



**CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, DECEMBER 13, 2021**

The City Council will meet in Closed Executive Session at 6:40 pm Monday, December 13, 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 7:00 PM**

1. Police Department Reorganization Update
2. 2021 Fiscal Year Audit Presentation

**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 November 8, 2021, Closed City Council Meeting Minutes.

**6. Approval of the November 8, 2021, Regular City Council Meeting Minutes.**

**7. CONSENT AGENDA**

**RESOLUTION R-21-54** A Resolution authorizing the City Manager to execute a Settlement Agreement and Mutual Release with North American Specialty Insurance Company for final payment in the amount of \$25,524.42 for work completed on the 2019 Water Main Replacement Project WP1986.

**RESOLUTION R-21-55** A Resolution authorizing the City Manager to execute a Contract with MEGAKC Corporation, in the total amount not to exceed \$281,250.00 for the Carriage Commons Drainage Improvements Project CP2132 pending concurrence from the Missouri Department of Natural Resources.

**RESOLUTION R-21-56** A Resolution authorizing the execution of a Contract with Spectrum Enterprise for Fiber Internet Service.

**RESOLUTION R-21-57** A Resolution authorizing the City Manager to enter into an Agreement with Enterprise Fleet Management for acquisition and disposal of vehicles.

**CONSIDER BUILDING PERMIT:** Van Subaru, 90 NW Vivion Road.

**RATIFY SPECIAL EVENT PERMIT:** Atkins-Johnson Farm and Museum, Cookies with Santa. Saturday, December 11, 2021 12:00 pm – 3:00 pm.

**CONSIDER FINANCIAL REPORT MONTH END OCTOBER 2021**

**8. 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.*

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

- Board and Commission Appointments

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

**REGULAR AGENDA**

- 11. FIRST READING BILL NO. 21-38** An Ordinance amending Title IX of the City of Gladstone, Missouri, Code of Ordinances by repealing certain provisions contained therein and enacting in lieu thereof new provisions designated as Title IX relating to the Construction and Maintenance of Structures and Property within the City and designated as the "Building and Construction Ordinance" for the City of Gladstone, Clay County, Missouri.
- 12. FIRST READING BILL NO. 21-39** An Ordinance approving the Show Me Courts Agreement with the Office of State Courts Administrator and authorizing the City Manager to execute the Agreement.
- 13. FIRST READING BILL NO. 21-40** An Ordinance amending Chapter 125, Municipal Court, of the Code of Ordinances of the City of Gladstone, Missouri, by adding Section 1.255.380 regarding court costs for Show Me Courts.
- 14. FIRST READING BILL NO. 21-41** An Ordinance authorizing the City of Gladstone, Missouri, to issue its Taxable Industrial Development Revenue Bonds (Parkside Investors Project), Series 2021, in a Principal Amount not to exceed \$35,380,000 to finance the costs of a Project for Parkside Investors, LLC, a Missouri Limited Liability Company, consisting of constructing and improving real property; Approving a plan for an Industrial Development Project for the Company; Inviting affected Taxing Districts to submit comments to the City Council no later than December 13, 2021, for fair and due consideration by the City Council; Authorizing certain documents; and Authorizing certain other actions in connection with the issuance of the Bonds.
- 15. CONSIDER BUILDING PERMIT:** Parkside at Hobby Hill, 7510 North Oak Trafficway.
- 16. Other Business.**
- 17. Adjournment.**

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

Becky Jarrett  
City of Gladstone  
7010 North Holmes  
Gladstone, MO 64118  
816-423-4096

Posted at 1:00 pm 12/09/21



## ***Police Department Memorandum***

**DATE:** November 8, 2021

**TO:** Scott Wingerson, City Manager

**FROM:** Fred Farris, Police Chief

**RE:** Study Session – Police Department Reorganization

In September of this year I began service as the Police Chief and my evaluation of the agency, organizational practices, policy and personnel assignments. The Police Department operated at the time under the Police Field Services Division and the Support Services Division, with all PD employees falling under one of the two divisions. Prior to my arrival, certain specialized units such as the Traffic Unit and the Community Policing Unit were disbanded and the Impact Unit was created as a uniformed, proactive problem solving unit. The two full-time Administrative Sergeant positions (IT and Records/Accreditation) were eliminated and those duties will be absorbed into one new position or as collateral duties. All other assignments such as Criminal Investigations, School Resource Officer (SRO), Property & Evidence, and Animal Control were left in place.

An evaluation of the personnel and span of control within the agency, along with the vision for the future direction of the Gladstone PD has led to a change of the organizational structure (see attached). Changes worth noting include:

- The Field Services Division, renamed the Patrol Division, will be commanded by Captain Bryan Boydston. This division will essentially include all uniformed personnel assigned to patrol shifts, SRO, Animal Control and Crossing Guards.
- The Support Services Division will be commanded by Captain Karl Burris and consist of the Criminal Investigations Unit (CIU), the Impact Unit, the newly created Professional Standards and Training Section, and the newly created Administration Section.
  - The Impact Unit, led by Sgt Breedlove, will serve primarily to investigate street crime type offenses and will augment CIU with follow-up investigations, suspect location and surveillance. Additionally, the Impact Unit will coordinate our community policing efforts as we work to build stronger relationships with our apartment communities and will use data to drive our enforcement efforts.

- The Professional Standards and Training (PST) Section will be led by Sergeant Chris Smith and include the Accreditation Manager/Training Coordinator. This section will be responsible for maintaining CALEA standards, researching and enrolling staff in training, handling complaints and internal investigations, and investigating Use of Force incidents.
- The Administration Section will be supervised by a newly created civilian manager who will oversee personnel and operations of the Communications Unit, Property and Evidence, Records Unit and the VIPS program. Rob Sanderson has joined the organization and will fill that position. The manager position was created using one of the eight sergeant positions that is no longer utilized in this structure. This section will provide much needed supervision to these civilian personnel as well as accountability and structure to those operations.
- This structure is based on our current staffing levels. Once vacant positions are filled, we will evaluate the possible reintegration of other specialized units or positions. This reorganization will bring our current level of eight (8) sergeants down to seven sergeants and one civilian manager. This entire structure modification is budget neutral and matches personnel to skill sets and operational efficiency.

In addition to the organizational structure changes, a few other noticeable changes will be seen in the Police Department. The primary focus of many of the changes will be the efficient use of current resources and ensuring that we maintain operational readiness. Projects currently under evaluation or implementation include:

- Bi-annual fleet inspections in partnership with our Public Works Department conducted to ensure our vehicles maintain operational readiness and issues are identified and addressed early. **(1<sup>st</sup> inspection completed)**
- A directive that all on-duty personnel attend the emergency “lockdown drills” at all schools in our city. This allows staff to become familiar with the school layouts, personnel and practices in the event of an actual emergency. **(In progress)**
- The development of an ammunition management plan. Our ammo inventory was found to be less than adequate given the agency size. National incidents can have an immediate impact on our ability to order and receive ammo necessary to train and equip our officers. This plan will include adequate minimum inventory numbers needed to withstand supply chain shortages for an extended period of time and will be accounted for quarterly. **(In progress)**
- Restructuring of the Animal Control Unit is in progress. The vacated ACO Supervisor position will not be filled. The unit will be expanded to three full time Animal Control Officers allowing for seven day coverage and expanded weekly hours. This reorganization will be funded with the elimination of contractual cleaning services and should be cost neutral or provide a budgetary annual savings.
- The addition of citizen volunteers who have expressed previous interest in assisting with our animal shelter and the expansion of our A+ student volunteers. This will improve care and cleanliness of our facility and animals without the additional cost of employees. Once the shelter is cleaned and organized, we will review hours of operation. **(In progress)**
- One immediate initiative that will fall under the PST Sergeant will be the research and development of a Citizens Police Academy (CPA). This will be modeled after other proven CPAs from surrounding jurisdictions and is a proven outreach program that educates our

citizens and builds community support for law enforcement. A pilot class of handpicked attendees is tentatively scheduled to begin mid-February 2022.

- As a way of communicating more with victims of reported crime, form letters will be generated and sent out to notify them if cases are closed or inactivated so as to keep them apprised of their case progress. **(Implemented)**
- A proposed new vehicle graphics package that will replace the current black & white marked patrol cars with a cleaner and more cost effective graphics package (see attached). This proposed change was initiated and is unanimously supported by the officers and will result in a cost savings of several hundred dollars per vehicle during upfitting as well as provide a clean, new look for the agency. **(Awaiting council feedback/approval)**

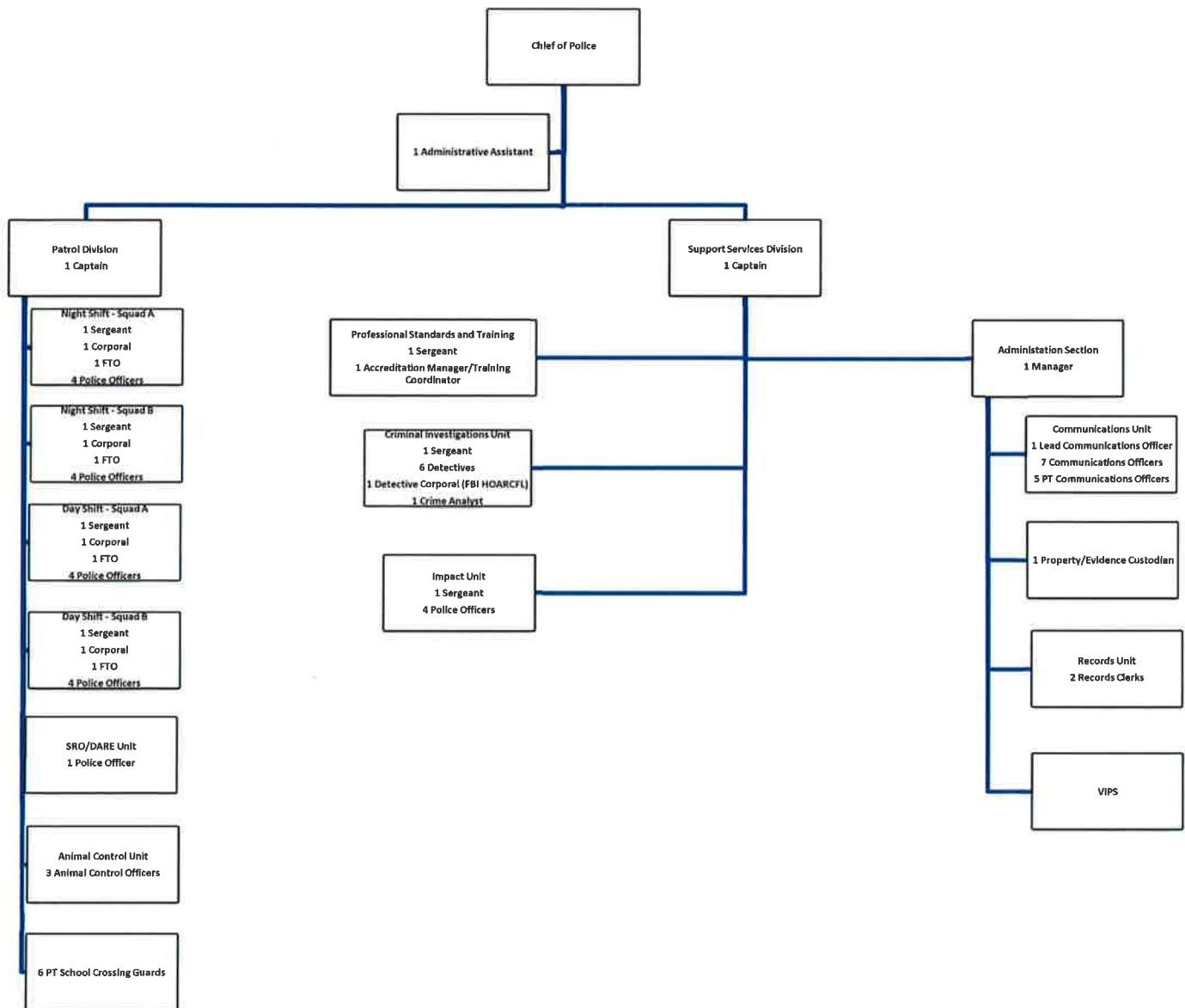
An organization this size offers challenges in how personnel are supervised and managed. The emphasis of this reorganization will focus on operating efficiently and utilizing the best people in the right positions. Collateral duties will be encouraged and serve as a means of developing employees, gauging leadership potential, and building a succession plan using identified talents of our employees at all levels of the organization.

Fortunately we began this process from a position of strength as we had outstanding people with a great deal of motivation at all levels who were anxious for change. That allows for much quicker implementation of change and a great deal has already been accomplished with the help of our incredibly committed officers and staff.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Fred J. Farris', with a long horizontal flourish extending to the right.

Fred J. Farris  
Chief of Police







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# Council Study Session December 13, 2021

Police Department Reorganization



# Evaluation

- I began service as the Police Chief in September and initiated and evaluation of policy, practices and personnel assignments/responsibilities
- PD operates under two divisions Patrol Division (Formerly Police Field Services) and Support Services each commanded by a Captain
  - Captain Bryan Boydston was promoted and commands Patrol
  - Captain Karl Burris was brought in from the outside and commands Support Services
- Span of control has been reorganized under these two divisions to meet the vision for the future direction of the agency (See attached organizational chart)

# Divisions

- The Patrol Division includes most uniformed personnel
  - Four Patrol Teams
  - School Resource Officer
  - Animal Control
  - Crossing guards
- The Support Services Division includes:
  - Criminal Investigations Unit (CIU)
  - Impact Unit
  - Professional Standards and Training Section (NEW)
  - Administration Section (NEW)



## Unit / Section Overview

- **Impact Unit** – Sgt Breedlove will lead this unit will primarily investigate street crime type offenses and augment CIU with follow-up investigations, suspect location and surveillance. They will also coordinate our community policing efforts, focusing on apartment communities and using data to drive enforcement efforts.
- **Professional Standards and Training (PST)** – This newly created section will be supervised by Sgt Smith and include the Accreditation Manager. It will be responsible for maintaining CALEA standards, researching and enrolling staff in training, investigating complaints, internal investigations and use of force incidents.

## Unit / Section Overview

- **Administration Section** – This newly created section will be supervised by Civilian Manager Rob Sanderson. His position was created by decreasing the number of sergeants by one. He will oversee personnel and operations of the Communications Unit, Property and Evidence, Records and the VIPS program.

**\*\***This structure is based on current staffing levels and future reintegration of other specialized units will be evaluated if fully staffed. The reorganization is budget neutral and matches personnel to skill sets and operational efficiency

# Notable Changes

- The primary focus of changes either implemented or under evaluation is the efficient use of current resources and maintaining operational readiness, including but not limited to:
  - Bi-annual fleet inspections in partnership with Public Works
  - All available on-duty personnel attending scheduled lockdown drills at our schools
  - Development of an ammunition management plan
  - Restructuring the Animal Control Unit / Shelter + addition of citizen volunteers
  - Research and development of a Citizens Police Academy (CPA)
  - Crime Victim Notification letters
  - Proposed new vehicle graphics package



3-C



# Conclusion

- An organization this size offers challenges in how personnel are supervised and managed. The emphasis of this reorganization will focus on operating efficiently and utilizing the best people in the right positions. Collateral duties will be encouraged and serve as a means of developing employees, gauging leadership potential, and building a succession plan using identified talents of our employees at all levels of the organization.
- Fortunately we began this process from a position of strength as we had outstanding people with a great deal of motivation at all levels who were anxious for change. That allows for much quicker implementation of change and a great deal has already been accomplished with the help of our incredibly committed officers and staff.

Questions?



***Department of Finance***  
***Memorandum***

**DATE:** December 7, 2021

**TO:** Scott Wingerson – City Manager

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

**RE:** Auditor's Presentation

With the 2021 fiscal year audit substantially complete, we have received the draft Report to the Mayor and City Council from our auditors (report to follow memo). This report satisfies the auditor's responsibility to communicate certain matters to those charged with governance. The matters include the responsibilities of the auditors with regard to the financial statements, planning, timing, and scope of the audit, along with auditor's adjustments and findings. The management representation letter is also part of the report. The letter attests to the accuracy of the financial statements that we have submitted to the auditors for their analysis.

Overall, the audit is progressing very well with minimal audit adjustments and findings. The adjustments on pages 13 and 14 are entity wide adjustments (EW). These are adjustments that convert the fund financial statements (fixed assets, long term debt, and deferred inflows or outflows are not recognized) to the Government Wide Financial Statements (resemble private sector financial statements). These adjustments are not corrections to the financials, but are necessary to show the differences between the Government Wide Financial Statements and the Governmental Fund Financial Statements.

As of December 7th, staff is working towards the final steps to complete the audit. The final Annual Comprehensive Annual Financial Report (ACFR) should be available on the City's website by the end of the month. I would like to thank and recognize Accountant Robert Daniels and the staff from BT&Co. for their exceptional work on this year's audit.

Staff from BT&Co., will present this information during the December 13<sup>th</sup> open study session. They will also discuss new reporting requirements as well as address any questions or concerns from the City Council. Should you have any questions or concerns, please contact me at your convenience.



*Certified Public Accountants*

## CITY OF GLADSTONE, MISSOURI

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Report to the Honorable Mayor and City Council  
\_\_\_\_\_, 2021



Certified Public Accountants

\_\_\_\_\_, 2021

Honorable Mayor and City Council  
City of Gladstone, Missouri  
7010 N. Holmes Street  
Gladstone, Missouri 64118

We are pleased to present this report related to our audit of the financial statements and compliance of the City of Gladstone, Missouri for the year ended June 30, 2021. This report summarizes certain matters required by professional standards to be communicated to you in your oversight responsibility for the City's financial and compliance reporting process.

This report is intended solely for the information and use of the City Council and management and is not intended to be and should not be used by anyone other than these specified parties. It will be our pleasure to respond to any questions you have about this report. We appreciate the opportunity to continue to be of service to the City.

[FIRM SIGNATURE]

4301 SW Huntoon St. Topeka, KS 66604 | t: 785.234.3427 | toll-free: 800.530.5526 | f: 785.233.1768 | w: btandco.com

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CITY OF GLADSTONE, MISSOURI  
Report to the Honorable Mayor and City Council  
\_\_\_\_\_, 2021

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## Required Communications

Generally accepted auditing standards (AU-C 260, *The Auditor's Communication with Those Charged with Governance*) require the auditor to promote effective two-way communication between the auditor and those charged with governance. Consistent with this requirement, the following summarizes our responsibilities regarding the financial statement audit as well as observations arising from our audit that are significant and relevant to your responsibility to oversee the financial reporting process.

Area	Comments
<b>Our Responsibilities with Regard to the Financial Statement Audit</b>	Our responsibilities under auditing standards generally accepted in the United States of America and <i>Government Auditing Standards</i> issued by the Comptroller General of the United States have been described to you in our arrangement letter dated June 18, 2021.
<b>Overview of the Planned Scope and Timing of the Financial Statement Audit</b>	We have issued a separate communication regarding the planned scope and timing of our audit and have discussed with you our identification of and planned audit response to significant risks of material misstatement.
<b>Accounting Policies and Practices</b>	<p><b>Preferability of Accounting Policies and Practices</b></p> <p>Under generally accepted accounting principles, in certain circumstances, management may select among alternative accounting practices. We did not discuss with management any alternative treatments within generally accepted accounting principles for accounting policies and practices related to material items during the current audit period.</p> <p><b>Adoption of, or Change in, Accounting Policies</b></p> <p>Management has the ultimate responsibility for the appropriateness of the accounting policies used by the City. The City did not adopt any significant new accounting policies nor have there been any changes in existing significant accounting policies during the current period.</p> <p><b>Significant or Unusual Transactions</b></p> <p>We did not identify any significant or unusual transactions or significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.</p>

Area	Comments
	<p><b>Management's Judgments and Accounting Estimates</b></p> <p>Accounting estimates are an integral part of the preparation of financial statements and are based upon management's current judgment. The process used by management encompasses their knowledge and experience about past and current events and certain assumptions about future events. You may wish to monitor throughout the year the process used to determine and record these accounting estimates. Summary information about the process used by management in formulating particularly sensitive accounting estimates and about our conclusions regarding the reasonableness of those estimates is in the attached "Summary of Significant Accounting Estimates."</p>
<b>Audit Adjustments</b>	<p>Audit adjustments proposed by us and recorded by the City are summarized in the attached representation letter.</p>
<b>Disagreements with Management</b>	<p>We encountered no disagreements with management over the application of significant accounting principles, the basis for management's judgments on any significant matters, the scope of the audit, or significant disclosures to be included in the financial statements.</p>
<b>Consultations with Other Accountants</b>	<p>We are not aware of any consultations management had with other accountants about accounting or auditing matters.</p>
<b>Significant Issues Discussed with Management</b>	<p>No significant issues arising from the audit were discussed with or the subject of correspondence with management.</p>
<b>Significant Difficulties Encountered in Performing the Audit</b>	<p>We did not encounter any significant difficulties in dealing with management during the audit.</p>
<b>Certain Written Communications Between Management and Our Firm</b>	<p>Copies of certain written communications between our firm and the management of the City, including the representation letter provided to us by management, are attached.</p>



# City of Gladstone, Missouri

## Summary of Significant Accounting Estimates

### Year Ended June 30, 2021

The following describes the significant accounting estimates reflected in the City's June 30, 2021 financial statements:

Estimate	Accounting Policy	Management's Estimation Process	Basis for Our Conclusions on Reasonableness of Estimate
Total OPEB liability	The total OPEB liability is computed by an independent actuarial firm. The disclosure is based upon numerous assumptions and estimates, including the expected rate of investment return, the interest rate used to determine the present value and medical care cost trend rates.	The rate of return is based on historical and general market data.	Review of information supporting the estimate resulted in our conclusion that the estimate appears reasonable.
Net pension asset	The net pension asset is computed by an independent actuarial firm hired by LAGERS.	Management of the City obtained and reviewed the GASB Statement No. 68, Employer Reporting Accounting Schedules as of June 30, 2021. Management compared the City's employer contributions as shown on these schedules to the City's actual contributions and recalculated its net pension asset.	Review of management's analysis resulted in our conclusion that the estimate appears reasonable.

BT&Co., P.A.  
4301 SW Huntoon Street  
Topeka, Kansas 66604-1659

This representation letter is provided in connection with your audit of the basic financial statements of the City of Gladstone, Missouri (the City) as of and for the year ended June 30, 2021 for the purpose of expressing an opinion on whether the financial statements are presented fairly, in all material respects in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

We confirm, to the best of our knowledge and belief, as of the date of the auditors' report, the following representations made to you during your audit.

*Financial Statements*

1. We have fulfilled our responsibilities, as set out in the terms of the audit arrangement letter dated June 18, 2021, for the preparation and fair presentation of the financial statements referred to above in accordance with U.S. GAAP.
2. We have identified for you all organizations that are a part of this reporting entity or with which we have a relationship, as these organizations are defined in Section 2100 of the Governmental Accounting Standards Board's Codification of Governmental Accounting and Financial Reporting Standards, that are component units.
3. We have identified for you all of our funds, governmental functions and identifiable business-type activities.
4. We have properly classified all funds and activities.
5. We have properly determined and reported the major governmental and enterprise funds based on the required quantitative criteria. We have determined that the Transportation Sales Tax Fund is major for public interest reasons, as it is particularly important to the financial statement users.
6. We are responsible for compliance with laws and regulations applicable to the City including adopting, approving, and amending budgets.
7. We have identified and disclosed to you all laws and regulations that have a direct and material effect on the determination of financial statement amounts including legal and contractual provisions for reporting specific activities in separate funds.
8. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

9. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
10. Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable and reflect our judgment based on our knowledge and experience about past and current events, and our assumptions about conditions we expect to exist and courses of action we expect to take.
11. Related-party transactions, including those with component units for which the City is accountable and interfund transactions, including interfund accounts and advances receivable and payable, sale and purchase transactions, interfund transfers, long-term loans, leasing arrangements, and guarantees, have been recorded in accordance with the economic substance of the transaction and appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
12. All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
13. The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.
14. The following have been properly recorded and/or disclosed in the financial statements:
  - a. Net positions and fund balance classifications.
  - b. Arrangements with financial institutions involving compensating balances or other arrangements involving restrictions on cash balances.
  - c. Security agreements in effect under the Uniform Commercial Code.
  - d. The fair value of investments.
  - e. Amounts of contractual obligations for construction and purchase of real property or equipment not included in the liabilities or encumbrances recorded on the books.
  - f. Debt issue provisions.
  - g. All leases and material amounts of rental obligations under long-term leases.
  - h. All significant estimates and material concentrations known to management which are required to be disclosed.
  - i. Risk financing activities.
  - j. Deposits and investment securities categories of risk.
  - k. The effect on the financial statements of Government Accounting Standards Board statements which has been issued, but which we have not yet adopted.
  - l. Liens or encumbrances on assets or revenues or any assets or revenues which were pledged as collateral for any liability or which were subordinated in any way.
  - m. Authorized but unissued bonds and/or notes.
15. We have no plans or intentions that may materially affect the carrying value or classification of assets or liabilities. In that regard:
  - a. The City has no significant amounts of idle property and equipment.
  - b. The City has no plans or intentions to discontinue the operations of any activities or programs or to discontinue any significant operations.
16. We are responsible for making the accounting estimates included in the financial statements. Those estimates reflect our judgment based on our knowledge and experience about past and current events and our assumptions about conditions we expect to exist and courses of action we expect to take. In that regard, adequate provisions have been made:
  - a. To reduce receivables to their estimated net collectable amounts.

- b. For pension obligations, post-retirement benefits other than pensions, and deferred compensation agreements attributable to employee services rendered through June 30, 2021.
17. There are no:
- a. Material transactions that have not been properly recorded in the accounting records underlying the financial statements.
  - b. Violations or possible violations of laws or regulations whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency. In that regard, we specifically represent that we have not been designated as, or alleged to be, a "potentially responsible party" by the Environmental Protection Agency in connection with any environmental contamination.
  - c. Other material liabilities or gain or loss contingencies that are required to be accrued or disclosed.
  - d. Guarantees, whether written or oral, under which the City is contingently liable.
  - e. Lines of credit or similar arrangements.
  - f. Agreements to repurchase assets previously sold.
  - g. Liabilities which are subordinated in any way to any other actual or possible liabilities.
  - h. Debt issue repurchase options or agreements, or sinking fund debt repurchase ordinance requirements.
  - i. Derivative financial instruments.
  - j. Special and extraordinary items.
  - k. Arbitrage rebate liabilities.
  - l. Impairments of capital assets.
18. We have no direct or indirect, legal or moral obligation for any debt of any organization, public or private, or to special assessment bond holders that is not disclosed in the financial statements.
19. The City has satisfactory title to all owned assets.
20. We have complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
21. Net positions (net investment in capital assets; restricted; and unrestricted) and fund balances are properly classified and, when applicable, approved.
22. Expenses or expenditures have been appropriately classified in or allocated to functions and programs in the statement of activities and allocations have been made on a reasonable basis.
23. Revenues have been appropriately classified in the statement of activities within program revenues and general revenues.
24. Capital assets, including infrastructure assets, are properly capitalized, reported and depreciated.
25. We agree with the findings of specialists in evaluating the total other postemployment benefit liability and the net pension asset and have adequately considered the qualifications of the specialists in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an impact on the independence or objectivity of the specialists.

26. We have no knowledge of any uncorrected misstatements in the financial statements.

*Information Provided*

27. We have provided you with:
- a. Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements such as records, documentation, and other matters;
  - b. Additional information that you have requested from us for the purpose of the audit;
  - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence; and
  - d. Minutes of the meetings of governing board and committees of board members, or summaries of actions of recent meetings for which minutes have not yet been prepared.
28. All transactions have been recorded in the accounting records and are reflected in the financial statements.
29. We have disclosed to you the results of our assessment of risk that the financial statements may be materially misstated as a result of fraud.
30. We have no knowledge of allegations of fraud or suspected fraud, affecting the entity's financial statements involving:
- a. Management.
  - b. Employees who have significant roles in the internal control.
  - c. Others where the fraud could have a material effect on the financial statements.
31. We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statements received in communications from employees, former employees, analysts, regulators, or others.
32. We have no knowledge of noncompliance or suspected noncompliance with laws and regulations.
33. We are not aware of any pending or threatened litigation and claims whose effects should be considered when preparing the financial statements.
34. We have disclosed to you the identity of the entity's related parties and all the related-party relationships and transactions of which we are aware.
35. We are aware of no significant deficiencies, including material weaknesses, in the design or operation of internal controls that could adversely affect the City's ability to record, process, summarize, and report financial data.
36. We are aware of no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
37. With respect to supplementary information presented in relation to the financial statements as a whole:
- a. We acknowledge our responsibility for the presentation of such information.
  - b. We believe such information, including its form and content, is fairly presented in accordance with U.S. GAAP.
  - c. The methods of measurement or presentation have not changed from those used in the prior period.

38. With respect to required supplementary information presented as required by the Governmental Accounting Standards Board to supplement the basic financial statements:
  - a. We acknowledge our responsibility for the presentation of such required supplementary information.
  - b. We believe such required supplementary information is measured and presented in accordance with guidelines prescribed by U.S. GAAP.
  - c. The methods of measurement or presentation have not changed from those used in the prior period.
39. During the course of your audit, you may have accumulated records containing data which should be reflected in our books and records. All such data have been so reflected. Accordingly, copies of such records in your possession are no longer needed by us.
40. With respect to the proposed adjustments to the trial balances identified during the audit and the preparation and completion of the basic financial statements and notes:
  - a. We have made all management decisions and performed all management functions;
  - b. We assigned an appropriate individual to oversee the services;
  - c. We evaluated the adequacy and results of the services performed, and made an informed judgment on the results of the services performed;
  - d. We have accepted responsibility for the results of the services; and
  - e. We have accepted responsibility for all significant judgments and decisions that were made.

### **Compliance Considerations**

In connection with your audit conducted in accordance with *Government Auditing Standards*, we confirm that management:

1. Is responsible for the preparation and fair presentation of the financial statements in accordance with the applicable financial reporting framework.
2. Is responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to the auditee.
3. Has identified and disclosed to the auditor all instances that have occurred, or are likely to have occurred, of fraud and noncompliance with provisions of laws and regulations that have a material effect on the financial statements or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance.
4. Has identified and disclosed to the auditor all instances that have occurred, or are likely to have occurred, of noncompliance with provisions of contracts and grant agreements that have a material effect on the determination of financial statement amounts.
5. Has identified and disclosed to the auditor all instances that have occurred, or are likely to have occurred, of abuse that could be quantitatively or qualitatively material to the financial statements.
6. Is responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
7. Acknowledges its responsibility for the design, implementation, and maintenance of internal controls to prevent and detect fraud.

8. Has a process to track the status of audit findings and recommendations.
9. Has identified for the auditor previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
10. Acknowledges its responsibilities as it relates to non-audit services performed by the auditor, including a statement that it assumes all management responsibilities; that it oversees the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; that it evaluates the adequacy and results of the services performed; and that it accepts responsibility for the results of the services.

Very truly yours,

CITY OF GLADSTONE, MISSOURI

\_\_\_\_\_  
Scott Wingerson, City Manager

Date Signed \_\_\_\_\_

\_\_\_\_\_  
Dominic Accurso, Director of Finance

Date Signed \_\_\_\_\_

# City of Gladstone, Missouri

Year End: June 30, 2021

## Adjusting Journal Entries

Number	Date	Name	Account Number	Debit	Credit
1	6/30/2021	Unearned Revenue		2,242,075.00	
		Fund Balance			(2,622,891.00)
		Capital Grants		380,816.00	
		Entity-wide entry to record unearned revenue for the NKCSO receivable			
2	6/30/2021	Compensated Absences			(2,708,784.00)
		Fund Balance		3,060,914.00	
		General Administration			(119,387.00)
		Finance		20,669.00	
		Public Safety			(282,815.00)
		Public Works		6,177.00	
		Community Development		18,174.00	
		Parks & Recreation		5,052.00	
		Entity-wide entry to record accrued compensated absences			
3	6/30/2021	Interest Payable			(190,269.00)
		Fund Balance		168,179.00	
		Interest Expense		22,090.00	
		Entity-wide entry to record accrued interest on debt			
4	6/30/2021	Lease Payable			(12,508,214.00)
		DNR Loan Payable			(217,232.00)
		Loan Payable			(1,261,377.00)
		Revenue Bonds Payable			(400,000.00)
		COP's Payable			(36,102,841.00)
		Premium on LT Debt			(1,708,941.00)
		Fund Balance		34,394,536.00	
		OFS - Debt Proceeds		21,627,181.00	
		Interest Expense			(23,729.00)
		Interest Expense		43.00	
		Principal			(3,799,426.00)
		Entity-wide entry to record debt			
5	6/30/2021	Land and Land Rights		9,643,512.00	
		Construction in Progress		2,366,261.00	
		Buildings		36,770,950.00	
		Improvements		16,526,507.00	
		Machinery and Equipment		11,967,429.00	
		Infrastructure		179,377,159.00	
		Accumulated Depreciation			(177,662,733.00)
		Fund Balance			(81,535,376.00)
		OFS - Sales of Capital Assets		351,059.00	
		Gain/Loss on Disposal			(13,920.00)
		General Administration		130,315.00	
		Finance		237,961.00	
		Public Safety		1,103,999.00	



Public Works	3,012,967.00	
Community Development	460,293.00	
Parks & Recreation	732,393.00	
Non-Departmental	114,150.00	
Capital Outlay		(3,582,926.00)

Entity-wide entry to record capital asset activity

6	6/30/2021	Deferred Outflows - OPEB	118,548.00	
		Deferred Inflows - OPEB		(137,776.00)
		OPEB Liability		(436,461.00)
		Fund Balance	451,993.00	
		General Administration	563.00	
		Finance	561.00	
		Public Safety	376.00	
		Public Works	793.00	
		Community Development	401.00	
		Parks & Recreation	1,002.00	
		Deferred Outflows - OPEB	501-0000-000-00-00-190100	3,767.00
		Deferred Inflows - OPEB	501-0000-000-00-00-200100	(2,602.00)
		OPEB Long-Term Liability	501-0000-000-00-00-233000	(8,616.00)
		Benefits/Health Insurance	501-0000-473-70-72-415330	2,752.00
		Benefits/Health Insurance	501-0000-473-70-73-415330	3,382.00
		Benefits/Health Insurance	501-0000-474-70-74-415330	1,317.00

Entity-wide entry to record the total OPEB liability and related deferred inflows and deferred outflows

7	6/30/2021	Deferred Outflows - Pension	316,838.00	
		Deferred Inflows - Pension		(10,407,929.00)
		LAGERS Net Pension Asset	12,436,151.00	
		Fund Balance	913,347.00	
		General Administration		(495,930.00)
		Finance		(495,278.00)
		Public Safety		(330,728.00)
		Public Works		(699,254.00)
		Community Development		(353,863.00)
		Parks & Recreation		(883,354.00)
		Deferred Outflows-Pension	501-0000-000-00-00-190000	(146,571.00)
		Deferred Inflows-Pension	501-0000-000-00-00-200000	(822,573.00)
		Long-Term Liabilities/LAGERS	501-0000-000-00-00-233100	331,070.00
		Wages & Salaries	501-0000-473-70-72-410110	(99,742.00)
		Wages & Salaries	501-0000-473-70-73-410110	(122,499.00)
		Wages & Salaries	501-0000-474-70-74-410110	(47,698.00)
		Assets/LAGERS	501-0000-000-00-00-233200	908,013.00

Entity-wide entry to record the net pension asset and related deferred inflows and deferred outflows

8	6/30/2021	General Administration	74,929.00	
		Finance	76,529.00	
		Public Safety	771,180.00	
		Public Works	101,358.00	
		Community Development	48,185.00	
		Parks & Recreation	178,063.00	
		Non-Departmental Expense		(1,250,244.00)

Entity-wide entry to allocate non-departmental expense



**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, NOVEMBER 8, 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  
Deputy City Clerk Becky Jarrett  
City Attorney John Mullane

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

**Mayor Mallams** opened the Regular City Council Meeting Monday, November 8, 2021, at 7:30 pm.

**Item No. 2. On the Agenda.** Roll Call.

Deputy City Clerk Becky Jarrett called the roll. All Councilmembers were present.

**Item No. 3. On the Agenda.** 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 October 25, 2021, Regular City Council Meeting Minutes.

**Mayor Pro Tem Garnos** moved to approve the minutes of the October 25, 2021, Regular City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilmember Moore, Mayor Pro Tem Garnos, and Mayor Mallams. (5-0)

**Item No. 6. On the Agenda.** Communications from the Audience.

There were no communications from the audience.

**Item No. 7. On the Agenda.** Communications from the City Council.

Councilmember Moore congratulated the City's newly appointed captains, Bryan Boydston and Karl Burris. She also extended her congratulations to Jason Lawson for his prize winning chili at the Cog-Wit Chili Cook-off last Friday.

Councilmember Spallo commented that if you get a chance to thank a veteran this week, to please do so. Our veterans mean so much to us in Gladstone and we appreciate everything they have done for us and for our freedoms. She also said if you have an opportunity to support the Mayor's Christmas Tree program, please contact City Hall.

Mayor Mallams announced the Mayor's Christmas Tree Lighting on Tuesday, November 23, 2021 beginning at 6:00 pm at Linden Square. There will be several school choirs performing. The three non-profit organizations selected this year are: The Northland Christmas Store, Feed Northland Kids, and Gladstone Neighbors Helping Neighbors. All three of these programs have an immense impact north of the river.

**Item No. 8. On the Agenda.** Communications from the City Manager.

City Manager Wingerson announced that City Hall will be closed on November 25th and 26th for the Thanksgiving holiday.

**REGULAR AGENDA**

**Item No. 9. On the Agenda.** **Resolution R-21-51** A Resolution authorizing the destruction of certain records in accordance with RSMO Chapter 109 and applicable State retention schedules.

Mayor Pro Tem Garnos took a moment to recognize our former City Clerk for all the work she did to straighten out our records retention and policies.

**Councilmember Spallo** moved to approve **Resolution R-21-51**. **Councilmember Moore** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilmember Moore, Mayor Pro Tem Garnos, and Mayor Mallams. (5-0)

**Item No. 10. On the Agenda.** **Resolution R-21-52** A Resolution adopting a Mission Statement, Vision Statement, and Goals for the City of Gladstone, Missouri for 2022-2023.

**Councilmember Moore** moved to approve **Resolution R-21-52**. **Mayor Pro Tem Garnos** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilmember Moore, Mayor Pro Tem Garnos, and Mayor Mallams. (5-0)

**Item No. 11. On the Agenda. Resolution R-21-53** A Resolution authorizing the City Manager to execute a Settlement Agreement and Mutual Release with North American Specialty Insurance Company for Final Payment in the amount of \$35,351.95 for work completed on the 2020 Sewer Cleaning and Televising Project SP2089.

**Councilman Frisby** moved to approve **Resolution R-21-53**. **Councilmember Moore** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilmember Moore, Mayor Pro Tem Garnos, and Mayor Mallams. (5-0)

**Item No. 12. On the Agenda. First Reading Bill No. 21-37** An Ordinance approving a Zoning Change for 7508 N. Oak Trafficway in relation to the Parkside at Hobby Hill Mixed-Use Development.

**Mayor Pro Tem Garnos** moved **Bill No. 21-37** be placed on its First Reading. **Councilmember Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilmember Moore, Mayor Pro Tem Garnos, and Mayor Mallams. (5-0). The Clerk read the Bill.

**Mayor Pro Tem Garnos** moved to accept the First Reading of **Bill No. 21-37**, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilmember Moore, Mayor Pro Tem Garnos, and Mayor Mallams. (5-0). The Clerk read the Bill.

**Mayor Pro Tem Garnos** moved to accept the Second and Final Reading of **Bill No. 21-37**, and enact the Bill as **Ordinance 4.573**. **Councilmember Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilmember Moore, Mayor Pro Tem Garnos, and Mayor Mallams. (5-0)

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

There was no other business to come before the City Council.

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

Mayor Mallams adjourned the November 8, 2021, Regular City Council meeting at 7:46 pm.

Respectfully submitted:

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Becky Jarrett, Deputy City Clerk

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

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

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Mayor R.D. Mallams

**RESOLUTION NO. R-21-54**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT AND MUTUAL RELEASE WITH NORTH AMERICAN SPECIALTY INSURANCE COMPANY FOR FINAL PAYMENT IN THE AMOUNT OF \$25,524.42 FOR WORK COMPLETED ON THE 2019 WATER MAIN REPLACEMENT PROJECT WP1986.**

**WHEREAS**, Blue Nile Contractors completed the 2019 Water Main Replacement Project in the amount of \$1,517,972.29 prior to going out of business; and

**WHEREAS**, North American Specialty Insurance Company is fulfilling the contractual obligations of Blue Nile Contractors and has requested that the City of Gladstone execute a settlement agreement and mutual release to make final payment in the amount of \$25,524.42 for work completed on the project.

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

**THAT**, the City Manager of the City of Gladstone, Missouri is hereby authorized to execute the settlement agreement and mutual release and make final payment as follows:

Revised Contract Amount:	\$ 1,517,972.29
Amount Paid to Date:	<u>1,492,447.87</u>
<b>Total Amount Due Final Pay:</b>	<b><u>\$ 25,524.42</u></b>

**FURTHER, THAT**, funds for such purpose are authorized from the Combined Waterworks and Sewerage System Fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13<sup>th</sup> DAY OF DECEMBER 2021.**

\_\_\_\_\_  
R.D. Mallams, Mayor

ATTEST:

\_\_\_\_\_  
Becky Jarrett, Deputy City Clerk



## *Request for Council Action*

RES ☒ # 21-54

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 11/10/2021

Department: Public Works

Meeting Date Requested: 12/13/2021

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

Subject: Settlement Agreement and Mutual Release, 2019 Water Main Replacement Project WP1986

Background: Blue Nile Contractors completed the 2019 Water Main Replacement Project at a cost of \$1,517,972.29 and the City of Gladstone accepted the work and authorized final payment by way of Resolution R-20-54. Prior to issuance of final payment, the City was notified that Blue Nile Contractors was no longer in business and their bonding company, North American Specialty Insurance Company (NAS), would be fulfilling their contractual obligations. The City is currently holding \$25,524.42 in retainage. Execution of this agreement will allow the City to release this final payment in care of NAS.

Budget Discussion: Funds for this contract were budgeted in the CWSS Fund.

Revised Contract Amount:	\$ 1,517,972.29
Amount Paid to Date:	<u>1,492,447.87</u>
<b>Total Amount Due Final Pay:</b>	<b><u>\$ 25,524.42</u></b>

Public/Board/Staff Input: City staff recommends that the City Council authorize the City Manager to execute the settlement agreement and mutual release and issue final payment in the amount of \$25,524.42

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

Timothy A. Nebergall  
Department Director/Administrator

City Attorney

City Manager

## SETTLEMENT AGREEMENT AND MUTUAL RELEASE

THIS SETTLEMENT AGREEMENT AND MUTUAL RELEASE ("Agreement") is made and entered into by and between City of Gladstone ("Gladstone") and North American Specialty Insurance Company ("NAS"). Gladstone and NAS are collectively referred to as the "Parties".

WHEREAS, in May 2019, Blue Nile Contractors, Inc. ("Blue Nile") submitted a bid for the 2019 Water Main Replacement – WP1986 Project in Gladstone, Missouri and subsequently entered into a Contract in the amount of \$1,018,913.49 with Gladstone, on June 27, 2019, to perform the work (the "Contract"), as more specifically set forth in the Contract;

WHEREAS, the total value of the contract was increased by change order(s) to the agreed upon amount of \$1,517,972.29;

WHEREAS, Gladstone accepted the work of Blue Nile and authorized Final Payment by way of Resolution R-20-54 on December 14, 2020;

WHEREAS, NAS issued Performance & Maintenance Bond No. 2288966 and Payment Bond No. 2288966 for Blue Nile in connection with Blue Nile's work on the Project;

WHEREAS, the Performance Bond names Blue Nile as Principal, Gladstone as the Obligee, and NAS as Surety, for purposes of bonding the Contract work, and the Payment Bond names Blue Nile as Principal for purposes of covering payment for labor, materials, equipment and services supplied under agreement with Blue Nile to or for the Project;

WHEREAS, in connection with its issuance of the Performance Bond and the Payment Bond for the Project (and other bonds issued on other projects unrelated to the Project which is the subject of this Agreement), on April 18, 2012, Blue Nile Contractors, Inc., Aman Construction, Inc., Yana properties, LLC, Henok Tekeste and Radiy Hassen, ("Indemnitors") signed a General Indemnity Agreement ("GIA") with NAS, pursuant to which the Indemnitors have certain obligations, rights and duties to NAS all as specifically set out in the GIA;

WHEREAS, on February 4, 2021, Gladstone advised NAS, through its counsel, The Law Offices of T. Scott Leo, PC, that the work on the Project was 100% complete and that it was holding \$25,524.42 in Contract funds still owed to Blue Nile for the retainage on the work performed at the Project;

WHEREAS, Gladstone has further advised NAS that it is the City's intent to pay over to NAS the \$25,524.42 owed to Blue Nile;

WHEREAS the Parties desire to memorialize their agreements concerning the City's payment of the Contract funds still owed of \$25,524.42, as more specifically set forth in this Agreement.

NOW THEREFORE, in consideration of the promises, payments, mutual covenants, rights, obligations and releases contained herein, the sufficiency and receipt of which are hereby acknowledged, the Parties further agree as follows:

1. **Scope of Work.** As of the date of this Agreement, Blue Nile has completed 100% of the work required by the Contract documents and has been paid by Gladstone all but \$25,524.42 that Blue Nile is owed as retainage for having performed that work.

2. **Payment of Blue Nile Remaining Contract Funds.** Gladstone agrees to pay the \$25,524.42 in remaining Contract funds that are still owed for Blue Nile's work on the Project in care of NAS, as follows:

**Mailing Instructions for Checks:**

Moody's CPA'S & CFE'S, Inc.

Attn: Bob Moody

14510 Long Avenue

Midlothian, IL 60445

Or via wire as follows:

**Instructions for Wires:**

Bank Name:	Fifth Third Bank
Bank Address:	15330 S. Harlem Ave., Orland Park, Illinois
Phone Number:	866-475-0729
Swift Code:	FTBCUS3C
Incoming Routing No.:	042000314
Account No:	7241200810

3. **Release by NAS of Gladstone for Remaining Contract Funds.** Effective upon Moody's receipt of the \$25,524.42 in remaining Contract funds in strict accordance with the instructions provided in Paragraph 2 above, NAS and its employees, servants, agents, representatives, insurers, officers, directors, lenders, parents, sisters, sureties, successors and assigns shall release Gladstone and its councilmen/councilwomen, lawyers, employees, servants, agents, contractors, and insurers from any and all past or present claims, causes of action, or demands for payment of sums owed for the work performed by Blue Nile under the Contract.

4. **No Third-Party Claim Assignment.** Gladstone hereby expressly represents and warrants that its Claims herein released have never been assigned and that no person, firm, or corporation other than the releasing party has any interest therein.

5. **Binding Effect/No Third-Party Beneficiary.** The Parties agree and acknowledge that this Agreement shall bind the Parties to this Agreement and also their respective assigns, shareholders, officers, members, managers, heirs, councilmen and councilwomen, directors,



attorneys, servants, insurers, subsidiaries, divisions, affiliates, employees, agents, representatives, insurance carriers, predecessors, successors-in-interest, and related entities and shall inure to the benefit of the Parties released and their respective assigns, shareholders, officers, members, managers, heirs, devisees, directors, attorneys, servants, insurers, subsidiaries, divisions, affiliates, employees, agents, representatives, insurance carriers, predecessors, successors-in-interest, and related entities. However, the Indemnitors are not a third-party beneficiary of this Agreement; and nor is any person or entity a third-party beneficiary to this Agreement, other than the Parties to this Agreement.

6. **Reliance.** The Parties acknowledge and warrant that NAS has relied upon the statements of Gladstone that it owes no more than \$25,524.42 for the work performed by Blue Nile on the Project, and that all prior payments owed to Blue Nile have been made by Gladstone. Except as stated herein, no promises or inducements have been made or offered by the Parties for this Agreement and that this Agreement is executed by the Parties without reliance upon any other statements or representations made by these parties concerning the nature or merits of any claims that they might have had against each other. The Parties assume the risk that the facts or law may be otherwise than the Parties believe, except as represented and warranted herein by Gladstone and NAS.

7. **Modification and Waiver.** No modification or waiver of any provision of this Agreement nor consent to any departure therefrom, shall in any event be effective, unless the same shall be in writing and signed by the party to be charged therewith and then such modification, waiver or consent shall be effective only in the specific instance and for the specific purpose for which given.

8. **Counterparts.** This Agreement may be executed in any number of counterparts and by different Parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and each of which shall constitute but one and the same Agreement. Electronic signatures shall be deemed originals.

9. **Construction.** This Agreement has been arrived at based on the attorney of each Party advising such Party. The language of this Agreement is a product of the mutual effort of the Parties. This Agreement shall be construed fairly as to all Parties; it shall not be construed for or against any party on the basis or the extent to which that party participated.

10. **Severability.** In the event that any one or more of the provision or parts of a provision contained in the Agreement shall, for any reason, be held to be invalid, illegal or unenforceable in any respect, in any jurisdiction, such invalidity, illegality or unenforceability shall not affect any other provisions or part of a provision of this Agreement, but this Agreement shall be reformed and construed in any such jurisdiction as if such invalid or illegal or unenforceable provision or part of a provision had never been contained herein, and such provision or part shall be reformed so it would be valid, legal and enforceable to the maximum extent permitted in such jurisdiction.

11. **Future Cooperation.** Gladstone agrees to fully cooperate, to execute any and all supplementary documents (including additional assignments, etc. if needed), and to take all additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement which are not inconsistent with its terms. Further, Gladstone agrees to produce documents and to make itself and its employees, agents, consultants, representatives and assigns reasonably available to NAS, upon reasonable request, with respect to any matters (including pending or future litigation) involving the Project or Blue Nile's work (or the amounts paid for Blue Nile's work) at the Project. NAS agrees to fulfill all contractual obligations of Blue Nile as outlined in the contract including warranty of the work against faulty materials or poor workmanship during the period of two (2) years after the City's acceptance of work which was December 14, 2020.

12. **Entire Agreement.** The Parties state that this Agreement contains the entire agreement between the Parties, and there are no other oral, written, express or implied promises, agreements, representations or inducements not specified in this Agreement. The Parties also agree that all of the terms of this Agreement are contractual and not a mere recital.

13. **Governing Law.** This Agreement shall be interpreted in accordance with and governed by the laws of the State of Missouri, without giving effect to conflicts of law principles.

14. **Authority to Execute.** Each individual executing this Agreement on behalf of a party hereto represents and warrants that all actions necessary to authorize its execution on behalf of that party have been duly performed; that such individual has authority to execute this Agreement on behalf of such party; and that such party shall be legally bound hereby. NAS has the full authority to sign this Agreement on behalf of Blue Nile pursuant to its rights under the GIA, should it decide to do so.

15. **Recitals and Captions.** The introductory factual recitals of this Agreement are an integral part hereof. The captions of the paragraphs of this Agreement are for convenience only, and shall not be construed as impacting the covenants, conditions, terms and provisions hereof.

IN WITNESS WHEREOF, the Parties have subscribed their names on the day and year written below.

[SIGNATURE PAGES TO FOLLOW]

**CITY OF GLADSTONE**

By: \_\_\_\_\_

Scott Wingerson

City Manager

STATE OF )  
 ) SS.  
COUNTY OF )

On this \_\_\_\_\_ day of November, 2021, before me, the undersigned, a Notary Public within and for said County and State, personally appeared \_\_\_\_\_, to me personally known who being by me duly sworn, did say that he/she is the \_\_\_\_\_ of City of Gladstone, and that he/she has been and is duly authorized to execute this Agreement on its behalf.

IN TESTIMONY WHEREOF, I have unto set my hand and affixed my Notarial Seal the day and year in this certificate last above written.

\_\_\_\_\_  
Notary Public

My Commission Expires:

**NORTH AMERICAN SPECIALTY  
INSURANCE COMPANY**

By: Marcelo Virgili

Name (Printed): Marcelo Virgili

Title: Vice President

**NORTH AMERICAN SPECIALTY  
INSURANCE COMPANY**

By: Ken Mastny

Name (Printed): Ken Mastny

Title: Vice President

**RESOLUTION NO. R-21-55**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH MEGAKC CORPORATION, IN THE TOTAL AMOUNT NOT TO EXCEED \$281,250.00 FOR THE CARRIAGE COMMONS DRAINAGE IMPROVEMENTS PROJECT CP2132 PENDING CONCURRENCE FROM THE MISSOURI DEPARTMENT OF NATURAL RESOURCES.**

WHEREAS, one proposal was received for the Carriage Commons Drainage Improvements Project CP2132, and that proposal of MEGAKC Corporation, in the amount of \$281,250.00 has been determined by the Director of Public Works to be a fair proposal.

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to execute a contract with MEGAKC Corporation for work as outlined in the contract for a total amount not to exceed \$281,250.00.

FURTHER, THAT, funds for such purpose are authorized from the Capital Improvements Sales Tax Fund and the Missouri Department of Natural Resources Stormwater Grant Program.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13<sup>th</sup> DAY OF DECEMBER 2021.**

---

R.D. Mallams, Mayor

ATTEST:

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Becky Jarrett, Deputy City Clerk



## *Request for Council Action*

RES ☒ # 21-55

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 12/2/2021

Department: Public Works

Meeting Date Requested: 12/13/2021

Public Hearing: Yes ☐ Date:

Subject: Contract Award, Project CP2132 – Carriage Commons Drainage Improvements

Background:

The above referenced project was advertised for bids on October 17, 2021, and bids were opened on November 16, 2021 for two bid sections and a bid alternate to maximize the amount of work performed within the City's budget. MegaKC Corporation was the only contractor to bid on the project as summarized below:

- Bid Section 1	\$281,250.00
- Bid Section 2	\$21,200.00
- Bid Alternate 1	\$33,000.00

Bid Section 1 consists of constructing a top over an existing concrete channel (see attached picture) as detailed in the approved plans submitted to DNR and placement of fill dirt to remove several homes from the floodplain. Bid Section 2 added a small berm in the vicinity of another property and can be delayed to a future date.

Budget Discussion: Funds are budgeted in the amount of \$255,000 from the CIST Fund which includes a \$55,000 contribution from the Missouri Department of Natural Resources Stormwater Grant Program. An additional \$30,000 can be made available from funds balance. City staff has met with the contractor to review value engineering options for the project including supplying clean fill dirt from the construction of Parkside at Hobby Hill. A change order deduct in the amount of \$21,250 will be executed at a future date if the timing works out.

Public/Board/Staff Input:

MegaKC Corporation is a company based in North Kansas City, MO, and has been in business for 29 years. They have completed projects for the City in the past including the Shoal Creek Trail Segment 5 Project. Staff recommends awarding Bid Section 1 in the amount of \$281,250.00 to MegaKC pending Missouri Department of Natural Resources concurrence.

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

Timothy A. Nebergall



**Construct Concrete Top**

**RESOLUTION NO. 21-56**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT  
WITH SPECTRUM ENTERPRISE FOR FIBER INTERNET SERVICE.**

**WHEREAS**, staff has evaluated its current fiber internet service and recommends the City upgrade the speeds of its fiber internet service to 500 Mbps.

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

**THAT**, the City Manager of the City of Gladstone, Missouri, is hereby authorized to execute the Spectrum Enterprise Service Agreement attached hereto as Exhibit A.

**THAT**, the City Manager of the City of Gladstone, Missouri, is hereby authorized to execute the Spectrum Enterprise Service Order, subject to Spectrum Enterprise's agreement to the Service Agreement attached as Exhibit A.

**INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY  
OF GLADSTONE, MISSOURI THIS 13<sup>th</sup> DAY OF DECEMBER 2021.**

ATTEST:

\_\_\_\_\_  
R.D. Mallams, Mayor

\_\_\_\_\_  
Becky Jarrett, Deputy City Clerk





## *Request for Council Action*

RES ☒ # 21-56

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 12/6/2021

Department: Finance

Meeting Date Requested: 12/13/2021

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

Subject: Changes to Spectrum Contract

Background: For several years, the internet service provided to City Hall has been through Spectrum. Recently, the City implemented a new Computer Aided Dispatch (CAD) system with the City of Excelsior Springs. Since implementation, the main server has been moved to Gladstone due to more reliable internet connection. Other entities are in the process of, or are considering forming a partnership with the City to use the same system and equipment. With the increased amount of communication over the City's internet, staff is recommending increasing internet speed at City Hall from 100 Mbps to 500 Mbps. The increase in speed will give the City the capacity to share the resources of the CAD system and move a step closer to making a co-located dispatch center possible. The cost of upgrading the internet speed will be an additional \$600 per month. The increase in cost will be partially offset by savings in support cost for the CAD system (support costs for the CAD system are split between entities) and other cost savings created by the City's IT Department.

Budget Discussion: Funds are budgeted in the amount of \$ 10,800 from the General Fund. Ongoing costs are estimated to be \$ 18,000 annually. Previous years' funding was \$9,510

Public/Board/Staff Input: Contracts, and Resolution to follow  
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Dominic Accurso  
Department Director/Administrator

City Attorney

City Manager

# SPECTRUM ENTERPRISE SERVICE AGREEMENT

The customer identified below ("Customer") hereby acknowledges and agrees to the Commercial Terms of Service available at <https://enterprise.spectrum.com/> ("Terms of Service"), which are incorporated herein by this reference, with respect to any service order(s) placed by Customer and accepted by Spectrum hereafter (each, a "Service Order"), which together with this agreement constitute the "Service Agreement" by and between the Customer and Charter Communications Operating, LLC on behalf of those operating subsidiaries providing the service(s) hereunder ("Spectrum").

## Spectrum Contact Information

Spectrum Enterprise 12405 Powerscourt Drive St. Louis, MO 63131	Contact: Telephone: Facsimile:
---	--------------------------------------

## Customer Information

Customer Name (Exact Legal Name):				
Street Address:	Suite:	City:	State:	Zip Code:
Customer's Main Tel. No.:		Fax. No.:		
Customer Contact Name:	Tel.No.:		E-mail:	
Billing Address:	Suite:	City:	State:	Zip Code:
Billing Contact Name:	Tel.No.:		E-mail:	

BY EXECUTING THIS SERVICE AGREEMENT BELOW, CUSTOMER ACKNOWLEDGES THAT: (1) CUSTOMER ACCEPTS AND AGREES TO BE BOUND BY THE TERMS OF SERVICE, INCLUDING THE ARBITRATION SECTION THEREOF, WHICH PROVIDES THAT THE PARTIES DESIRE TO RESOLVE ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO THE SERVICE AGREEMENT THROUGH ARBITRATION; AND (2) BY AGREEING TO ARBITRATION, CUSTOMER IS GIVING UP VARIOUS RIGHTS, INCLUDING THE RIGHT TO TRIAL BY JURY.

The Parties agree to amend the Terms of Service as follows:

- Indemnification. Section 15 is amended by adding the following: **Nothing in this Section shall be seen or interpreted to waive the Customer's sovereign immunity.**
- Proprietary Rights And Confidentiality. Section 19 (b) Confidentiality first sentence is amended as follows: Customer agrees to maintain in confidence, and not to disclose to third parties or use, **except for such use as is expressly permitted herein or by applicable law, including, but not limited to, the Missouri Open Meeting and Records Act Section 610.010 et seq., RSMO.**
- Miscellaneous. Section 22 (g) Governing Law; Claims Limitation; Waiver of Jury Trial has been amended with the following:

The law of the state of **Missouri** shall govern the construction, interpretation, and performance of this Service Agreement, except that any conflicts-of-law principles of such state that would result in the application of the law of another jurisdiction shall be disregarded. Any legal action brought under or in connection with the subject matter of the Service Agreement shall be brought only in the United States District Court for the **Western** District of **Missouri** or, if such court would not have jurisdiction over the matter, then only in a **Missouri** State court sitting in **Clay County, Missouri**. Each party submits to the exclusive jurisdiction of these courts and agrees not to commence any legal action under or in connection with the subject matter of the Service Agreement in any other court or forum. Each Party waives any objection to the laying of the venue of any legal action brought under or in connection with the subject matter of the Service Agreement in the Federal or state courts sitting in the **Western District of Missouri or Clay County**, and agrees not to plead or claim in such courts that any such action has been brought in an inconvenient forum. Except as otherwise specified in Section 7(e), any claim that Customer wishes to assert under the Service Agreement must be initiated not later than one (1) year after the claim arose.

IN ANY AND ALL CONTROVERSIES OR CLAIMS ARISING OUT OF OR RELATING TO THIS SERVICE AGREEMENT, ITS NEGOTIATION, ENFORCEABILITY OR VALIDITY, OR THE PERFORMANCE OR BREACH THEREOF OR THE RELATIONSHIPS ESTABLISHED HEREUNDER, CUSTOMER AND SPECTRUM EACH HEREBY WAIVES ITS RIGHT, IF ANY, TO TRIAL BY JURY.

By signing below, the signatory represents they are duly authorized to execute this Service Agreement.

Authorized Signature for Customer	Charter Communications Operating, LLC By: Charter Communications, Inc., its Manager
By:	By:
Name:	Name:
Title:	Title:
Date:	Date:

## SERVICE ORDER

THIS SERVICE ORDER ("Service Order"), is executed and effective upon the date of the signature set forth in the signature block below ("Effective Date") and is by and between Charter Communications Operating, LLC on behalf of those operating subsidiaries providing the Service(s) hereunder ("Spectrum") and Customer (as shown below) and is governed by and subject to the Spectrum Enterprise Commercial Terms of Service agreement mutually executed by the parties (each, as appropriate, a "Service Agreement"). Except as specifically modified herein, all other terms and conditions of the Service Agreement shall remain unamended and in full force and effect.

### Spectrum Enterprise Contact Information

Spectrum Enterprise  
12405 Powerscourt Drive  
St. Louis, MO 63131

Contact: Gina Calhoon  
Telephone: 9136434251  
Email: gina.calhoon@charter.com

### Customer Information

Customer Name  
CITY OF GLADSTONE

Order #  
12786316

Address  
7010 N HOLMES ST KANSAS CITY MO 64118

Telephone  
(816) 423-4134

Email:  
johnb@gladstone.mo.us

Contact Name  
John Beadles

Telephone  
(816) 423-4134

Email:  
johnb@gladstone.mo.us

Billing Address  
7010 N HOLMES ST KANSAS CITY MO 64118

Billing Contact Name  
John Beadles

Telephone  
(816) 423-4134

Email:  
johnb@gladstone.mo.us

### NEW AND REVISED SERVICES AT 7010 N Holmes St , Kansas City MO 64118

Service Description	Contract Term	Quantity	Sales Price	Monthly Recurring Charges
29 Static IP	36 Months	1	\$ 80.00	\$ 80.00
Fiber Internet 500Mbps	36 Months	1	\$1,399.00	\$1,399.00
<b>TOTAL*</b>				<b>\$1,479.00</b>

- 1. **TOTAL FEES.** TOTAL MONTHLY RECURRING CHARGES AND TOTAL ONE-TIME CHARGES ARE DUE IN ACCORDANCE WITH THE MONTHLY INVOICE.
- 2. **TAXES.** PRICES FOR SERVICES DO NOT INCLUDE TAXES, SURCHARGES, OR OTHER FEES.
- 3. **SPECIAL TERMS.**

The Parties have caused their duly authorized representatives to execute this Service Order.

Authorized Signature for Customer	Charter Communications Operating, LLC By: Charter Communications, Inc., its Manager
By:	By:
Name:	Name:
Title:	Title:
Date:	Date:

**RESOLUTION R-21-57**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT FOR ACQUISITION AND DISPOSAL OF VEHICLES**

**WHEREAS**, the City desires to re-engage the expertise of Enterprise Fleet Management to assist the City in fleet management (analysis, purchase, and disposal).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY 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 contract with Enterprise Fleet Management for the leasing of certain vehicles for a total amount of \$58,500.00.

**FURTHER, THAT**, funds for such purpose are authorized from the General Fund and the Combined Waterworks and Sewerage System Funds Budget.

**INTRODUCED, READ, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 13<sup>TH</sup> DAY OF DECEMBER 2021.**

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R.D. Mallams, Mayor

ATTEST:

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Becky Jarrett, Deputy City Clerk



## *Request for Council Action*

RES ☒ # 21-57

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 12/3/2021

Department: Finance

Meeting Date Requested: 12/13/2021

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

Subject: Enterprise Fleet Leasing

Background: During the 2021 fiscal year, staff presented the idea of leasing seven vehicles through Enterprise Fleet Management. Using the market expertise of Enterprise Fleet Management, the City would enter into an agreement for an open-ended lease, use the vehicles for a period of time, then the vehicles would be sold by Enterprise at an optimal time for the best return on investment. This program could potentially save the City money in fleet maintenance and provide staff with safer more reliable vehicles. In conversations with Enterprise, the City should order new vehicles as soon as possible as ordering windows are closing and wait times for delivery can be up to six months. Staff will be able to analyze the results after the first round of leased vehicles are sold near the end of the 2022 fiscal year. During the 2022 budget discussions, staff did allow budget to replace the seven vehicles (three for Code Enforcement, two for Public Works, and two for Water). After consideration, staff is recommending adding two additional vehicles to replace two 2009 Ford Escapes for the Parks, Recreation, and Cultural Arts Director and the Fire Marshall (additional budget will be added during the midyear review if the City Council approves) for a total of nine vehicles. The vehicle that has been suggested by Enterprise Fleet Management is a 2022 Ford XL SuperCab four-wheel drive truck.

Budget Discussion: Funds are budgeted in the amount of \$ 58,500 from the General and CWSS Funds. Ongoing costs are estimated to be \$ 62,000 annually. Previous years' funding was \$45,000

Public/Board/Staff Input: Memo, contracts, and ordinance to follow  
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Dominic Accurso  
Department Director/Administrator

City Attorney

City Manager

Prepared For: City of Gladstone  
Nebergall, TimDate 11/02/2021  
AE/AM B1S/TMD

## Unit #

Year 2022 Make Ford Model F-150

Series XL 4x4 SuperCab 6.5 ft. box 145 in. WB

Vehicle Order Type Ordered Term 12 State MO Customer# 489622

\$ 30,070.00	Capitalized Price of Vehicle <sup>1</sup>
\$ 0.00 *	License and Certain Other Charges State <u>MO</u>
\$ 84.50 *	Initial License Fee
\$ 0.00	Registration Fee
\$ 260.00	Other: (See Page 2)
\$ 0.00	Capitalized Price Reduction
\$ 0.00	Tax on Capitalized Price Reduction
\$ 0.00	Gain Applied From Prior Unit
\$ 0.00 *	Tax on Gain On Prior
\$ 0.00 *	Security Deposit
\$ 0.00 *	Tax on Incentive ( Taxable Incentive Total : \$0.00 )

\$ 30,330.00	Total Capitalized Amount (Delivered Price)
\$ 409.46	Depreciation Reserve @ <u>1.3500%</u>
\$ 131.19	Monthly Lease Charge (Based on Interest Rate - Subject to a Floor) <sup>2</sup>

**\$ 540.65 Total Monthly Rental Excluding Additional Services****Additional Fleet Management**

Master Policy Enrollment Fees

\$ 0.00	Commercial Automobile Liability Enrollment
	Liability Limit <u>\$0.00</u>

\$ 0.00	Physical Damage Management
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\$ 0.00	Full Maintenance Program <sup>3</sup> Contract Miles <u>0</u>
	Incl: # Brake Sets (1 set = 1 Axle) <u>0</u>

**\$ 0.00 Additional Services SubTotal**

\$ 0.00	Use Tax <u>0.0000%</u>
---------	------------------------

State

**\$ 540.65 Total Monthly Rental Including Additional Services**

\$ 25,416.48	Reduced Book Value at <u>12</u> Months
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\$ 400.00	Service Charge Due at Lease Termination
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All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

## Order Information

## Driver Name

Exterior Color Oxford White

Interior Color Black w/Medium Dark Slate w/Cloth 40/20/40 Fr

Lic. Plate Type Government

GVWR 0

Comp/Coll Deductible 0 / 0OverMileage Charge \$ 0.00 Per Mile# Tires 0

Loaner Vehicle Not Included

Quote based on estimated annual mileage of 10,000

(Current market and vehicle conditions may also affect value of vehicle)

(Quote is Subject to Customer's Credit Approval)

## Notes

Enterprise FM Trust will be the owner of the vehicle covered by this Quote. Enterprise FM Trust (not Enterprise Fleet Management) will be the Lessor of such vehicle under the Master Open - End (Equity) Lease Agreement and shall have all rights and obligations of the Lessor under the Master Open - End (Equity) Lease Agreement with respect to such vehicle. Lessee must maintain insurance coverage on the vehicle as set forth in Section 11 of the Master Open-End (Equity) Lease Agreement until the vehicle is sold.

**ALL TAX AND LICENSE FEES TO BE BILLED TO LESSEE AS THEY OCCUR.**

Lessee hereby authorizes this vehicle order, agrees to lease the vehicle on the terms set forth herein and in the Master Equity Lease Agreement and agrees that Lessor shall have the right to collect damages in the event Lessee fails or refuses to accept delivery of the ordered vehicle. Lessee certifies that it intends that more than 50% of the use of the vehicle is to be in a trade or business of the Lessee.

LESSEE City of Gladstone

BY

TITLE

DATE

\* INDICATES ITEMS TO BE BILLED ON DELIVERY.

<sup>1</sup> Capitalized Price of Vehicle May be Adjusted to Reflect Final Manufacturer's Invoice. Lessee Hereby Assigns to Lessor any Manufacturer Rebates And/Or Manufacturer Incentives Intended for the Lessee, Which Rebates And/Or Incentives Have Been Used By Lessor to Reduce the Capitalized Price of the Vehicle.

<sup>2</sup> Monthly Lease Charge Will Be Adjusted to Reflect the Interest Rate on the Delivery Date (Subject to a Floor).

<sup>3</sup> The inclusion herein of references to maintenance fees/services are solely for the administrative convenience of Lessee. Notwithstanding the inclusion of such references in this [Invoice/Schedule/Quote], all such maintenance services are to be performed by Enterprise Fleet Management, Inc., and all such maintenance fees are payable by Lessee solely for the account of Enterprise Fleet Management, Inc., pursuant to that certain separate [Maintenance Agreement] entered into by and between Lessee and Enterprise Fleet Management, Inc.; provided that such maintenance fees are being billed by Enterprise FM Trust, and are payable at the direction of Enterprise FM Trust, solely as an authorized agent for collection on behalf of Enterprise Fleet Management, Inc.



**Other Totals**

Description	(B)illed or (C)apped	Price
Initial Administration Fee	C	\$ 60.00
Courtesy Delivery Fee	C	\$ 200.00
<b>Total Other Charges Billed</b>		<b>\$ 0.00</b>
<b>Total Other Charges Capitalized</b>		<b>\$ 260.00</b>
<b>Other Charges Total</b>		<b>\$ 260.00</b>

**VEHICLE INFORMATION:**

2022 Ford F-150 XL 4x4 SuperCab 6.5 ft. box 145 in. WB - US

Series ID: X1E

**Pricing Summary:**

	INVOICE	MSRP
Base Vehicle	\$35,483	\$37,155.00
Total Options	\$4,061.00	\$4,460.00
Destination Charge	\$1,695.00	\$1,695.00
<b>Total Price</b>	<b>\$41,239.00</b>	<b>\$43,310.00</b>

**SELECTED COLOR:**

Exterior: YZ-Oxford White

Interior: CS-Black w/Medium Dark Slate w/Cloth 40/20/40 Front Seat

**SELECTED OPTIONS:**

CODE	DESCRIPTION	INVOICE	MSRP
101A	Equipment Group 101A High	\$1,393.00	\$1,530.00
145WB	145" Wheelbase	STD	STD
153	Front License Plate Bracket	NC	NC
18B	Black Platform Running Boards	\$228.00	\$250.00
425	50 State Emissions	NC	NC
44G	Transmission: Electronic 10-Speed Automatic	Included	Included
50S	Cruise Control	Included	Included
53A	Trailer Tow Package	\$992.00	\$1,090.00
53B	Class IV Trailer Hitch Receiver	Included	Included
61X91K	MyKey	Included	Included
64C	Wheels: 17" Silver Steel	Included	Included
67T	Integrated Trailer Brake Controller	Included	Included
76R	Reverse Sensing System	Included	Included
85A	XL Power Equipment Group	Included	Included
85AGTE	Power Tailgate Lock	Included	Included
85AILL	Illuminated Entry	Included	Included
85AMIR	Power Glass Sideview Mirrors w/Black Skull Caps	Included	Included
85APAL	Perimeter Alarm	Included	Included
85APLK	Power Door Locks	Included	Included
85APWN	Power Front & Rear Windows	Included	Included
96W	Tough Bed Spray-In Bedliner	\$542.00	\$595.00
96X	Hard Folding Tonneau Pickup Box Cover	\$906.00	\$995.00
99B	Engine: 3.3L V6 PFDI	Included	Included
C	Cloth 40/20/40 Front Seat	Included	Included
CS_01	Black w/Medium Dark Slate w/Cloth 40/20/40 Front Seat	NC	NC
PAINT	Monotone Paint Application	STD	STD
PTBA	Pro Trailer Backup Assist	Included	Included
STDGV	GVWR: 6,480 lbs Payload Package	Included	Included
STDRD	Radio: AM/FM Stereo w/6 Speakers	Included	Included
STDTR	Tires: 265/70R17 BSW A/T	Included	Included
SYNC	SYNC 4	Included	Included
X26	3.73 Axle Ratio	Included	Included
YZ_01	Oxford White	NC	NC

## **CONFIGURED FEATURES:**

### Body Exterior Features:

Number Of Doors: 4  
Rear Driver Door: reverse opening rear passenger doors  
Rear Cargo Door Type: tailgate  
Driver And Passenger Mirror: power remote heated manual folding side-view door mirrors  
Convex Driver Mirror: convex driver and passenger mirror  
Running Boards: running boards  
Door Handles: black  
Front And Rear Bumpers: black front and rear bumpers with body-coloured rub strip  
Rear Step Bumper: rear step bumper  
Front Tow Hooks: 2 front tow hooks  
Front License Plate Bracket: front license plate bracket  
Bed Liner: bed liner  
Box Style: regular  
Tonneau Cover: hard tonneau cover  
Body Material: aluminum body material  
: class IV trailering with harness, hitch, brake controller  
Grille: black grille

### Convenience Features:

Air Conditioning: manual air conditioning  
Cruise Control: cruise control with steering wheel controls  
Power Windows: power windows with driver and passenger 1-touch down  
Remote Keyless Entry: keyfob (front doors) remote keyless entry  
Illuminated Entry: illuminated entry  
Integrated Key Remote: integrated key/remote  
Auto Locking: auto-locking doors  
Remote Engine Start: remote engine start - smart device only  
Steering Wheel: steering wheel with manual tilting, manual telescoping  
Day-Night Rearview Mirror: day-night rearview mirror  
Emergency SOS: SYNC 4 911 Assist emergency communication system  
Front Cupholder: front and rear cupholders  
Overhead Console: full overhead console with storage  
Glove Box: locking glove box  
Driver Door Bin: driver and passenger door bins  
Rear Door Bins: rear door bins  
Dashboard Storage: dashboard storage  
IP Storage: bin instrument-panel storage  
Retained Accessory Power: retained accessory power  
Power Accessory Outlet: 1 12V DC power outlet

### Entertainment Features:

radio: AM/FM stereo with seek-scan  
Radio Data System: radio data system  
Voice Activated Radio: voice activated radio  
Speed Sensitive Volume: speed-sensitive volume  
Steering Wheel Radio Controls: steering-wheel mounted audio controls  
Speakers: 6 speakers  
Internet Access: FordPass Connect 4G internet access  
1st Row LCD: 2 1st row LCD monitor  
Wireless Connectivity: wireless phone connectivity  
Antenna: fixed antenna

### Lighting, Visibility and Instrumentation Features:

Headlamp Type: delay-off aero-composite halogen headlamps  
Auto-Dimming Headlights: Ford Co-Pilot360 - Auto High Beam auto high-beam headlights  
Cab Clearance Lights: cargo bed light  
Front Wipers: variable intermittent wipers  
Tinted Windows: light-tinted windows

Dome Light: dome light with fade  
 Front Reading Lights: front reading lights  
 Variable IP Lighting: variable instrument panel lighting  
 Display Type: analog appearance  
 Tachometer: tachometer  
 Voltmeter: voltmeter  
 Compass: compass  
 Exterior Temp: outside-temperature display  
 Low Tire Pressure Warning: tire specific low-tire-pressure warning  
 Park Distance Control: Reverse Sensing System rear parking sensors  
 Trip Odometer: trip odometer  
 Lane Departure Warning: lane departure  
 Front Pedestrian Braking: pedestrian detection  
 Forward Collision Alert: forward collision  
 Oil Pressure Gauge: oil pressure gauge  
 Water Temp Gauge: water temp. gauge  
 Transmission Oil Temp Gauge: transmission oil temp. gauge  
 Clock: in-radio display clock  
 Rear Vision Camera: rear vision camera  
 Oil Pressure Warning: oil-pressure warning  
 Water Temp Warning: water-temp. warning  
 Battery Warning: battery warning  
 Lights On Warning: lights-on warning  
 Key in Ignition Warning: key-in-ignition warning  
 Low Fuel Warning: low-fuel warning  
 Door Ajar Warning: door-ajar warning  
 Brake Fluid Warning: brake-fluid warning

#### Safety And Security:

ABS four-wheel ABS brakes  
 Number of ABS Channels: 4 ABS channels  
 Brake Assistance: brake assist  
 Brake Type: four-wheel disc brakes  
 Vented Disc Brakes: front and rear ventilated disc brakes  
 Daytime Running Lights: daytime running lights  
 Spare Tire Type: full-size spare tire  
 Spare Tire Mount: underbody mounted spare tire w/crankdown  
 Driver Front Impact Airbag: driver and passenger front-impact airbags  
 Driver Side Airbag: seat-mounted driver and passenger side-impact airbags  
 Overhead Airbag: Safety Canopy System curtain 1st and 2nd row overhead airbag  
 Occupancy Sensor: front passenger airbag occupancy sensor  
 Height Adjustable Seatbelts: height adjustable front seatbelts  
 Seatbelt Pretensioners: front seatbelt pre-tensioners  
 3Point Rear Centre Seatbelt: 3 point rear centre seatbelt  
 Side Impact Bars: side-impact bars  
 Perimeter Under Vehicle Lights: remote activated perimeter/approach lights  
 Tailgate/Rear Door Lock Type: tailgate/rear door lock included with power door locks  
 Ignition Disable: SecuriLock immobilizer  
 Security System: security system  
 Panic Alarm: panic alarm  
 Electronic Stability: AdvanceTrac with Curve Control electronic stability stability control with anti-roll  
 Traction Control: ABS and driveline traction control  
 Front and Rear Headrests: manual adjustable front head restraints  
 Rear Headrest Control: 3 rear head restraints

#### Seats And Trim:

Seating Capacity max. seating capacity of 6  
 Front Bucket Seats: front split-bench 40-20-40 seats  
 Number of Driver Seat Adjustments: 4-way driver and passenger seat adjustments  
 Reclining Driver Seat: manual reclining driver and passenger seats  
 Driver Fore/Aft: manual driver and passenger fore/aft adjustment

Front Centre Armrest Storage: front centre armrest  
Rear Seat Type: rear 60-40 split-bench seat  
Rear Folding Position: rear seat fold-up cushion  
Leather Upholstery: cloth front and rear seat upholstery  
Headliner Material: full cloth headliner  
Floor Covering: full vinyl/rubber floor covering  
Cabback Insulator: cabback insulator  
Shift Knob Trim: urethane shift knob  
Interior Accents: metal-look interior accents

Standard Engine:

Engine 290-hp, 3.3-liter V-6 (regular gas)

Standard Transmission:

Transmission 10-speed automatic w/ OD and PowerShift automatic



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 11/29/21

Department: Community Development

Meeting Date Requested: 12/13/21

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

Subject: Approval of Building Permit

Background: Van Subaru is proposing a 20,870 sq. ft. addition to the existing facility. 20,028 sq. ft. of the addition will be service bays, parts storage, and associated related space that will be on the back side of the existing building. 842 sq. ft. will be a new customer service reception bay added next to the existing customer service reception bay. The 8,200 sq. ft. remodel will be the sales floor area and associated offices. In addition, the existing used car building will be demolished.

The building materials for the addition will match the existing materials

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

Public/Board/Staff Input: See attached Building Permit Staff Report and accompanying plans.

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

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

# BUILDING PERMIT STAFF REPORT

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**CITY OF GLADSTONE**  
**Community Development Department**  
**7010 N. Holmes Street**  
**Gladstone, Missouri 64118**  
**Tel. (816) 436-2200 Fax (816) 436-2228**



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: NOVEMBER 29, 2021**  
**PERMIT NO.: BP21-00412**

## GENERAL INFORMATION

**BUSINESS/PROPERTY NAME:** Van Subaru  
**APPLICANT:** JRMA Architects, Inc.  
**STATUS OF APPLICANT:** Architect of Record  
**OWNER:** Berkshire Hathaway Automotive  
**REQUESTED ACTION:** Approval of Building Permit  
**PURPOSE:** Addition and remodel  
**LOCATION:** 90 NW Vivion Road  
**SIZE:** 20,870 sq. ft. New | 8,200 sq. ft. Remodel

## ZONING INFORMATION

**EXISTING LAND USE:** CP-3  
**SURROUNDING LAND USE-N:** R-1  
**E:** M-1  
**W:** R-1 / CP-2  
**S:** KCMO  
**COMPREHENSIVE PLAN:** General Commercial  
**ZONING HISTORY:** Site Plan Approved October 11, 2021 per City Ordinance 4.571

## APPLICABLE REGULATIONS

**2018 IBC, 2018 IEBC, 2017 NEC, 2018 IFC, 2018 IECC, 2018 IFGC, 2018 IMC, 2018 IPC, 2018 ISPSC AND 2009 ICC A117.1**

## ADDITIONAL COMMENTS

No Additional Comments



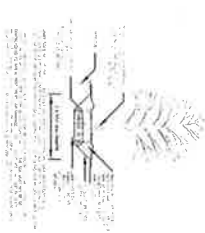
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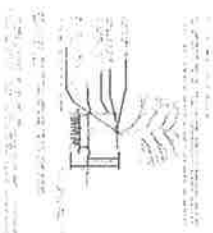


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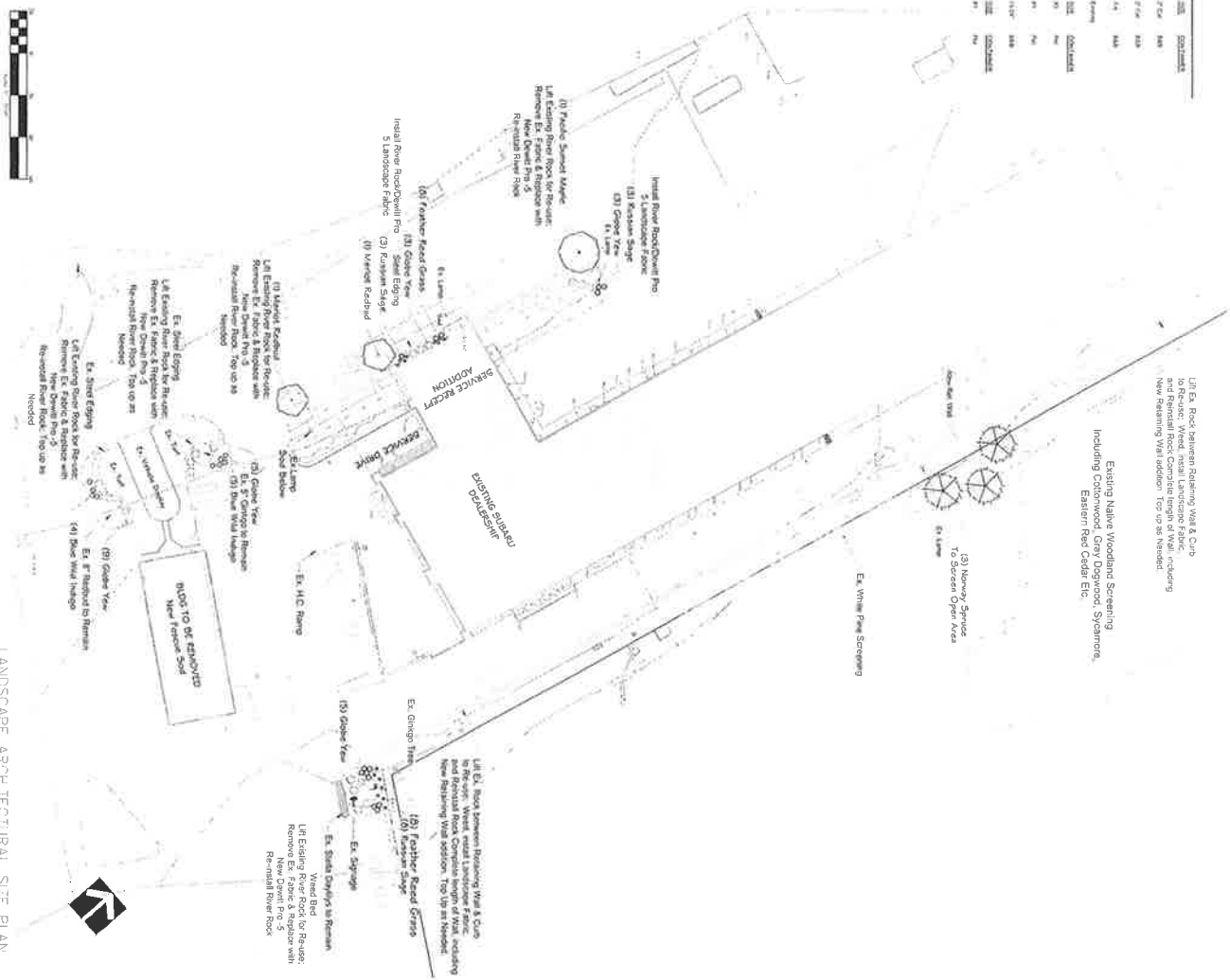
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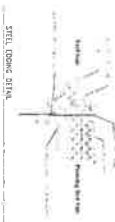
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and 50% of the total sample.



LANDSCAPE ARCHITECTURAL SITE PLAN



NO SCAR



NO SCALE

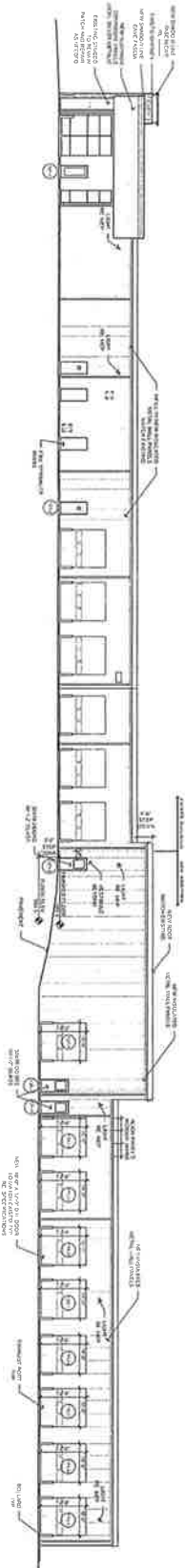
- NOTES
1. SOD ALL DISTURBED AREAS WITH FESCUE SOD
  2. ADD COTTON BURR COMPOST TO ALL PLANTING BED AREAS A HAND SPREAD LIGHTLY PRIOR TO NEW PLANTING.
  3. RETROFIT SPRINKLER SYSTEM TO ACCOMMODATE NEW PLANTING BED LAYOUT.



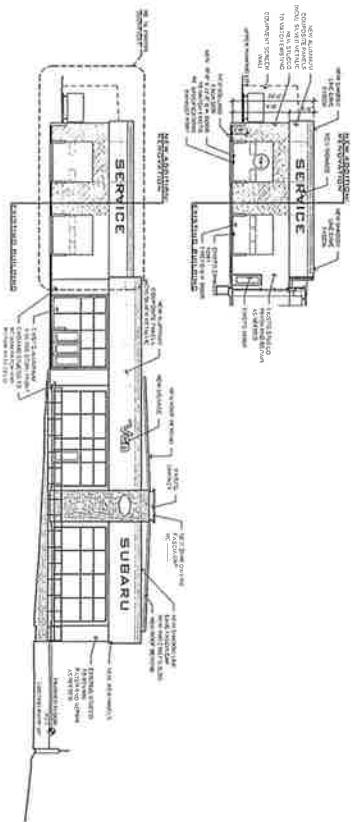
4. NORTH ELEVATION



3. WEST ELEVATION



2. EAST ELEVATION



1. SOUTH ELEVATION



PROJECT: VAN SUBARU ADDITION & REMODELING PROJECT  
DATE: 10/17/2017  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
APPROVED BY: [Name]

VAN SUBARU ADDITION & REMODELING PROJECT  
90 NW VIVION ROAD  
GLADSTONE, MISSOURI



NO.	DATE	DESCRIPTION
1	10/17/2017	ISSUED FOR PERMIT
2		
3		
4		
5		
6		
7		
8		
9		

A4



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 11/11/2021

Department: Community Development

Meeting Date Requested: 12/13/2021

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

Subject: Special Event Permit

Background: The Parks, Recreation and Cultural Arts Department and Friend of the Atkins-Johnson Farm & Museum will be hosting the City's annual Photo's and Cookies with Santa and Holiday Night. Both events will take place at the Atkins-Johnson Farm & Museum on Saturday, December 11, 2021. Photos & Cookies with Santa and Mrs. Clause will kick off the two (2) events.

The Friends will host the Photo's & Cookies with Santa and Mrs. Clause. This event will begin at Noon and conclude at 3:00pm. Participants will be able to take a photo with Santa and Mrs. Clause while enjoying cookies and cider.

The Parks Recreation and Cultural Arts Department will host the Holiday Night event. This event will begin at 3:00pm and conclude at 9:00pm. The event will consist of free open house at the Museum with photo options available with Santa, kids craft activities, live holiday music and chestnuts roasting on an open fire pit; located on the premises.

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

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

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

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

# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: NOVEMBER 11, 2021**  
**PERMIT NO.: SEP21-00095**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: PHOTO'S/COOKIES W/SANTA & HOLIDAY NIGHT**  
**LOCATION OF EVENT: 4109 NE PLEASANT VALLEY ROAD**  
**ATKINS-JOHNSON FARM & MUSEUM**  
**DATE OF EVENT: SATURDAY, DECEMBER 11, 2021**  
**TIME OF EVENT: 12:00PM – 9:00PM**  
**EST. ATTENDANCE: 860±**

## REQUESTED TEMPORARY VARIANCE:

- ☐ Section 2.120.050 Noise prohibited.
- ☐ Section 2.130.010(2) Park rules and regulations (hours).
- ☐ Section 2.130.010(13) Park rules and regulations (alcoholic beverages).
- ☐ Section 2.135.040 Prohibition of smoking on or within all public park grounds.
- ☐ Section 2.140.040 Public fireworks display prohibited, exceptions.
- ☐ Section 5.110.1800 Drinking in public.
- ☐ Section 5.160.230(a) Street use permit (street use permit allowed).
- ☒ Section 9.1600.110 Temporary signs.
- ☒ Title IX, Chapter 600, Section 307.6 Parkland
- ☐ Other – Section \_\_\_\_\_

**REMARKS:** City staff has reviewed the application and finds that the variance(s) are appropriate for this venue.

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

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_





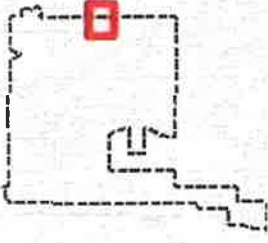
## Gladstone, MO



1 in. = 333ft.

666.7 0 333.33 666.7 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION



### Legend

- KOPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
- Point of Interest
- Church
- Apartment Point
- Street Centerline
- Edge Of Pavement
- Driveway
- City Limits
- Parcel
- House Number
- School Polygon
- Villages
- Apartment Polygon

### Notes



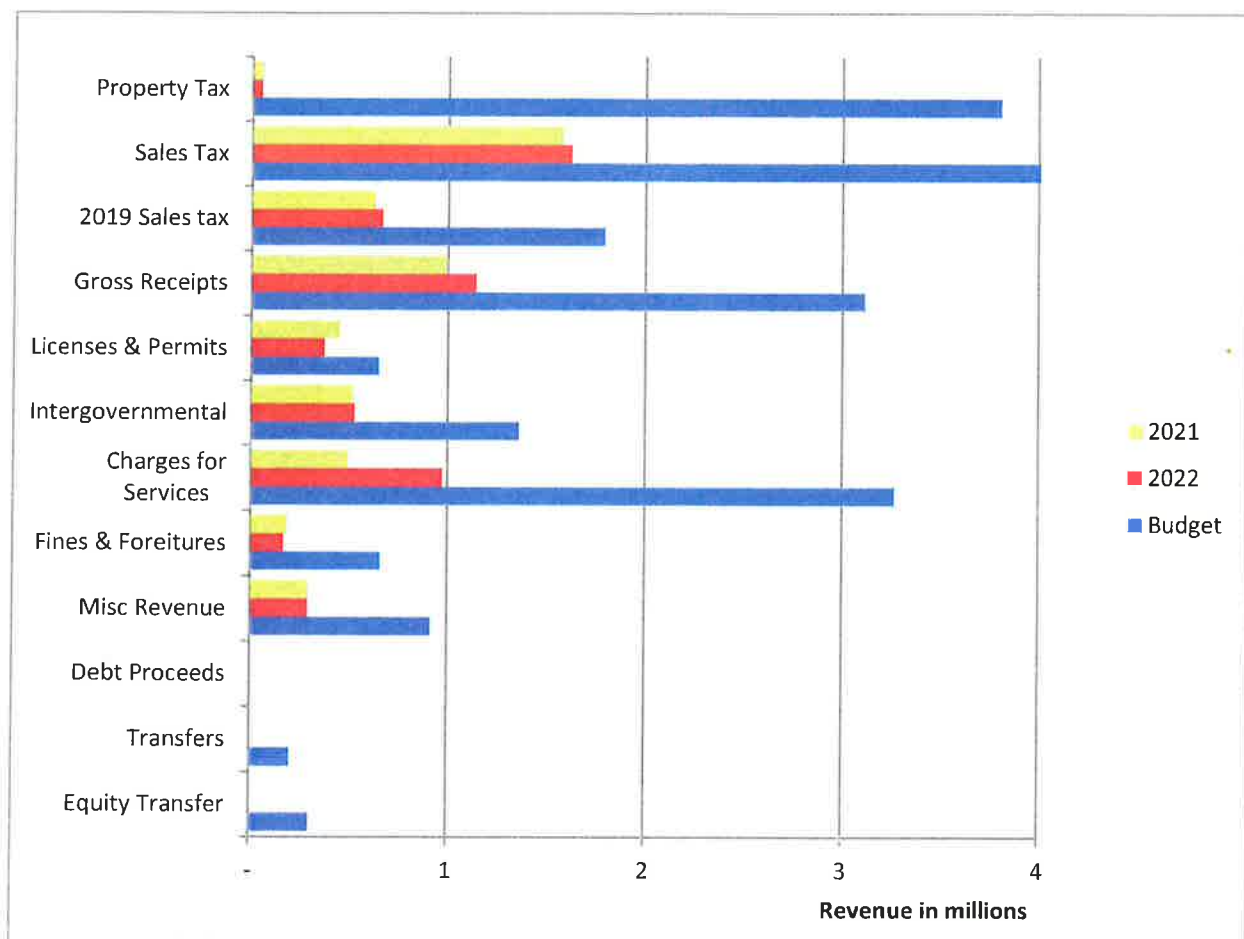
# **CITY OF GLADSTONE MISSOURI**

Financial Report for 4 Months Ending  
October 31, 2021

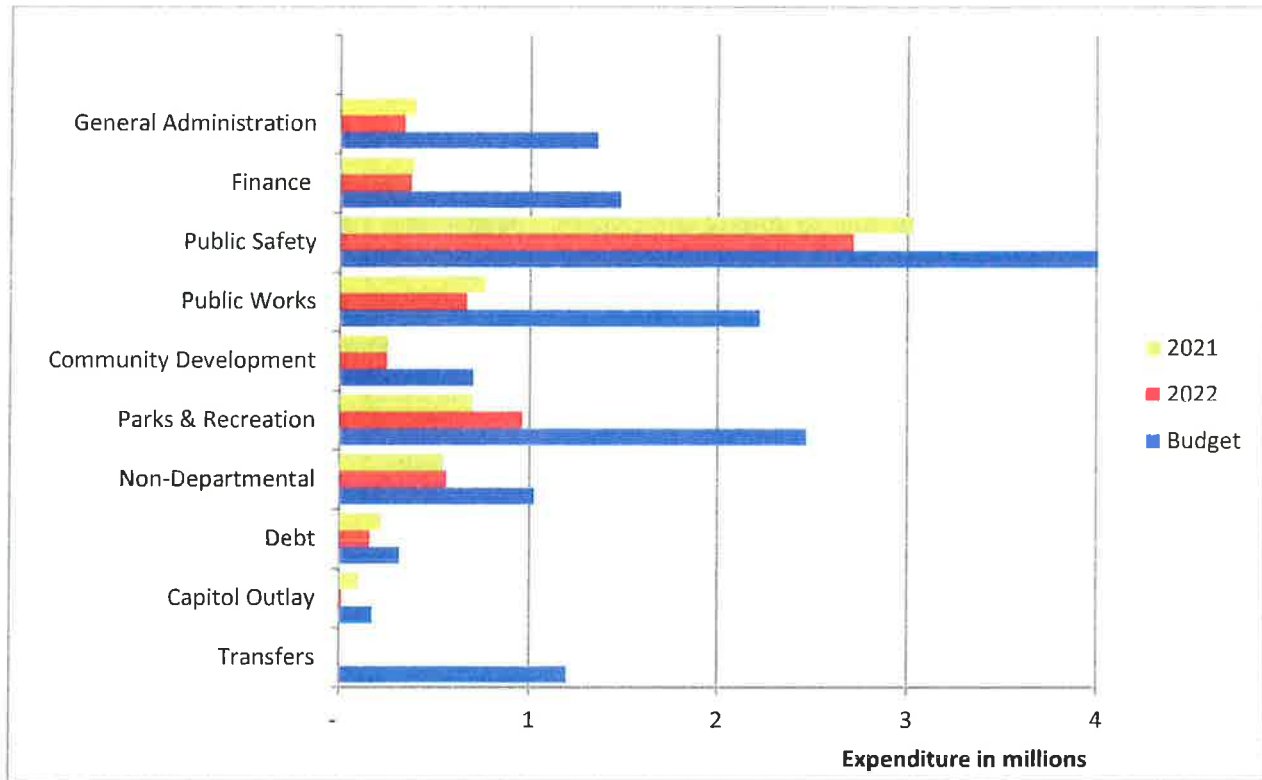
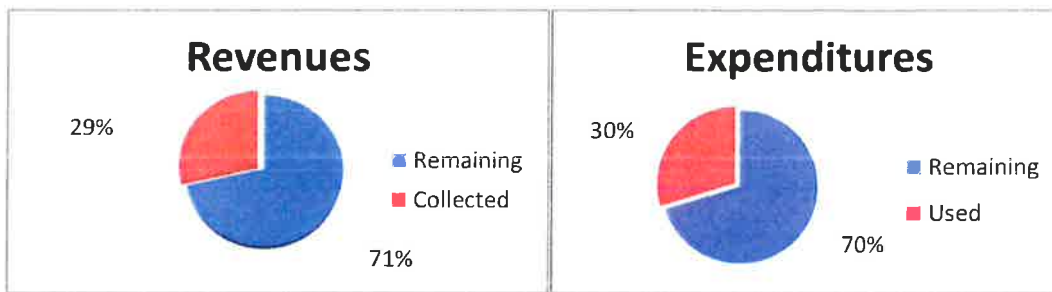
## **GENERAL FUND**

### **General Fund Revenues**

Total revenues for the General Fund through 4 months or 33% of this fiscal year are \$5,844,500 compared to total budgeted revenues for the year of \$20,483,988 or 29% of budgeted revenue. Property tax revenue received is \$54,829. Sales tax on a cash basis is \$1,623,957 or \$47,303 (3%) more than previous year. The 2019 sales tax (1/2 cent sales tax passed in 2019) is \$667,204, an increase of 6%. Gross receipts taxes are \$1,143,652, an increase of \$148,850 or 15% from last year due to timing differences. License and Permit revenues are \$376,705 or \$71,594 less than FY21 due to the issuing of building permits for large construction projects in the prior year. Intergovernmental revenue is \$529,176 or \$10,484 (2%) over the previous year. Charges for Services are \$976,265 an increase of 97% or \$480,076 compared to the previous year primarily due to recreation activities. Fines and Forfeitures have decreased 8% from the prior year to \$174,454. Miscellaneous Revenue is \$298,258, a decrease of \$1,223. Debt proceeds are not budgeted for the current fiscal year. Transfers will occur later in the fiscal year. An equity transfer of \$305,000 is budgeted for the General Fund.





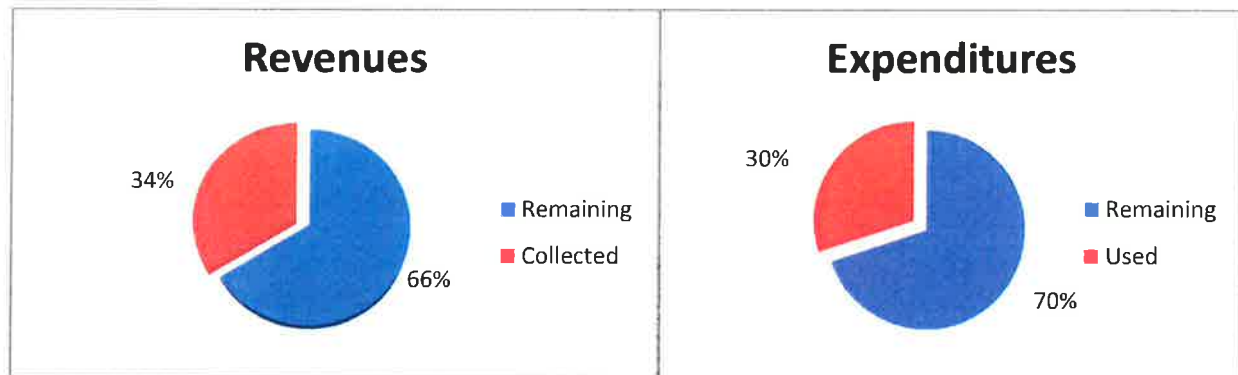
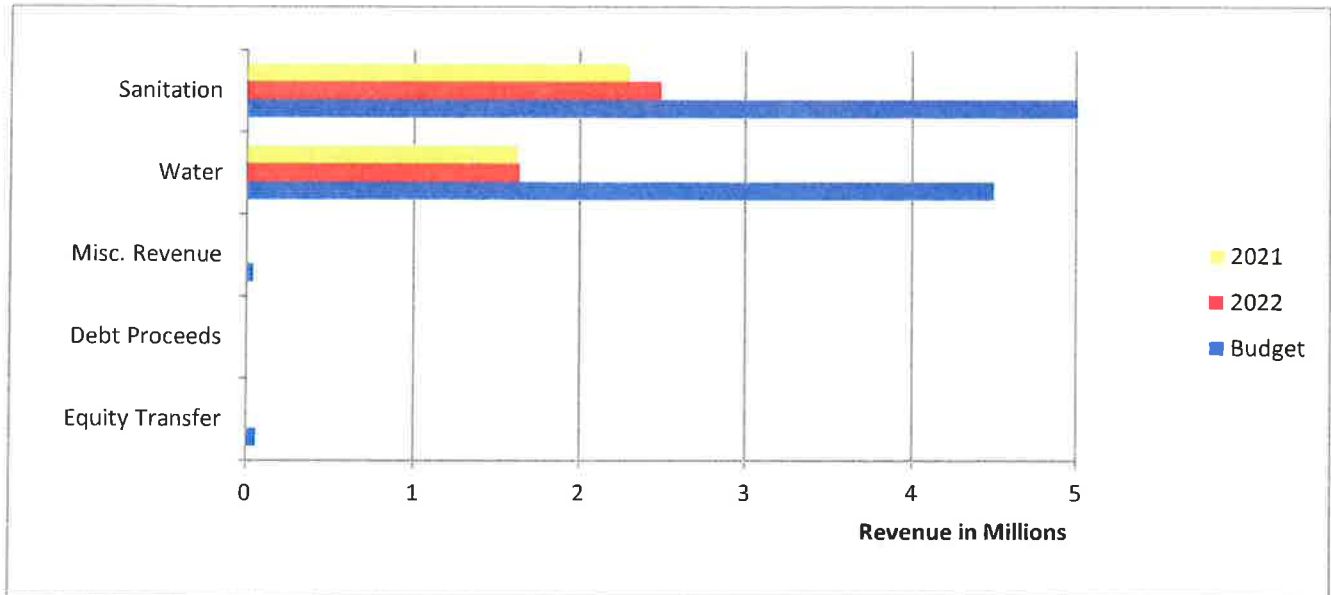


Expenditures through 4 months or 33% of this fiscal year amounted to \$6,097,941 or 30% of FY22 budgeted expenditures of \$20,483,988. This indicates that actual expenditures are 6% or \$363,151 less than last year's expenditures of \$6,461,092. The primary reason for the difference is that in FY21, July had three payroll periods. For FY22, July had only two. All departments experienced a significant decrease in period one (this difference is temporary and is only a timing difference). General Administration expenditures are \$344,754, a decrease of \$55,652 or 14% due to contractual payments (timing of Magazine). Finance expenditures have decreased \$18,175 (5%) to \$380,580. Public Safety expenditures are \$2,721,635, a decrease of \$313,251 (10%). Public Works expenditures are \$675,948, \$96,955 or 13% less than the prior year due to the timing of road salt purchases and the Beautification event held last fall. Community Development expenditures are \$256,576, a decrease of \$6,167 (2%) due to abatement/mowing. Parks & Recreation expenditures are \$964,662, an increase of 37% or \$258,234 from the same time last year due to increases in Senior and Recreation activities. Non-Departmental expenditures are \$569,831, an increase of 3% or \$ 14,262 due to increases in liability and property insurance and training. Debt payments are \$166,589, a decrease of 27% or \$60,249 due to moving debt payments of the 2020 and 2019 lease purchases to CERF. Capital Outlay is \$17,366. Transfers will occur later in the fiscal year. Current expenditures exceed current revenues by \$253,440. This is due to the full payment of property and liability insurance in July and the majority of property tax receipts will occur in January.

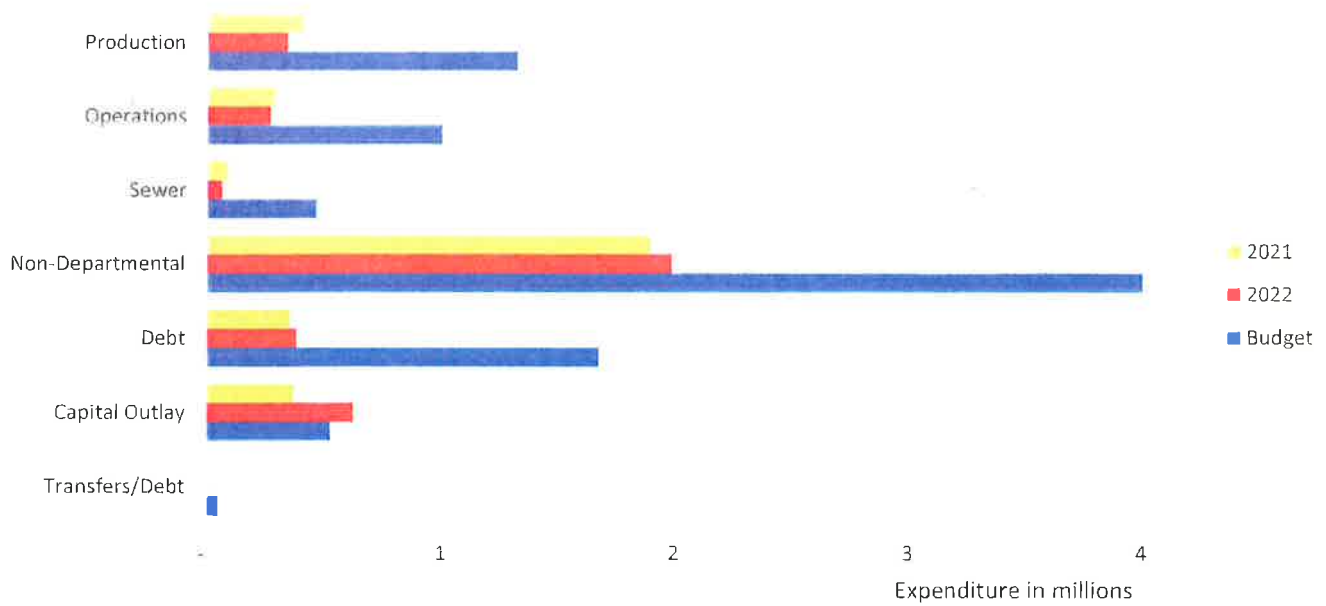


## COMBINED WATER AND SEWERAGE SYSTEM FUND

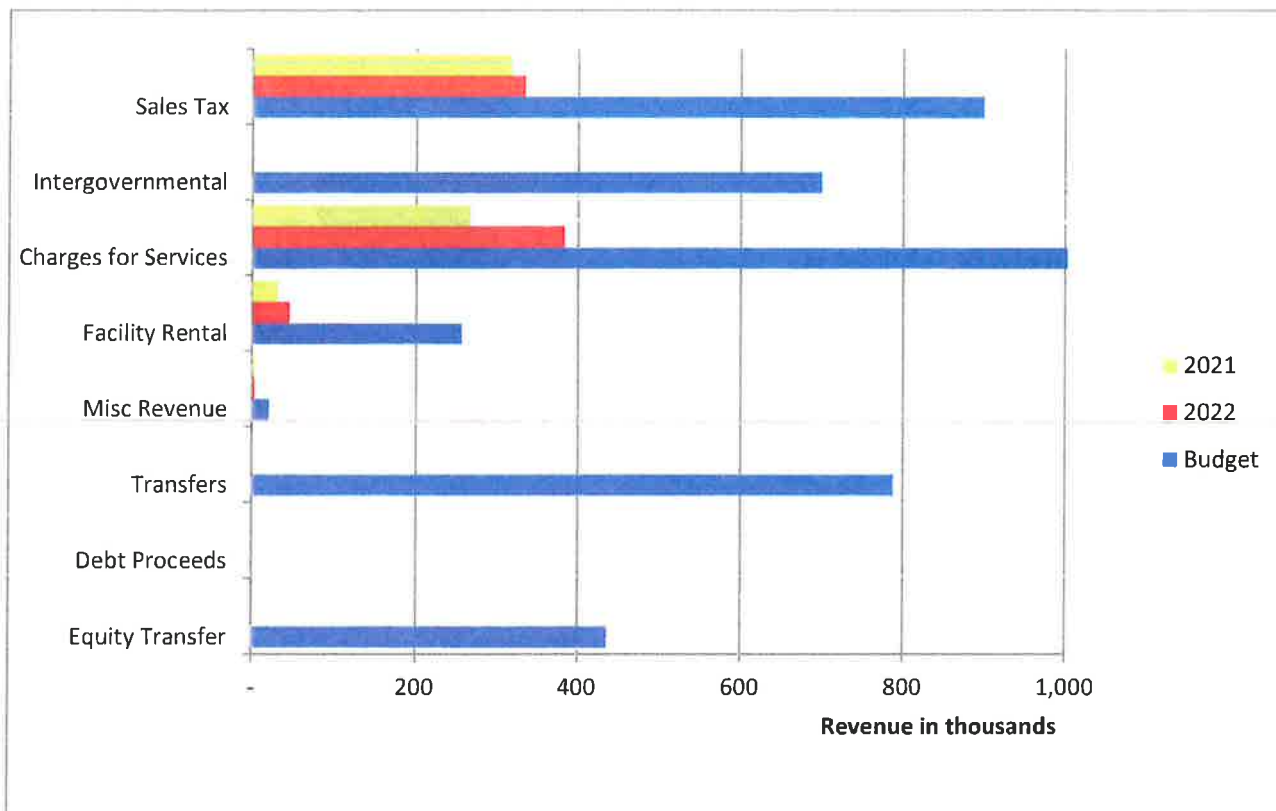
Total budgeted revenues for the fiscal year are \$12,227,438. Total revenues through 4 months or 33% of this fiscal year, amounted to \$4,142,085 or 34% of FY22 budgeted revenues. Although consumption has decreased, operating revenues are up \$204,075 (5%) from the previous year due to increased water and sewer rates.

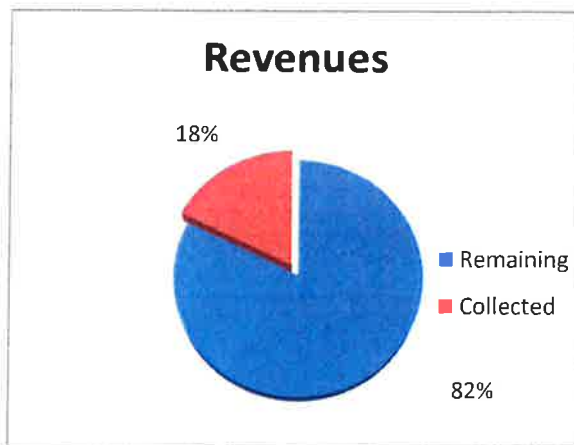


Total budgeted expenditures for the fiscal year are \$12,227,438. Total expenditures through 4 months or 33% of this fiscal year amounted to \$3,683,358 or 30% of FY22 budgeted expenditures. The same payroll difference occurred in the CWSS Fund as the General Fund (three payrolls in July of FY2021 and two payrolls in July of FY2022). Differences other than decreases in payroll are noted in the following narrative. Production expenditures are down \$65,739 (16%) to \$341,920 due to timing of chemical purchases and equipment maintenance. Operations division expenditures are \$270,493, a decrease of \$15,917 (6%). Sewer division expenditures have decreased \$25,894 (28%) to \$67,184. Non-departmental expenditures are \$1,996,741, up \$91,450 due to the increase in sewage rates. Payments for debt have increased 7% or \$26,140 to \$381,142 due to the 2020 COP. Capital outlay is \$625,878. Current revenues exceed current expenditures by \$458,726.

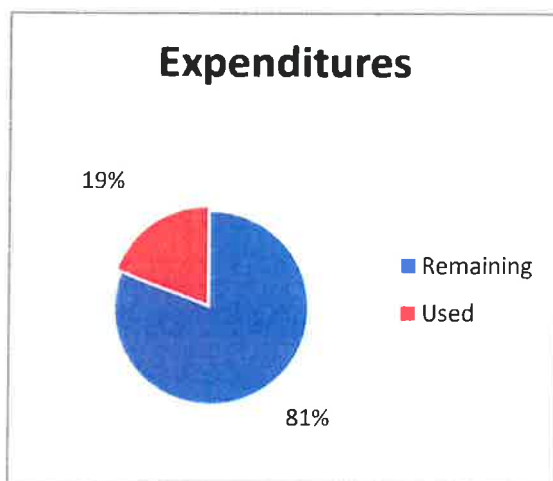
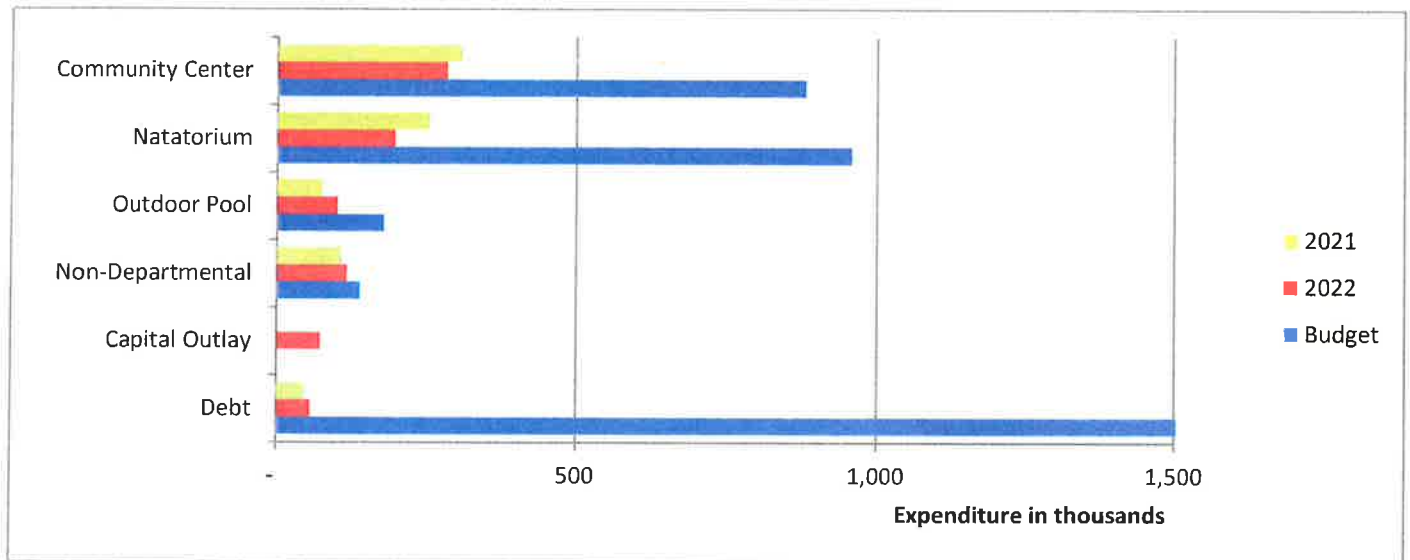


### COMMUNITY CENTER AND PARKS TAX FUND





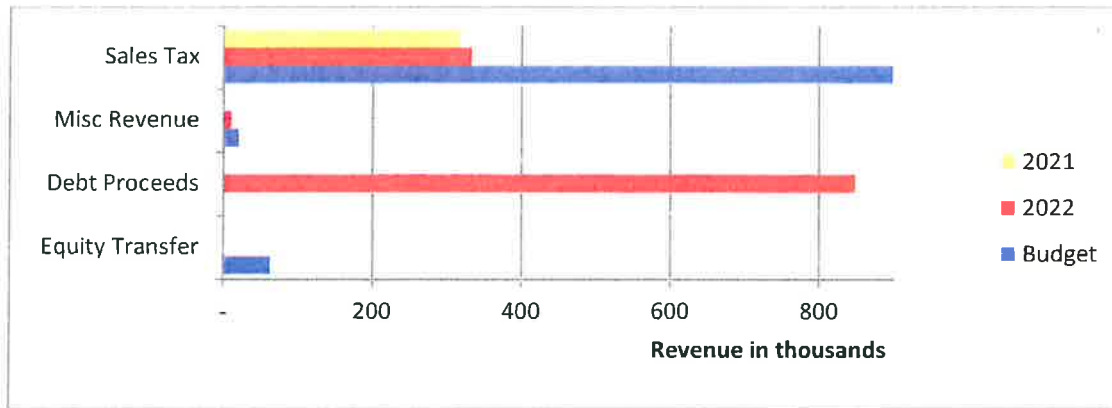
Total budgeted revenues for the fiscal year are \$4,358,940. Total revenues through 4 months or 33% of this fiscal year, amounted to \$769,983 or 18% of FY22 budgeted revenues. Sales tax received is \$335,083, an increase of \$16,426 from the previous year. Intergovernmental revenue (Charge to the North Kansas City School District for the natatorium) is usually received in January. Charges for Services are \$384,390, an increase of \$115,863. Revenue from facility rental is \$46,561, an increase of \$14,013. Miscellaneous revenue is \$3,949. Budgeted transfers to the fund are \$788,300 and will occur later throughout the year. Equity transfer budgeted for the fiscal year is \$437,109.



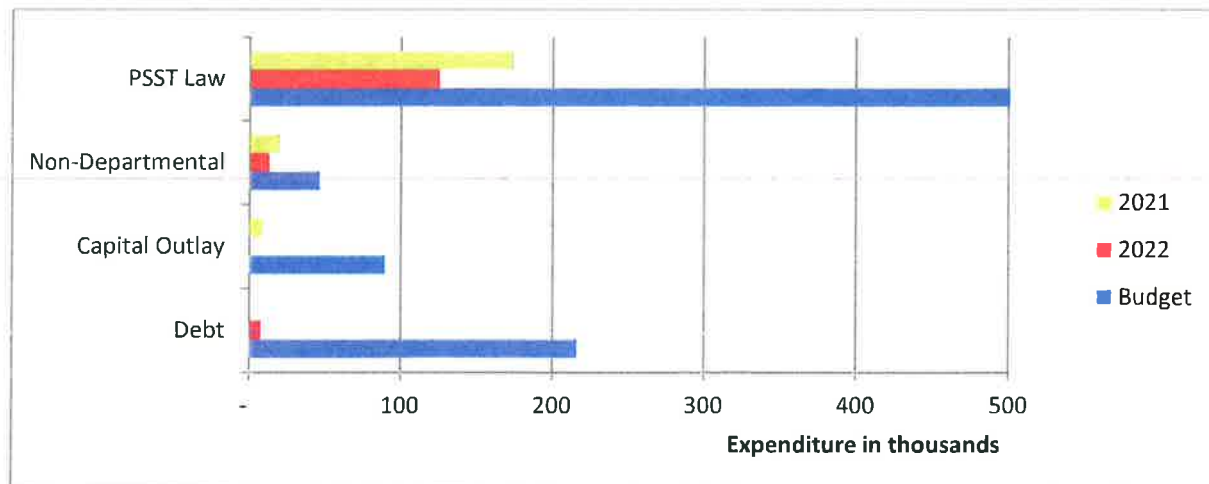
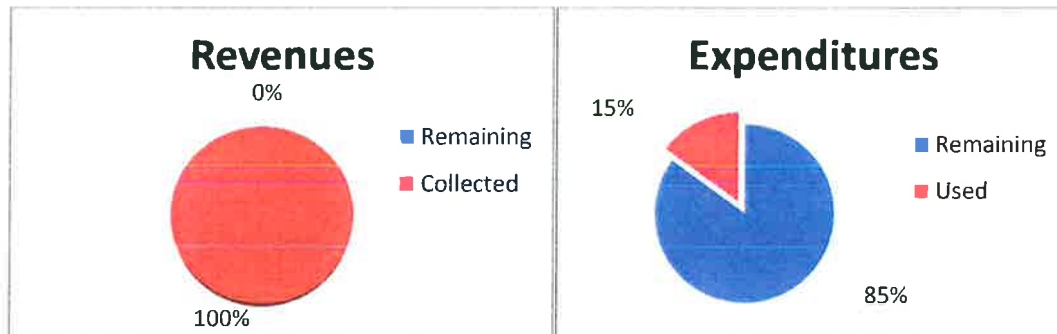
Total budgeted expenditures for the fiscal year are \$4,358,940. Total expenditures through 4 months or 33% of this fiscal year amounted to \$837,702 or 19% of FY22 budgeted expenditures. The same payroll difference occurred in the CCPT Fund as the General Fund (three payrolls in FY2021 and two payrolls in FY2022). Differences other than decreases in payroll are noted in the following narrative. Community Center expenditures have decreased \$21,714 (7%) from the same time last year to \$284,692. Natatorium expenditures are \$198,073, a decrease of \$56,838 (22%). Outdoor Pool expenditures are \$102,961, an increase of \$27,169 due to increases in part time personnel costs. Non-departmental expenditures have increased \$9,417 to \$118,678 due

to increases in property and liability insurance. Expenditures for Capital Outlay are \$74,794. Debt has increased by \$11,466 to \$58,504 due to the 2020A COP. Current expenditures exceed current revenues by \$67,720.

## PUBLIC SAFETY SALES TAX FUND



Total budgeted revenues for the fiscal year are \$985,818. Total revenues through 4 months or 33% of this fiscal year amounted to \$1,196,472 or 121% of FY22 budgeted revenues. Sales tax on a cash basis is \$335,076, or an increase of \$16,493. Miscellaneous revenue is \$11,396. Debt proceeds of \$850,000 are from a lease purchase for the purchase of new radios (revenue budget will be budgeted at midyear).



Total budgeted expenditures for the fiscal year are \$985,818. Total expenditures through 4 months or 33% of this fiscal year are \$147,109 or 15% of the FY22 budgeted expenditures. The same payroll difference occurred in the PSST Fund as the other funds (three payrolls in FY2021 and two payrolls in FY2022). Differences other than decreases in payroll are noted in the following narrative. Law division is \$125,658, down \$48,758 (20%) from the same time last year due to the timing of payment for the MARRS system. Non-Departmental is \$13,451, compared to \$19,894 during the previous year. Capital outlay is budgeted at \$90,000 (police vehicles and radios have been ordered but not received). Budget for the radios will be added at midyear. Payments for debt are \$8,000 (lease purchase issuance cost). Current revenue over expense for the fund is \$1,049,363 (\$199,363 not including lease purchase debt proceeds).

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Dominic Accurso". The signature is fluid and cursive, with a large initial "D".

Dominic Accurso  
Director of Finance

**AGENDA ITEM #9 COUNCIL COMMUNICATIONS  
BOARD & COMMISSION APPOINTMENT RECOMMENDATIONS  
FOR CITY COUNCIL ACTION DECEMBER 13, 2021**

<b>BOARD/COMMISSION</b>		<b>TERM EXPIRATION</b>
<b><u>ARTS COMMISSION</u></b>		
Reappointment	Marianne Cascone	December 2024
<b><u>CAPITAL IMPROVEMENTS PROGRAM</u></b>		
Reappointment	Michele Sanderson	December 2024
<b><u>CODE BOARD OF APPEALS</u></b>		
Reappointment	Ken Christeson	December 2024
Reappointment	Dennis Garrison	December 2024
<b><u>ENVIRONMENTAL MANAGEMENT ADVISORY COMMITTEE</u></b>		
Reappointment	Julie Conn	December 2024
Reappointment	George Smith	December 2024
<b><u>NEIGHBORHOOD COMMISSION</u></b>		
Reappointment	John Day	December 2024
<b><u>PARKS AND RECREATION ADVISORY BOARD</u></b>		
Reappointment	Jason Sharpsteen	December 2024
New Appointment	Eric Woods	December 2024
<b><u>PLANNING COMMISSION</u></b>		
Reappointment	Mike Ebonroth	December 2025
Reappointment	Alicia Hommon	December 2025
Reappointment	Katie Middleton	December 2025
Reappointment	Kim Murch	December 2025

**AN ORDINANCE AMENDING TITLE IX OF THE CITY OF GLADSTONE, MISSOURI, CODE OF ORDINANCES BY REPEALING CERTAIN PROVISIONS CONTAINED THEREIN AND ENACTING IN LIEU THEREOF, NEW PROVISIONS DESIGNATED AS TITLE IX AND RELATING TO THE CONSTRUCTION AND MAINTENANCE OF STRUCTURES AND PROPERTY WITHIN THE CITY AND DESIGNATED AS THE "BUILDING AND CONSTRUCTION ORDINANCE" FOR THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI.**

**LEGISLATIVE FINDINGS:**

1. The City has conducted a comprehensive review of certain chapters in Title IX of the Code of Ordinances relating to the construction and maintenance of structures and property within the City; and
2. Certain technical codes concerning the construction and maintenance of structures within the City have been reviewed by the City for incorporation by reference and such adoption is deemed advisable by the City Council for the health, safety, and welfare of the residents of the City; and
3. One (1) copy of such technical codes were filed in the office of the City Clerk and kept available for public use, inspection, and examination for a period of time in excess of ninety (90) days preceding the adoption of this Ordinance, all as provided by Section 67.280 RSMo; and
4. The City Council of the City of Gladstone finds that it is in the best interest of the citizens of the City of Gladstone, Clay County, Missouri to enact the provisions of the Building and Construction Ordinance set forth herein;

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

Section 1. That the following Chapters of the Code of Ordinances of the City of Gladstone, Missouri, regarding construction and maintenance, is hereby repealed.

Chapter 200. Building Regulations

Chapter 400. Electrical Regulations

Chapter 500. Energy Conservation Regulations

Chapter 600. Fire Prevention Regulations

Chapter 700. Fuel Gas Regulations

Chapter 800. Mechanical Regulations

Chapter 900. Plumbing Regulations

Chapter 1000. Property Maintenance Regulations  
Chapter 2000. Swimming Pool and Spa Regulations

Section 2. That the following Chapters of the Code of Ordinances of the City of Gladstone, Missouri, are amended to read as set for in Exhibit A, attached hereto and incorporated as part of this Ordinance by reference as if fully set forth herein.

Chapter 200. Building Regulations  
Chapter 400. Electrical Regulations  
Chapter 500. Energy Conservation Regulations  
Chapter 600. Fire Prevention Regulations  
Chapter 700. Fuel Gas Regulations  
Chapter 800. Mechanical Regulations  
Chapter 900. Plumbing Regulations  
Chapter 1000. Property Maintenance Regulations  
Chapter 2000. Swimming Pool and Spa Regulations

Section 3. That the provisions of the Code of Ordinances of the City of Gladstone, Missouri repealed herein shall not be construed to revive any former Ordinance, clause, or provision of the Gladstone Code of Ordinances.

Section 4. That the provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 5. That this Ordinance shall be in full force and effective January 1, 2022.

**INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL  
OF THE CITY OF GLADSTONE, MISSOURI THIS 13TH DAY OF DECEMBER, 2021.**

---

RD Mallams, Mayor

ATTEST:

---

Becky Jarrett, Deputy City Clerk

First Reading: December 13, 2021

Second Reading: December 13, 2021



**EXHIBIT A**

**CHAPTER 200**

**CHAPTER 400**

**CHAPTER 500**

**CHAPTER 600**

**CHAPTER 700**

**CHAPTER 800**

**CHAPTER 900**

**CHAPTER 1000**

**CHAPTER 2000**



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 21-38

ORD # 4.574

Date: 12/8/21

Department: Community Development

Meeting Date Requested: 12/13/2021

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

Subject: Adoption of Certain Chapter's in Title IX, Building and Construction Ordinance

Background: The Community Development Department typically updates its Building and Construction Codes when the International Code Council (ICC) releases its newest version of the International Codes every three (3) years. During the open study session on Monday, August 9, 2021, all chapters within Title IX, Building and Construction Ordinance in Gladstone's Code of Ordinances were reviewed with the City Council.

By Missouri State Statute, the Building and Construction Codes must be available for review for ninety (90) days before they can be adopted. The following Chapters have been available for review and are being presented to the City Council for their consideration:

Chapter 200 Building Construction Regulations  
Chapter 400 Electrical Regulations  
Chapter 500 Energy Conservation Regulations  
Chapter 600 Fire Prevention Regulations  
Chapter 700 Fuel Gas Regulations  
Chapter 800 Mechanical Regulations  
Chapter 900 Plumbing Regulations  
Chapter 1000 Property Maintenance and Nuisance Regulations  
Chapter 2000 Swimming Pool and Spa Regulations

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

Public/Board/Staff Input: Community Development Staff presented the aforementioned, corresponding chapters, to Uniform Code Board of Appeals (UCBA) at their meeting on Monday, July 19, 2021. The UCBA had no changes to the proposed Chapters and voted unanimously to present.

Community Development Staff presented the aforementioned, corresponding chapters, to the City Council during the Open Study Session on Monday, August 9, 2021; and endorsed moving forward with the adoption of the 2021 International Building and Construction Codes as presented.

RCA DUE TO CITY CLERK WEDNESDAY 12:00 PM

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

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

**BILL NO. 21-39**

**ORDINANCE NO. 4.575**

**AN ORDINANCE APPROVING THE SHOW ME COURTS AGREEMENT WITH THE OFFICE OF STATE COURTS ADMINISTRATOR AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.**

**WHEREAS**, the Municipal Court Division for the City is implementing Missouri's statewide case management automation system known as Show Me Courts pursuant to the provisions of state statutes and Missouri Supreme Court Operating Rules; and

**WHEREAS**, in order to implement Show Me Courts, the City is required to enter into an implementation agreement with the Office of State Courts Administrator; and

**WHEREAS**, the City is authorized to enter into cooperative agreements with other governmental entities pursuant to Sections 70.210 to 70.320 RSMo; and

**WHEREAS**, Section 70.230 RSMo provides that the City may enter into such cooperative agreements by ordinance duly enacted.

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

**Section 1.** That the Show Me Courts Agreement between the City of Gladstone, Missouri, and the Office of State Courts Administrator, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved and the City Manager is authorized to execute said Agreement on behalf of the City of Gladstone, Missouri.

**Section 2.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 3.** That this ordinance shall be in full force and effect from and after the date of its passage and approval.

**INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 13<sup>th</sup> DAY OF DECEMBER 2021.**

---

R.D. Mallams, Mayor

ATTEST:

---

Becky Jarrett, Deputy City Clerk

First Reading: December 13, 2021

Second Reading: December 13, 2021



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 21-39

ORD # 4.575

Date: 12/3/2021

Department: Finance

Meeting Date Requested: 12/13/2021

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

Subject: Show Me Court Implementation

Background: The State of Missouri has mandated all municipal courts to use the Show Me Courts software. For the past several months, staff has been working to fulfill all requirements needed to use the software. The following Ordinance and agreement will allow the City to begin using the state mandated software.

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

Public/Board/Staff Input: Memo, contract, ordinance and implementation guide to follow  
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Department Director/Administrator

City Attorney

City Manager



***Department of Finance  
Memorandum***

**DATE:** December 3, 2021

**TO:** Scott Wingerson – City Manager

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

**RE:** Show Me Courts Implementation

Over the past few years, Missouri legislators have made several changes to the way Municipal Courts operate and report. The first major change came from Senate Bill 5 in 2015. The bill created minimum operating standards, limited fines, prohibited jail time for minor traffic violations and failure to pay. The Bill also decreased the amount of allowable general operating revenue from traffic fines from 30% to 20% in municipalities outside of St. Louis County and required additional financial disclosures. Senate Bill 572 was signed into law in 2016. The City of Gladstone has always maintained compliance meeting all requirements from these Bills.

An additional change that has been mandated by the state legislature is migrating court software to Show Me Courts by January 1, 2022. Municipal Courts have implemented the new software over the past couple of years. There seems to be advantages and disadvantages to the software. The software creates a “clean slate” approach with the goal of automating the process as much as possible. The main advantage is that all Municipal Courts will be operating with a uniform platform.

The concerns with the software have to do with internal control and financial oversight. To use the software, the City is required to open a new checking account for Show Me Courts activity. All fines, court costs, and bonds will be deposited into the Show Me Courts account. Monthly disbursements will be made from the Show Me Courts account to pay court liabilities and credit revenue to the City. In the past, reconciliation of the Municipal Bond bank account has been performed by the Finance Department. New procedures do not allow personnel outside of the Municipal Court to have access to the software or bank account. City judicial staff will have view only access to the new bank account. There will also be a period of time where the City will be operating with both software systems and bank accounts. This could be challenging. Staff has been and will continue to work with Commerce and other Municipalities that have implemented the Show Me Court software to create and use best practices.

Funding for the software, support, and training will come from an increase in court costs of \$7.00 per citation (with the exception of seat belt citations). Court costs will change from \$26.50 per citation to \$33.50. Staff anticipates writing approximately 4,000 citation per year. Total cost for using the software are estimated to be \$28,000 per year.

Recent legislation will continue to change the way our Municipal Court operates. The City plans to successfully implement the Show Me Court software as of January 1, 2022 and continue to be a model court in the state of Missouri. Although this may be a far from perfect system, staff will work continuously to implement the mandated software, maintain compliance, and mitigate any risk that may occur with the software transition. If you have any questions. Please contact me at your convenience.

Exhibit A

Show Me Courts Agreement

[see attached]



## SHOW ME COURTS AGREEMENT

This document constitutes an Agreement between City of Gladstone (the City) and the Office of State Courts Administrator (OSCA), collectively referred to herein as the "Parties", for the implementation of the Show-Me Courts (SMC) court automation software. The agreement shall govern the long term use of the court automation software.

Background: Show-Mc Courts is being developed for use as the case management system for the courts in Missouri and when all the current functionality is available in SMC, will replace the Justice Information System (JIS). Updates and new functionality to SMC will be deployed on a regular basis to the courts.

**The Office of State Courts Administrator, in coordination with the Missouri Court Automation Committee, agrees to provide:**

1. A suite of applications that meet the statutory and Supreme Court rules requirements.
2. Support.
3. Court Staff Training.
4. Communications with court.
5. Back-up of data.

**The Municipality agrees to:**

1. Establish and maintain in effect a local ordinance to assess and collect the Court Automation Fee as required by Section 476.056, RSMo.
2. Provide and install necessary equipment for the implementation of SMC that meets Missouri Court Automation Infrastructure Standards. The Missouri Court Automation Infrastructure Standards may be found on the Court Information Center at <http://www.courts.mo.gov/page.jsp?id=61273>.

We, the undersigned, have read and accept this agreement as required by Section 476.056 RSMo.

\_\_\_\_\_  
City, by its Authorized Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Earl Kraus  
Deputy State Courts Administrator

\_\_\_\_\_  
Date



## Show-Me Courts Municipal Implementation Manual



## Missouri Court Automation Committee

PO Box 104480  
Jefferson City, MO 65110  
(888) 541-4894

Dear Municipal Division Judges and Court Clerks:

It is our pleasure and privilege to welcome you to Show-Me Courts (SMC) – Missouri’s statewide case management automation system. This implementation manual will serve as your guide to implement Show-Me Courts Municipal Ordinance Case Processing.

Show-Me Courts is the name of the record and case management system developed by the Office of State Courts Administrator (OSCA), at the direction of the Missouri Court Automation Committee (MCA) and Change Control Subcommittee (CCSC), to meet the 21st Century technology needs for Missouri courts.

The following references direct the implementation of SMC as the statewide case management system:

- Missouri Constitution Article V, § 4 – Grants the Supreme Court of Missouri supervisory authority over all courts in Missouri
- Section 479.020.5, RSMo – Provides that municipal divisions are a division of the circuit court
- Missouri Constitution Article V, § 15 – Gives the Presiding Judge administrative authority over all divisions of the circuit court
- Section 479.070, RSMo – Makes municipal division records circuit court records
- Supreme Court Operating Rule (COR) 4.01 – Requires use of SMC to maintain court records, when it becomes available for implementation in a division of the circuit court
- Section 476.055.3, RSMo – Establishes Missouri Court Automation Committee
- COR 1.01 – Gives MCA decision-making authority for all aspects of statewide court automation
- COR 27.01(a) – Mandates implementation of Electronic Filing System (eFiling) in all courts
- Supreme Court Rule 103.05(a) – Requires use of eFiling by any attorney, including municipal prosecuting attorneys, when filing a document with the court
- Section 476.055, RSMo – Gives MCA authority to enforce strict security for the statewide court automation system, which includes SMC
- MCA Security Guidelines Section 400.01 – Requires use of judicial email for judicial business (NOTE: This is iNotes for municipal divisions)
- Section 476.056, RSMo – Authorizes a municipal division to utilize SMC if its municipality enacts an ordinance adopting the court automation fee (\$7.00) and enters into an implementation agreement with the State Courts Administrator

For additional information, contact Pat Brooks, OSCA Information Technology Services Division Director, by calling (573) 526-8885 or emailing [OSCA.Help.Desk@courts.mo.gov](mailto:OSCA.Help.Desk@courts.mo.gov). Thank you for your participation.

Sincerely,

Honorable Gary Lynch  
Missouri Court Automation Committee Chairperson  
Judge, Missouri Court of Appeals, Southern District

Honorable Andrea Vandeloecht  
Change Control Subcommittee Chairperson  
Associate Circuit Judge, Chariton County

### Committee Members

Gary W. Lynch, Chairperson  
Diane C. Howard  
James D. Beck  
Linda M. Meyer  
Bruce DeGroot  
Scott Sifton

Joel P. Fahnestock, Vice Chairperson  
Bill White  
Sandra Hemphill  
Michael Barrett  
Joe Don McGaugh  
Kenneth R. Garrett, II

W. Stephen Nixon  
David Evans  
Andrea Vandeloecht  
Jack A. L. Goodman  
Michael J. Cordonnier  
Steve Siegler

Christy Blakemore  
Darrell L. Moore  
C. Sherece Eivins  
Paul C. Wilson  
Joan Gilmer  
Stacey Jo Lett

## Implementation Overview

On the following pages, you'll find ordinance templates for the court automation fee, computer hardware and software requirements, and a **Show-Me Courts Implementation Worksheet** with space to include your municipal division name, go live date, and completion date for each implementation task.

The "go live" date refers to the date on which Show-Me Courts will be implemented at each municipal division. This date is determined by each municipal division.

Implementation requires the following be done by the Municipal Judge, Municipal Court Clerk and Municipal Prosecuting Attorney. These are listed in the worksheet.

### Municipal Judge

- Read and sign the OSCA Project Office statement of expectations and understanding.
- Assign or confirm that the circuit court presiding judge has assigned a security point of contact for the municipal division.

### Municipal Prosecuting Attorney:

- Request an originating agency identifier (ORI) if not already assigned for Prosecuting Attorney (PA) Portal or system equivalent to send electronic data and documents.

**Note:** Under the mandate and authority of Court Operating Rule 27.01, for all court locations where PA Portal, a part of the electronic filing system, becomes available on a specific implementation date set by the Missouri Court Automation Committee's Implementation Planning Task Team (IPTT), all cases filed by uniform citation on and after such implementation date shall be initiated exclusively through an approved and authorized interface to the electronic filing system. All subsequent filings in cases initiated in this manner shall be made through the electronic filing system as provided by court rules.

### Municipal Court Clerk

- Provide OSCA with the city's municipal division cost ordinances and all court cost ordinances.
- Open a new municipal division bank account to be used only for Show-Me Courts receipts and disbursements.
- Submit Tax Offset & Debt Collection MOU packet if a non-JIS court.
- Complete the Authorization for Signature Image Access Form.
- Validate that the recommended computer equipment, software and internet connectivity is installed.
- Establish an iNotes judicial email account to receive Show-Me Courts updates and information. (iNotes is required per security guidelines.)

## Computer Equipment, Software and Internet

The implementation of Show-Me Courts may require additional computer equipment, software and Internet connectivity (bandwidth capacity). Internet bandwidth capacity is based on the number of concurrent users accessing the same line for internet connection, not just court staff. Below is a guide to assist in determining needs based on the level of automation desired at your municipal division(s).

### Minimum Requirements

- General Computer Equipment
  - (1) Desktop computer per user, including the judge's bench
  - (1) Desktop computer monitor per user, including the judge's bench (two monitors per user is recommended, but not required)
  - (1) Printer (quantity of printers dependent on desired location(s) of printing)
  - (1) Scanner
- General Computer Software
  - Windows 10
  - Microsoft Office 2013 (or later)
  - Google Chrome
  - Internet Explorer
  - Virtual desktop (VMware Horizon Client provided by OSCA)
- Internet Connectivity (total number of users accessing the same internet connection)
  - 4 or less users: 3 MB download
  - 5 - 10 users: 6 MB download
  - 11 to 20 users: 10 MB download
  - 21+ users: Contact the OSCA network manager at (888) 541-4894

It's recommended that municipal court judges validate that the following software and equipment for the bench has been obtained and is working properly: Show-Me Courts (desktop icon), virtual desktop (desktop icon,) a personal computer with dual monitors and Internet access. Note: Computer equipment and software may require periodic updates to support current technologies.

## \$7.00 Court Automation Ordinance Templates

Once you've decided to use Show-Me Courts in your municipal division, a city ordinance will need to be passed implementing a \$7.00 surcharge or fee to go to the Statewide Court Automation Fund. It is recommended to start this process as soon as possible as it can take a few months to pass an ordinance. To assist in the development of the ordinance we have included three sample ordinance templates below.

### Sample 1:

In addition to the other costs authorized in this Section, there shall be assessed a state court automation surcharge of seven dollars (\$7.00) in all cases in which court costs are taxed. Said surcharge shall be collected by the Municipal Court and transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Automation Fund, as provided in Section 488.012.3(5), RSMo. and Section 488.027.2, RSMo. [Ord. No. 2849 §1, 7-1-2013]

### Sample 2:

In addition to any cost which may be assessed by the municipal division pursuant to Statute, ordinance or Court rule, in every proceeding filed in the municipal division for violation of an ordinance, a surcharge of seven dollars (\$7.00) shall be assessed. Such surcharge shall also be assessed in cases in which pleas of guilty are processed in the Violations Bureau. No such surcharge shall be collected when the proceeding or defendant has been dismissed by the Court, when costs are waived or when costs are paid to the City. Such surcharge shall be collected by the Municipal Court and transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Court Automation Fund as provided in Section 488.012.3(5) and Section 488.027.2, RSMo.

### Sample 3:

Section 120.080. Court Costs – Amount – Disposition Of.

In all cases before the Traffic Violations Bureau and the Municipal Court where the defendant pleads guilty or is convicted, there shall be collected from such defendant, in addition to the fine or other punishment imposed, the sum of twelve dollars (\$12.00) as Court costs. In addition to such Court costs, a fee of two dollars (\$2.00) shall be assessed and collected and set aside in a separate fund by the City Treasurer to be used solely for the training of Police Officers. A fee of one dollar (\$1.00) shall be assessed and collected and set aside to be used statewide for training Law Enforcement Officers to be deposited into the Peace Officer Standards and Training Commission Fund. A fee of seven dollars fifty cents (\$7.50) shall be assessed and ninety-five percent (95%) of this fee shall be deposited in the Crime Victims' Compensation Fund and five percent (5%) of this fee shall be deposited in the General Fund. A fee of seven dollars (\$7.00) shall be assessed, collected and set aside for the Statewide Court Automation Fund, with all such amounts collected transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Court Automation Fund.

## SHOW-ME COURTS IMPLEMENTATION WORKSHEET

MUNICIPAL DIVISION NAME: \_\_\_\_\_

GO LIVE DATE: \_\_\_\_\_

Implementation Component	Completion Date (To be filled in by the municipal division)
<b>60-50 Days Before Go Live Date</b>	
<b>Municipal Judge:</b> Read and sign the statement of expectations and agreement issued by the OSCA Project Office and return it to the project manager assigned to your municipal division.	
<b>Municipal Judge:</b> Have the circuit court presiding judge assign a security point of contact (POC) unless already assigned.  A security POC can be responsible for multiple municipal divisions, if desired. The security POC is accountable for informing OSCA Information Technology Security about new users and terminations, and requesting security level accesses to Show-Me Courts. To designate a security POC, have the circuit court presiding judge email <a href="mailto:OSCA.Help.Desk@courts.mo.gov">OSCA.Help.Desk@courts.mo.gov</a> and provide the following information about the appointed security POC: <ul style="list-style-type: none"> <li>• First name, middle initial (if known), and last name</li> <li>• Job title</li> <li>• Phone number</li> <li>• Municipal division(s) for which the individual will be the authorized security POC</li> </ul> Note: In the event that a security POC needs to be reassigned to a different individual, OSCA Information Technology Security should be notified by the circuit court presiding judge via email to <a href="mailto:OSCA.Help.Desk@courts.mo.gov">OSCA.Help.Desk@courts.mo.gov</a> . Security guidelines are posted online: <a href="https://www.courts.mo.gov/file.jsp?id=70755">https://www.courts.mo.gov/file.jsp?id=70755</a> .	
<b>Municipal Court Clerk:</b> Establish an iNotes (IBM Notes) judicial email account.	

<p><b>Municipal Prosecuting Attorney:</b> Request an originating agency identifier (ORI) from Missouri State Highway Patrol (MSHP) (573-751-3313), <b>if one has not already been assigned</b>. The ORI is required for PA Portal use and for prosecutors using a system equivalent to PA Portal to send electronic data and documents. Send the ORI to the project manager assigned to your municipal division.</p> <p>To request an ORI, send a formal request on office letterhead indicating the purpose of the ORI, to Major David Flannigan at MSHP via U.S. Mail. The PA should also provide an ordinance/document giving proof of the city hiring the PA to prosecute their cases. This process takes approximately three weeks.</p> <p>Missouri State Highway Patrol Technology Services Bureau 1510 East Elm Street Post Office Box 568 Jefferson City, MO 65102-0568</p> <p>For access to PA Portal, submit the request for the portal and the ORI to <a href="mailto:OSCA.Help.Desk@courts.mo.gov">OSCA.Help.Desk@courts.mo.gov</a>.</p> <p>The PA Portal is for initiating the case with the court. For all subsequent filings on the case, the prosecutor must utilize the eFiling tool through the Missouri Judicial website at <a href="https://www.courts.mo.gov">https://www.courts.mo.gov</a>.</p> <p>PA Portal and eFiling training videos and information are provided on the Missouri Judicial website at <a href="https://www.courts.mo.gov/page.jsp?id=16542">https://www.courts.mo.gov/page.jsp?id=16542</a>.</p>	
<p><b>Municipal Court Clerk:</b> Provide a copy of all court cost ordinances (including law enforcement training, domestic violence shelter surcharge, inmate security surcharge and court automation) and the order for judicial education/court appointed counsel funds to the project manager assigned to your municipal division.</p>	
<p><b>Municipal Court Clerk:</b> Open a <b>new</b> municipal division bank account to be used <b>only</b> for Show-Me Courts receipts and disbursements.*</p> <p>Title bank account, "XXX (city name) Municipal Division," and include authorized persons/signatures (2 minimum), municipal clerk(s).*</p> <p>When there is a change in personnel, new signature cards are required.</p> <p>Request online banking access view only.</p> <p>*Note: When there is one clerk, the municipal judge may designate non-court personnel, such as the finance director or treasurer, to be a second signature on checks over \$500, as long as their duties do not have a conflict or apparent conflict of interest with SCR 37.04A, MOS #7.</p>	



<p>Email to the project manager assigned to your municipal division, a voided check from the bank, include the bank account number, bank routing number, bank name/address and starting check number.</p> <p>Order SMC compatible check stock from Safeguard, Craig Roth, (913) 649-4800. To order elsewhere, ask OSCA to mail a sample piece of the check stock.</p>	
<b>50-40 Days Before Go Live Date</b>	
<p><b>Municipal Court Clerk:</b> Determine computer equipment, software and Internet connectivity needs.</p>	
<p><b>Municipal Court Judge &amp; Clerk:</b> Complete the suggested training courses. All Show-Me Courts trainings can be taken online at: <a href="https://www.courts.mo.gov/page.jsp?id=111913">https://www.courts.mo.gov/page.jsp?id=111913</a>, where recommended courses are listed by role in the municipal division. Users are not limited to the recommendation list.</p> <p>Additional e-Learning courses may be provided as they become available.</p>	
<p><b>Municipal Court Clerk:</b> Begin scanning pending cases that fall on future municipal division dates (optional).</p>	
<b>40-30 Days Before Go Live Date</b>	
<p><b>Municipal Court Clerk:</b> Submit Tax Offset and Debt Collection MOU packet. The Tax Offset and Debt Collection packet can be obtained by contacting OSCA Contracts. Once the forms are complete, return forms to OSCA.Help.Desk@courts.mo.gov, including the agreement signed by the appointing authority and presiding judge. <b>This is a requirement for non-JIS courts only.</b></p>	
<p><b>Municipal Court Clerk:</b> Complete the Authorization for Signature Image Access form available at <a href="https://www.courts.mo.gov/file.jsp?id=59161">https://www.courts.mo.gov/file.jsp?id=59161</a>, and obtain a stamp for eFiled documents if eFiling has been implemented in the municipal divisions. Return the form to the project manager assigned to your municipal division.</p>	
<p><b>Municipal Court Clerk:</b> Validate that the recommended computer equipment, software and Internet connectivity is installed.</p>	
<p><b>Municipal Court Clerk:</b> Complete the Show-Me Courts security group new user spreadsheet and return to the project manager assigned to your municipal division.</p>	
<p><b>Municipal Court Clerk:</b> Attend appropriate instructor-led/hands-on SMC training as scheduled by your project manager.</p>	

## Resources

Show-Me Courts was designed to be intuitive and user-friendly. The main resources to help users get acquainted with the system are In-Application Help Pages and e-Learning courses.

### In-Application Help Pages

- Once in Show-Me Courts, assistance can be obtained by clicking on the question mark icon (?) anywhere in the application.
- Additional In-Application Help content is added on a continual basis. Check back frequently.

### E-Learning Courses

- All Show-Me Courts trainings can be taken at your leisure online by visiting the following webpage: <https://www.courts.mo.gov/page.jsp?id=111913>, where recommended courses are listed by role in the municipal division. **Note:** Users are not limited to the recommendation list.
- Additional e-Learning courses may be provided as they become available.

*Note: Courses are updated frequently to reflect changes that occur in Show-Me Courts. However, the production environment may look different than what is presented in the courses due to time needed to update course content. For example, the "Municipal and Traffic" tab has been renamed "Criminal."*

### Municipal Clerk Handbook and Municipal Division Clerk Manual (Note: Network log in required)

#### Municipal Clerk Handbook

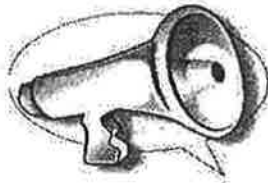
<https://www.courts.mo.gov/hosted/judedintra/CourtResources/Municipal%20Division%20Handbook/index.htm>

#### Municipal Division Clerk Manual for Municipal Divisions with JIS

<http://oscln0001/courts/clerkhandbooksp2.nsf/MuniClerkManCrtswithJIS?OpenView>

## Office of State Courts Administrator Contacts

- ✓ **Information Technology Services Division Director**  
Pat Brooks | (573) 526-8885 | [Pat.Brooks@courts.mo.gov](mailto:Pat.Brooks@courts.mo.gov)
- ✓ **Court Business Services Division Director**  
Rick Morrissey | (573) 526-8825 | [Richard.Morrissey@courts.mo.gov](mailto:Richard.Morrissey@courts.mo.gov)
- ✓ **Grants and Projects Manager**  
Clayton Knipp | (573) 526-8336 | [Clayton.Knipp@courts.mo.gov](mailto:Clayton.Knipp@courts.mo.gov)
- ✓ **Show-Me Courts Project Manager**  
Bill Chapman | (573) 526-8895 | [Bill.Chapman@courts.mo.gov](mailto:Bill.Chapman@courts.mo.gov)
- ✓ **Show-Me Courts Municipal Division Implementation Project Manager**  
Sherri Paschal | (573) 690-5320 | [Sherri.Paschal@courts.mo.gov](mailto:Sherri.Paschal@courts.mo.gov)
- ✓ **Help Desk**  
(888) 541-4894 | Email: [OSCA.Help.Desk@courts.mo.gov](mailto:OSCA.Help.Desk@courts.mo.gov)



***We Want to Hear from You!*** Your input is extremely important to us. To share your comments, questions, concerns, and recommendations about this manual, email [OSCA.Communications.Support@courts.mo.gov](mailto:OSCA.Communications.Support@courts.mo.gov). We appreciate you taking a moment to help us enhance our service to you.

**BILL NO. 21-40**

**ORDINANCE NO. 4.576**

**AN ORDINANCE AMENDING CHAPTER 125, MUNICIPAL COURT, OF THE CODE OF ORDINANCES OF THE CITY OF GLADSTONE, MISSOURI, BY ADDING SECTION 1.125.380 REGARDING COURT COSTS FOR SHOW ME COURTS.**

**WHEREAS**, the Municipal Court Division for the City is implementing Missouri's statewide case management automation system known as Show Me Courts pursuant to the provisions of state statutes and Missouri Supreme Court Operating Rules; and

**WHEREAS**, in order to implement Show Me Courts, the City is required to enact an ordinance adopting a court automation fee of seven dollars (\$7.00); and

**WHEREAS**, in accordance therewith, the City Council desires to amend Chapter 125 of the Municipal Code of the City of Gladstone, Missouri, to adopt said court automation fee.

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

**Section 1.** That Chapter 125 of the Municipal Code of the City of Gladstone, Missouri, is hereby amended to add the following new section 1.125.380:

**SECTION 1.125.380: COURT COSTS.**

In addition to the other costs authorized in this Section, there shall be assessed a state court automation surcharge of seven dollars (\$7.00) in all cases in which court costs are taxed. Said surcharge shall be collected by the Court and transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Automation Fund, as provided in Section 488.012.3(5), RSMo. and Section 488.027.2, RSMo.

**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.

**Section 4.** That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences, or clauses.

**INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL  
OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 13<sup>th</sup> DAY OF DECEMBER 2021.**

\_\_\_\_\_  
R.D. Mallams, Mayor

ATTEST:

\_\_\_\_\_  
Becky Jarrett, Deputy City Clerk

First Reading: December 13, 2021

Second Reading: December 13, 2021



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # 21-40

ORD # 4.576

Date: 12/3/2021

Department: Finance

Meeting Date Requested: 12/13/2021

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

Subject: Show Me Court Implementation

Background: The State of Missouri has mandated all municipal courts to use the Show Me Courts software. For the past several months, staff has been working to fulfill all requirements needed to use the software. The following Ordinance will allow the City to add \$7.00 to fund the software, support, and training.

Budget Discussion: Funds are budgeted in the amount of \$ 28,000 from the General Fund. Ongoing costs are estimated to be \$ 28,000 annually. Previous years' funding was \$0

Public/Board/Staff Input: Ordinance to follow

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

Department Director/Administrator

City Attorney

City Manager

**BILL NO. 21-41****ORDINANCE NO. 4.577**

**AN ORDINANCE AUTHORIZING THE CITY OF GLADSTONE, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS (PARKSIDE INVESTORS PROJECT), SERIES 2021, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$35,380,000 TO FINANCE THE COSTS OF A PROJECT FOR PARKSIDE INVESTORS, LLC, A MISSOURI LIMITED LIABILITY COMPANY, CONSISTING OF CONSTRUCTING AND IMPROVING REAL PROPERTY; APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR THE COMPANY; INVITING AFFECTED TAXING DISTRICTS TO SUBMIT COMMENTS TO THE CITY COUNCIL NO LATER THAN DECEMBER 13, 2021, FOR FAIR AND DUE CONSIDERATION BY THE CITY COUNCIL; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.**

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

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

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

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

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

**WHEREAS**, because the Bonds will be payable solely out of payments, revenues and receipts derived by the City from the lease of the Project to the Company and from no other source, the City has determined that it is appropriate that the Bonds be sold to the Company pursuant to

**WHEREAS**, because the Bonds will be payable solely out of payments, revenues and receipts derived by the City from the lease of the Project to the Company and from no other source, the City has determined that it is appropriate that the Bonds be sold to the Company pursuant to Section 108.170 of Revised Statutes of Missouri, as amended, which provides that notwithstanding any other provisions of any law or any charter provision to the contrary, industrial development revenue bonds may be sold at private sale.

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

[Ordinance continues on next page]



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

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

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

**Section 3. Authorization and Sale of the Bonds.** The City is hereby authorized to issue and sell its Taxable Industrial Development Revenue Bonds (Parkside Investors Project), Series 2021, in an aggregate principal amount not to exceed \$35,380,000, for the purpose of providing funds to pay the costs of the Project. The Bonds shall be issued and secured pursuant to the herein authorized Trust Indenture and shall bear such date, shall mature at such time, shall be in such denominations, shall bear interest at such rate (not to exceed 8.00%), shall be in such form, shall be subject to redemption, shall have such other terms and provisions, shall be issued, executed and delivered in such manner and shall be subject to such provisions, covenants and agreements as are specified in the herein authorized Trust Indenture upon the execution thereof, and the signatures of the officers of the City executing the Trust Indenture shall constitute conclusive evidence of their approval and the City's approval thereof. The sale of the Bonds to the Company at private sale pursuant to the provisions of Section 108.170 of Revised Statutes of Missouri, as amended, at the interest rate and upon the terms set forth in the Trust Indenture is hereby approved.

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

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

(a) Trust Indenture dated as of the date set forth therein (the "Trust Indenture"), between the City and Security Bank of Kansas City, Kansas City, Kansas (the "Trustee"),

pursuant to which the Bonds shall be issued and the City shall pledge and assign the payments, revenues and receipts received pursuant to the Lease Agreement to the Trustee for the benefit and security of the owners of the Bonds upon the terms and conditions as set forth in the Trust Indenture;

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

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

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

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

**Section 7. Further Authority.** The City shall, and the officials, agents and employees of the City are hereby authorized and directed to, take such further action, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to carry out, comply with and perform the duties of the City with respect to the Bonds and the City Documents.

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

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

**Section 10. Effective Date.** This Ordinance shall be approved and shall take effect and be in full force from and after its passage by the City Council and this Ordinance is signed by the Mayor.

[Signature Page Follows]

**INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE COUNCIL OF  
THE CITY OF GLADSTONE, MISSOURI, THIS 13th DAY OF DECEMBER, 2021.**

---

R.D. Mallams, Mayor

(SEAL)

ATTEST:

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Becky Jarrett, Deputy City Clerk

First Reading: December 13, 2021

Second Reading: December 13, 2021



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☒ # R-21-41

ORD # 4.577

Date: 12/7/2021

Department: Community Development

Meeting Date Requested: 12/13/2021

Public Hearing: Yes ☐ Date:

Subject: Parkside at Hobby Hill – Chapter 100 Bonds

### Background:

In July 2021, the City Council approved the Parkside at Hobby Hill Mixed-Use project located approximately at the block of 76<sup>th</sup> Street to the south and west of North Oak Trafficway.

This 35 million dollar 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 and office space adjacent to N. Oak Trafficway. This development offers 87 one bedroom apartments and 129 two bedroom apartments. The commercial aspect of this project is approximately 10,000 square feet and a total of 325 parking spaces will serve the development.

As discussions regarding the development progressed, the Developer requested incentives in which city staff engaged Baker Tilly to perform a rate of return (But-For) analysis to judge the financial feasibility of the project. In summary of that analysis, Baker Tilly determined that the proposed return with abatement provided for a period of 10 years at 100% and 10 years at 50% represents a reasonable rate of return for the project with assistance and would not result in the development being over-incented. The projected internal rate of return is approximately 7.55%.

Mr. Rick McConnell, Partner with Armstrong Teasdale LLP was engaged by city staff to represent the city and develop the Chapter 100 Bond program. Mr. McConnell has worked with the City in the past on projects such as the Heights at Linden Square and the Fairfield Inn & Suites by Marriott.

The various taxing jurisdictions were notified of the planned Taxable Industrial Development Revenue Bonds (Chapter 100 Bonds) and both the Mid-Continent Public Library and North Kansas City School District Board of Education voiced concern and cannot support the Parkside at Hobby Hill project with incentives.

Taking into consideration the concerns of the taxing jurisdictions, city staff re-negotiated with the Developer for a higher Payment In Lieu of Taxes (PILOT), that is approximately three times the original proposed dollar figure as well as a 2% increase year after year through the duration of the tax abatement.

RCA DUE TO CITY CLERK WEDNESDAY 12:00 PM

City leadership understands that Gladstone is 9 square miles and approximately 95% developed. For the city to grow and maintain property values, we must reinvest in ourselves through redevelopment. The extraordinary cost of assembling parcels and the redevelopment process require the incentive for this project to come to fruition. Finally, city leadership is selective in our requests for incentives in that two other projects have recently been denied by city staff that were considered to be too lucrative for the developer or not supportable by the community.

It is city staff's determination that this project is desirable for the economic development of the City and recommend that the City Council proceed with the issuance of the Bonds to support this development.

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:

The various taxing jurisdictions were notified of the planned Taxable Industrial Development Revenue Bonds (Chapter 100 Bonds) and both the Mid-Continent Public Library and North Kansas City School District Board of Education voiced concern and cannot support the Parkside at Hobby Hill project with incentives.

It is city staff's determination that this project is desirable for the economic development of the City and recommend that the City Council proceed with the issuance of the Bonds to support this development.

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

Austin Greer, Community Development Director

City Attorney

City Manager



***Department of Community Development***  
***Memorandum ASG 21-12***

**DATE:** December 7, 2021

**TO:** Scott Wingerson, City Manager

**FROM:** Austin Greer, Community Development Director & Asst. To The City Manager

**SUBJECT:** Parkside at Hobby Hill – Chapter 100 Bonds

In July 2021, the City Council approved the Parkside at Hobby Hill Mixed-Use project located approximately at the block of 76<sup>th</sup> Street to the south and west of North Oak Trafficway.

This 35 million dollar 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 and office space adjacent to N. Oak Trafficway. This development offers 87 one bedroom apartments and 129 two bedroom apartments. The commercial aspect of this project is approximately 10,000 square feet and a total of 325 parking spaces will serve the development.

As discussions regarding the development progressed, the Developer requested incentives in which city staff engaged Baker Tilly to perform a rate of return (But-For) analysis to judge the financial feasibility of the project. In summary of that analysis, Baker Tilly determined that the proposed return with abatement provided for a period of 10 years at 100% and 10 years at 50% represents a reasonable rate of return for the project with assistance and would not result in the development being over-incented. The projected internal rate of return is approximately 7.55%.

Mr. Rick McConnell, Partner with Armstrong Teasdale LLP was engaged by city staff to represent the city and develop the Chapter 100 Bond program. Mr. McConnell has worked with the City in the past on projects such as the Heights at Linden Square and the Fairfield Inn & Suites by Marriott.

The various taxing jurisdictions were notified of the planned Taxable Industrial Development Revenue Bonds (Chapter 100 Bonds) and both the Mid-Continent Public Library and North Kansas City School District Board of Education voiced concern and cannot support the Parkside at Hobby Hill project with incentives.

Taking into consideration the concerns of the taxing jurisdictions, city staff re-negotiated with the Developer for a higher Payment In Lieu of Taxes (PILOT), that is approximately three times the original proposed dollar figure as well as a 2% increase year after year through the duration of the tax abatement.

City leadership understands that Gladstone is 9 square miles and approximately 95% developed. For the city to grow and maintain property values, we must reinvest in ourselves through redevelopment. The extraordinary cost of assembling parcels and the redevelopment process require the incentive for this project to come to fruition. Finally, city leadership is selective in our requests for incentives in that two other projects have recently been denied by city staff that were considered to be too lucrative for the developer or not supportable by the community.

It is city staff's determination that this project is desirable for the economic development of the City and recommend that the City Council proceed with the issuance of the Bonds to support this development.

Thank you,

Austin Greer





**MID-CONTINENT**  
**PUBLIC LIBRARY**

November 18, 2021

Scott Wingerson, City Administrator  
Gladstone City Hall  
7010 N Holmes Street  
Gladstone, MO 64118

Mr. Wingerson,

I am in receipt of the Planned Industrial Development documents for the Parkside at Hobby Hill project. As you know, and as we've discussed, Mid-Continent Public Library cannot support this project. Library Board Policy 522 adopted in 2008 states the following.

The Mid-Continent Public Library Board of Trustees, in general, will not support tax diversion or abatement for any development that increased the demand for Library services and may actively oppose such projects including encouraging other taxing jurisdictions to do the same.

Individual developers, who wish, may present their need and situation the Mid-Continent Public Library Board of Trustees, or appropriate subcommittee, for consideration by the full Board.

This policy has generally been interpreted to mean that MCPL will not support residential projects or projects creating residences. The proposal calls for 220 new apartments. Conservatively, this could result in about 300 new residents wanting library service. This could cost \$22,500 annually to provide such service. However, the proposal eliminates the new library revenue needed to provide such service until ten years from now (as the soonest). We cannot hope to provide excellent service for the community without revenue to do so.

MCPL would welcome conversations with the city to search for ways to create win-win situations, like allowing a modest PILOT to pass through in early years. As the project is proposed, however, the library must be in opposition.

Digitally signed by  
Steven V. Potter

Location:  
Independence, MO  
Date: 2021.11.18  
16:36:43 -06'00'

Steven V. Potter  
Library Director

cc: Mayor R. D. Mallams, Dan Clemons

Access Your World

**From:** Matt Fritz <matt.fritz@nkcschools.org>

**Date:** November 12, 2021 at 3:21:39 PM CST

**To:** Scott Wingerson <scottw@gladstone.mo.us>

**Cc:** Paul Harrell <paul.harrell@nkcschools.org>, Daniel Clemens <daniel.clemens@nkcschools.org>

**Subject:** FW: Your scan (Scan to My Email)

Scott,

I just wanted to let you know that we received the notice regarding the multifamily Chapter 100 project. As I mentioned previously, abatements above 50% and ten years are typically heavily scrutinized by our Board of Education especially when it is for housing. I am forwarding this on to the Board of Education today. I will let you know what I hear back.

I do have a couple questions that I know I will be asked.

Was there a "but for" analysis done?

Is there profitability analysis that the developer prepared to determine that the abatement was needed and at what level?

Has anyone talked to the developer to see if there is another way to structure the abatement and PILOTS?

As I mentioned in my last email, we see about 3/10 of a student per unit which would be over 60 students on the 220 units. Each student costs approximately \$11,000-\$12,000 a year to educate. Our local taxes represent more than 65% of our revenue. That puts the District in the hole at almost \$450 thousand annually for the first 10 years.

**Matthew Fritz, MBA, SFO**

*Chief Financial Officer*

(816) 321-4641

[Matt.Fritz@nkcschools.org](mailto:Matt.Fritz@nkcschools.org)

North Kansas City School District

2000 NE 46<sup>th</sup> Street

Kansas City, MO 64116

Scott,

In general terms our demographer tells us that we get approximately 3/10 of a student per unit. As far as questions we would have, it's easier to formulate questions once we've seen a financial pro forma of some sort. Also it's helpful to know what type of abatement is contemplated and what the projected terms are of the abatement.

Finally, I know that our board isn't in favor of anything that is more than 50% for ten years just on the face of a deal.

Thanks,

Matt

**Matthew Fritz, MBA, SFO**

*Chief Financial Officer*

(816) 321-4641

[Matt.Fritz@nkcschools.org](mailto:Matt.Fritz@nkcschools.org)

North Kansas City School District

2000 NE 46<sup>th</sup> Street

Kansas City, MO 64116

**MEMORANDUM**

TO: Scott Wingerson, City Manager  
Austin Greer, Assistant to the City Manager

FROM: Thomas Denaway, Baker Tilly

DATE: September 1, 2021

SUBJECT: Review of Proposed Hobby Hill Multi-Family Project

**Introduction**

Baker Tilly Municipal Advisors was retained by the City of Gladstone to review the request for tax abatement related to the proposed Hobby Hill multi-family project. The Developer, Cardinal Crest Commercial, is proposing the development of a two-phase mixed-use development containing two apartment buildings and a commercial building. The developer is seeking tax abatement assistance from the City via the Chapter 100 program. The purpose of this memo is to evaluate the reasonableness of the proposed request and if the project would be unlikely to proceed but-for the requested assistance, as well as what would be a reasonable abatement proposal.

The Hobby Hill apartment project is proposed to be located on a group of four parcels located generally near the southwest corner of the intersection 76<sup>th</sup> Terrace and North Oak Trafficway. The first phase of the project is proposed to include the development of a 129-unit apartment building along with an approximately 14,742 square foot clubhouse building contain a fitness center, club room, an outdoor pool, and outdoor amenities including a living, grilling, and pet areas. The Developer provided a total cost estimate of approximately \$20,100,118 for the acquisition and development of the phase 1 apartment building, clubhouse, and related amenities.

The second phase is proposed to include an additional separate 92-unit apartment building, and a stand along retail building of approximately 10,599 square feet. The total cost estimate for the development of the second phase was \$13,995,152.

**Project Cost Assumption**

Total Project Costs	Phase 1	Phase 2	Total
Land Acquisition	\$770,000	\$525,000	\$1,295,000
Hard Costs	\$18,187,247	\$12,678,955	\$30,866,202
Soft Costs	\$1,142,871	\$791,198	\$1,934,069
<b>Total Cost</b>	<b>\$20,100,118</b>	<b>\$13,995,152</b>	<b>\$34,095,270</b>

We reviewed the project cost information submitted by the Developer to ensure that the project costs were reasonable and not overstated in a manner to attempt to show a need for assistance.

In reviewing the Developer's cost assumptions, we found them to be reasonable and likely to be incurred. The largest category is the Hard Costs of \$30,866,202, which accounts for 90.5% of the total project costs. The largest individual line-item within this cost category is the building Hard Costs line-item for the two apartment buildings which totals \$23,209,656 for both phases. This equates to a per square foot cost of approximately \$81.39 per square foot. We utilized the Marshall and Swift Swiftestimator to estimate construction costs for an apartment building in the Kansas City metropolitan area. The Swiftestimator provided an average cost estimate of \$82.39, with a range from \$61.63 to \$105.02 depending on construction material type. Based on this the Developer's Building Hard Cost estimate appears reasonable.

For the Soft Cost the Developer provided a mix of individual soft cost line-items related to the development of the site, including line-items for due diligence, design/architecture, permits, legal, working capital and marketing. The largest line-item, comprising the majority of the soft cost category, was for design/architecture services. In total the soft cost category equates to approximately 5.6% of the overall development cost, which is a reasonable percentage. A developer fee was not included within the soft cost line-items provided by the Developer.

Our review found the Developer's assumptions for project costs to be reasonable and likely to be incurred as projected. The Developer's submittal indicates they are seeking a sales-tax exemption on the purchase of construction materials, it is our assumption that the cost estimates provided reflect the costs following the sales-tax exemption.

#### **Tax Abatement Assistance Request**

The Developer is requesting assistance in the form of a Chapter 100 tax abatement provided at a rate of 10-years at 100% of the incremental increase in property taxes that would occur without abatement, followed by 15-years at 50% of the increment increase in property taxes. Additionally, the Developer is requesting a sales-tax exemption on the purchase of construction materials.

In order to prepare an estimate of the valuation of the requested property tax abatement, first we needed to estimate what the potential property taxes would be post-development. To estimate the post-development market value of the project we researched existing county appraised values for comparable properties within Clay and Platte County. Based on this review we estimated a post-development appraised value per unit of approximately \$121,000. This market value estimate equates to an appraised market value of approximately 82% of hard construction costs. In order to estimate the market value of the commercial portion of the development we utilized the construction cost for the retail building and applied an appraised value assumption of 82% of construction costs.

In preparing an estimate of the value of the tax abatement, we have assumed that a PILOT payment will be made by the project during the first 10-year period of 100% tax abatement. During this period, we have assumed the project will make a PILOT payment of \$8,435 annually, based on the current property tax amount paid by the four parcels comprising the development site. We have assumed this amount will increase annually at the rate of 1.5%. Following the first 10-years of the abatement period the property tax paid by the project will revert to being based on 50% of the appraised market value of the site.

In order to estimate the value of the requested property tax abatement, we ran a Net Present Value (NPV) calculation of the proposed property tax savings based on varying terms for the tax abatement. The following NPV calculation is based on a 5% interest rate. A Net Present Value calculation is used to illustrate the value of the future property tax abatement savings represented

in today's dollar amount. The chart below illustrates the potential Net Present Value of varying levels of tax abatement.

Tax Abatement Scenario	Net Present Value (5%)
10-Years @ 100% of increase over base amount	\$3,381,884
10-Years @ 100% and 10-Years @ 50% of increase	\$4,476,287
10-Years @ 100% and 15-Years @ 50%	\$4,945,228

#### **Developer Pro Forma**

The Developer prepared 10-year operating pro forma for each phase of the development. These pro forma identified their assumptions as it relates to anticipated rental income, vacancy, operating assumptions, and rental income from the commercial property. In reviewing their submittal information we found the assumptions regarding rental rates and operating assumptions to be reasonable. The Developer included a market study within their submittal identifying how they arrived at their proposed rental rates by unit type. We reviewed this market study as well as utilized information from Costar to pull comparable property rental rate information for the Northland area and found the Developer's rental rate assumptions to be inline with current market rates.

We did make an adjustment to the rental rate assumption in regard to the retail building. The Developer's assumption assumed a \$15 per square foot. We found this rental rate to be below current market conditions and adjusted this rate to \$19 per square foot to be more representative of the market. Additionally, we broke out the property tax amount for the retail property separately and modified the pro forma to assume that this property tax amount, or its equivalent with abatement, was being passed on to the tenant on the traditional triple-net basis on which most commercial leases are based. In a triple-net lease, which is the common structure for retail leases, the majority of operating expenses such as property taxes are passed along and paid separately by the tenant. The rate of return analysis identified below is based on our revised assumptions for the retail property.

Part of projecting of the potential rate of return realized by a Developer is the inclusion of a hypothetical sale in the 10<sup>th</sup> (or final) year of the pro forma. The purpose of this hypothetical sale is to ensure that the value of the created asset is included within the return calculation, so that the return calculation is based on the full lifecycle of a development (construction, operation, and sale). It is not necessarily indicative of the assumption that the Developer is going to sell the property within the 10<sup>th</sup> year, but is a mathematical construct to ensure that the value of the asset is counted within the return analysis.

The estimate of the sale value of the asset is determined by applying a capitalization rate to the annual net operating income (NOI) of the project in the sale year. The available net operating income divided by the capitalization rate, results in the assumed fair market value of the asset. In preparing our analysis we assumed a capitalization rate of 7.5% and a 3% cost of sale assumption, to calculate the hypothetical sale value.

#### **Internal Rate of Return Analysis**

For purposes of this review we calculated the potential Unleveraged Internal Rate of Return realized by the Developer with and without the requested tax abatement. This analysis allows us to illustrate the impact that the requested abatement has on the financial feasibility of the project. An unleveraged IRR calculation is used in order to compare the potential return to the Developer with the PriceWaterhouseCooper (PWC) Real Estate Investor Survey, Second Quarter 2021,

Baker Tilly Municipal Advisors, LLC is a registered municipal advisor and wholly-owned subsidiary of Baker Tilly US, LLP, an accounting firm. Baker Tilly US, LLP trading as Baker Tilly is a member of the global network of Baker Tilly International Ltd., the members of which are separate and independent legal entities. © 2020 Baker Tilly Municipal Advisors, LLC

which provides a market comparison on which project feasibility can be judged. The PWC survey is a national survey of real estate investors seeking to identify the desired rate of return necessary for their investment/acquisition of an existing real estate development. We can use the return threshold identified within this survey as a benchmark against which project feasibility can be measured. If the return without assistance is below the average return identified within the survey, we can conclude that the project would not be considered financially feasible and therefore unlikely to occur without assistance. The PWC Survey identifies a range in the most recent survey of 5.00% to 10.00% with an average of 6.69%. It should be noted that since this is a survey of investors in existing real estate projects it is a conservative benchmark, and represents a lower hurdle rate than might be sought by investors in new construction.

The Table below illustrates our calculations for the potential Unleveraged IRR realized by the Developer without the requested abatement, and with varying levels of abatement assistance.

Unleveraged IRR Analysis	Unleveraged IRR
Without Assistance	5.53%
With 10-Years Abatement at 100%	6.93%
With 10-years Abatement at 100% and 10-years at 50%	7.55%
With 10-years Abatement at 100% and 15-years at 50%	7.74%

#### **Need for Assistance Finding**

By calculating the Developer's anticipated IRR without abatement we are able to determine if the project would be considered feasible without assistance. Using the PWC Survey average of 6.69% as a feasibility threshold, we can see that the Developer's anticipated rate of return without abatement falls significantly below this conservative benchmark for project feasibility. As such we can conclude that the project would be unlikely to proceed but-for abatement assistance.

In reviewing the projected IRR with varying levels of abatement we can calculate how the abatement assistance changes the anticipated IRR to a more feasible level. In reviewing the IRR with abatement we feel the proposed return with abatement provided for a period of 10-years at 100% and 10-years at 50% represents a reasonable rate of return for the project with assistance and would not result in the project being over-incented.



## *Request for Council Action*

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 11/23/21

Department: Community Development

Meeting Date Requested: 12/13/21

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

Subject: Approval of Building Permit

Background: The proposed project consists of five separate buildings each with four floors that will contain 216-unit luxury style apartments; including a swimming pool, clubhouse, fitness center, as well as commercial retail/office space adjacent to N Oak Trafficway. The development will offer 87 one-bedroom apartments and 129 two-bedroom apartments. The commercial aspect of the project is 9,000 square feet.

This project is primarily based on submitted plans from Anderson Engineering, ACI Boland Architects and Cardinal Crest Development; but is also a design build project and will have ongoing plan submittals. City Staff, Anderson Engineering, ACI Boland Architects and Cardinal Crest Development will be working together to review plans for compliance with construction codes and ordinances of the City.

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

Public/Board/Staff Input: See attached Building Permit Staff Report and accompanying plans.

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

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

# BUILDING PERMIT STAFF REPORT

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CITY OF GLADSTONE  
Community Development Department  
7010 N. Holmes Street  
Gladstone, Missouri 64118  
Tel. (816) 436-2200 Fax (816) 436-2228



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: NOVEMBER 23, 2021**  
**PERMIT No.: BP21-00421**

## GENERAL INFORMATION

**BUSINESS/PROPERTY NAME:** Parkside at Hobby Hill  
**APPLICANT:** Anderson Engineering, Inc.  
**STATUS OF APPLICANT:** Engineer of Record  
**OWNER:** Cardinal Crest Development  
**REQUESTED ACTION:** Approval of Building Permit  
**PURPOSE:** Construction of a Multi-Building Apartment Neighborhood  
**LOCATION:** 7510 N Oak Trafficway  
**SIZE:** 192,000 sq. ft.

## ZONING INFORMATION

**EXISTING LAND USE:** MXD  
**SURROUNDING LAND USE-N:** CP-1 & R-1  
**E:** C-1, CP-1 & C-3  
**W:** R-1  
**S:** CP-3 & R-1  
**COMPREHENSIVE PLAN:** Mixed Use Community  
**ZONING HISTORY:** Rezoned MXD 2021

## APPLICABLE REGULATIONS

**2018 IBC, 2018 IEBC, 2017 NEC, 2018 IFC, 2018 IECC, 2018 IFGC, 2018 IMC, 2018 IPC, 2018 ISPSC AND 2017 ICC A117.1**

## ADDITIONAL COMMENTS

No Additional Comments





**ACI**  
**BOLAND**  
**ARCHITECTS**

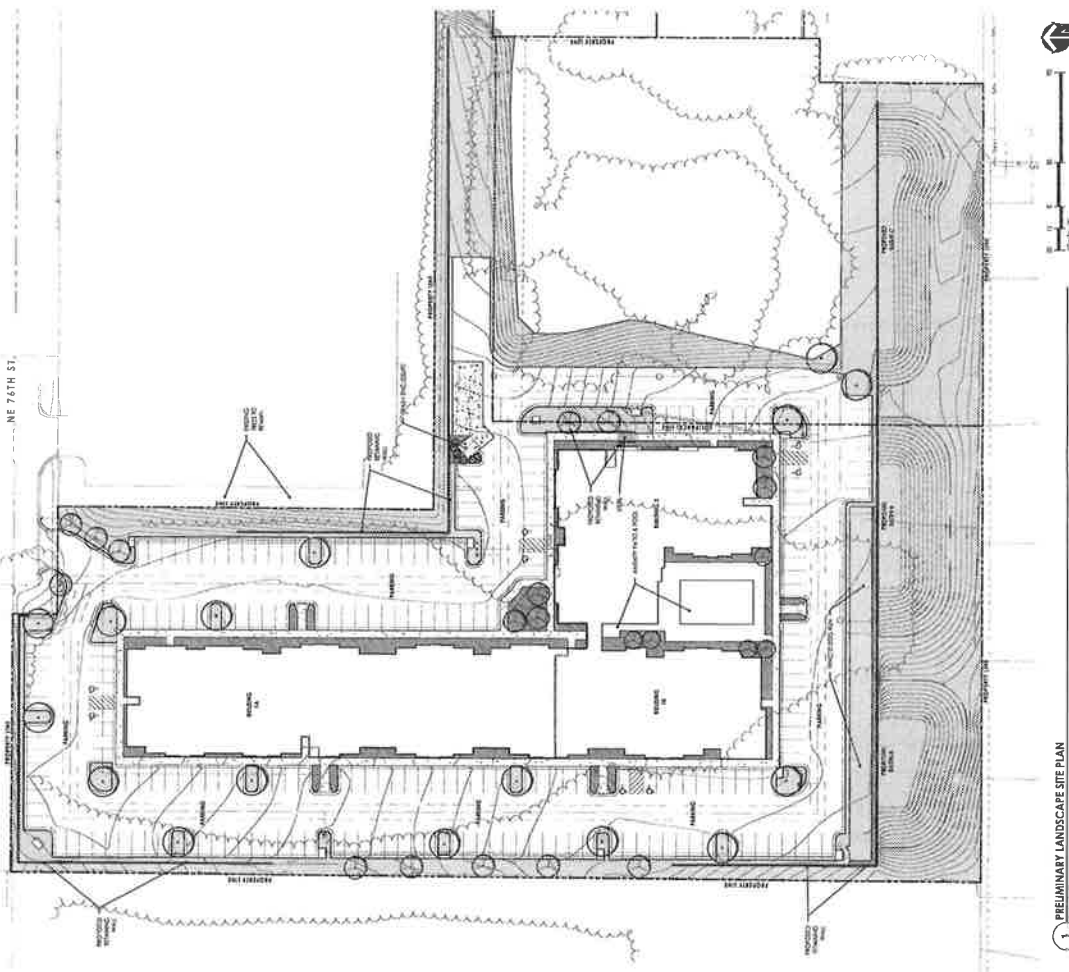
Date	09.10.23
Job Number	P-20113
Drawn By	RWB
Checked By	BDR

D 2027 AC/BOLAND, INC.  
PRELIMINARY LANDSCAPE  
SITE PLAN

Item	Category	Comments
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LANDSCAPE PLANTING AREA  
Native Perennial or a Native Ornamental Grass  
Decorative & Evergreen Shrubs

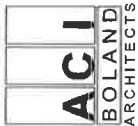
THE UNIVERSITY OF ALABAMA



# 1 PRELIMINARY LANDSCAPE SITE PLAN



PRELIMINARY.  
NOT FOR  
CONSTRUCTION,  
RECORDS, OR  
IMPLEMENTATION  
10/22/2021 4:27:11 PM



ACI BOLD ARCHITECTS  
10000 W. 11th Ave.  
Suite 100  
Denver, CO 80202  
Tel: 303.733.8888  
Fax: 303.733.8889  
www.acibold.com

STRUCTURAL CONSULTANT  
K&B CONSULTANTS, INC.  
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Denver, CO 80202  
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Fax: 303.733.8889  
www.kandb.com

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PROJECT INFORMATION  
Project Name: PARKSIDE AT HOBBY HILL  
Project Address: 11111 E. 17th Ave., Suite 100  
Project City: Denver, CO 80202  
Project State: CO  
Project Zip: 80202  
Project Number: 11111 E. 17th Ave.

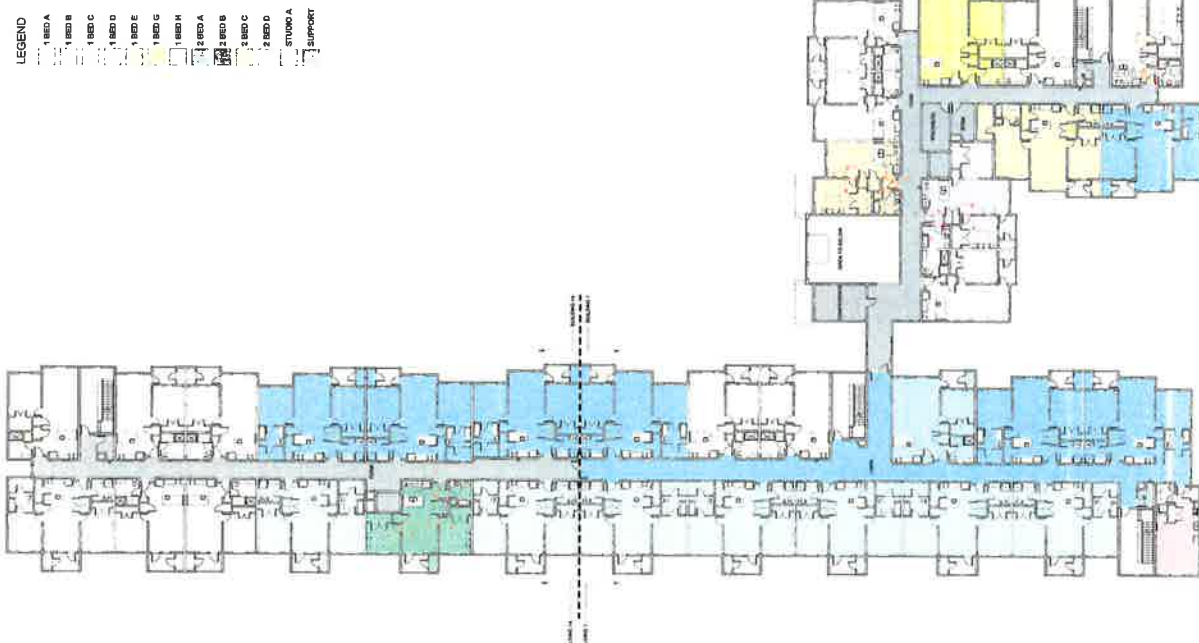
PARKSIDE AT HOBBY HILL  
GLADSTONE, MISSOURI

DATE: 10/22/21  
BY: J. BOLD  
CHECKED BY: J. BOLD  
APPROVED BY: J. BOLD

REVISIONS

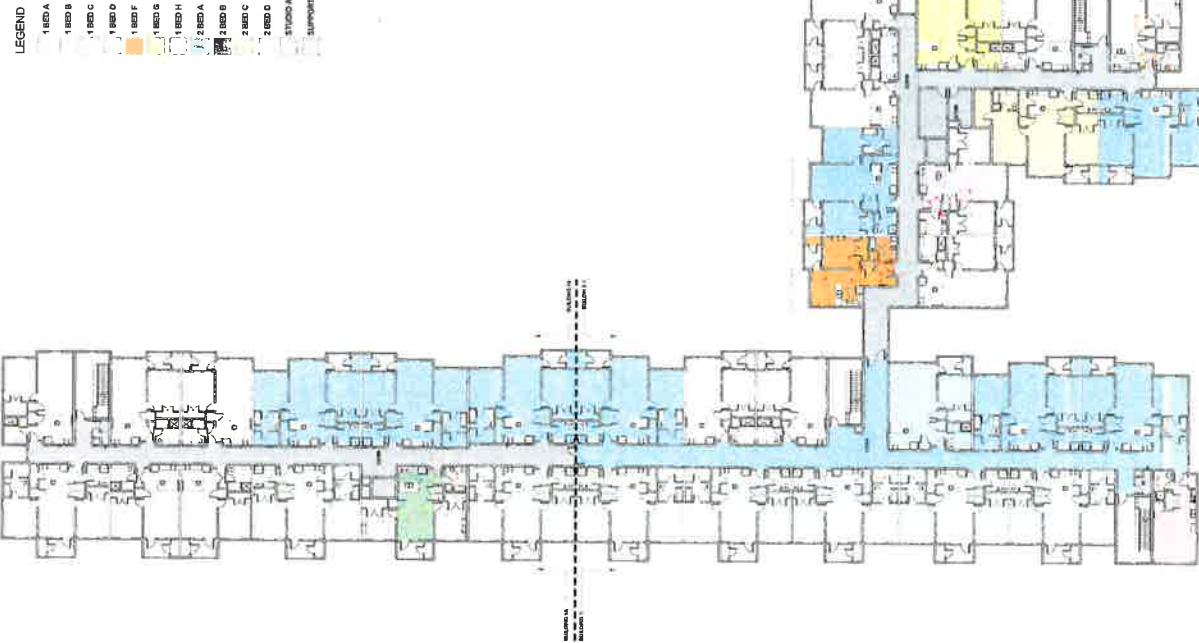
A2.0.2  
2ND & 3RD FLOOR UNITS

- LEGEND
- 1 BED A
  - 1 BED B
  - 1 BED C
  - 1 BED D
  - 1 BED E
  - 1 BED F
  - 1 BED G
  - 1 BED H
  - 2 BED A
  - 2 BED B
  - 2 BED C
  - 2 BED D
  - 2 BED E
  - 2 BED F
  - 2 BED G
  - 2 BED H
  - STORAGE
  - SUPPORT



A1 2ND FLOOR UNITS

- LEGEND
- 1 BED A
  - 1 BED B
  - 1 BED C
  - 1 BED D
  - 1 BED E
  - 1 BED F
  - 1 BED G
  - 1 BED H
  - 2 BED A
  - 2 BED B
  - 2 BED C
  - 2 BED D
  - 2 BED E
  - 2 BED F
  - 2 BED G
  - 2 BED H
  - STORAGE
  - SUPPORT



A4 3RD FLOOR UNITS







PRELIMINARY  
NOT FOR  
CONSTRUCTION  
FOR  
PERMITS  
OR  
IMPLEMENTATION  
10/22/2021 4:34:12 PM



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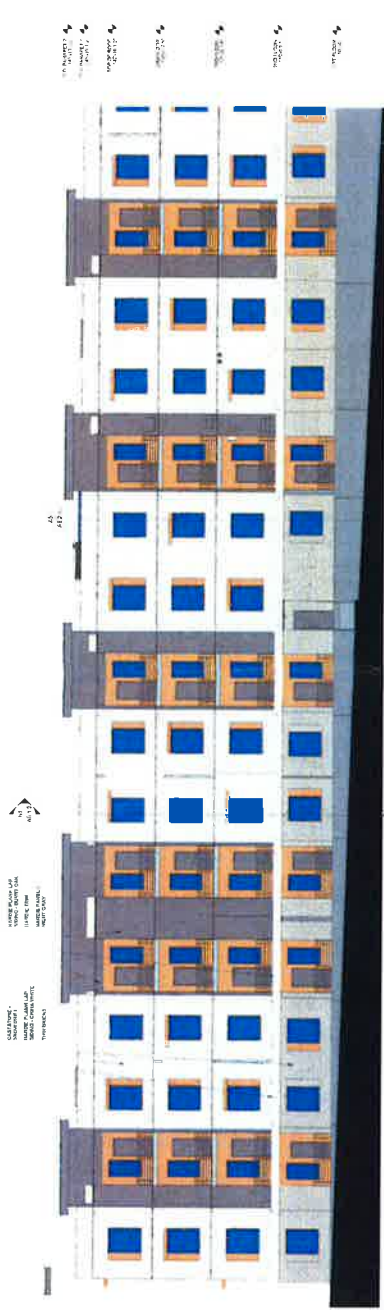
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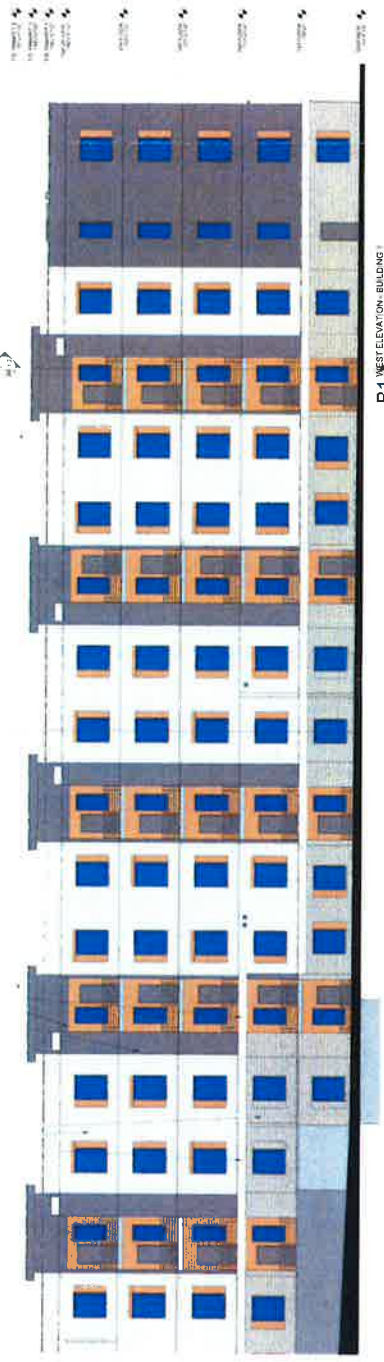
PARKSIDE AT HOBBY HILL  
GLADSTONE, MISSOURI

DATE: 10/22/21  
BY: JAC  
CHECKED BY: JAC  
APPROVED BY: JAC

A5.1.4  
OFFICE ELEVATION



D1 WEST ELEVATION - BUILDING 1A  
1/8" = 1'-0"



B1 WEST ELEVATION - BUILDING 1B  
1/8" = 1'-0"



A1 OVERALL WEST ELEVATION - BUILDING 1A  
1/8" = 1'-0"





**PARKSIDE AT HOBBY HILL** | GLADSTONE, MISSOURI  
EXTERIOR MATERIALS