scared that they don't want to ever come out of their houses for the rest of their lives, and we have some people at*

the other end who are ready to drop all restrictions and get back to life tomorrow. Most people, of course, are in that big midsection but Scott and Charlene are working through these issues where we have people at the extremes to make sure that they are comfortable to come back to work and that we have made some good accommodations for them. Just like every employer is going to have to do, you know, in the whole country, to figure this stuff out. We appreciate our staff through this process, too."

Councilman Garnos stated: *"I was just going to say I appreciate everything Clay County Public Health has done and these guidelines are going to be very helpful. I don't know about everybody else but I have had calls from business owners asking when can I open and under what conditions. This draft that we got circulated today and that is going to come out is going to be very helpful, but, it's also 13 pages long. Even somebody desperate to know when can I open and under what conditions, like the people that operate the hair salon I go to, to say, OK, here you go, 13 pages of guidelines, I'm guessing I'm going to get a phone call right after that asking the same question as going in. So, great if we can wait until Wednesday and get some graphics and frequently asked questions, but I fully support the plan. I understand it. I don't know about gutting it out for four weeks on each step. That is something we may reassess but I think we are going to have a lot of phone calls from businesses once the guidelines are issued."*

City Manager Wingerson stated: *"Councilman Garnos, I would just suggest that we will try to create a script that's professional and as helpful as possible for our customer service people to start with and then I think we are all focused on trying to answer those questions or if we can't, getting the answer to those questions, kind of like when they closed, the same step in reverse. To the Mayor's comment about events, I agree with not cancelling the whole season. Things like Linden Square, we should be able to get back on track; once we can get it back on track, so to speak, there are two really, really, key decisions that will need to be made probably the first week of May at the latest and that has to do with the outdoor pool. When do we believe that would open on a calendar basis and if that projection is right, when it can open on a calendar basis, is it worthwhile to open it for the short period of time that it would be open. So that decision needs to be made pretty quickly because there are materials and physical preparations that need to be done as well as hiring employees. The second really key decision point that again, we will have to make the first week of May, has to do with the Fourth of July. Probably the event in the park, Northstar Community Band has already withdrawn their participation in the festivities, but the ability to have a gathering of that size in Oak Grove Park and Oak Park High School and the surrounding area, probably a no go for the first week in July so Director Merkey is brainstorming ideas to try and do something linear along North Oak, maybe, something like that where people can line up in their cars in the parking lots around businesses and observe the fireworks or from their front yard or whatever. So, if you have any great ideas along those lines I'd appreciate the input. Both of those are really, really tough sort of community spirit related issues more than the physicality of doing the event itself is not that hard."*

Mayor Suter stated: *"I've found the simplest thing for guidelines to answer people's questions when you boil the 13 pages down, remember I said this was a simple plan, other jurisdictions are going to have even more complicated plans, but for me it just has like three main things; that is maintain social distance, wear a face mask, and avoid groups larger than 10. If you are doing*

your business, if you are going to church, whatever it is, if you keep those three things in mind, they stay constant through the whole process and all that really changes is the size of the groups to avoid so we are pretty much saying wear face masks throughout and keep social distance. Social distance will shrink throughout the phases from six feet to three feet and then as we are comfortable and we get into the summer I think we will get through these phases faster. I think Gary anticipates this as well, given our experience so far; we have been so far below any projections that we probably will, I'd say, two weeks between phases, for sure because we need to have that incubation period of two weeks pass before we make another decision but I'm feeling that probably most of the county will be more in two or two to three weeks stretches and then see how well people cooperate. I wouldn't want to be Kansas City, Missouri, folks the next two weeks who are going to be squawking to their City Councilmembers that all the other businesses in Clay County are opening and they are not. That is their issue; the Northland City Councilmembers of Kansas City are engaged in conversations with the Mayor about trying to negotiate that whether the Clay and Platte County residents could be released with the rest of their counties instead of staying with Kansas City. I think that is a hard sell probably because the Mayor has pretty much nailed himself down to his timetable but at least those conversations are going on so there will be, and you remember, what I always find out too is even our business people are not always sure what city they are in so they will be asking you for advice and then you ask them their address and they are actually are in Kansas City or vice versa, they think they are in Kansas City and they are actually in Gladstone. There is always a little confusion on that but staff has done a great job. This has been a trying time for everybody and pulling everybody back is probably more challenging than it was to let them all go so I wish you all well in this process as you try to respect everybody's needs and still get back to full function. If there is nothing else on that score."

Item No. 7. On the Agenda. APPROVE FINANCIAL REPORT FOR 8 MONTHS ENDING MARCH 31, 2020.

Councilman Mallams moved to approve the Financial Report ending March 31, 2020. **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. 8. On the Agenda. **RESOLUTION R-20-18** A Resolution authorizing the City Manager to execute a contract with BKM Construction in the total amount not to exceed \$190,645.00 for the Curb, Gutter, Sidewalk, and Trail Project-Phase 1; TP2004.

Mayor Pro Tem Moore moved to approve **RESOLUTION R-20-18** A Resolution authorizing the City Manager to execute a contract with BKM Construction in the total amount not to exceed \$190,645.00 for the Curb, Gutter, Sidewalk, and Trail Project-Phase 1; TP2004. **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. 9. On the Agenda. **FIRST READING BILL NO. 20-12** An Ordinance granting certain temporary and emergency powers to the City Manager related to fees and deadlines for business licenses, development plans, building permits, and liquor licenses.

Councilman Mallams moved Bill No. 20-12 be placed on its First Reading. **Councilman Yarber** 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. 20-12, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Yarber** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, 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. 20-12, and enact the Bill as **Ordinance 4.512**. **Councilman Yarber** seconded.

Councilman Garnos stated: *“Mayor, a quick question. On this two-month extension of licenses, the following years licenses will just normally expire on June 30 like normal, right? This is just a two-month extension of the existing year? We are not shifting everything two months?”*

City Manager Wingerson stated: *“No, a two-month extension and then the licenses will come due at the end of the fiscal year as in previous years.”*

Councilman Garnos said thank you.

Mayor Suter asked if there was any other discussion.

There was none.

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. 10. On the Agenda. FIRST READING BILL NO. 20-13 An Ordinance amending Title IX, Chapter 2800, of the Code of Ordinances, City of Gladstone, Missouri, to update its regulations relating to the declaration and abatement of dangerous buildings.

Councilman Garnos moved Bill No. 20-13 be placed on its First Reading. **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). The Clerk read the Bill.

Councilman Garnos moved to accept the First Reading of Bill No. 20-13, waive the rule, and place the Bill on its Second and Final Reading. **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). The Clerk read the Bill.

Councilman Garnos moved to accept the Second and Final Reading of Bill No. 20-13, and enact the Bill as **Ordinance 4.513**. **Mayor Pro Tem Moore** seconded.

Councilman Garnos stated: *"I had a couple of questions, that's why I didn't want to be the one doing all of the first and second readings. So the Building Commissioner is going to be the City Manager or their designee."*

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

Councilman Garnos stated: *"Is it your intention to serve as that in that role or are we talking about having an Administrative Hearing Officer or something else to fill that role?"*

City Manager Wingerson stated: *"It is absolutely not my intention to serve that role and it would be to appoint a Hearing Officer who is familiar with Administrative Law and can protect the process and make sure that there is a fair hearing before we take any action whatsoever."*

Councilman Garnos stated: *"OK, great. And then second, we are not going to have any problems for impartiality then if you designate it to somebody like one of those arbitration or mediation people?"*

City Manager Wingerson stated: *"Yeah, that is right. I mean, Chris is here and Chris can comment if he wants to add to it but he has seen this process work in multiple communities and basically it's an objective person to have the hearing and protect the process."*

Councilman Garnos stated: *"OK, because if it was in front of you as it says it could be in the statute, I mean that would be, I would think there would be an impartiality issue for a building official to be testifying before their boss."*

City Manager Wingerson stated: *"Right, exactly. It doesn't work out very well that way perception wise."*

Councilman Garnos stated: *"The next question is, did I miss it, when reading through it, I think I nodded off, but what is the appeal process? Or is there one?"*

City Attorney Chris Williams stated: *"It's the Circuit Court."*

Councilman Garnos stated: *"So there is still an appeal to Circuit Court?"*

City Attorney Williams stated: *"Yes, that didn't change."*

Councilman Garnos stated: *"But that is not in the language here, that is someplace else?"*

City Attorney Williams stated: *"I believe it is in there. Really, all that changed is just replacing the Building Commission with a Commissioner, description of the Building Commissioner's duties. Otherwise, the majority of the one section didn't change."*

Councilman Garnos stated: *"OK, because I didn't remember seeing anything else on appeal and I remember that was one of the key issues that we were held up with before."*

City Attorney Williams stated: *"It's 9.2800.100."*

Councilman Garnos stated: *"OK, then my last question, and it's on page 30 of our packet, or page three of Exhibit A, where they are listing all the different things for how a building can be determined to be dangerous. Item L includes 'a harbor for vagrants, criminals, or immoral persons or to enable persons to resort thereto for the purpose of committing unlawful or immoral acts,' and I thought we were not going to be using language about vagrants and immoral persons and immoral acts anymore. I think the Mayor objected to that once before and said it wasn't the 1950's. But I don't want to put words in your mouth, Mayor. Can we strip that half of the sentence under L, I think we've got enough clout to deal with other stuff without having to throw that kind of language in."*

City Attorney Williams stated: *"If you want to change that, we would have to hold off adopting the Ordinance or we can have a separate Ordinance to take that out if that is a concern. That wasn't anything we changed at this time. Apparently it has been in the Code for a while."*

Mayor Suter stated: *"We did say that earlier because we don't do a complete sweep of the entire Code to look for things that the term 'immoral' is such a relative term, there is no agreement on what that is so it seems appropriate to not have it there."*

Councilman Garnos stated: *"I don't want to hold up this change but if we ever do clean-up or do anything further, I think this is the second time that language has been singled out. Let's add gypsies in there, too. If they are a harbor for gypsies, you know, then we will tear the place down. I mean it's just, I don't like the language, but that's just me, I'm sorry."*

Mayor Pro Tem Moore stated: *"Is there any point of why we don't go ahead and just pause on this and get it fixed rather than pass it and then go back and try to fix it again?"*

City Attorney Williams stated: *"Other than it would hold up if we have any pending dangerous buildings we want to proceed on."*

Mayor Suter stated: *"We could pause for two weeks, Scott? Is there anything that..."*

City Manager Wingerson stated: *"Yeah, no, we have three properties we want to analyze if the Council were to pass this but two weeks won't make a difference to it one way or the other."*

Councilman Mallams stated: *"I want to make sure that the only word you are questioning, Bill, is the word 'immoral.' Is that correct?"*

Councilman Garnos stated: *"No, it's the whole thing; the vagrants, criminals, and immoral persons and then it keeps going on about, or for the purpose of committing unlawful or immoral acts; I mean I know what they are trying to say there but I think we've got it covered under other things that regard just general safety and public safety is in there; unsafe, unsanitary, dangerous conditions, threatening health safety or general welfare; if we've got vagrants, criminals, or immoral persons we can go after them under one of those other provisions. Or gypsies. I seriously do not want to hold it up for even two weeks. I've got no problem with passing it. When*

I saw that I had to comment. But the places that we all are concerned about for dangerous buildings, I won't hold this up for two weeks, I'd rather get two weeks down the road and get rid of them. That's all I've got."

Mayor Suter asked if there was any other discussion or clarity.

There was none.

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. 11. On the Agenda. Other Business.

There was none.

Item No. 12. On the Agenda. Adjournment.

Mayor Suter adjourned the April 27, 2020, Regular City Council meeting at 8:24 pm.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____

Mayor Carol J. Suter

LETTER OF TRANSMITTAL



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



TO: CITY COUNCIL
FROM: COMMUNITY DEVELOPMENT
DATE: APRIL 20, 2020
PERMIT NO.: 20-00189
RE: TYPE 4 OUTDOOR SPECIAL EVENT

NAME OF EVENT: GLADSTONE FARMERS MARKET
LOCATION OF EVENT: 602 NE 70TH STREET
LINDEN SQUARE
DATE OF EVENT: MAY 16, 2020 THRU OCTOBER 31, 2020
(WEDNESDAY'S AND SATURDAY'S)
TIME OF EVENT: WEDNESDAY'S 2:00PM – 6:00PM
SATURDAY'S 8:00AM – 1:00PM
EST. ATTENDANCE: 1,000+

REQUESTED TEMPORARY VARIANCE:

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

REMARKS: The Gladstone Farmers Market will be operating again at Linden Square, particularly the street/drive area between Linden Square and City Hall. City staff has reviewed that application and find that the requested variances are appropriate for this venue.

NOTE: APPROVAL IS SUBJECT TO LARGE GATHERINGS AND SOCIAL DISTANCE ORDERS BEING OFFICIALLY LIFTED.

Signed: _____

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

ATTACHMENT(S):

- ☒ Map
- ☐ Other _____



Request for Council Action

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD ☐ # City Clerk Only

Date: 4/20/2020

Department: Community Development

Meeting Date Requested: 4/27/2020

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

Subject: Special Event Permit

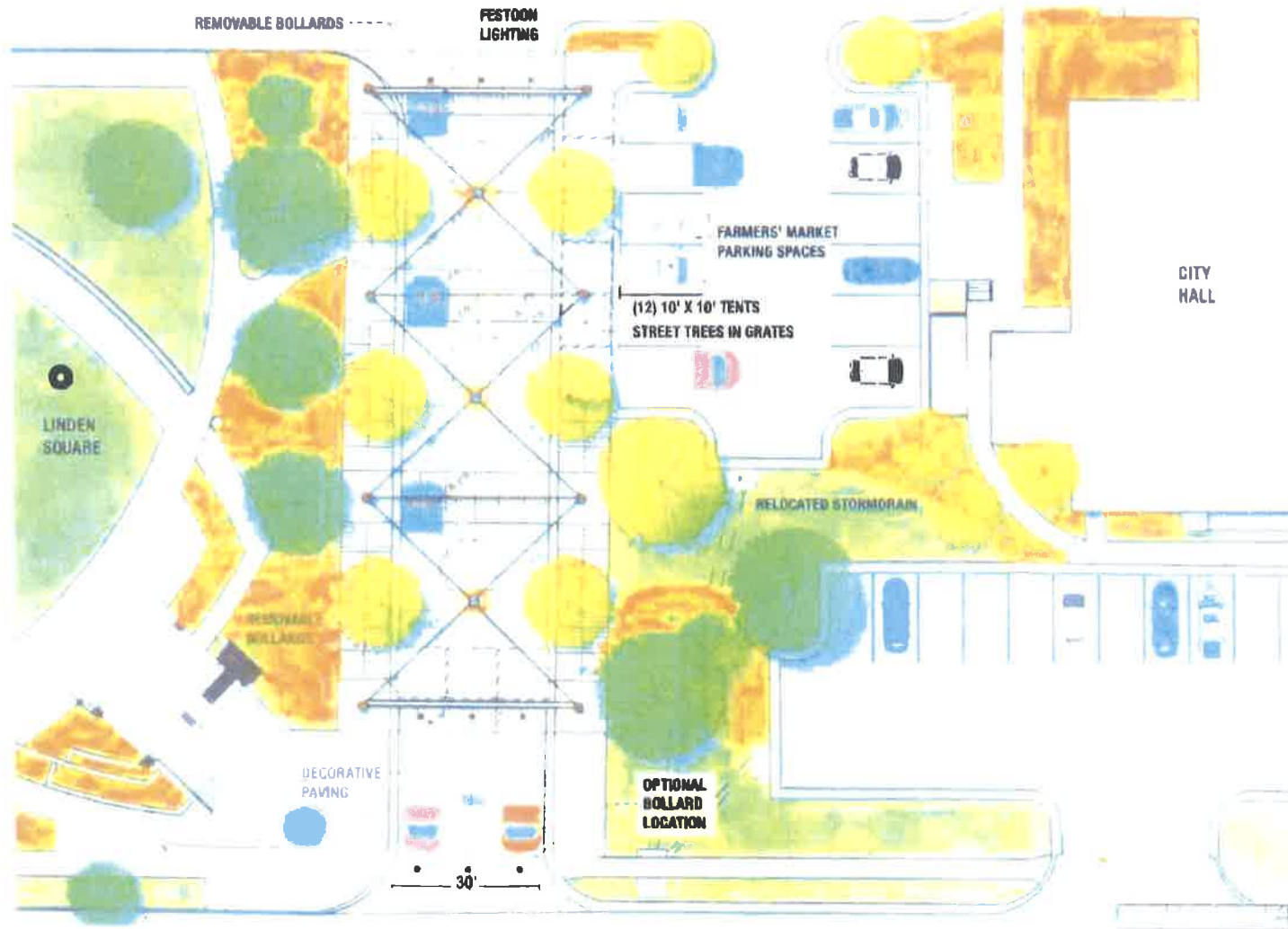
Background: The Gladstone Farmers Market will be operating out of Linden Square from the street/drive area between Linden Square and City Hall. There will be anywhere from six (6) – Ten (10) vendors. They will be selling home grown produce and homemade items.

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

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

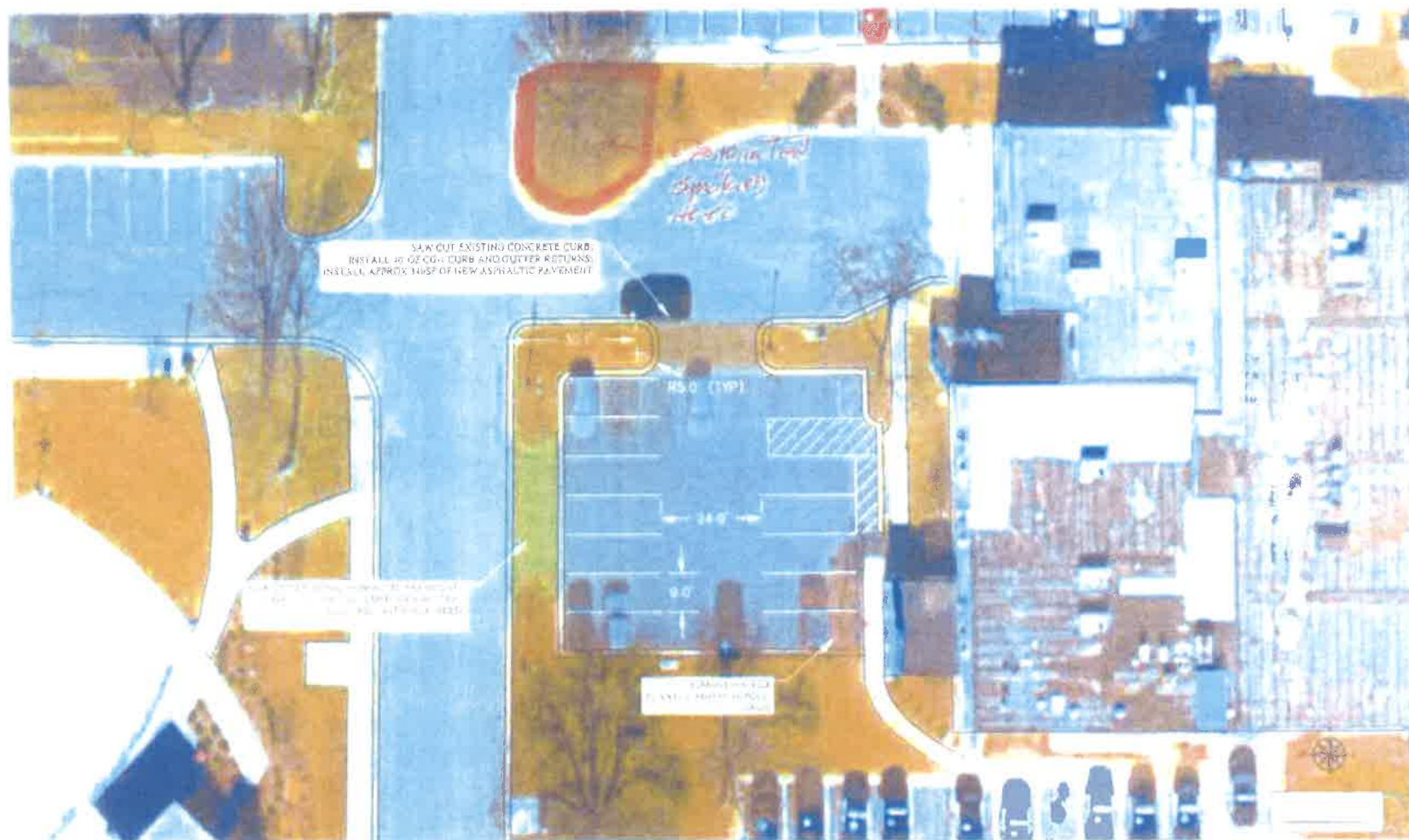
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Alan Napoli
Community Development Administrator / Building Official



DOWNTOWN GLADSTONE - FARMERS MARKET CONCEPT PLAN

AUGUST 15, 2017



LETTER OF TRANSMITTAL



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



TO: CITY COUNCIL

FROM: COMMUNITY DEVELOPMENT

DATE: APRIL 30, 2020

PERMIT NO.: 20-00151

RE: TYPE 4 OUTDOOR SPECIAL EVENT

NAME OF EVENT: DRIVE IN AT THE SQUARE

**LOCATION OF EVENT: 602 NE 70TH STREET
LINDEN SQUARE**

**DATE OF EVENT: SATURDAY, MAY 30, 2020 (NOTE THIS MAY BE RESCHEDULED TO
AUGUST.**

SATURDAY, JUNE 27, 2020

SATURDAY, JULY 25, 2020

SATURDAY, OCTOBER 24, 2020

TIME OF EVENT: 7:00PM – 11:00PM

EST. ATTENDANCE: 100+

REQUESTED TEMPORARY VARIANCE:

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

REMARKS: Parks, Recreation and Cultural Arts will be holding their annual Drive in at the Square in Linden Square. City staff has reviewed the application and find that the requested variances are appropriate for this venue.

NOTE: APPROVAL IS SUBJECT TO LARGE GATHERINGS AND SOCIAL DISTANCE ORDERS BEING OFFICIALLY LIFTED.

Signed: _____

Alan D. Napoli, C.B.O.

Community Development Administrator / Building Official

ATTACHMENT(S):

☒ Map

☐ Other _____



Request for Council Action

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 4/30/2020

Department: Community Development

Meeting Date Requested: 5/11/2020

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

Subject: Special Event Permit

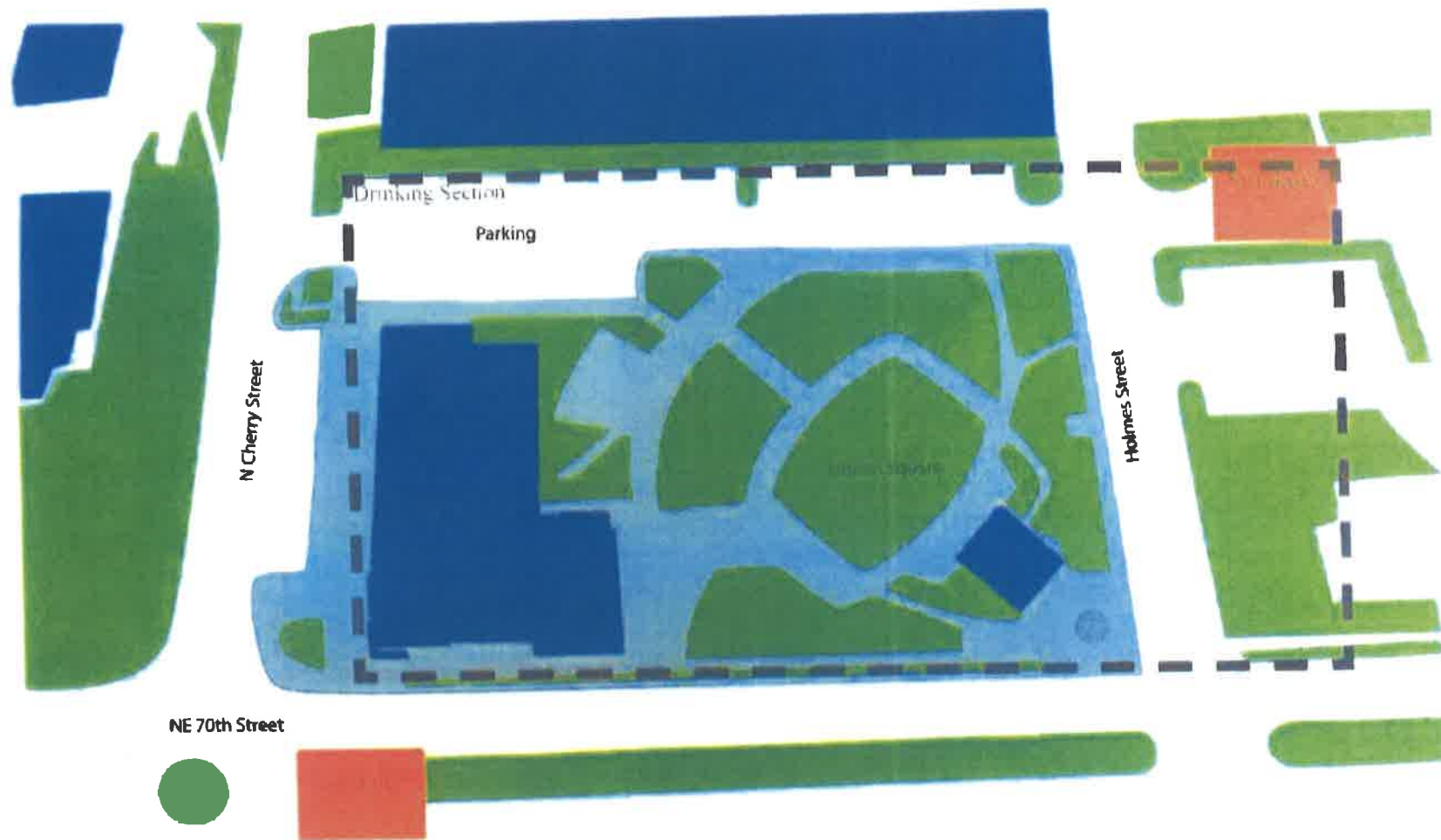
Background: The Parks, Recreation and Cultural Arts Department will be hosting the annual Drive in at the Square, at Linden Park. The event will take place Saturday May, 30th (may be rescheduled for August), June 27th, July 25th, and October 24th; beginning at 7:00pm. This is a free event to all attendees.

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

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

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

Alan Napoli
Community Development Administrator / Building Official



LETTER OF TRANSMITTAL



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



TO: CITY COUNCIL
FROM: COMMUNITY DEVELOPMENT
DATE: APRIL 30, 2020
PERMIT NO.: 20-00152
RE: TYPE 4 OUTDOOR SPECIAL EVENT

NAME OF EVENT: SOUNDS ON THE SQUARE
LOCATION OF EVENT: 602 NE 70TH STREET
LINDEN SQUARE

DATE OF EVENT: FRIDAY, JUNE 12, 2020
FRIDAY, JUNE 26, 2020
FRIDAY, JULY 3, 2020
FRIDAY, JULY 17, 2020
SATURDAY, JULY 18, 2020
FRIDAY, JULY 24, 2020
FRIDAY, JULY 31, 2020
FRIDAY, AUGUST 14, 2020

SATURDAY, AUGUST 15, 2020
FRIDAY, AUGUST 21, 2020
FRIDAY, AUGUST 28, 2020
FRIDAY, SEPTEMBER 4, 2020
FRIDAY, SEPTEMBER 11, 2020
FRIDAY, SEPTEMBER 18, 2020
SATURDAY, SEPTEMBER 19, 2020
FRIDAY, SEPTEMBER 25, 2020

TIME OF EVENT: 5:00PM – 10:00PM
EST. ATTENDANCE: 400+

REQUESTED TEMPORARY VARIANCE:

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

REMARKS: Parks, Recreation and Cultural Arts will be hosting the City's annual Sounds on the Square. City staff has reviewed the application and find that the requested variance are appropriate for this venue.

NOTE: APPROVAL IS SUBJECT TO LARGE GATHERINGS AND SOCIAL DISTANCE ORDERS BEING OFFICIALLY LIFTED.

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

ATTACHMENT(S):

- ☒ Map
- ☐ Other _____



Request for Council Action

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 4/30/2020

Department: Community Development

Meeting Date Requested: 5/11/2020

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

Subject: Special Event Permit

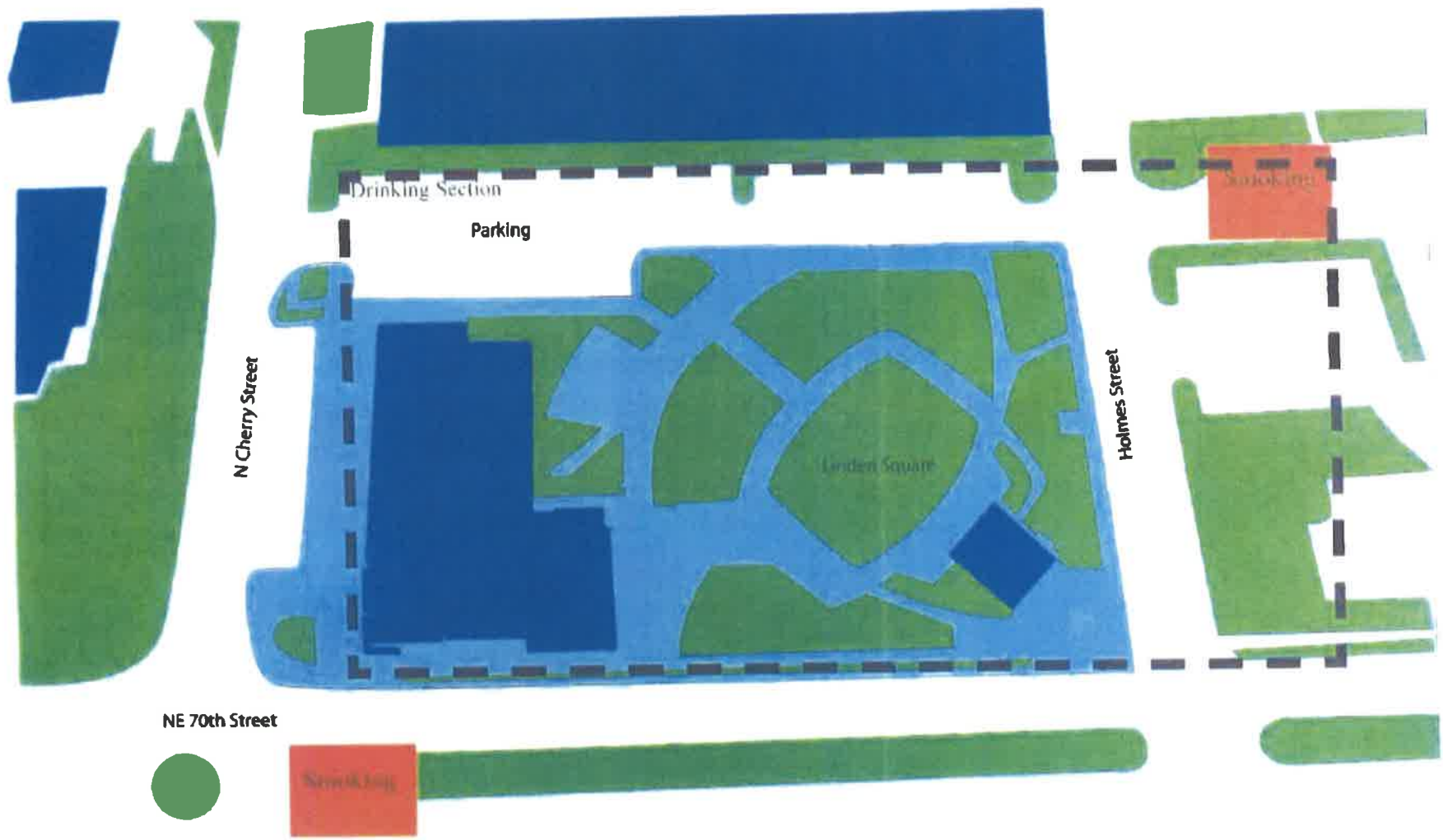
Background: The Parks, Recreation and Cultural Arts Department will be hosting the City's annual concert series "Sounds on the Square" at Linden Square. There will be a variety of genres during the series. This event is free to the public.

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

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

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

Alan Napoli
Community Development Administrator / Building Official



RESOLUTION NO. R-20-19

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS RELATED TO DISBURSEMENTS OF CORONAVIRUS RELIEF FUND ALLOCATIONS FROM CLAY COUNTY, MISSOURI.

WHEREAS, Congress passed and the President signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020; and

WHEREAS, the CARES Act provides for Federal Stimulus Funds to flow to the States by population and to Counties within the State also by population; and

WHEREAS, on May 1, 2020, the Clay County Commission approved Resolution 2020-139 which proposes disbursements to entities within Clay County based on population; and

WHEREAS, entities within Clay County must agree to use the funds as authorized by the CARES Act; and

WHEREAS, the City Council of Gladstone, Missouri, find it in the best interest of the community to accept these funds for unanticipated expenses related to the Coronavirus response and recovery, and for uses that may subsequently be authorized by the Federal Government or State Government; and

WHEREAS, the City Council desires to authorize the City Manager to execute the Community Partner Funding Certification on behalf of the City.

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to execute the Community Partner Funding Certification attached hereto as Exhibit A, all in accordance with the provisions of this Resolution and to take such other actions as may be necessary to effectuate the intent of this Resolution.

FURTHER, THAT, the authority granted pursuant to this Resolution is subject to the following provisions:

1. The City will retain documentation of all uses of funds, including but not limited to, invoices and receipts. Such documentation shall be provided to the State of Missouri upon request.
2. The City acknowledges that funds may not be used for revenue replacement unless subsequently authorized by the Federal and State Government.
3. The City acknowledges that funds may not be used for expenses for which the City has received other emergency COVID-19 supplemental funding for the same expense.
4. Any funds improperly expended by the City as determined by the Federal or State Government shall be repaid to the County by the City.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 11th DAY OF MAY, 2020.

Mayor Carol J. Suter

ATTEST:

Ruth E. Bocchino, City Clerk



Request for Council Action

RES ☒ # R-20-19

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 5/7/2020

Department: General Administration

Meeting Date Requested: 5/11/2020

Public Hearing: Yes ☐ Date:

Subject: Disbursements of Coronavirus Relief Fund Allocations from Clay County

Background: On March 27, 2020, the President signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Funds are distributed to the States based on population and States are distributing funds to Counties based on population. On May 1, 2020, the Clay County Commission approved Resolution 2020-139 which distribute funds to entities within Clay County based on population. As part of County Resolution 2020-139, entities must enter into a Community Partner Funding Certification which is intended to ensure that entities expend funds in accordance with State and Federal Guidelines. Attached to the proposed Resolution is the Community Partner Funding Certification as approved by the Clay County Commission. Also attached is a general outline for allowable uses of the funds. This is a fluid situation at the Federal level and allowable uses may be expanded over the next few weeks or months. Staff will prepare and present a funding plan for City Council consideration once the disbursement is received from Clay County. This has been a collaborative effort including the Clay County Commission, Clay County staff, and many of the cities within Clay County.

Budget Discussion: Funds are allocated based on population, support of the school districts, and county health. Although subject to change, the Gladstone allocation is estimated to be approximately \$2.5 million.

Public/Staff Input/Commission: None.

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

Scott Wingerson
Department Head

Chris Williams
City Attorney

Scott Wingerson
City Manager

Resolution 2020-139 Appendix B

COMMUNITY PARTNER FUNDING CERTIFICATION

I, _____, am the chief executive of _____, and I certify that:

1. I have the authority on behalf of _____ to request direct payment from the County of Clay, Missouri pursuant to Section 14.435 of SS SCS HCS HB 2014, from the County's allocation of funds from the Coronavirus Relief Fund as created in the CARES Act.
2. I understand that the County of Clay, Missouri will rely on this certification as a material representation in making a direct payment to _____.
3. _____'s proposed uses of the funds provided as direct payment under Section 14.435 of SS SCS HCS HB 2014 will be used only to cover those costs that:
 - a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) ("necessary expenditures");
 - b. Were not accounted for in the budget most recently approved as of March 27, 2020, for _____; and
 - c. Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
4. Funds provided as direct payment from the County of Clay, Missouri pursuant to this certification for necessary expenditures that were incurred during the period that begins on March 1, 2020, and ending on December 30, 2020, that are not expended on those necessary expenditures on or before January 31, 2021, by the political subdivision or its grantee(s), must be returned to the County of Clay, Missouri on or before February 1, 2021.
5. Funds provided as a direct payment from the County of Clay, Missouri pursuant to this certification must adhere to official federal guidance issued or to be issued on what constitutes a necessary expenditure. Any funds expended by a political subdivision or its grantee(s) in any manner that does not adhere to official federal guidance shall be returned to the County of Clay, Missouri.
6. Any local government entity receiving funds pursuant to this certification shall retain documentation of all uses of the funds, including but not limited to invoices and/or sales receipts. Such documentation shall be produced to the County of Clay, Missouri upon request.
7. Any funds provided pursuant to this certification cannot be used as a revenue replacement for lower than expected tax or other revenue collections.
8. Funds received pursuant to this certification cannot be used for expenditures for which a local government entity has received any other emergency COVID-19 supplemental funding (whether state, federal or private in nature) for that same expense.

9. A county or city not within a county may use funds received pursuant to this certification to make a grant to any other political subdivision within its jurisdiction. Such a grant shall be used solely for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), that were not accounted for in the budget most recently approved as of March 27, 2020, and that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. The county or city within a county issuing the grant is responsible for the documentation requirements in section 6 of this certification.
10. Community Partners will be asked to voluntarily return all or part of unused CARES Act funding on October 1, 2020 for reallocation to other Community Partners by October 30, 2020.

I certify under the penalties of perjury set forth in Section 575.040, RSMo, that I have read the above certification and my statements contained herein are true and correct to the best of my knowledge.

By: _____

Signature: _____

Title: _____

Date: _____

Subscribed and sworn to before me this _____ day of _____, 2020.

Notary Public

My commission expires _____.

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
April 22, 2020

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.¹

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost

¹ See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

A cost is “incurred” when the responsible unit of government has expended funds to cover the cost.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
 - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures²

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.³
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

² In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

³ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

Resolution 2020-139 Appendix A

Clay County Assistant Administrators make the following recommended appropriation for CARE Funds:

	2018 Pop. Data	School and City Pop. %	School and City Approp.
Claycomo	1494	0.52%	\$137,811.24
Excelsior Springs (pt.)	11494	4.02%	\$1,060,242.57
Gladstone	27317	9.55%	\$2,519,805.66
Kearney	10457	3.65%	\$964,586.44
Lawson (pt.)	150	0.05%	\$13,836.47
Liberty	31779	11.11%	\$2,931,394.52
North Kansas City	4529	1.58%	\$417,769.15
Pleasant Valley	3057	1.07%	\$281,987.26
Smithville (pt.)	10249	3.58%	\$945,399.87
KCMO (pt.)	126460	44.20%	\$11,665,066.60
Balance of Clay County	16157	5.65%	\$1,490,372.30
	243143	84.98%	\$22,428,272.09

KEARNEY R-I	3585	1.25%	\$330,691.63
SMITHVILLE R-II	2680	0.94%	\$247,211.60
EXCELSIOR SPRINGS 40	2703	0.94%	\$249,333.19
LIBERTY 53	12828	4.48%	\$1,183,294.91
MISSOURI CITY 56	23	0.01%	\$2,121.59
NORTH KANSAS CITY 74	21146	7.39%	\$1,950,573.29
	42965	15.02%	\$3,963,226.21

Population Total	286108
State Funding	\$29,323,887.00
Less 10% Health Center	\$26,391,498.30
Health Center Allocation	\$2,932,388.70

2018 Population data obtained from MARC

School population obtained from DESE

Clay County recognizes the importance of and encourages its small communities to apply directly to the County for reimbursement on qualifying expenditures within the boundaries of Clay County.

AN ORDINANCE OF THE CITY OF GLADSTONE, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS PURSUANT TO THE STATE OF MISSOURI ETHICS LAW.

WHEREAS, pursuant to Missouri State Law, municipalities with an annual operating budget in excess of One Million Dollars are required to readopt an ordinance every two years by September 15th establishing a procedure to comply with personal financial disclosure requirements for submission to the Missouri Ethics Commission; and

WHEREAS, the City of Gladstone, Missouri has determined it advisable to annually re-adopt such an ordinance to ensure full compliance with State Law.

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

Section 1. **Declaration of Policy.** The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

Section 2. **Conflicts of Interest.** The Mayor or any member of the City Council who has a substantial personal or private interest, as defined by Missouri statutes 105.450 to 105.492, in any legislation shall disclose on the records of the City Council the nature of his interest and shall disqualify himself from voting on any matters relating to this interest.

Section 3. **Disclosure Reports.** Each Elected Official, the City Manager, the Assistant City Manager, the City Treasurer, the Finance Director, and the City Counselor (if employed full time), shall disclose the following information by May 1st if any such transactions were engaged in during the previous calendar year:

 a. For such person, and all persons within the first degree of lineal consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision.

Section 6. **Filing of Ordinance.** The City Clerk is directed to send a certified copy of this ordinance to the Missouri Ethics Commission.

Section 7. **Effective Date.** This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the City Council.

**INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE
CITY OF GLADSTONE, MISSOURI, THIS 11th DAY OF MAY, 2020**

Mayor Carol J. Suter

ATTEST:

Ruth E. Bocchino, City Clerk

1st Reading: May 11, 2020

2nd Reading: May 11, 2020



Request for Council Action

RES ☐#

BILL ☒# 20-14

ORD # 4.514

Date: 8/7/2019

Department: General Administration

Meeting Date Requested: 5/11/2020

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

Subject: Conflict of Interest Disclosure Law for political subdivisions.

Background: When the General Assembly adopted the ethics/personal financial disclosure law in 1991, an MML-supported amendment allowed municipal officials to adopt their own simplified personal financial disclosure requirements by ordinance. This law affects only municipalities with an annual operating budget in excess of \$1 million. The General Assembly requires each political subdivision to readopt the ordinance every two years. However, in order to avoid the significant consequences of the failure to readopt the ordinance, MML urges municipalities with an annual operating budget more than \$1 million to adopt the personal financial disclosure ordinance annually, and by Sept. 15 each year, and to forward a copy of the ordinance to the Missouri Ethics Commission.

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

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

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

Ruth Bocchino
Assistant City Manager/Department Director

PC
City Attorney

SW
City Manager