



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 26, 2021**

The City Council will meet in Closed Executive Session at 6:30 pm Monday, July 26, 2021, 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, and 610.021(3) Personnel.

OPEN STUDY SESSION: 6:45 PM

1. Radio Replacement Update: Discussion of the Metropolitan Area Regional Radio System and options for Gladstone's radio equipment replacement.
2. 2021 International Construction Codes and Title IX Updates: Presentation of the proposed amendments, additions, and deletions of the 2021 ICC Codes.
3. Chapter 24: Special Event Permit Update: Presentation of a proposed new amendment regarding outdoor entertainment.

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 July 12, 2021, Closed City Council Meeting Minutes.
6. Approval of the July 12, 2021, Regular City Council Meeting Minutes.

REGULAR AGENDA.

7. Communications from the Audience.

Members of the public are invited to speak about any topic not listed on the agenda. When speaking, please state your name and address for the record and limit comments to 5 minutes.

8. Communications from the City Council.

9. Communications from the City Manager.

10. **PUBLIC HEARING:** Final Development Plan and Zoning approval for property located at 7506 North Oak Trafficway, 7510 North Oak Trafficway, and Parcel 13609000102200.

11. **FIRST READING BILL NO. 21-22** An Ordinance and Final Development Plan Regarding Zoning Ordinance Regulations and the establishment of Use Districts within the City of Gladstone, Missouri, for property located at 7506 North Oak Trafficway, 7510 North Oak Trafficway, and Parcel 13609000102200.

12. **FIRST READING BILL NO. 21-23** An Ordinance authorizing the City Manager to enter into a Cooperative Agreement with the Clay County Public Health Center to provide COVID-19 vaccinations to homebound residents.

13. **FIRST READING BILL NO. 21-24** An Ordinance repealing Section 1.125.380 of the Code of Ordinances of the City of Gladstone, Missouri, pertaining to the Sheriff Retirement Fund surcharge.

14. **CONSIDER FINANCIAL REPORT MONTH END JUNE 2021**

15. Other Business.

16. Adjournment.

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

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

Posted at 3:45 pm
July 22, 2021



***Police Department
Memorandum***

DATE: July 22, 2021

TO: Scott Wingerson, City Manager

FROM: Bob Baer, Assistant City Manager for Emergency Services

RE: Study Session on Radios

Since 2011, Gladstone has been part of the Metropolitan Area Regional Radio System (MARRS), which includes nearly every municipality in the area. This robust system provides a reliable digital radio network for cities to use, not only for emergency services, but also other functions within city government. Gladstone uses MARRS for Police, Fire/EMS, Community Development, VIPs, GEMA, and Parks and Recreation through 14 assigned talkgroups.

The emergency service talkgroups have the ability to be encrypted, meaning a special decoding key is required in the radio to hear and interpret encrypted radio traffic. Kansas City, who manages the radio system, is moving from DES encryption to AES encryption, which is much more secure and meets the Federal encryption standard. The radio equipment used by Gladstone has DES encryption and must be updated, either by software flash or by radio replacement, to be able to meet the AES requirement by December 31, 2021. The radio equipment is 10+ years old and near the end of their service life so the decision to upgrade the radios seems like a logical alternative to spending hundreds of dollars per radio to add the AES encryption key. During the City Council Study Session on July 26th, we will discuss the MARRS system, how encryption works and our options moving forward to meet the December 31, 2021 deadline.



Community Development Memorandum

DATE: July 16, 2021

TO: Scott Wingerson, City Manager

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

RE: Adoption of the 2021 International Construction Codes and Title IX Updates

The Community Development Department has reviewed Title IX Building and Construction Ordinance for the adoption of the 2021 International Construction Codes from 2018.

Staff has reviewed the 2021 Codes and proposed amendments, additions and deletions with the Uniform Code Board of Appeals on Thursday, July 15, 2021. The Uniform Code Board of Appeals unanimously approved the proposed adoption of the 2021 International Building Codes with the proposed amendments, additions and deletions.

Chapter 200 Building Construction Regulations:

Article 1. Building Code

1. Amendments:
 - a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
 - b. Amended Section 113.1 General; to coincide with our Uniform Code Board of Appeals Regulations.
 - c. Amended Section 113.2 Application for appeal; to coincide with our Uniform Code Board of Appeals Regulations.
 - d. Amended Section 113.3 Authority on appeals; to coincide with our Uniform Code Board of Appeals Regulations.
 - e. Amended Section 114.4 Violation penalties; to coincide with our Violation Regulations.
 - f. Amended Section 115.4 Failure to comply; to coincide with our Violation Regulations.
2. Additions:
 - a. No additions, deletions or changes made to current additions.

3. Deletions:

- a. No additions, deletions or changes made to current deletions.

Article 2. Residential Code

1. Amendments:

- a. Added Appendix AW 3D-Printed Building Construction.
- b. Amended Section R103.1 Creation of agency; denoted the “codes administration division”.
- c. Rename SECTION R112 from BOARD OF APPEALS to MEANS OF APPEAL.
- d. Amended Section R112.1 General; to coincide with our Uniform Code Board of Appeals Regulations.
- e. Amended Section R112.2 Application for appeal; to coincide with our Uniform Code Board of Appeals Regulations.
- f. Amended Section R112.3 Authority on appeals; to coincide with our Uniform Code Board of Appeals Regulations.
- g. Amended Section R113.4 Violation penalties; to coincide with our Violation Regulations.
- h. Amended Section R114.4 Failure to comply; to coincide with our Violation Regulations.
- i. Deleted the amended TABLE R301.2(1) form the 2018 IRC and re-amended addressing new items with TABLE R301.2.
- j. Deleted the amended TABLE N1102.1.2 (R402.1.2) form the 2018 IRC and re-amended addressing new items with TABLE N1102.1.2 (R402.1.2).
- k. Deleted the amended TABLE N1102.1.4 (R402.1.4) form the 2018 IRC and re-amended addressing new items with TABLE N1102.1.3 (R402.1.3).
- l. Deleted the amended Section N1102.4.2 (R402.4.2) Fireplaces the 2018 amended wording in now the same in the 2021 IRC.
- m. Amended Section G2427.5.5.1 (503.5.6.1) Chimney lining. adding the Exception. The exception was in the 2018 IRC and was removed in the 2021; without this exception replacing existing equipment such as a hot water heater or furnace could be cost prohibitive. Would require relining the chimney vent or install a new venting system.
- n. Amended Section G2447.2 (623.2) Prohibited locations. adding Exception #2 back in; was removed in the 2021 IRC. This would allow for a commercial type kitchen to be installed within a One- and Two-Family structure.
- o. Amended the Section E3902.5 Basement receptacles. Changed wording to only unfinished basement; 2021 IRC require in finished and unfinished basements.

2. Additions:

- a. No major additions, only some tweaks to the existing additions.

3. Deletions:

- a. Section N1102.2.9 (R402.2.9) Slab-on-grade floors. Removed this section which required insulation under slabs on grade; this can be a termite issue in our area.
- b. Section N1102.4.6 (R402.4.6) Electrical and communication outlet boxes (air-sealed boxes). Removed this section as this is a cost impact and such boxes are not readily available at local hardware stores.
- c. Removed Section N1104.2 (R404.2) Interior lighting controls. This requires that permanently installed lights, shall have a controlled dimmers and sensor to sense occupancy to turn on/off.
- d. Removed Section N1104.3 (R404.3) Exterior lighting controls. This requires that permanently installed lights, shall have automatic shutoff when daylight and does not allow for override.
- e. Removed Section E3902.17 Arc-fault circuit-interrupter protection.
- f. Removed Section E3902.17 Arc-fault circuit-interrupter protection for branch circuit extensions or modifications.

Article 3. Existing Building Code

- 1. Amendments:
 - a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
 - b. Amended Section 112.1 General; to coincide with our Uniform Code Board of Appeals Regulations.
 - c. Amended Section 112.2 Application for appeal; to coincide with our Uniform Code Board of Appeals Regulations.
 - d. Amended Section 112.3 Authority on appeals; to coincide with our Uniform Code Board of Appeals Regulations.
 - e. Amended Section 113.4 Violation penalties; to coincide with our Violation Regulations.
 - f. Amended Section 114.4 Failure to comply; to coincide with our Violation Regulations.
- 2. Additions:
 - a. No significant changes to the existing additions.
- 3. Deletions:
 - a. No significant changes to the existing deletions.

Chapter 400 Electrical Regulations:

Article 1. Electrical Code

- 1. Amendments:
 - a. Amended 210.8(A)(5) from basements to unfinished basements.
- 2. Additions:
 - a. No significant changes to the existing additions.

3. Deletions:
 - a. No significant changes to the existing deletions.

Article 2. Electricians and Electrical Contractors

1. No Changes made.

Chapter 500 Energy Conservation Regulations:

Note: Will only be adopting the Commercial portion of the 2021 International Energy Conservation Code (IECC) as the Residential portion is the same that is in the 2021 International Residential Code (IRC).

1. Amendments:
 - a. Amended Section C109.4 Failure to comply. to coincide with our Violation Regulations.
 - b. Amended Section C110.1 General; to coincide with our Uniform Code Board of Appeals Regulations.
 - c. Amended Section C110.2 Application for appeal; to coincide with our Uniform Code Board of Appeals Regulations.
 - d. Amended Section C110.3 Authority on appeals; to coincide with our Uniform Code Board of Appeals Regulations.
2. Additions:
 - a. No significant changes to the existing additions.
3. Deletions:
 - a. No significant changes to the existing deletions.

Chapter 600 Fire Prevention Regulations:

Article 1. Fire Code

1. Amendments:
 - a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
2. Additions:
 - a. Removed Section 307.1 Open burning; permitted. The 2021 IFC address this now.
 - b. Added Exception e Outdoor fireplaces to Section 307.1.2(2) Prohibited burning.
 - c. Removed Section 506.1.1.1 Decals. The 2021 IFC address this now.
 - d. Amended Section 913.1.1 Required. Requiring emergency backup generator to fire pumps are required to be electric motor driven.
3. Deletions:
 - a. No significant changes to the existing deletions.

Article 2. Automated External Defibrillator Program

1. No changes made.

Chapter 700 Fuel Gas Regulations:

1. Amendments:
 - a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
 - b. Removed amended Section 106.6.2 Fee schedule. This is now revised in the 2021 IFGC to allow for the fee schedule to be set by the governing authority.
 - c. Removed amended Section 106.6.3 Fee refund. This is now revised in the 2021 IFGC to allow for the building official to set a refund policy.
 - d. Removed amended Section 108.5 Stop work order. This has been revised and added as a new section in the 2021 IFGC.
 - e. Amended Section 116.4 Failure to comply. to coincide with our Violation Regulations.
 - f. Amended Section 503.5.6.1 Chimney lining. adding the Exception. The exception was in the 2018 IFGC and was removed in the 2021; without this exception replacing existing equipment such as a hot water heater or furnace could be cost prohibitive. Would require relining the chimney vent or install a new venting system.
 - g. Amended Section 623.2 Prohibited locations. adding Exception #2 back in; was removed in the 2021 IRC. This would allow for a commercial type kitchen to be installed within a One- and Two-Family structure.
2. Additions:
 - a. No significant changes to the existing additions.
3. Deletions:
 - a. Removed the deletions of Sections 109.2.1 through 109.2.6, 109.4, 109.4.1, 109.5, 109.6, 109.6.1, 109.6.2 and 109.7. These sections were revised and a new section in the 2021 IFGC was added.
 - b. Removed SECTION 114 (IFGC) BOARD OF APPEALS. We use the Title 1, Chapter 110, Article 4 of the City of Gladstone’s Code of Ordinances; this set up the Uniform Code Board of Appeals.

Chapter 800 Mechanical Regulations:

1. Amendments:
 - a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
 - a. Removed amended Section 106.5.2 Fee schedule. This is now revised in the 2021 IMC to allow for the fee schedule to be set by the governing authority.
 - a. Removed amended Section 106.5.3 Fee refund. This is now revised in the 2021 IMC to allow for the building official to set a refund policy.
 - b. Amended Section 113.4 Failure to comply. to coincide with our Violation Regulations.

- c. Removed amended Section 108.5 Stop work order. This has been revised and added as a new section in the 2021 IMC.
- 2. Additions:
 - a. No significant changes to the existing additions.
- 3. Deletions:
 - a. Removed the deletions of Sections 109.2.1 through 109.2.6, 109.4, 109.4.1, 109.5, 109.6, 109.6.1, 109.6.2 and 109.7. These sections were revised and moved to appendix C, which is not being adopted.

Chapter 900 Plumbing Regulations:

Article 1. Plumbing Code

- 1. Amendments:
 - a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
 - b. Removed amended Section 106.6.2 Fee schedule. This is now revised in the 2021 IPC to allow for the fee schedule to be set by the governing authority.
 - b. Removed amended Section 106.6.3 Fee refund. This is now revised in the 2021 IPC to allow for the building official to set a refund policy.
 - c. Removed amended Section 108.5 Stop work order. This has been revised and added as a new section in the 2021 IPC.
 - d. Amended Section 113.4 Failure to comply. to coincide with our Violation Regulations.
 - e. Removed amended Table 608.1 Application of Backflow Preventers. See item g.
 - f. Amended Section 608.1 General. Amended to be governed by Title IX, Chapter 300 Cross Connection Control Regulations.
- 2. Additions:
 - a. Added Section 605.3.2 Tracer wire. To assist in locating PEX water service lines on both sides of the meter.
- 3. Deletions:
 - a. Removed the deletions of Sections 109.2.1 through 109.2.6, 109.4, 109.4.1, 109.5, 109.6, 109.6.1, 109.6.2 and 109.7. These sections were revised and moved to appendix F, which is not being adopted.

Article 2. Plumbing and Plumbing Contractors

- 1. No changes made.

Chapter 1000 Property Maintenance Regulations:

Article 1. Property Maintenance Code

- 1. Amendments:

- a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
 - b. Removed amended Section 103.5 Fee schedule. This is now revised in the 2021 IFGC to allow for the fee schedule to be set by the governing authority.
2. Additions:
 - a. No significant changes to the existing additions.
3. Deletions:
 - a. Removed the deletions of Sections 111.2.1 through 111.2.6, 111.4, 111.4.1, 111.5, 111.6, 111.6.1, 111.6.2 and 111.7. These sections were revised and moved to appendix B, which is not being adopted.

Article 2. Public Nuisance Abatement

1. No changes made.

Chapter 2000 Swimming Pool and Spa Regulations:

Article 1. Swimming Pool and Spa Code

1. Amendments:
 - a. Amended Section 103.1 Creation of agency; denoted the “codes administration division”.
 - b. Removed amended Section 105.6.2 Fee schedule. This is now revised in the 2021 IPC to allow for the fee schedule to be set by the governing authority.
 - c. Removed amended Section 105.6.3 Fee refund. This is now revised in the 2021 IPC to allow for the building official to set a refund policy.
 - d. Removed amended Section 108.5 Stop work order. This has been revised and added as a new section in the 2021 ISPSC.
 - e. Amended Section 114.4 Failure to comply. to coincide with our Violation Regulations.
2. Additions:
 - a. No significant changes to the existing additions.
3. Deletions:
 - a. Removed the deletions of Sections 108.2.1 through 108.2.6, 108.4, 108.4.1, 108.5, 108.6, 108.6.1, 108.6.2 and 108.7. These sections were revised and moved to appendix A, which is not being adopted.

Article 2. Additional Requirements

1. No changes made.



Community Development Memorandum

DATE: July 20, 2021

TO: Scott Wingerson, City Manager

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

RE: Chapter 2400 Special Event Regulations (Type 6 Special Event Permit)

The Community Development Department has seen an upsurge in some of the restaurant businesses wanting to conduct outdoor entertainment events, primarily live music. Under our current Special Event Regulations, they are only allowed three special event permits, which are valid for one month each and may run consecutively. This does not allow businesses to have these types of events through most of the year when outdoor weather is conducive to outdoor activities.

Staff has revised the regulations to allow for outdoor commercial entertainment events. Commercial businesses will be able to apply for a Type 6 Special Event Permit. This permit would be valid for ninety days and the business may have up to three Type 6 Special Event Permits per calendar year. There is a stipulation that a business may only have three events per week during the validity of the permit.

I have spoken to three businesses about the Type 6 requirements and all three are thrilled with the changes and had no opposition.

Staff has reviewed the proposed changes to Chapter 2400 Special Event Regulations with the Board of Zoning and Adjustment (BZA) on Monday, July 19, 2021. The BZA unanimously approved the proposed changes to Chapter 2400 Special Event Regulations. The Board did have one thought for consideration, which was to possibly charge more for the second and third permit during a calendar year.

**CHAPTER 2400
SPECIAL EVENT REGULATIONS**

**DIVISION 1
SCOPE AND ADMINISTRATION**

PART 1 – SCOPE AND APPLICATION

**SECTION 9.2400.101
GENERAL**

9.2400.101.1 Title.

This chapter shall be known as the Special Event Regulations for the City of Gladstone, Clay County, Missouri, hereinafter referred to as “this chapter”.

9.2400.101.2 Scope.

The provisions of this chapter are to set forth procedures for controlling *special and qualifying event* activities in this jurisdiction.

9.2400.101.3 Intent.

The purpose of this chapter is to allow the short-term use of land for *special and qualifying events*, while protecting area residents and businesses from activities that may be disruptive, obnoxious, or otherwise incompatible; and to safeguard life, health, property, and public welfare.

**SECTION. 9.2400.102.
APPLICABILITY**

9.2400.102.1 General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this chapter specify different requirements, the most restrictive shall govern.

9.2400.102.2 Other laws.

The provisions of this chapter shall not be deemed to nullify any provisions of local, state or federal law.

9.2400.102.3 Application of references.

References to division or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such division, section or provision of this chapter.

9.2400.102.4 Partial invalidity.

In the event that any part or provision of this chapter is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

PART 2 – ADMINISTRATION AND ENFORCEMENT

SECTION 9.2400.103 DUTIES AND POWERS OF BUILDING OFFICIAL

9.2400.103.1 General.

The *building official* is hereby authorized and directed to enforce the provisions of this chapter. The *building official* shall have the authority to render interpretations of this chapter and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this chapter. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this chapter.

9.2400.103.2 Applications and permits.

The *building official* shall receive applications, review construction documents and issue *permits* for the placement and use of portable storage containers and dumpsters, inspect the *premises* for which such *permits* have been issued and enforce compliance with the provisions of this chapter.

9.2400.103.3 Notices and orders.

The *building official* shall issue all necessary notices or order to ensure compliance with this chapter.

9.2400.103.4 Inspections.

The *building official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be in writing and be certified by a reasonable officer of such *approved* agency or by the responsible individual. The *building official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

9.2400.103.5 Identification.

The *building official* shall carry proper identification when inspecting *premises* in the performance of duties under this chapter.

9.2400.103.6 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this chapter, or whenever the *building official* has reasonable cause to believe that there exists upon a *premises* or private property a condition in violation of this chapter, the *building official* is authorized to enter the *premises* at reasonable times to inspect or perform the duties imposed by this chapter, provided that if such *premises* is occupied the *building official* shall present credentials to the *premises* or private property owner and request entry. If such *premises* or private property is unoccupied, the *building official* shall first make a reasonable effort to locate the owner; owner's authorized agent, or other person having charge or control of the *premises* or private property and request entry. If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry.

9.2400.103.7 Department records.

The *building official* shall keep official records of all business and activities of the department specified in the provisions of this chapter. Such records shall be retained in the official records for the period required for retention of public records.

SECTION 9.2400.104 PERMITS

9.2400.104.1 Required.

Any *owner, tenant, person, authorized agent*, or organization that intends to operate, host, or conduct a *special* or *qualifying event* shall first make application to the building official and obtain a *permit*.

9.2400.104.2 Exempt from permit.

Exemption from *permit* requirements of this chapter shall not be deemed to grant authorization from the use to be in violation of the provisions of this chapter or any other laws or ordinances of the jurisdiction. *Permits* shall not be required for the following:

1. Any *not-for-profit special* or *qualifying event* less than seventy-two (72) hours in duration. The *building* or *premises* may require a *permit* if in the judgement of the *building official* the activity is such that review is necessary to provide for protection and to safeguard life, health, property, and public welfare of area residents and businesses.
2. Duly licensed auctioneers, selling at auction. (Although exempt from this chapter, this type of event shall be governed by Title IX, Chapter 1400.)
3. Person's acting in accordance with their powers and duties as public officials.
4. Any business, which operates pursuant to a special use permit regulating the display and sale of outdoor goods.
5. Businesses which have been approved through special conditions or other approved conditions respective to their zoning. (Although exempt from this chapter, this type of event shall be governed by their approved conditions as to location on *premises*, times, dates, and any other conditional requirements.)

9.2400.104.3 Application for permit.

To obtain a *permit*, the applicant shall first file an application in writing on a form furnished by the *Department* for that purpose. Such application shall:

1. Describe the land on which the proposed event shall be located by legal description, street address, or similar description that will readily identify and definitely locate the proposed location.

2. Applicant's name, address, phone numbers and other pertinent information as deemed necessary.
3. Property owner's name, address, phone numbers, and other pertinent information as deemed necessary.
4. Date(s) and time(s) of the proposed event.
5. Be accompanied by construction documents and other information as required by Section 9.2400.104.
6. Be signed by the applicant, or the applicant's authorized *agent*.
7. Be signed by the *owner* or *owner's* representative.
8. Give such other data and information as required by the *building official*.

9.2400.104.4 Action on application.

The *building official* shall examine or cause to be examined applications for *permits* and amendments thereto within a reasonable time after filing. If the application does not conform to the requirements or pertinent laws, the *building official* shall reject such application. If the *building official* is satisfied that the application conforms to the requirements of this chapter, codes, laws and ordinances applicable thereto, the *building official* shall issue a *permit* therefore as soon as practicable.

9.2400.104.5 Validity of permit.

The issuance or granting of a *permit* shall not be construed to be a *permit* for, or approval of, any violation of any of the provisions of this chapter or of any other ordinances of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on information given shall not prevent the *building official* from requiring the corrections of errors in the information given. The *building official* is also authorized to prevent operation of a *special event*, in violation of this chapter or any other ordinances of this jurisdiction.

9.2400.104.6 Suspension or revocation.

The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this chapter wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation, or any other provisions of this chapter.

SECTION 9.2400.105 EVENT DOCUMENTS

9.2400.105.1 General.

Submittal documents consisting of *event documents* and a map indicating the following:

1. Location of the event,
2. Existing and/or proposed structures,
3. Off street parking area(s),
4. Traffic circulation,
5. Outdoor display area(s),
6. Signage and location thereof,
7. Adjacent streets, and
8. Property lines.

9.2400.105.2 Information on documents.

A description of the proposed event indicating the following information:

1. Any merchandise, products, or displays;
2. Signs;
3. Attention-attracting devices; and
4. Any other information deemed necessary by the *Building Official* to ensure compliance with these regulations and any other regulations that may pertain to said event.

9.2400.105.3 Examination of documents.

The *building official* shall examine or cause to be examined the accompanying *event documents* and shall ascertain by such examination whether the said event indicated and described is in accordance with the requirements of this chapter and other pertinent laws or ordinances.

9.2400.105.4 Amended documents.

Said event shall be in accordance with the *approved permit* and submitted *event documents*, and any changes made after approval or during said event that are not in compliance with the *approved permit* and submitted *event documents* shall be resubmitted for approval as an amended set of *event documents*.

SECTION 9.2400.106

FEEs

9.2400.106.1 Payment of fees.

A *permit* shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a *permit* be released until the additional fees, if any, have been paid.

9.2400.106.2 Permit fee.

Permit fees shall be in accordance with the adopted schedule of fees and charges; but not less than \$100.00 per permit and shall be paid at time permit is issued. *Special events* conducted prior to obtaining a *permit* shall be assessed a penalty fee equal to the permit fee in addition to the require permit fee.

Exception: Type 2 and type 4 *special event permits*.

9.2400.101067.3 Related fees.

The payment of the fee for the *permit* shall not relieve the applicant or permit holder from the payment of other fees that are prescribed by law. Applicant shall reimburse any cost incurred by the City of Gladstone for personnel, etc. related to the operation of a *special event*.

SECTION 9.1400.107

APPEALS

9.1400.107.1 General.

In order to hear and decide appeals or orders, decisions, or determinations made by the *building official* relative to the application and interpretation of this chapter; the Board of Zoning and Adjustments (BZA) is hereby authorized to conduct said appeals.

9.1400.107.2 Application for appeal.

Persons directly affected by a decision of the *building official* or a notice issued under this chapter shall have the right to appeal to the Board of Zoning and Adjustments (BZA), provided that a written application is filed on a form furnished by the Community Development Department for that purpose. The application for appeal shall be submitted to the *building official* within ten (10) days of orders, decisions, or determinations therefore made by the *building official*.

9.1400.107.2 Authority on appeal.

See Title VII, Chapter 190 of the City of Gladstone's Code of Ordinances.

SECTION 9.2400.108

VIOLATIONS

9.2400.108.1 Unlawful act.

It shall be unlawful for any person, firm, or corporation to be in conflict with or in violation of any of the provisions of this chapter.

9.2400.108.2 Notice of violation.

The *building official* shall serve a notice of violation or order in accordance with Section 9.2400.109.

9.2400.108.3 Prosecution of violation.

Any *person* failing to comply with a notice of violation or order, served in accordance with Section 9.2400.109, shall be deemed guilty of a misdemeanor or civil infraction as determined by this jurisdiction, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *building official* shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful condition in violation of the provisions of this chapter or of the order or direction made pursuant thereto. Any action taken by this jurisdiction on such *premises* shall be charged against the real estate upon which the violation is located and shall be a lien upon such real estate.

9.2400.108.4 Violation; penalties.

Any person, firm, or corporation who violates a provision of this chapter or fails to comply with any order made thereunder, and from which no appeal has been taken, or who shall fail to comply with such order affirmed or modified by the Board of Zoning and Adjustments (BZA), or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in Section 1.100.140 of the City of Gladstone, Clay County, Missouri's Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation, or permit it to continue; and all such person, firm, or corporation shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a prohibited condition is maintained shall constitute a separate offense.

SECTION 9.2400.109 Notices and Orders

9.2400.109.1 Notice to person responsible.

Whenever the *building official* determines that there has been a violation of this chapter or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 9.2400.109.2 and 9.2400.109.3 to the *owner*, owner's authorized agent and/or *person(s)* responsible for the violation as specified in this chapter.

9.1400.109.2 Form.

Such notice prescribed in Section 9.2400.109.1 shall be in accordance with the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *premises* or private property into compliance with the provisions of this chapter.

5. Inform the property *owner* or owner's authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 9.2400.108.3.

9.2400.109.3 Method of service.

Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. Posted in a conspicuous place in or about the *premises* affected by such notice.

9.2400.109.4 Unauthorized tampering.

Signs, tags, or seals posted or affixed by the *building official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *building official*.

9.2400.109.5 Penalties.

Penalties for noncompliance with orders and notices shall be as set forth in Section 9.2400.108.4.

9.24200.109.6 Transfer of ownership.

It shall be unlawful for the *owner* of any *premises* or private property thereof, who has received a compliance order upon whom a notice of violation or order has been served, to sell, transfer, mortgage, lease or otherwise dispose of such *premises* or private property thereof to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *building official* and shall furnish to the *building official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

DIVISION 2 DEFINITIONS

SECTION. 9.2400.201 GENERAL

9.2400.201.1 Scope.

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this chapter, have the meaning shown in this section.

9.2400.201.2 Interchangeability.

Words used in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

9.2300.201.3 Terms defined in other codes.

Where terms are not defined in this chapter such terms shall have the meanings ascribed in publications of the International Code Council.

9.2400.201.4 Terms not defined.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

9.2400.202 GENERAL DEFINITIONS

APPROVED. Acceptable to the *building official*.

ATTENTION-ATTRACTING DEVICES. Any item designed or used to promote, advertise, demonstrate, or call attention to any commercial, residential, office, retail or service business or activity.

BUILDING. Any structure utilized or intended for supporting or sheltering any occupancy.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this chapter, or any duly authorized representative.

BUSINESS. All kinds of vocations, occupations, professions, enterprises, establishments, and all other kinds of activities and matters, together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit, or benefit, either directly or indirectly, on any premises in the *jurisdiction*.

CITY. The City of Gladstone, Clay County, Missouri.

COMMERCIAL. The sale, purchase or exchange of goods, products, or property of any kind for profit.

DEBRIS. The remains of something broken down or destroyed: and/or discarded *garbage* or *rubbish*.

EASEMENT. That portion of land property reserved for present or future use by a person or agency other than the legal fee *owner(s)* of the *property*. The *easement* shall be permitted to be for use under, on or above a said *lot* or *lots*.

ENCLOSED AREA. Any area, which is inaccessible to the public view.

ENTERTAINMENT. An event, performance, or activity designed to entertain others.

EXTERIOR PROPERTY. The open space on the *premises* and on adjoining property under the control of the *owners* or *operators* of such *premises*.

EVENT DOCUMENTS. Written, graphic and political documents prepared or assembled for describing the design, location, and physical characteristics of the elements of a project necessary for obtaining a *permit*.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GOODS. Any wares, merchandise or other property capable of being the object of a *Special Event* or sale regulated hereunder.

JURISDICTION. The governmental unit that has adopted this chapter.

LITTER. *Rubbish, garbage* and *debris* that have been thrown away and that are lying on the ground.

LOT. A portion or parcel of land considered as a unit.

LOT LINE. A line dividing one *lot* from another, or from a street or any public place.

NOT-FOR-PROFIT. Any person or organization that operates without private profit, for a public, charitable, educational, literary, fraternal, or religious purpose.

OPERATOR. Any person who has charge, care or control of a structure or *premises*, which is let or offered for occupancy.

OWNER. Any *person, agent, operator*, firm or corporation having legal or equitable interest in the *property*; or recorded in the official records of the state, county or municipality as holding title to the *property*; or otherwise having control of the *property*,

including the guardian of the estate of any such *person*, and the executor or administrator of the estate of such *person* if ordered to take possession of real property by a court.

PARKING LOT. An open area, other than a street, used for the parking of motor vehicles.

PAVED AREA. A hard surface area consisting of concrete, asphalt or other *approved* materials.

PERMIT. An official document or certificate issued by the *building official* that authorizes performance of a special activity.

PERSON. An individual, heirs, executors, administrators or assigns, and also includes firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PREMISES. A *lot*, plot or parcel of land, *easement* or *public way*, including any *structures* thereon.

PUBLIC WAY. Any street, alley or similar parcel of land that: is open to the outside air; leads to a street; has been deeded, dedicated, or otherwise permanently appropriated to the public for public use; and has clear width and height of not less than ten (10) feet.

QUALIFYING EVENT. A celebration, observance, or commemoration of a happening that is held within an enclosed *building*, but necessitating outdoor promotional materials. Such as, but not limited to:

1. *Business* anniversary,
2. Special sales,
3. Grand openings,
4. Holidays,
5. Special awards, and
6. Special offers.

RUBBISH. Combustible and noncombustible waste materials, except *garbage*; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metal, mineral matter, glass, crockery and dust and other similar materials.

SPECIAL EVENT. An outside or outdoor thematic entertainment, amusement, athletic event or merchandise sale that may or may not be advertised or promoted inside or outside

the *jurisdiction*, on private property or in the exclusionary use of public property, and it is reasonably foreseeable to involve a large assemblage of vehicles, and/or persons, impose traffic congestion, impact required parking, involve sanitation and/or security concerns, the erection of structures or operation of rides, games or machines that may affect the City's residents' or invitees' health, safety, or welfare, or may require excessive police department cost in responding to and/or managing the event to preserve the public peace. A *special event* has a specific start and stop date, and has no intervening dates of event inactivity, except for City sponsored events. A series of similar events is not considered a single event, unless conducted on consecutive days. The outdoor display or sale of merchandise or placement of vending on private property in connection with the sale of merchandise is considered a *special event*, unless approved through special conditions or other approved conditions respective to the zoning. A *special event* can include, but is not limited to:

1. Any organized formation, parade, procession or assembly consisting of persons, animals, vehicles or any combination thereof, which is to assemble or travel in unison on any street which does not comply with normal or usual traffic regulations or controls;
2. Any other organized activity conducted by a person or group for a common or collective use, purpose or benefit which involves the use of, or has impact on, other public property or facilities and the provision of the City's police department services in response thereto;
3. The display and/or sale of goods and merchandise, food, clothing, supplies, equipment, concessions, souvenirs, balloons, candy, jewelry and any other similar items outside of the primary business structure; or
4. Structures, including stages, booths, canopies, awnings, risers, bleachers, fences, partitions, stands or similar construction.

Additional examples of *special events* include but not limited to:

1. Filming;
2. Pyrotechnic displays or any kind;
3. Outdoor concerts;
4. Parades;
5. Carnivals or circuses, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games and the like;
6. Fairs;
7. Festivals;

8. Block parties;
9. Automobile or motorcycle rallies;
10. Community events; and/or
11. Sports competition such as:
 - 11a. Marathons and running/walking events, or
 - 11b. Bicycle races or tours.
12. *Qualifying events.*

13. Entertainment.

STRUCTURE. That which is built or constructed.

TEMPORARY SPECIAL EVENT STRUCTURE. Any temporary ground-supported structure, platform, stage, stage scaffolding or rigging, canopy, tower supporting audio or visual effects equipment or similar structures not regulated within the scope of the International Building Code.

TENANT. A *person*, corporation, partnership or group, whether or not the legal *owner* of record, occupying a *building* or portion thereof as a unit.

YARD. An open space on the same *lot* with a *structure*.

DIVISION 3 SPECIAL EVENTS

SECTION 9.2400.301 TYPES OF PERMITS

9.2400.301.1 General.

Special event ~~permits~~ shall be classified as one of the following ~~five (5)~~ six (6) types:

9.2400.301.1.1 Type 1. Outdoor Commercial Events.

Commercial activities not conducted in an enclosed *building* or regular place of business, but are conducted on the premises of said business. Such commercial activities must be associated with the ongoing primary purpose of the business.

9.2400.301.1.2 Type 2. Outdoor Fund-Raising Activities by Not-For-Profits:

Outdoor fund-raising or non-commercial events by *not-for-profit* organizations.

9.2400.301.1.3 Type 3. Outdoor Community/Public Events:

Outdoor events such as but not limited to; filming, concerts, running/walking/biking events, races or tours.

9.2400.301.1.4 Type 4. City Sponsored Events:

Outdoor events/activities which benefit the community and is open for participation to the general community at-large, and is conducted in whole or part on public property or public right-of-way, and the City, solely or in partnership with another entity, produces, manages and/or coordinates the event, or has agreed to provide in-kind services and/or other financing in support of the event/activity, or has agreed to lend its name in support of the event/activity, after determining that the event/activity either:

1. Provides a local commemoration of a national holiday;
2. Provides cultural or recreational experiences to City and area residents that are not otherwise routinely available in the community; or
3. Significantly enhances tourism or other forms of economic development to the City.

This event requires approval by City Council: applications must be submitted a minimum of forty-five (45) days prior to the event.

9.2400.301.1.5 Type 5. Qualifying Events:

Commercial activities conducted in an enclosed *building* or regular place of *business*, but necessitate outside notification of said event.

9.2400.301.1.6 Type 6. Outdoor Commercial Entertainment Events:

Commercial *entertainment* activities not conducted in an enclosed *building* or regular place of business, but conducted on the premises of said business. Such *entertainment* activities must be associated with the ongoing primary purpose of the business.

SECTION 9.2400.302 STANDARDS AND STIPULATIONS

9.2400.302.1 General.

Special events shall comply with the following **standards**:

9.2400.302.1.1 Land use compatibility.

The event must be compatible with the purpose and intent of this chapter and with surrounding land uses. The event shall not impair the normal, safe and effective operation of a permanent use on the same site. The event shall not endanger or be materially detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the event, given the nature of the activity, its location on the site and its relationship to parking and access points.

9.2400.302.1.2 Compliance with other regulations.

A building and/or fire inspection may be required before any temporary *structure* used in conjunction with the event is occupied or modified. All *structures* and the site, as a whole, shall be required to meet all applicable building code, zoning code, fire code and sign code standards and any temporary *structure* shall be promptly removed upon the cessation of the event. Within forty-eight (48) hours of cessation of the event or use, the site shall be returned to its previous condition (including the removal of all *rubbish, garbage, debris*, signage, *attention-attracting devices* or other evidence of the event or use). No outdoor display or *structure* shall occur within any required front, side, or rear yard setback.

9.2400.302.1.3 Hours of operation.

The hours of operation of an event shall be consistent with the surrounding land uses.

9.2400.302.1.4 Number and timing of **outdoor** special event permits.

All *special event permits* are valid for thirty (30) days from date of issuance. No *business, not-for-profit*, or any other organization, etc. can have more than three (3) *special event permits* in a calendar year. *Special Event permits* can run consecutively.

Exception: Type 4 and type 6 special event permits.

9.2400.302.1.4.1 Type 6 permits; timing of.

Type 6 special event permits are valid for ninety (90) days from date of issuance.

9.2400.302.1.4.2 Type 6 permits; number of.

Type 6 special events shall only be allowed entertainment events three (3) days per week during the validity of the permit.

9.2400.302.1.5 Traffic circulation.

The event shall not cause undue traffic congestion or accident potential given attendance and the design of adjacent streets, intersections, parking and traffic controls.

9.2400.302.1.6 Off-street parking.

Off-street parking shall be provided to meet the needs of the requested event, and the event shall not create a parking shortage for any of the other existing uses on the site. All parking surfaces used by the business and event shall be of approved material.

9.2400.302.1.7 Public conveniences and litter control.

Adequate on-site restroom facilities and onsite solid waste and recycling containers shall be required. The applicant shall calculate the demand for such facilities and how the need will be addressed.

9.2400.302.1.8 Appearances and nuisances.

The event shall be compatible in intensity, appearance, usefulness, enjoyment and value with surrounding land uses. The event shall not generate excessive noise, dust, smoke, glare, spillover lighting or other forms of environmental or visual pollution.

9.2400.302.1.9 Signs and attention-attracting devices.

The city shall review all signage in connection with the event. The number and types of signs and *attention-attracting devices* permitted shall be evaluated on the following criteria:

1. Type,
2. Size and duration of the proposed event or use,
3. Safety considerations,
 - 3.1. Site-distance setback,
 - 3.2. Sidewalks in area,
4. Lighting considerations,
 - 4.1. Disturbance of nearby residents,
 - 4.2. Disturbance of nearby businesses, and
 - 4.3. Adverse effects to traffic on adjacent streets.
5. Aesthetic concerns.
 - 5.1. Appearance,

5.2. Illumination,

5.3. Number and size of signs, and

5.4. Number and size of *attention-attracting devices*.

9.2400.302.1.10 Area of parking lot dedicated to.

No more than ten percent (10%) of the parking stalls required for the business requesting the event permit shall be permitted for the display and demonstration of the event. No drives or maneuvering areas may be utilized within the event area unless such drive or maneuvering areas are directly adjacent to the approved display or demonstration area, not required for emergency access, and not deemed necessary by the *Building Official* to provide proper circulation through the lot.

9.2400.302.1.11 Outdoor events.

All outdoor events shall be located on an *approved* surface. A permanent ~~structure~~ building occupied by an existing primary business, possessing a valid business license within the *City* is required to operate any event on *premises* within the *City*.

Events shall abide by Title II, Chapter 120 Noise and Title IX, Chapter 600 Fire Prevention Regulations, International Fire Code (IFC) Section 3105 Temporary Special Event Structures.

Exception: Type 4 special event permits.

9.2400.302.1.12 Other conditions.

The *Building Official* may establish additional conditions deemed necessary to ensure land use compatibility and to minimize potential adverse impacts on nearby uses, including but not limited to the following:

1. Time and frequency of operation,
2. Limitations on signs and *attention-attracting devices*,
3. Temporary arrangements for parking and traffic circulation,
4. Requirements for screening/buffering, and
5. Guarantees for site restoration and cleanup following the event.

9.2400.302.1.12.1 Special Conditions.

Special conditions may include, but not be limited to:

1. Modifications or restrictions to the hours of operation, duration of the event, size of the activity or other operational characteristics.

2. The posting of a performance bond to help ensure that the operation of the event and the subsequent restoration of the site are conducted according to required standards and stipulations.
3. If the applicant requests the *Building Official* to provide extraordinary services or equipment or if the *Building Official* otherwise determines that extraordinary services including, but not limited to:
 - 3.1. Traffic control,
 - 3.2. Security personnel, or
 - 3.3. Equipment

is required to protect the public health or safety the applicant shall be required to reimburse the *City* for the cost of any such services if the applicant does not provide such services. The *Building Official* may require the applicant to submit a security deposit prior to the event to ensure that the applicant complies with the provision.
4. Events held on public property and all events assisted by the *City* must have a certificate of liability and personal injury insurance identifying the *City* as additional insured, at such levels of insurance designated by the *City*.

SECTION 9.2400.303

TEMPORARY SUSPENDING CERTAIN ORDINANCE REGULATIONS.

9.2400.303.1 Temporary suspending.

The City Council shall have the power to temporarily suspend the applicability of certain City Ordinance Regulations for type 4 City Sponsored Events by approval of the special event permit application, including but not limited to:

1. Section 2.120.050 Noise prohibited.
2. Section 2.130.010(2) Park rules and regulations (hours).
3. Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
4. Section 2.135.040 Prohibition of smoking on or within all public park grounds.
5. Section 2.140.040 Public fireworks display prohibited, exceptions.
6. Section 5.110.1800 Drinking in public.
7. Section 5.160.230 (a) Street use permit (street use permit allowed).

8. Section 9.1600.110 Temporary signs.
9. Section 9.3000.301.2 Operating locations, hours.



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 12, 2021**

PRESENT: Mayor R.D. Mallams
Mayor Pro Tem Bill Garnos
Councilmember Jean Moore
Councilman Tom Frisby
Councilmember Tina Spallo

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

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

Mayor Mallams opened the Regular City Council Meeting Monday, July 12, 2021, at 7:30 pm.

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

City Clerk Ruth Bocchino called Roll. All Councilmembers were present.

Item No. 3. On the Agenda. Pledge of Allegiance to the Flag of the United States of America.

Mayor Mallams asked all to join in the Pledge of Allegiance to the Flag of the United States of America.

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

The agenda was approved as published.

Item No. 5. On the Agenda. Approval of the June 28, 2021, Closed City Council Meeting Minutes.

Mayor Pro Tem Garnos moved to approve the minutes of the June 28, 2021, Closed City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 6. On the Agenda. Approval of the June 28, 2021, Regular City Council Meeting Minutes.

Mayor Pro Tem Garnos moved to approve the minutes of the June 28, 2021, Regular City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

REGULAR AGENDA.

Item No. 7. On the Agenda. Communications from the audience.

Doug Millison with the American Legion approached Council and stated: *"My name is Douglas Millison. I live at 9131 North Dalton Avenue, Kansas City. I am a prior Gladstone resident and I speak today on behalf of American Legion Post 626 from Gladstone. First, I would like to congratulate the city, both the Council and all of the staff for receiving the ETC Institute's Leading the Way award for this year. That award recognizes local governments for outstanding achievement in the delivery of service to the residents as noted in surveys completed by the residents. As a former resident, I can wholeheartedly agree with that assessment. Keep up the good work. I'm here today to share with the city some of the work that Post 626 does in serving the veteran, the youth, and the larger community as a whole; and this will be my last time. This marks the end of my four years as Commander. Over just this past year, American Legion Post 626 has volunteered over 109 hours and donated \$600.00 to the Kansas City VA Voluntary Services; way down from previous years, but I think we all know what could have interfered there. We made a \$400.00 donation to the Veterans home up in Cameron as well as a \$500.00 specialized walker for one of the residents up there. We conducted Military Funeral Honors for over 100 Veterans families; donating over 1,639 hours for that cause. We sponsored high school students through the American Legion Oratorical Contest; placing second in the State. American Legion baseball and Boys State and Girls State. We recommended two of Gladstone's First Responders to be recognized nationally by the American Legion with Chief Tracey Chaney receiving the Department of Missouri's EMT/Firefighter of the Year award. The third such award in the city's Public Safety Department in the last seven years. We conducted a Flag Day activity in an abbreviated Memorial Day Ceremony. Participated in 100 Miles for Hope, raising money for children's charities and service officer training to assist Veterans with their claims. We participated in Reach Across America to recognize the Veterans who rest at White Chapel to include our namesake, Bennett and Dennis Harrick, and their parents, who are also both Veterans. We distributed 2,500 face masks to the Kansas City VA, Cameron Veterans Home, Veterans Community Project, and local facilities; Synergy Services and A Turning Point. We donated over \$2,425.00 locally and \$450.00 nationally; and donated over 2,350 hours in community service. New this year is a commitment to provide a \$1,000.00 scholarship to a student in the North Kansas City School District who is looking to receive training that leads to a career in Law Enforcement or as an EMT/Firefighter. This account is fully funded and should be operational soon. That is an annual scholarship that the Legion will offer. Also, new this year, is a whole new top tier in our Leadership Team. I would like to introduce the new Commander, Phyllis Rosales, and the First Vice-Commander, Gayla Sullivan. This marks the first time that women have filled these top two positions in the Post and demonstrate that the American Legion*

believes that a Veteran is a Veteran and all are welcome to serve with us regardless of any identifiers. This team has the Post's full support, as obvious by the attendance of our other Officers and we will continue to work at what we do in the community; what we do best, serving the Veteran, the youth, and the community as a whole. Thank you. If Council has any questions for the America Legion, I'd be happy to answer."

Mayor Mallams stated: *"Thank you for the volunteering that you do; your time, the funds supporting our veterans, supporting the youth and the community. We wish you well with your future chapter in your life."*

Mr. Millison stated: *"It is our duty and we shall continue. Thank you very much."*

Bob Bateman approached Council and stated: *"My name is Bob Bateman, 209 NW 73rd Street, Gladstone. I'm here tonight to inform people and educate people about how important the cave is to Gladstone. How very important it is. Gladstone is divided up into different districts and this cave drains at least 60 acres and that's 45 football fields is what this cave drains and it drains about 300 properties, businesses, up and down North Oak. You've got different strip centers; you have up there by 7711 where there are 300 mini storage units; it drains where that motor home park is and all these businesses are adding more water all the time. Like a year ago, up there where they have their motor homes, I counted 42 of them. Now there is 82. This cave is a very, very valuable asset. If you didn't have this cave, I don't think you could have done this Gladstone downtown. That's how valuable it is. I've had a professional look at it and he said it's worth at least over a million dollars. A million eight, he said. I'm here to inform you that I would be interested in a situation where, that won't really, that you could accept, and by that I mean, you know, paying me monthly payments; is what I would be interested in, and I think that it would help Gladstone out, too. But all these places up and down North Oak, up and down, even where I live, I was surprised, I didn't know anything about all these underground pipes that the city has been using this for the last 20 years and has never told me about these underground pipes that they have been using. I didn't know anything about it. Nothing. And Mr. Wingerson sure didn't, he was very active in those days and he didn't tell me one word. So this is a very, Gladstone is very lucky to have this cave in there. It has saved them a lot of money and it will in the future. This cave, we don't know how far back it goes. I hired some professionals to go in there and they went in there 400 feet and it was still going so we don't know. You know, it did belong to one of the founders of Gladstone, and he had a lot of very important property and this cave was one of them and he made sure that he owned that cave; so think of all the properties that this cave benefits and, you know, it's something that, over time, I think, you know, that you can live with and hope that we can come to some resolution on the price because you are going to continue, and continue, and continue, you know, to have more homes, more businesses, you know, and this, you can't do without that cave."*

Jim Oldebeken approached Council and stated: *"Good evening. My name is Jim Oldebeken. I wasn't planning on speaking, and I decided to after hearing this gentleman's comments. I'm a citizen just like Mr. Bateman. I've had concerns about flooding in my neighborhood, like he has. There are 27,500 citizens of this community based on the signs that I see by the side of the road. This man is one of 27,500 people and when I hear comments about demands for payments, monthly payments, because of flooding problems, on a hole in the ground, I have a lot of*

concerns. That isn't available for the public to see. He has no trespassing signs so can we validate what this magnificent cave is? I have recently, very recently, got my hands on the Stormwater plans for the city; I saw a lot of projects on there and this is just one. I want to talk about multiplication. I don't know that the city has had a demand like this over Stormwater. Whether someone wants, a citizen here wants this city, all these citizens to pay him a monthly amount? This property that he is referring to, he invited me to see it, and I took him up on that; is located in the very Northwest corner; it's so hard, it's so small you can't even really see it on a map of the city, unless you really zoom in. It's very small; it's way up in the corner. So, I have a lot of concerns. I have some concerns with statements that are made that I don't consider accurate. One has to do with the location of the cave. Here is a map I received from the city, and that's a small twig of property there that this cave is on. It wouldn't even fit in there, or a hole in the ground. I think it's important for people to remember; let me just cut to the chase. I would like to ask for the city's cooperation; I would like to see the documents that this gentleman is referring to. He quotes documents and studies; I haven't seen them and I would like to. So, this is my request, and I'll follow up in writing: I'd like to request all the documents you have given to him; so I, as a citizen, can see this also. And then finally, I want to say I'm very concerned about the lack of Sunshine on this whole matter and it's really not the fault of the city; I love everything I've gotten from this city regarding my requests, but if we ask the community, our citizens, and please do this, I hope we all ask our neighbors: are you aware of Bateman vs. Gladstone? It's a lawsuit; it's filed in Clay County Court. So I will follow up on my request for information. This is my commitment and my encouragement that we all provide a lot of Sunshine on this because the citizens are the ones who are really responsible, and I'll close with reading Section 1, Article 1, of the Constitution of Missouri; and this is the responsibility of citizens to be able to stand up to this: Section 1: 'The source of political power, origin, basis and --- that all political power is vested in and derived from the people; that all government of right originates from the people, is founded on their will only, and is instituted solely for the good of the whole.' We can't be good citizens and express our First Amendment rights until we have information. Thank you."

Item No. 8. On the Agenda. RESOLUTION R-21-37 A Resolution authorizing acceptance of a proposal from Olathe Ford for the acquisition of two (2) 4X2 dump trucks, one with a snowplow and the other with a spreader and snowplow in the total amount of \$191,874.00.

Councilmember Moore moved to approve **RESOLUTION R-21-37** A Resolution authorizing acceptance of a proposal from Olathe Ford for the acquisition of two (2) 4X2 dump trucks, one with a snowplow and the other with a spreader and snowplow in the total amount of \$191,874.00. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 9. On the Agenda. RESOLUTION R-21-38 A Resolution authorizing acceptance of work under contract with Capital Electric Line Builders, Incorporated, for the replacement of pedestrian signals and painting of existing traffic signal structures at the intersection of North Oak Trafficway and Northeast 72nd Street Project, and authorizing final payment in the amount of \$4,782.60 for Project TP2101.

Councilmember Spallo moved to approve **RESOLUTION R-21-38** A Resolution authorizing acceptance of work under contract with Capital Electric Line Builders, Incorporated, for the replacement of pedestrian signals and painting of existing traffic signal structures at the intersection of North Oak Trafficway and Northeast 72nd Street Project, and authorizing final payment in the amount of \$4,782.60 for Project TP2101. **Councilmember Moore** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 10. On the Agenda. **RESOLUTION R-21-39** A Resolution authorizing the City Manager to execute a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$581,311.50 for the Gladstone Downtown District parking and street rehabilitation Project TO2011.

Councilmember Moore moved to approve **RESOLUTION R-21-39** A Resolution authorizing the City Manager to execute a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$581,311.50 for the Gladstone Downtown District parking and street rehabilitation Project TO2011. **Mayor Pro Tem Garnos** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 11. On the Agenda. **CONSIDER SPECIAL EVENT PERMIT:** African Gospel Fest, 602 NE 70th Street, Linden Square, Saturday, September 11, 2021, 8:00-11:00 am.

This item should have read: “African Gospel Fest, 602 NE 70th Street, Linden Square, Saturday, September 11, 2021, 8:00-11:00 pm.”

Councilmember Spallo moved to approve the Special Event Permit. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 12. On the Agenda. **CONSIDER SPECIAL EVENT PERMIT:** Pickin on the Front Porch Bluegrass Concert, 4109 NE Pleasant Valley Road, Atkins-Johnson Farm, Saturday, September 11, 2021, 7:00-9:00 pm.

Councilmember Spallo moved to approve the Special Event Permit. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 13. On the Agenda. **CONSIDER SPECIAL EVENT PERMIT:** Big Shoal Country Fair, 4109 NE Pleasant Valley Road, Atkins-Johnson Farm, Saturday, September 18, 2021, 10:00 am – 5:00 pm.

Councilmember Spallo moved to approve the Special Event Permit. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

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

Councilmember Moore stated: *"Thank you, Mayor. I guess since we were here the last time, we have had July 4th, and it was a great event at Oak Grove Park; great music, great fireworks, and so I commend all the city staff that was involved in making all that happen. It was a good event and I think enjoyed by all. Also, I wanted to congratulate Mayor Mallams on an excellent presentation at the Clay County EDC State of the Cities, the luncheon last Thursday. Councilmember Spallo and Mayor Pro Tem Garnos and I had the opportunity along with city staff to attend that event. It is an opportunity every year that all the cities in Clay County get to toot their horn about what accomplishments they have achieved. You made us proud; thank you, thank you very much."*

Item No. 15. On the Agenda. Communications from the City Manager.

City Manager Scott Wingerson stated: *"I'd like to echo your comments about Doug Millison and the American Legion and their support of our community. They are amazing volunteers and they are just good people and they serve heartlessly and it is just amazing to see and we wish Doug well moving forward and look forward to working with the new American Legion officers. 4th of July, I would just like to thank the Chamber of Commerce, the Parks Department, and both Emergency Services Department; Fire and Police. I think it was a great event as Councilmember Moore stated. Theater in the Park, Matilda was this last weekend, about 2,000 people attended over the weekend even though it was soggy. We appreciate them coming out and sitting in the wet grass. Outdoor pool gate revenue is up 90% this summer; so incredible amount from 2019 and season passes are up 5%. That is a good sign coming out of the pandemic. People feel safe at our municipal pool, so we are happy about that. Finally, I just wanted to thank Public Works for their work over the weekend on a few water main breaks. We appreciate them, especially working overtime and on the weekends to get things done and get people back in water. That's all, Mayor. Thank you."*

Item No. 16. On the Agenda. Other Business.

There was no other business.

Item No. 17. On the Agenda. Adjournment.

Mayor Mallams adjourned the July 12, 2021, Regular City Council meeting at 7:56 pm.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____

Mayor R.D. Mallams

BILL NO. 21- 22

ORDINANCE NO. 4.560

AN ORDINANCE AND FINAL DEVELOPMENT PLAN REGARDING ZONING ORDINANCE REGULATIONS AND THE ESTABLISHMENT OF USE DISTRICTS WITHIN THE CITY OF GLADSTONE, MISSOURI, FOR PROPERTY LOCATED AT 7506 NORTH OAK TRAFFICWAY, 7510 NORTH OAK TRAFFICWAY AND PARCEL NUMBER 13609000102200.

WHEREAS, pursuant to applicable City ordinances, an Application has been submitted to the Gladstone City Council to rezone part of Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 14, Township 51 North, Range 33 West, all in the City of Gladstone, Clay County, Missouri.

WHEREAS, public hearings have been held after the publishing of the required notices; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, as follows:

THAT, the aforesaid land be rezoned from CP-2 (Planned Dist. General Business) and CP-1 (Planned Dist. Local Business) to MXD (Mixed-Use District).

SECTION 1. FINAL DEVELOPMENT PLAN APPROVAL.

The Final Development Plan for the above described property is hereby approved subject to the terms and conditions set forth herein:

1. All development signage shall comply with approved City standards.
2. All manicured grass and landscaped areas shall be irrigated and maintained in perpetuity.
3. Tractor trailers shall not be parked or stored overnight. Storage containers shall not be stored on site unless as part of a valid building permit.
4. Disabled vehicles shall not be stored on site.
5. No items shall be stored on resident balconies.
6. Residents of the development shall not store personal or company trailers on the development site.
7. Provide outdoor bike racks within the development area to serve residents of the development.
8. Entry points of buildings shall be secured twenty-four hours/seven days of the week year round.
9. Dumpster/storage areas shall be enclosed on four (4) sides with materials consistent with the primary building and adequately screened from public view. Trash service shall be scheduled between 7:00 a.m. to 10:00 p.m.
10. A fire sprinkler system shall be installed and comply with the 2018 International Fire Code standards.

**PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY
OF GLADSTONE, MISSOURI, THIS 26th DAY OF JULY 2021.**

R.D. Mallams, Mayor

ATTEST:

Ruth E. Bocchino, City Clerk

1st Reading: July 26, 2021

2nd Reading: July 26, 2021

File # SITE21-00003 and REZON21-00001



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 21-22

ORD # 4.560

Date: 7/20/2021

Department: Community Development

Meeting Date Requested: 7/26/2021

Public Hearing: Yes ☒ Date: 7/26/2021

Subject: Parkside at Hobby Hill – Multifamily & Commercial Development

Background:

The Applicant, Cardinal Crest KC is proposing a mixed-use development at 7506, 7508, 7510 N. Oak Trafficway and an undeveloped parcel 13609000102200. This location is approximately at the block of 76th St. to the south and west of N. Oak Trafficway.

****The City of Gladstone agrees to not legally re-zone the property located at 7508 N. Oak Trafficway currently owned by JRKC Holdings until written authorization is provided by the owner.**

The development site consists of four (4) separate parcels currently owned by the Ryan Family, Beverly Sue Ryan, Clayton & Shirley McCullick, and JRKC Holdings, LLC. With the combination of all four (4) parcels, there is approximately 7.53 acres of land.

The proposed mixed-use project includes the construction of a 216-unit luxury style apartment complex with community amenities including a pool, clubhouse, fitness center, as well as commercial retail/office space adjacent to N. Oak Trafficway. The complex consists of five (5) separate buildings consisting of four (4) floors. The development offers 87 one bedroom apartments and 129 two bedroom apartments. The commercial aspect of this project is 9,000 square feet and will have approximately 31 dedicated parking spaces. A total of 325 parking spaces will serve the development.

Tim Nebergall, City Engineer & Director of Public Works, has been working with the Cardinal Crest KC team to address adequate storm water detention for this site. In order to meet stormwater requirements and development criteria, Anderson Engineering is proposing an underground detention basin with three bio retention basins be installed on the site. Given the size and magnitude of this project, City Staff engaged Kaw Valley Engineering to conduct a third party review of the storm water study submitted to City Staff. In summary, Kaw Valley Engineering agrees with the storm water study submitted by the development team in that the proposed stormwater system proposed has the capacity to mitigate increases in runoff as a whole and at individual uncontrolled releases. City Staff agrees with Anderson Engineering, Inc. and Kaw Valley Engineering that runoff from this project flows to the south and the storm water system that is proposed is more than adequate to accommodate this development site.

RCA DUE TO CITY CLERK WEDNESDAY 12:00 PM

The Comprehensive Plan that was adopted in 2008 by the Planning Commission and City Council identifies this area of the N. Oak Corridor as a location for redevelopment into a mixed-use community. This proposed mixed-use project complies and aligns with our current comprehensive plan for future redevelopment of this corridor.

This proposed project requires the following actions:

- Rezone the individual parcels from commercial to mixed-use
- Approve the proposed site plan for the mixed-use development

The final approval for the rezoning and site plan will be heard by the City Council on Monday, July 26th at 7:30 p.m. in the City Council Chambers inside City Hall.

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

Public/Staff Input/Commission:

Public: Three (3) different neighbors located on NE 74th Terrace expressed concerns regarding existing stormwater issues at the back (north side) of their properties and the mixed-use development as a whole.

Staff Input: The Developers of this project have agreed to work with the City on addressing those neighbors' concerns regarding stormwater erosion on their property. Director Nebergall has been in contact with those neighbors who voiced concerns at the Planning Commission meeting on Tuesday, July 6th. The Public Works Department and the Developers have agreed to work together to stabilize the bank and to help slow erosion using rock. This work will be coordinated with construction on the development site if approved by the City Council as there will likely be some savings due to economies of scale.

City Staff spoke with a representative from the school district and if this project develops, a school bus will pick children up from the development site.

City Staff recommends that the request be **APPROVED** contingent upon the conditions listed in the staff report.

Planning Commission: The Planning Commission voted unanimously in favor of this project.
8 Yes – 0 No.

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

Austin Greer, Director of Community Development

JM
City Attorney

SW
City Manager



Community Development Department

Staff Report

Date: June 30, 2021

File #: # SITE21-00003 and REZON21-00001

Requested Action: Site Plan Revision & Re-Zoning

Date of PC Consideration: Tuesday, July 6, 2021

Date of Council Consideration: Monday, July 26, 2021

Applicant: Matt Hendrickson & Joe Christensen

Cardinal Crest KC

1539 Swift Street, North Kansas City, MO

Property

Owners: Ryan Family, Beverly Sue Ryan, Clayton & Shirley McCullick, and
JRKC Holdings, LLC (Four separate parcels)

Architect/

Engineer: Keith Crane/Patrick Joyce, PE
ACI Boland/Anderson Engineering, Inc.
941 W 141st Terrace – Suite A, Kansas City, MO

Address of Properties: 7506 N. Oak Trfy, 7508 N. Oak Trfy, 7510 N. Oak Trfy and parcel number
13609000102200. (Four separate parcels)

****The City of Gladstone agrees to not legally re-zone the property located at 7508 N. Oak Trfy
currently owned by JRKC Holdings until written authorization is provided by the owner.**

Planning Information

- Current Zoning: CP-2 Planned Dist. General Business; C-1 Local Business Dist.; CP (Planned)-1 Local Business Dist.
- Zoning History: Same as current zoning
- Planned Land Use (Future): The Comprehensive Plan identifies this area as a location for redevelopment into mixed-use. This proposed mixed-use project complies and aligns with our current comprehensive plan for future development.
- Surrounding Uses: South West - R-1 Single Family Dwelling Unit; South – Commercial; North – Commercial; East – N. Oak Trafficway/Commercial; West – Residential (Undeveloped)
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Additional Information

- Public Utility Availability: Existing
- Ingress/Egress: See proposed development plan
- Traffic Division Comments: None
- Parking Required: 320 stalls (8 ADA Stalls)
- Parking Provided: 325 stalls (14 ADA stalls)
- Proposed Signage: Signage will be located on the buildings
- Site Area: 7.53 acres

Analysis

The Applicant, Cardinal Crest KC is proposing a mixed-use development at 7506, 7508, 7510 N. Oak Trafficway and an undeveloped parcel 13609000102200. This location is approximately at the block of 76th St. to the south and west of N. Oak Trafficway.

The development site consists of four (4) separate parcels currently owned by the Ryan Family, Beverly Sue Ryan, Clayton & Shirley McCullick, and JRKC Holdings, LLC. With the combination of all four (4) parcels, there is approximately 7.53 acres of land.

The proposed mixed-use project includes the construction of a 216-unit luxury style apartment complex with community amenities including a pool, clubhouse, fitness center, as well as commercial retail/office space adjacent to N. Oak Trafficway. The complex consists of five (5) separate buildings consisting of four (4) floors. The development offers 87 one bedroom apartments and 129 two bedroom apartments. The commercial aspect of this project is 9,000 square feet and will have approximately 31 dedicated parking spaces. A total of 325 parking spaces will serve the development.

Tim Nebergall, City Engineer & Director of Public Works has been working with the Cardinal Crest KC team to address adequate storm water detention for this site. In order to meet stormwater requirements and development criteria, Anderson Engineering is proposing an underground detention basin with three bio retention basins be installed on the site. Given the size and magnitude of this project, City Staff engaged Kaw Valley Engineering to conduct a third party review of the storm water study submitted to City Staff. In summary, Kaw Valley Engineering agrees with the storm water study submitted by the development team in that the proposed stormwater system proposed has the capacity to mitigate increases in runoff as a whole and at individual uncontrolled releases. City Staff agrees with Anderson Engineering, Inc. and Kaw Valley Engineering that runoff from this project flows to the south and the storm water system that is proposed is more than adequate to accommodate this development site.

The Comprehensive Plan that was adopted in 2008 by the Planning Commission and City Council identifies this area of the N. Oak Corridor as a location for redevelopment into a mixed-use community. This proposed mixed-use project complies and aligns with our current comprehensive plan for future redevelopment of this corridor.

This proposed project requires the following actions:

- Rezone the individual parcels from commercial to mixed-use
- Approve the proposed site plan for the mixed-use development

The final approval for the rezoning and site plan will be heard by the City Council on Monday, July 26th at 7:30 p.m. in the City Council Chambers inside City Hall.

Recommended Conditions

City Staff recommends that the following conditions be considered if the Planning Commission and City Council choose to approve this project request:

1. All development signage shall comply with approved City standards.
2. All manicured grass and landscaped areas shall be irrigated and maintained in perpetuity.
3. Tractor trailers shall not be parked or stored overnight. Storage containers shall not be stored on site unless as part of a valid building permit.
4. Disabled vehicles shall not be stored on site.
5. No items shall be stored on resident balconies.
6. Residents of the development shall not store personal or company trailers on the development site.
7. Provide outdoor bike racks within the development area to serve residents of the development.
8. Entry points of buildings shall be secured twenty-four hours/seven days of the week year round.
9. Dumpster and storage areas shall be enclosed on four (4) sides with materials consistent with the primary building and adequately screened from public view. Trash service shall be scheduled between 7:00 a.m. to 10:00 p.m.
10. A fire sprinkler system shall be installed and comply with the 2018 International Fire Code standards.

The Developers of this project have agreed to all conditions.

Recommendation

City Staff recommends that the request be **APPROVED** contingent upon the conditions listed above.

PLANNING COMMISSION
GLADSTONE, MISSOURI
Gladstone City Hall
Tuesday, July 6th, 2021
7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Chase Cookson
Mike Ebenroth V-Chair
Brenda Lowe
Gary Markenson
Kate Middleton
Kim Murch
James New
Jennifer McGee, Chair

Absent: JN Hernandez
Alicia Hommon
Bill Turnage
Larry Whitton

Council & Staff Present:
Alan Napoli, Building Official
Angie Daugherty, Admin. Assistant
R.D. Mallams, Council Member

Item 2 on the Agenda: Pledge of Allegiance.

Chairperson Jennifer McGee, led the group in reciting the Pledge of Allegiance.

Item 3 on the Agenda: Approval of the June 7th, 2021. Chairperson Jennifer McGee asked if there was a motion to approve the minutes from the June 7th minutes.

Mr. Markenson moved to approve the minutes; Ms. Middleton seconded. The minutes were approved, 8-0.

Item 4 on the Agenda: Public Hearing: On a Zoning Change and Site Development Plan for property located at 7506 N. Oak Trafficway, 7508 N. Oak Trafficway, 7510 N. Oak Trafficway, and Parcel #13609000102200. Applicant: Cardinal Crest. Owners: Clay E and Shirley C McCullick, JRKC Holdings, LLC, Beverly Sue Ryan and Gary A. Ryan. The City Council Public Hearing is scheduled for July 26, 2021.

Mr. Greer read from the staff report.

The Applicant, Cardinal Crest KC is proposing a mixed-use development at 7506, 7508, 7510 N. Oak Trafficway and an undeveloped parcel 13609000102200. This location is approximately at the block of 76th St. to the south and west of N. Oak Trafficway.

The development site consists of four (4) separate parcels currently owned by the Ryan Family, Beverly Sue Ryan, Clayton & Shirley McCullick, and JRKC Holdings, LLC. With the combination of all four (4) parcels, there is approximately 7.53 acres of land.

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Tim Nebergall, City Engineer & Director of Public Works, has been working with the Cardinal Crest KC team to address adequate storm water detention for this site. In order to meet stormwater requirements and development criteria, Anderson Engineering is proposing an underground detention basin with three bio retention basins be installed on the site. Given the size and magnitude of this project, City Staff engaged Kaw Valley Engineering to conduct a third party review of the storm water study submitted to City Staff. In summary, Kaw Valley Engineering agrees with the storm water study submitted by the development team in that the proposed stormwater system proposed has the capacity to mitigate increases in runoff as a whole and at individual uncontrolled releases. City Staff agrees with Anderson Engineering, Inc. and Kaw Valley Engineering that runoff from this project flows to the south and the storm water system that is proposed is more than adequate to accommodate this development site.

The Comprehensive Plan that was adopted in 2008 by the Planning Commission and City Council identifies this area of the N. Oak Corridor as a location for redevelopment into a mixed-use community. This proposed mixed-use project complies and aligns with our current comprehensive plan for future redevelopment of this corridor.

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4. Disabled vehicles shall not be stored on site.

5. No items shall be stored on resident balconies.
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8. Entry points of buildings shall be secured twenty-four hours/seven days of the week year round.
9. Dumpster and storage areas shall be enclosed on four (4) sides with materials consistent with the primary building and adequately screened from public view. Trash service shall be scheduled between 7:00 a.m. to 10:00 p.m.
10. A fire sprinkler system shall be installed and comply with the 2018 International Fire Code standards.

The Developers of this project have agreed to all conditions.

City Staff recommends that the request be approved contingent upon the conditions listed above.

Mr. Greer stated that Mr. Matt Hendrickson and his business partner from Cardinal Crest are the developers of this project and that they would like to make a presentation to the Planning Commission tonight.

Chairperson McGee stated that the public hearing will start with a presentation from the developers.

Mr. Adam Shaffer stated he is one of the owners of Cardinal Crest. He is involved in the residential side. His business partner Mr. Joe Christenson who is involved in the commercial side is out of town. He is here to give the presentation.

Mr. Matt Hendrickson introduced himself. He works on the commercial development side with Cardinal Crest.

Mr. Patrick Joyce with Anderson Engineering. He is the Civil Engineer for this project he is out of Kansas City MO.

Mr. Shaffer stated that they do agree with all the recommended conditions that have been listed by city staff. The first slide shows a brief history of where Cardinal Crest comes from. The residential side started in 2011. Their average sale price is \$750,000 and they build homes up to two million. They have 11 employees on the residential side. The commercial side of the business was started in 2019. These pictures on the screen are projects that have recently been completed or are under construction. They have completed a few tenant finishes in Shawnee. This is a rendering of that project. They are calling this project Park Side at Hobby Hill. There will be four parcels. All of these parcels are under contract essentially pending approval from the city. This picture gives them a view looking at the location with the structure on it. This slide shows parcels three and four looking at it from North Oak Trafficway. They outlined the different structures that are going to be built on this project. Those first two are going to phase one of the project. They wanted to highlight the center structure regarding putting units above the

commercial sites. Phase one will be 70% occupied before they start on phase two. Part of phase two will have commercial tenants.

Mr. Joyce made a statement about the traffic considerations and the storm water considerations. What they proposed for the site is three access points. The main access is off of 76th St. the secondary access is off of N. Oak Trafficway, and the third is off of N. Oak Trafficway. Storm water as we mentioned before is controlled through both underground detention and three basins that are located along the southern portion of the property where the water drains. Each one draining into the other. They reduced the flow from the existing conditions almost by half from what the standard is in the City.

Mr. Hendrickson wanted to highlight what would be offered in this luxury complex. The pool is in the courtyard. There is also a clubhouse which will have a fitness center and yoga room. Also included is a pet wash area, lounge area, and office space.

Mr. Markenson asked what other projects they are involved in and another question regarding condition #5 where it states that no items can be on the balcony. That seems to be very strict. No chairs?

Mr. Hendrickson stated that this is the biggest project they have done; however, they are well on their way on a seven-million-dollar luxury townhome project in Shawnee as well as a 200 plus unit multifamily project.

Mr. Greer stated that City staff is totally fine with table and chairs on the balconies. What City staff is primarily concerned about is outside grills and people actually storing things that should be inside their apartment. This is also a condition of the Heights at Linden Square.

Mr. New asked what the average cost of the units are projected to be.

Mr. Hendrickson stated that their projection is around \$1.10 to \$1.20 per square foot. It is similar to the cost of The Heights apartments. For an 800 square foot one-bedroom apartment it could cost around \$1,000.00.

Ms. Middleton asked if they have had any interest in commercial tenants.

Mr. Hendrickson stated that they have had companies interested.

Ms. Middleton asked if they are businesses from outside of Gladstone or inside of Gladstone.

Mr. Hendrickson stated that he believes the one that is showing interest does have a business in Gladstone. The other business is Scooters Coffee.

Ms. Middleton asked if they will be adding another location or just moving.

Mr. Hendrickson stated he is not sure at this point.

Ms. Middleton asked about more affordable housing with the bus stop being close. Is there anything the City is trying to do to bring more affordable housing or is the City looking for all upscale apartments?

Mr. Greer stated that the City does not have anything in the comprehensive plan right now regarding affordable housing. There is a consensus amongst Gladstone leadership that Gladstone already has a lot of options for affordable housing whether it is single family homes or apartment units. City leadership believes that we could diversify and obtain higher end options considering that the Heights at Linden Square is the only luxury style apartments in Gladstone.

Ms. Middleton asked about a more natural environment. Could it not be all paved surfaces?

Mr. Greer asked Ms. Middleton if she is talking about parking. Within the City Code it comes down to a calculation of how much building square footage there is versus parking that must be available. With a mixed use purpose like this, City Staff is willing to be more flexible on parking and maybe not require as much. This site certainly has what it needs for parking. He would agree that they don't need a sea of concrete for this project.

Mr. Ebenroth asked about handicap accessibility in the apartments. Do you have any plans to address that?

Mr. Hendrickson stated that they are going to provide accessible units on the first level which is the ground level. As far as the quantity at this point and time we are just not quite sure since the interior building plans are not finished.

Mr. Ebenroth asked if the apartments are all market rate or is there an income based component to this complex.

Mr. Hendrickson stated that this is a market rate project.

Chairperson McGee asked about one of the conditions regarding bike racks for the residents. Will they have bike racks for clients of the commercial tenants?

Mr. Hendrickson stated truthfully that they have not gotten that far with the commercial space yet but are certainly open to that.

Mr. Middleton asked if phase one is just residential or both residential and commercial.

Mr. Hendrickson stated that phase one will be residential.

Mr. Murch asked when they would reach the projected 70% capacity.

Mr. Hendrickson stated it would hopefully be the third quarter of 2023.

Mr. Murch said he thought he saw on the slide where it said spring of 2023.

Mr. Hendrickson stated units will be leasable in the spring of 2023. They are estimating 18 to 20 apartments per month to be rented. Which would lead them into the third quarter timeframe of

2023 to reach the 70% threshold.

Mr. Murch asked if the other entrance being proposed is the curb by the house where Farmers Insurance is.

Mr. Hendrickson stated yes.

Mr. Murch asked if that house is under contract as well as the vacant lot.

Mr. Hendrickson stated yes, that is correct.

Mr. Murch asked if that entrance is part of phase one or two.

Mr. Hendrickson stated phase two is the intent right now.

Mr. Murch asked if there was only one entrance for phase one.

Mr. Hendrickson stated yes, for the first phase.

Mr. Murch asked if there were any storm shelters.

Mr. Hendrickson stated no; however, in the clubhouse space they have a storage area that could be used as the emergency shelter if necessary

Mr. Murch remarked that it must be a big storage area for 200 plus apartments.

Mr. Hendrickson answered that it is a good amount of space. They do not have a floor plan of it yet.

Mr. Murch asked if there are stairwells that are fire coded.

Mr. Hendrickson stated yes, there is.

Mr. Murch asked City Staff if there were any problems from our Fire Department on this project.

Mr. Greer stated no.

Chairperson McGee asked if there is anyone present that is in favor of the project.

Mr. Ron Boney, 104 NE 74th Terrace, addressed the Commission. He is concerned about water pouring down his backyard. Is there a pond included alongside these tanks? Where will the tank empty if it over flows? Is the property going to be fenced? The reason he is asking is because the creek is dangerous. He asked what the difference is between phase one and two. In some pictures it looks like some of them are five stories tall and some are four stories tall. How tall are these units going to be?

Mr. Joyce stated that the project will have three separate ponds located beneath a retaining wall that runs to the south side of the development. That retaining wall will have a fence to keep

people out. That is the only fence planned right now for the development. Those basins spill into each other to help reduce the run off. There is water that is flowing off towards the south west which we will capture and direct into the basin. The differences between phase one and phase two will be in construction.

Mr. Hendrickson stated that the parcel drops from the north end to the south end. The portion that is shown is four stories with a basement.

Mr. Boney asked about the fence again.

Mr. Hendrickson stated that the intent is to have a fence on the south side of the property near the retaining wall where the stormwater basins will be located.

Mr. Lee Endriss, 106 NE 74th Terrace, addressed the Commission. His property is situated to where the proposed project ends about half way through his property, which means any drainage that comes off of the property that is not contained by the pools or tanks will be going right across his property. He has not been approached by anyone regarding an easement. He said he was just curious that if there are a series of rains like last week, will there be more water going into that drainage ditch that used to be just a creek. Since the City has always chosen to have the storm water go into N. Oak Trafficway then down towards them. Has anyone determined whether or not this complex is within a mile of radius of the school for the bus? If it is within that one-mile radius, then those kids will have to walk to school and that will be dangerous because there are no sidewalks. He said he does not not think we need this complex in this area. Patio homes would be a better fit.

Mr. Greer stated that these neighbors have been in contact with Director Nebergall and they do plan on making some storm water improvements to their properties in conjunction with this construction. He will try to coordinate that construction at the same time. He thinks that is something Director Nebergall has discussed with them in the past. The second answer is that these units are for one and two bedroom apartments and are not really geared towards families to live there. They are geared towards younger professionals. That is not to say that some kids won't live there with their families, but the apartments are not three bedrooms.

Mr. William Tomlin, 100 NE 74th Terrace, addressed the Commission. He stated that he does not want 216 new neighbors 185 feet away from him that he has to look at every morning that are four stories tall. He moved into his property back in 1999. He got the run down from the neighbors that the drainage ditch was man made for N. Oak Trafficway. It has grown enough that he cannot use the furthest part of his property because of a 50-foot ditch. He does not see how more water being funneled down there is not going to make a bigger mess than he already has.

Mr. Murch asked a question regarding the timing. Construction is scheduled for November 2021. Then Phase one wouldn't be completed until the third quarter of 2023?

Mr. Hendrickson stated that the third quarter of 2023 would represent the 70% occupancy of the first phase of construction. The first phase should be completed in the first quarter of 2023.

Mr. Murch asked if this is a stick building.

Mr. Hendrickson stated yes. They estimate a 14 to 16 month completion date.

Mr. Murch remarked that seems like a long time for a stick built building.

Mr. Hendrickson stated that if other owners they build for were asked, they would say the same thing. The current conditions, market, labor, and supply chain issues due to the pandemic is stretching the construction schedule.

Mr. Murch asked about phase two and if it will take another year and a half to build.

Mr. Hendrickson stated yes, that is correct. The construction schedule could be reduced if there are less complexities.

Mr. Murch stated that he knows that they work primarily with residential homes but they wouldn't put the commercial project on N. Oak prior to the third quarter of 2023.

Mr. Hendrickson stated that this is tied to negotiations with the current use and property owner of the insurance building. In the purchase contract, they have outlined a time frame for them with a lease back option to use the building until they can find a long term solution for themselves.

Mr. Markenson stated that it seems like most of the opposition from the residents today are based on storm water issues. He asked if the the Public Works Department could be encouraged to see what they can do to help these folks with this current problem that could become worse. He also asked if this can this be done with one motion or two motions.

Mr. Greer stated that him and Director Nebergall have been in conversation about improving some of the storm water on those properties. Regarding the motion, only one is needed to to rezone all four parcels. Another motion is needed for the site plan proposal.

Mr. Cookson stated that the redevelopment is aligned with the goals established as a City through the Comprehensive Plan. Two studies were completed: an independent study by Kaw Valley Engineering and the study that the developer's submitted. The independent study is showing more than satisfactory storm water drainage control; therefore, he will ultimately vote yes on this proposed project.

Chairperson McGee closed the public hearing.

MOTION: By Mr. Markenson, second by Ms. Lowe to approve a Zoning change at property located at 7506 N. Oak Trafficway, 7508 N. Oak Trafficway, 7510 N. Oak Trafficway, and Parcel #13609000102200.

Vote: Mr. Cookson	Yes
Mr. Ebenroth	Yes
Ms. Lowe	Yes
Mr. Markenson	Yes
Ms. Middleton	Yes
Mr. Murch	Yes
Mr. New	Yes

Chairperson McGee Yes

The motion carried. (8-0)

MOTION: By Mr. Markenson, second by Mr. Cookson to approve a Site Development Plan at property located at 7506 N. Oak Trafficway, 7508 N. Oak Trafficway, 7510 N. Oak Trafficway, and Parcel #13609000102200.

Vote: Mr. Cookson	Yes
Mr. Ebenroth	Yes
Ms. Lowe	Yes
Mr. Markenson	Yes
Ms. Middleton	Yes
Mr. Murch	Yes
Mr. New	Yes
Chairperson McGee	Yes

The motion carried. (8-0)

Item 5 on the Agenda: Communication from the City Council

Mayor Mallams stated that we are coming off of a wonderful 4th of July celebration at Oak Grove Park. The weather was great and the fireworks were wonderful. We are in the process of taking applications to find a new Police Chief. Bob Baer has filled in as an interim Chief until we can hire a new Police Chief.

On Thursday of this week, we are going to have a lunch as part of the Clay County Economic Development Council. During that lunch, the Mayors from the northland cities will stand up and give a State of the Cities report. It is truly amazing what is going in Gladstone right now. If we look back over the past 12 or 16 months we are looking at significant investment dollars being put into our City. Between new construction or redevelopment these investments will equal almost \$100 million dollars. Mayor Mallams thanked the Commissioners for all for the time they give and for all the questions that they have answered here tonight. He also thanked the developers for being here from Cardinal Crest.

Mr. Markenson asked how the process was going to find a new museum director.

Mayor Mallams stated that the position is still open. It will be challenging position to fill. He will find out about where the City is at with the process.

Ms. Middleton asked what happened to the Right-Of-Way issue that was discussed last month that ultimately went to the City Council.

Mayor Mallams stated that the City Council had a public hearing that was opened and closed because Mr. Mann withdrew his application from being reviewed.

Ms. Middleton asked if he [Mr. Mann] was going to go ahead with the part he doesn't need the City's approval for?

Mr. Greer stated no, not that he is aware of.

Mayor Mallams stated that Theatre in the Park begins this weekend. The show is 'Matilda', starting at 8:30 on Friday, Saturday and Sunday.

Item 6 on the Agenda: Communication from the City Staff

Mr. Greer gave an updated on the Comprehensive Plan. Interviews were recently conducted for consultants. It went very well. All three consultants are extremely qualified. Those consultants are Shockey, Gould Evens and Confluence. All three did a great job. The interview team narrowed it down and the decision was unanimous. He will announce the final decision when a contract is in place. He thanked Ms. Lowe and Mr. Turnage for volunteering for that team.

Item 7 on the Agenda: Communications from the Planning Commission Members

Mr. Markenson stated that he will be a the Rotary concession stand at the Theatre in the Park. Stop by and see him!

Mr. Murch asked Mr. Greer when he thinks the Comprehensive Plan consultant contract will be in place.

Mr. Greer stated the contract is being worked on now. He is hoping it will be August or September.

Mr. Murch asked what role does the Planning Commission has in the Plan.

Mr. Greer stated that the Planning Commission will play a significant role. Once the public engagement begins, the consultants will give their presentations to the Planning Commission and City Council

Mr. Murch asked if Mr. Greer thought he would be having many side bars going between the consultants and the Planning Commission.

Mr. Greer stated that this will be his first comprehensive plan update. The consultants are the experts, so he doubts there will be too many side bars, but he is not going to rule it out.

Mr. Cookson wanted to thank Chairperson McGee for keeping things orderly this evening

Mr. New said he hopes the developers will follow through with the citizens on the issues raised tonight.

Mr. Greer replied that it was his understanding that Director Nebergall has already been talking with them for months leading up to this meeting.

Item 8 on the Agenda: Adjournment

Chairperson McGee adjourned the meeting at 7:59 pm.

Respectfully submitted:

Jennifer McGee, Chairperson

Approved as submitted _____

Angie Daugherty, Recording Secretary

Approved as corrected _____

BILL NO. 21-23

ORDINANCE NO. 4.561

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CLAY COUNTY PUBLIC HEALTH CENTER TO PROVIDE COVID-19 VACCINATIONS TO HOMEBOUND RESIDENTS.

WHEREAS, the Clay County Public Health Center has the ability to order, store and allocate COVID-19 vaccinations; and

WHEREAS, the City of Gladstone employs approximately thirty-five (35) Emergency Medical Technician – Paramedics who are qualified and licensed by the State of Missouri to administer vaccinations; and

WHEREAS, both the City of Gladstone and the Clay County Health Center understand the importance of providing COVID-19 vaccinations to elderly and immune system compromised individuals who are unable to leave their homes or otherwise receive the vaccination; and

WHEREAS, the City of Gladstone and the Clay County Health Center wish to enter into a Memorandum of Understanding to provide COVID-19 vaccinations to homebound Gladstone residents.

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to enter into a cooperative agreement with the Clay County Health Center to provide COVID-19 vaccinations to homebound Gladstone residents on the terms and conditions described herein and as more particularly set forth in the Memorandum of Understanding.

INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 26TH DAY OF JULY, 2021.

R.D. Mallams, Mayor

ATTEST:

Ruth E. Bocchino, City Clerk

1st Reading: July 26, 2021

2nd Reading: July 26, 2021



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 21-23

ORD # 4.561

Date: 7/19/2021

Department: Public Safety

Meeting Date Requested: 7/26/2021

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

Subject: An Ordinance authorizing the City Manager to enter into a cooperative agreement with the Clay County Public Health Center to provide COVID-19 vaccinations to homebound Gladstone residents.

Background: The Clay County Public Health Center continues to identify those in need of COVID-19 vaccinations, specifically individuals who are homebound and unable to receive the vaccination through the ordinary channels of distribution. It is a priority of the medical community to vaccinate as many individuals who elect to receive the COVID-19 vaccine as possible and the City of Gladstone supports these efforts. The Clay County Public Health Center has proposed entering into a cooperative agreement with the City of Gladstone to have Fire/EMS paramedics employed by the City vaccinate homebound residents. The Clay County Health Center would be responsible for identifying homebound residents, storing, diluting and providing the prepared vaccine to our personnel; the City of Gladstone would be responsible for transporting and administering the vaccine under CDC guidelines, which includes the mandated 15 or 30-minute observation period following inoculation.

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

Public/Board/Staff Input: Staff recommends approval of this Bill

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

Bob Baer
Department Director/Administrator

JM
City Attorney

SW
City Manager



CLAY COUNTY

PUBLIC HEALTH CENTER



800 Haines Drive
Liberty, MO 64068
p. 816-595-4200
clayhealth.com

Memorandum of Understanding Between Emergency Management Services and Clay County Public Health Center COVID-19 Vaccination of Homebound Residents

This Professional Services Agreement is entered into effective _____, 2021, by
_____ and the Clay County Public Health Center (CCPHC).

Purpose: The purpose of this Memorandum of Understanding is to provide a structured plan for the COVID-19 vaccine supply acquisition, storage handling, transportation, administration, and documentation through the Homebound Individuals Vaccination program in Clay County, Missouri.

Procedure:

A. Details of Agreement

- a. Clay County Public Health Center is to be responsible for the ordering and overnight storage of all COVID-19 vaccine to be used in the Homebound COVID-19 Vaccine Clinics.
- b. CCPHC will maintain positive control over vaccine allocation while under the custody of CCPHC. Once transferred to EMS, the entity with physical possession of the vaccine will become responsible for storage, transport, and handling during this time period-as per this MOU.
- c. This agreement will be in place until there is no longer a need for these services.

B. Vaccine Storage and Handling

- a. COVID-19 vaccine is only to be stored overnight at Clay County Public Health Center's main location (800 Haines Drive Liberty, MO, 64068).
- b. CCPHC is responsible for ensuring the cold chain has been followed at all points before and after the EMS clinics.
- c. EMS staff is responsible for ensuring the cold chain has been followed at all times while vaccine is in their custody. Any temperature excursions must be reported to CCPHC staff immediately and the vaccine returned to CCPHC. Contact information is below.
- d. Vaccine will be provided within refrigerated temperature range (2 to 8 degrees Celsius or 36 to 46 degrees Fahrenheit). Due to the limited amount of time that some of these vaccines may be stored at this temperature range, every effort must be made to plan for the exact number of doses needed to be administered at each clinic. CCPHC will provide exact guidelines in writing to include pertinent details such as what times the vaccine must be administered for each vaccine pickup. All the instructions must be followed, without exception.

C. Supplies and Vaccine

- a. Vaccine will be received directly from the Missouri Department of Health and Senior Services and the Centers for Disease Control and Prevention. The following supplies will be provided to EMS, by Clay County Public Health Center.
- b.
 - i. Vaccine
 - ii. Vaccine diluent (Pfizer vaccine)
 - iii. PPE
 1. Facemasks
 2. Face shields
 - iv. Syringes and needles
 - v. Alcohol pads
 - vi. Vaccine documentation cards
- c. Additional supplies may be provided by CCPHC, per the request of the EMS partner. Please provide at least 7 calendars days' notice when requesting these additional supplies.
 - i. Bandages
 - ii. Sharps containers
 - iii. Gloves
 - iv. Hand sanitizer
 - v. Sanitizing wipes
 - vi. Temporary vaccine storage container with thermometer (must be returned to CCPHC at the end of each day, along with any extra unopened vaccine vials).
 - vii. Paper copies of the vaccine consent
 - viii. Paper copies of the EUA Fact Sheet for Recipients
- d. Note: CCPHC cannot reimburse additional costs acquired through this program.

D. Clinic Planning

- a. EMS is responsible for coordination and scheduling of home visits.
- b. EMS will provide CCPHC with total number of vaccines needed as well as supplies needed at least 2 full business days prior to the clinic.
- c. By scheduling these clinics, the EMS provider agrees to return and provide the booster dose of vaccine to the individuals vaccinated.
 - i. Pfizer vaccine: 3 weeks
 - ii. Moderna vaccine: 4 weeks
 - iii. Johnson & Johnson: no booter dose required

E. Pickup and Return of Vaccine from Clay County Public Health Center

- a. The EMS partner will contact CCPHC with at least 2 business days-notice to confirm there is sufficient vaccine supply to support the vaccination efforts. Before scheduling patients, EMS must assure there will be a CCPHC staff member available to prepare the vaccine for transport and accept any unopened vials at the end of the clinic day for return to appropriate storage (if applicable).
- b. The EMS partner will arrange a time for pickup of vaccine at least 2 business days before the planned event. Pickup of vaccine will need to occur between normal business hours (M-F, 8:00 am-4:30 pm) excluding CCPHC or federal holidays.
- c. Only the following individuals are authorized to pick up CCPHC's supply of ultra-cold COVID-19 vaccine. CCPHC may ask for a photo ID to confirm identity of the individual that picks up the vaccine and supplies.
 - i. Name _____
 - ii. Name _____
 - iii. Name _____
 - iv. Name _____
 - v. _____

F. Transportation of Vaccine for Mobile Clinics

- a. Pack vaccine in appropriate containers using the following method:
 - i. Refrigerated Vaccine: If mobile refrigerators can be cooled to the proper temperature before packing and transporting vaccine, those should be used. These mobile refrigerators must have a temperature monitoring device placed with the vaccines.
 - ii. Document exact time and date when vaccine left and returns to CCPHC's custody on a form to be kept and maintained by Clay County Public Health Center staff.

G. Vaccine Administration

- a. All EMS staff involved in transport, administration, and documentation of COVID-19 vaccine are to be familiar with the EUA for that specific vaccine including dosing, patient education, storage and handling, and other requirements. This information is available through the Missouri COVID-19 vaccine website <https://covidvaccine.mo.gov>
- b. EMS staff is to have each client, or their designee complete the consent form.
- c. EMS staff is to provide a copy of the client EUA for the vaccine and information on V-Safe.

H. Documentation

- a. EMS staff to use the State of Missouri Vaccination Form to document all vaccines. 580-3353 (3-2021) COVID-19 VACCINATION SCREENING AND CONSENT UNDER EMERGENCY USE AUTHORIZATION (mo.gov)
- b. The fully completed consent form must be returned to Clay County Public Health Center designated staff before the end of the same business day as the vaccination occurred. If that is not possible, please work with the Clay County Public Health Center Program Manager of Immunizations to coordinate alternate plans.
- c. Clay County Public Center staff will be responsible for entering the vaccination information into the CCPHC EHR, which will report the vaccine information to the state immunization registry, ShowMeVax.

I. Contact Information

- a. In event of emergency, temperature excursion, contact the following people listed below any time 24/7. If the first person does not answer, call the next person in line.
 - i. Corrie Courtney (Immunizations Program Manager): (816) 206-4298
 - ii. Jason Stalling (CHP Section Chief): (816) 200-3542
 - iii. CCPHC Emergency Duty Officer: (816) 595-4387
- b. For general, non-emergency, questions about this agreement, please contact Corrie Courtney, Program Manager of Immunizations at Clay County Public Health Center at (816) 206-4298 or ccourtney@clayhealth.com.

J. Termination

- a. Notwithstanding anything in this Agreement to the contrary, CCPHC may terminate this Agreement at any time with fifteen (15) days' written Notice.

K. Compliance

- a. By signing this form, I understand this is an agreement between my organization and Clay County Public Health Center. I also certify on behalf of myself, my medical practice, or other legal entity with staff authorized to administer vaccines, and all the practitioners, nurses and others associated with this Organization that I have read and agree to this MOU and are accountable for compliance with these requirements. Non-compliance with the terms of this agreement may result in suspension or termination of this agreement.

Memorandum of Understanding
COVID-19 Vaccination of Homebound Residents
Emergency Management Services and Clay County Public Health Center

Signature

Date

Name

Title:

Daniel Purdom, MD
Medical Director, CCPHC

Date

Darrell Meinke, MPH
Deputy Director, CCPHC

Date

Jason Stalling, MBA, CFHA
Section Chief, CHP

Date

Corrie Courtney, MPH, BSN, RN
Program Manager of Immunizations

Date

BILL NO. 21-24

ORDINANCE NO. 4.562

AN ORDINANCE REPEALING SECTION 1.125.380 OF THE CODE OF ORDINANCES OF THE CITY OF GLADSTONE, MISSOURI, PERTAINING TO THE SHERIFF RETIREMENT FUND SURCHARGE.

WHEREAS, on June 1, 2021, the Supreme Court of Missouri issued its opinion in the case of *Daven Fowler, et al., v. Missouri Sheriffs' Retirement System* holding Section 57.955 RSMo., imposing a \$3 sheriffs' retirement system surcharge court cost, is unconstitutional; and

WHEREAS, the City Council desires to amend the Code to reflect that decision by repealing Section 1.125.380 of the Code of Ordinances.

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

Section 1. That Section 1.125.380 of the Code of Ordinances of the City of Gladstone, Missouri, imposing an additional court cost payable to the Missouri Sheriff Retirement Fund, is hereby repealed.

Section 2. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 3. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 26TH DAY OF JULY, 2021.

R.D. Mallams, Mayor

ATTEST:

Ruth E. Bocchino, City Clerk

First Reading: July 26, 2021

Second Reading: July 26, 2021



Request for Council Action

RES ☐#

BILL ☒# Bill #21-24

ORD # 4.562

Date: 7/22/2021

Department: Public Safety

Meeting Date Requested: 7/26/2021

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

Subject: Repealing Section 1.125.380 of the City of Gladstone pertaining to the Sheriff Retirement Fund Surcharge.

Background: The Supreme Court of Missouri deemed the \$3.00 sheriff's retirement system surcharge as unconstitutional, and the city desires to amend our Code to reflect this decision.

Budget Discussion: Funds are budgeted in the amount of \$0 from the General Fund and \$ from the --- Fund. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0 collectively from both funds.

Public/Board/Staff Input: Staff recommends approval of the proposed Ordinance.

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

Ruth Bocchino
Department Director/Administrator

JM
City Attorney

SW
City Manager



CITY OF GLADSTONE MISSOURI

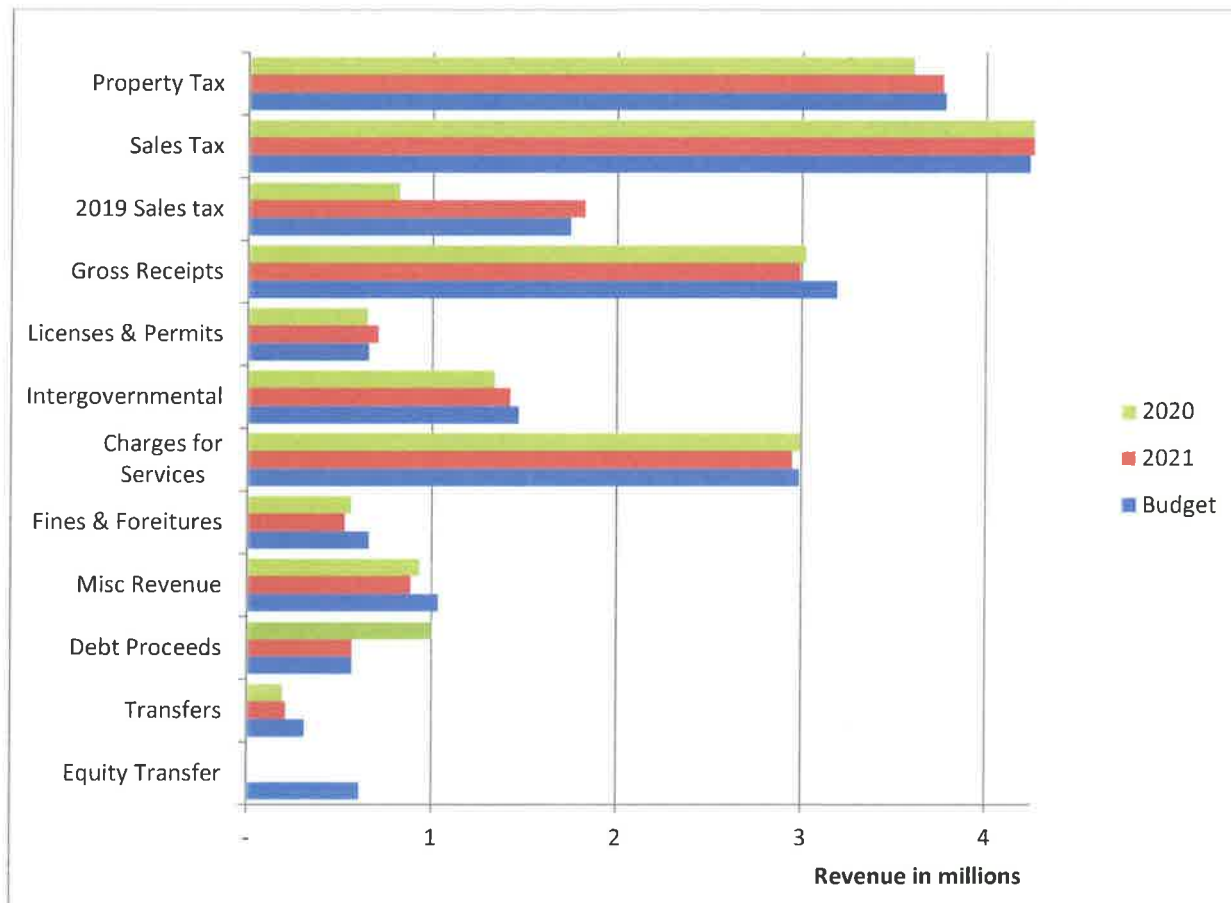
Financial Report for 12 Months Ending
June 30, 2021

Preface

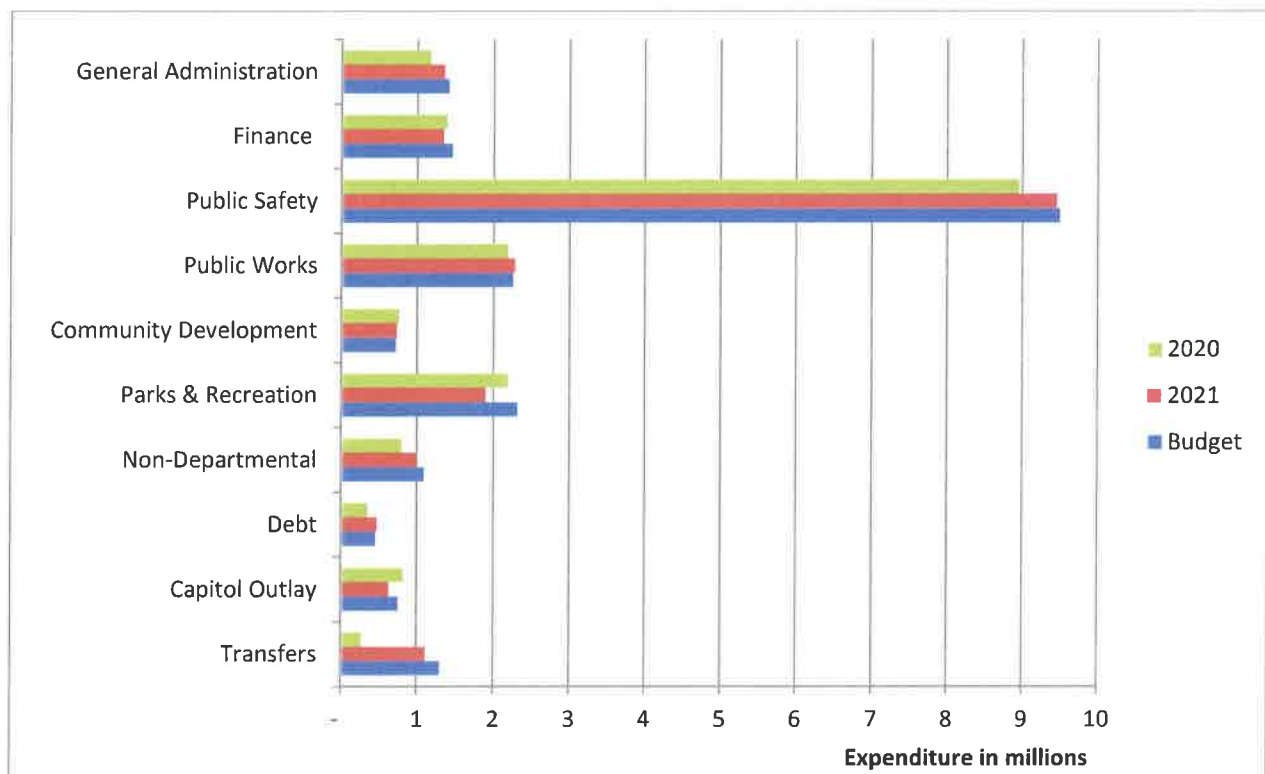
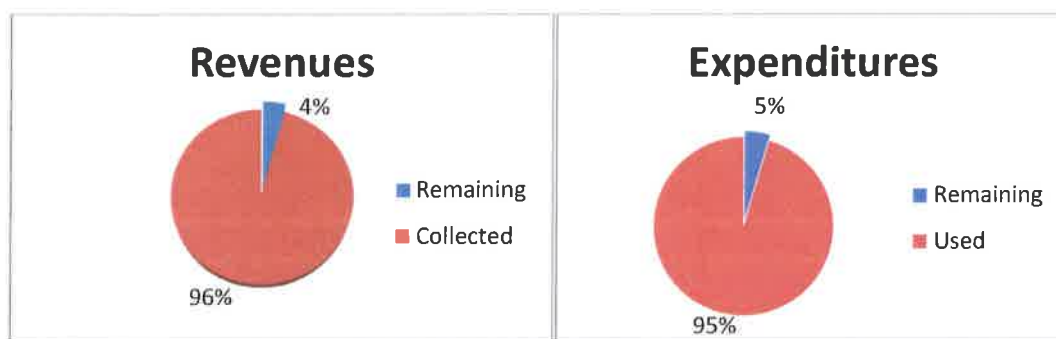
Although the fiscal year officially ends at June 30, 2021, amounts received and paid by the City of Gladstone will change up until the financial audit in October. These statements are based on a budgetary or cash basis as of a certain date. The final financial statements or Comprehensive Annual Financial Report (or CAFR soon to change to Annual Comprehensive Financial Report or ACFR) is reported on a modified accrual basis for Governmental Funds and full accrual basis for the enterprise fund (CWSS). Over the next couple of months, staff will be making final adjustments for receivables and payables for goods and services received during the fiscal year as well as prepaid expenses and deferred revenue for goods and services not received or performed during the fiscal year. Additional information is in the narrative below.

GENERAL FUND

General Fund Revenues



Total revenues for the General Fund through 12 months or 100% of this fiscal year are \$20,416,519 compared to total budgeted revenues for the year of \$21,276,894 or 96% of budgeted revenue. Property tax receipts are \$3,768,390, \$159,367 or 4% over amounts received during the previous year. Sales tax on a cash basis is \$4,543,139 or \$238,036 (6%) over last year. The 2019 sales tax (1/2 cent sales tax passed in 2019) is \$1,826,343. Gross receipts taxes are \$2,991,333, down \$30,498 from last year. License and Permits revenues are \$707,040, 9% or \$56,540 over FY20. Intergovernmental revenue is \$1,426,134, or \$83,457 over the previous year. Charges for Services are \$2,950,925 down 2% or \$46,744 compared to the previous year. Fines and Forfeitures have decreased 6% from the same time last year to \$530,639. Miscellaneous Revenue is \$888,069, down \$50,990 mainly due to a decrease in interest and rental income. The General Fund received debt proceeds from the 2020 COP in the amount of \$570,000 for the purchase of a new fire truck. Transfers for the year have totaled \$214,500 and are comparable to the previous year.

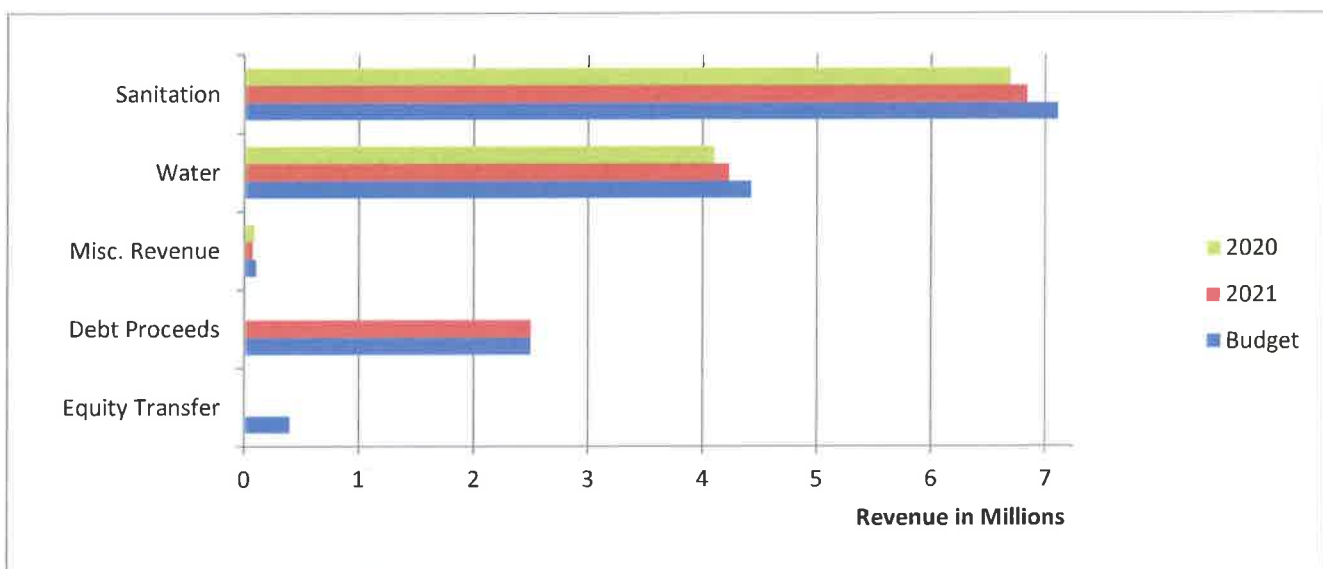


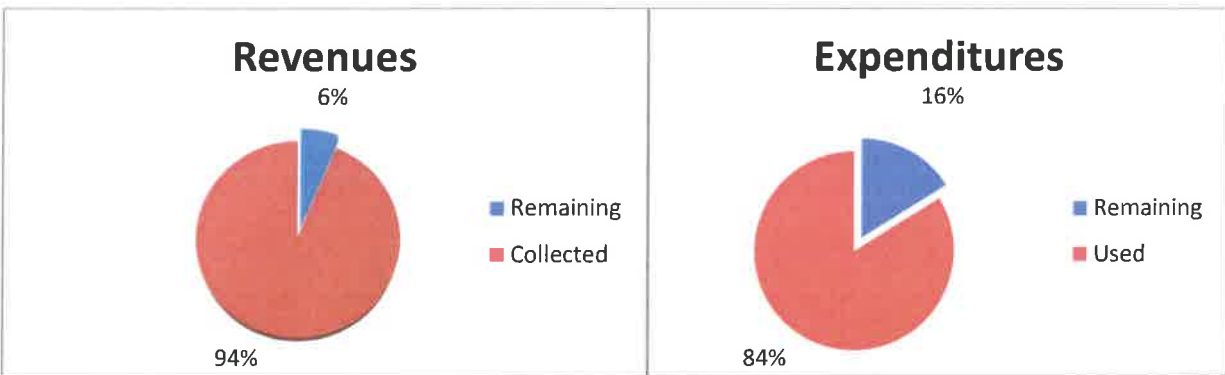
Expenditures through 12 months or 100% of this fiscal year amounted to \$20,301,002 or 95% of FY21 budgeted expenditures of \$21,266,143. This indicates that actual expenditures are 7% or \$1,380,839 more than last year's expenditures of \$18,920,163. General Administration expenditures are \$1,355,394, an increase of \$179,484 or 14% due to contractual payments and personnel. Finance expenditures have decreased \$43,061 to \$1,344,143. Public Safety expenditures are \$9,457,022, an increase of \$497,374, or 6%, due to personnel costs. Public Works expenditures are \$2,284,787 or 4% more than the prior year due to increases in personnel costs, contractual obligations, and road salt. Community Development expenditures are \$731,874, a decrease of \$28,279 due to changes in contractual obligations and staffing. Parks & Recreation expenditures are \$1,900,597, down 13% or \$291,423 from the same time last year due to decreases in Senior Activities, changes in programing, and staffing. Non-Departmental expenditures are \$1,002,124. This is an increase of \$203,170 from the same time last year due to the retirement of tenured employees. Payments for debt are \$478,330 or \$124,825 more than last year due to the 2020 COP. Capital Outlay is \$630,238, mainly due to the purchase of a new fire truck. Transfers have increased \$841,174 to \$1,116,493 due to the sales tax transfer for the 2020A COP debt service. Current revenues exceed current expenditures in the amount of \$115,517.

General Fund revenues and expenditures will have several adjustments before the 2021 fiscal year audit. The largest adjustment will be for the purchase of the Fire Truck. Although the Fire Truck was purchased in the 2021 fiscal year, it is not expected to arrive at the City until the 2022 fiscal year. This will reduce expenditures approximately \$570,000 and will be reclassified as a prepaid asset until delivery. Other adjustments that will change the funds final outcome are recording receivables for taxes and services provided, senior activities (both expense and revenue), license deferrals, and accounts payable.

COMBINED WATER AND SEWERAGE SYSTEM FUND

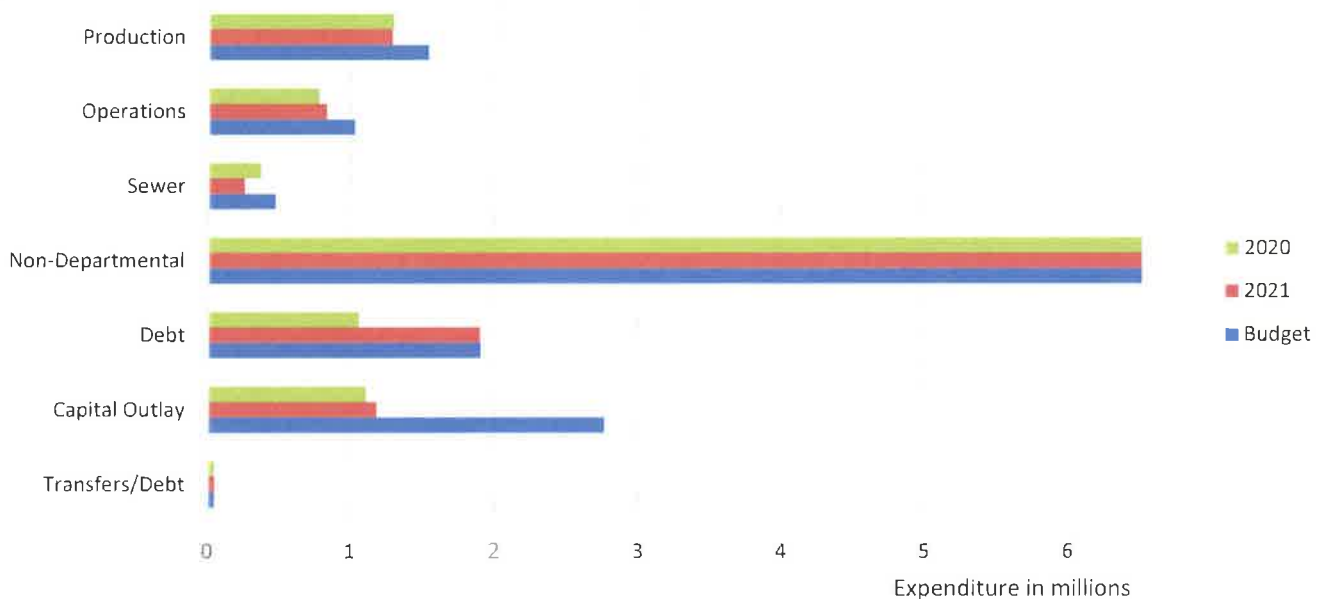
Total budgeted revenues for the fiscal year are \$14,557,595. Total revenues through 12 months or 100% of this fiscal year, amounted to \$13,652,131 or 94% of FY21 budgeted revenues. Operating revenues are up \$256,443 (2%) from last year due to increased water and sewer consumption. The Fund received \$2.5 million in lease proceeds from the 2020 COP.



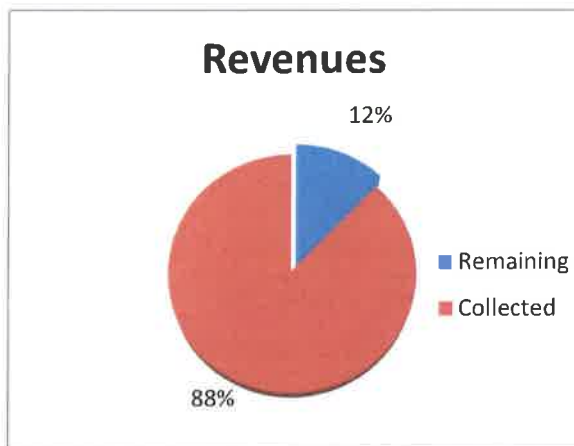
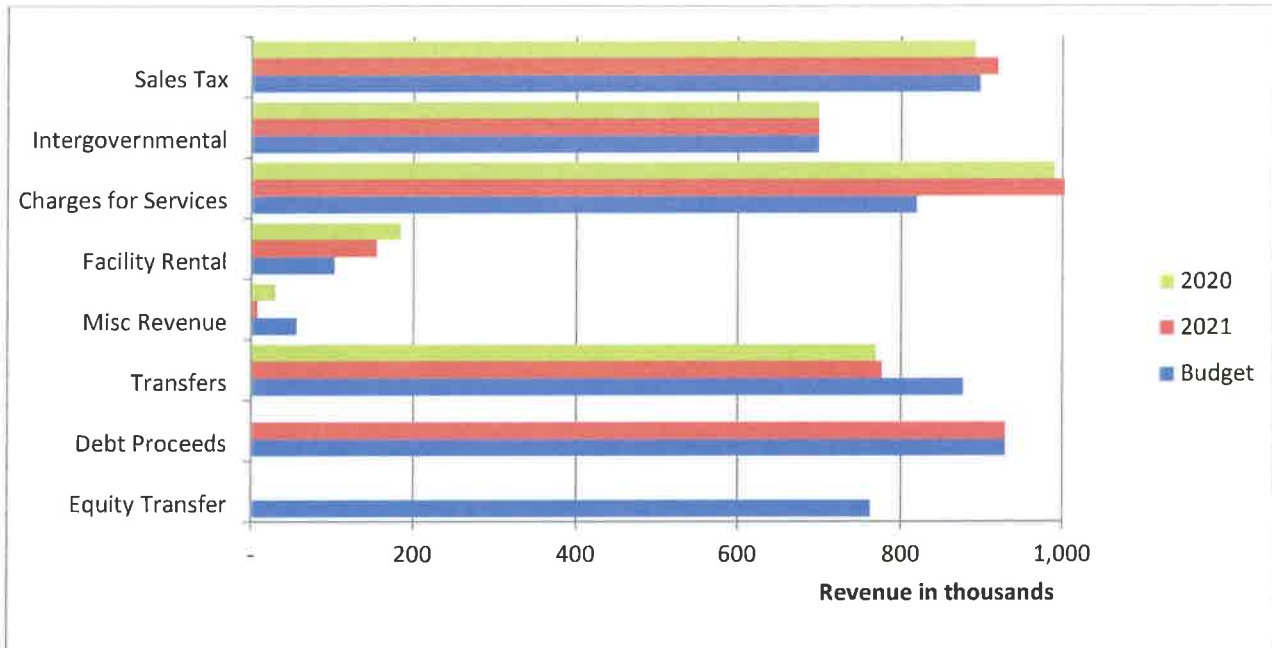


Total budgeted expenditures for the fiscal year are \$14,557,595. Total expenditures through 12 months or 100% of this fiscal year amounted to \$12,213,569 or 84% of FY21 budgeted expenditures. Production expenditures are comparable to the previous year at \$1,286,738. Operations division expenditures are \$830,719, an increase of \$50,879 due to updates to the water treatment master plan. Sewer division expenditures have decreased \$117,157 to \$257,517 due to the timing of sewer line maintenance and changes in personnel. Non-departmental expenditures are \$6,705,124, up \$185,726 due to the increase in water and sewage consumption. Payments for debt are \$1,899,060, an increase of \$839,719 due to the 2020 COP. Capital outlay is \$1,184,411, an increase of \$75,094. Current revenues exceed current expenditures by \$1,438,561 (larger revenue over expenditures is due to lease proceeds of \$2,500,000).

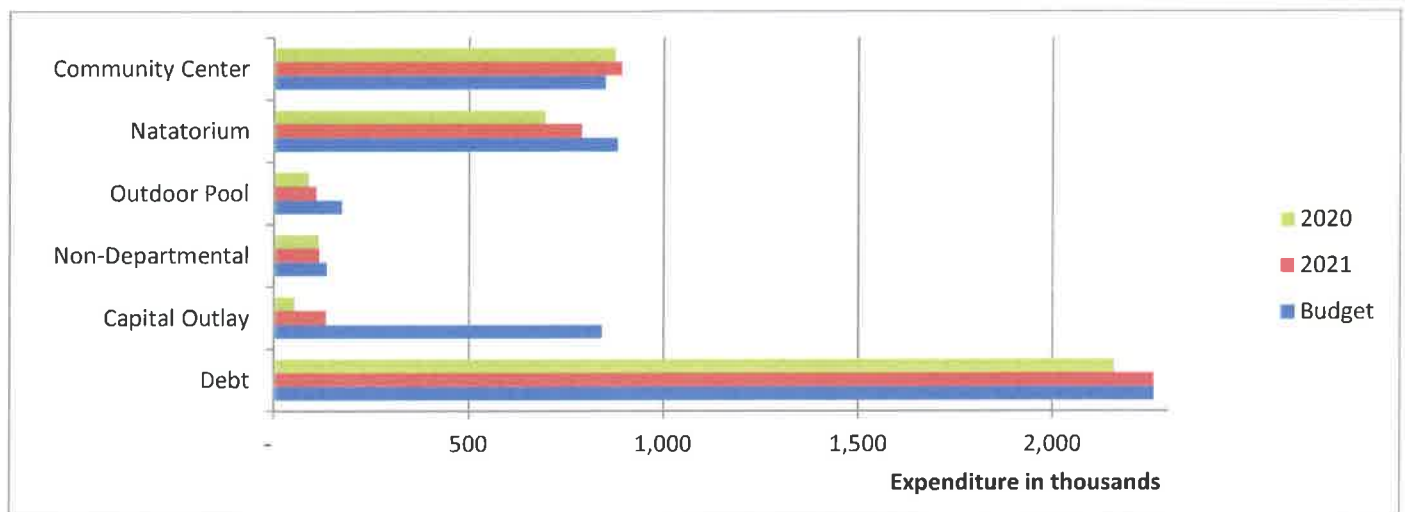
The CWSS Fund is considered an enterprise fund and will need several adjustments to convert final amounts from a budgetary basis to a full accrual basis. Adjustments include the reclassification of fixed assets, depreciation, accounts receivable and accounts payable.

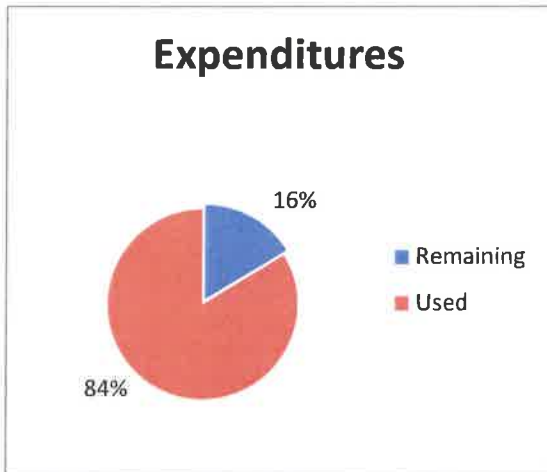


COMMUNITY CENTER AND PARKS TAX FUND



Total budgeted revenues for the fiscal year are \$5,151,584. Total revenues through 12 months or 100% of this fiscal year, amounted to \$4,523,764 or 88% of FY21 budgeted revenues. Sales tax received is \$920,585, up 3% from the previous year. Intergovernmental revenue (Charge to the North Kansas City School District for the natatorium) is \$700,000. Charges for Services are \$1,032,078, up 4% or \$41,118. Revenue from facility rental is \$155,332, down 16%. Miscellaneous revenue is \$8,069. Transfers to the fund are \$777,700 with \$877,700 budgeted. Debt proceeds for the fund are \$930,000. Equity transfer budgeted for the fiscal year is \$763,244 to offset the anticipated revenue loss.



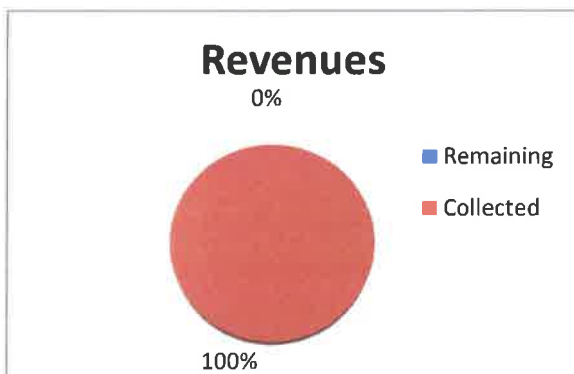
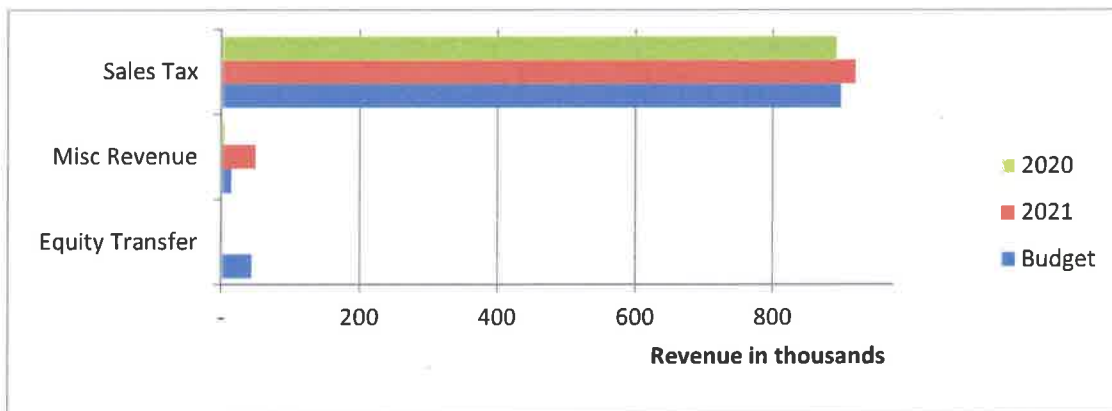


Total budgeted expenditures for the fiscal year are \$5,150,964. Total expenditures through 12 months or 100% of this fiscal year amounted to \$4,310,916 or 84% of FY21 budgeted expenditures. Community Center expenditures have increased by 2% to \$892,301 due to personnel cost. The Natatorium expenditures are \$789,038, an increase of \$93,093 from the same time last year due to increased personnel costs. Outdoor Pool expenditures are \$111,484 a 1% increase from the previous year. Non-departmental expenditures are comparable to the previous year at \$119,099. Capital outlay is \$136,439 or \$80,090 more than the same time last year. Debt is \$2,262,555, \$101,561 over the previous year due to the 2020 COP. Current revenues exceed current expenditures by

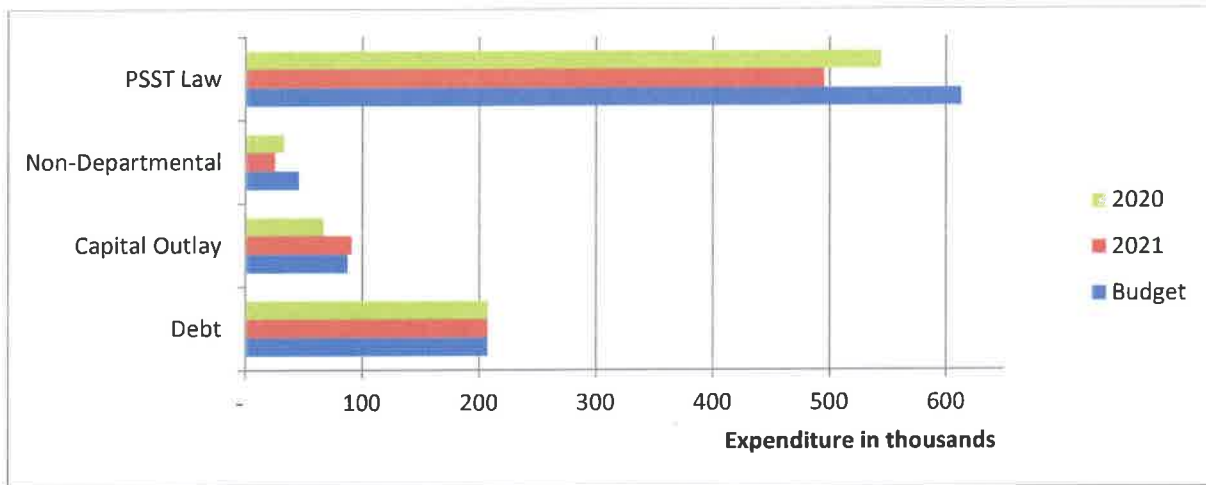
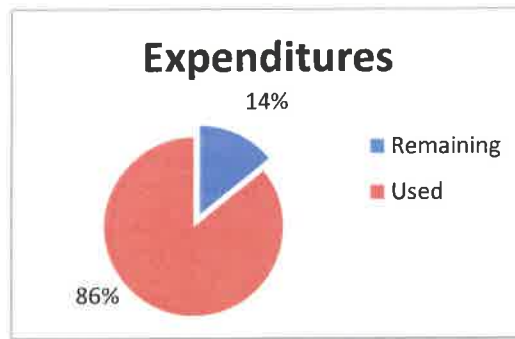
\$212,849.

The CCPT fund will also have several adjustments to revenues and expense before the 2021 fiscal year audit. Revenue adjustments include receivables for rentals, change in sales tax receivable, and membership deferrals. Adjustments to expense will mainly be for accounts payable.

PUBLIC SAFETY SALES TAX FUND



Total budgeted revenues for the fiscal year are \$957,600. Total revenues through 12 months or 100% of this fiscal year amounted to \$969,830 or 101% of FY21 budgeted revenues. Sales tax on a cash basis is \$920,250, or an increase of 3%. Miscellaneous revenue is \$49,580, \$44,644 more than the prior year due to the sale of assets.



Total budgeted expenditures for the fiscal year are \$955,769. Total expenditures through 12 months or 100% of this fiscal year are \$820,324 or 86% of the FY21 budgeted expenditures. Law division is \$496,092, down 9% from the same time last year due to contractual obligations. Non-Departmental is \$25,662, compared to \$33,664 during the previous year. Capital outlay is \$91,242 compared to \$67,680 during the previous year. Debt is comparable to the previous year. Current revenue over expense for the fund is \$149,506.

Year-end adjustments for the PSST fund should be minimal with adjustments for accounts receivable and accounts receivable.

Respectfully submitted,

Dominic Accurso
Director of Finance