



**CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, JUNE 13, 2022**

**The City Council will meet in a Closed Executive Session at 6:40 pm Monday, June 13, 2022, 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: 7:10 PM**

1. Clay McQuerry of Rebuilding Together Kansas City will give the annual 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 the Agenda.

5. **Approval of the May 23, 2022, Closed City Council Meeting Minutes.**
6. **Approval of the May 23, 2022, Regular City Council Meeting Minutes.**
7. **Communications from the Audience:** *Members of the public are invited to speak about any topic not listed on the agenda. While speaking, please state your name and address for the record and limit comments to 5 minutes.*
8. **Communications from the City Council.**
9. **Communications from the City Manager.**
10. **CONSENT AGENDA**

**RESOLUTION R-22-23** A Resolution authorizing the City Manager to execute a contract with Shedigs It LLC, in the total amount not to exceed \$648,520.00 for the 2022 Curb, Gutter and Sidewalk Program – Phase 1 Project TP2304.

**RESOLUTION R-22-24** A Resolution authorizing acceptance of work under contract with Orr Wyatt Streetscapes, for the Rock Creek Greenway Trail - Phase two project, and authorizing final payment in the amount of \$7,316.00 for Project TP2072.

**RESOLUTION R-22-25** A Resolution declaring certain city property surplus.

**CONSIDER SPECIAL EVENT PERMITS:**

Scarecrow 5K Walk/Run, Sunday, October 2, 2022, Linden Square, 7:30 am.

Whiskey Fest, Linden Square, Saturday, October 8, 2022 from 4:00 to 10:00 pm.

Alzheimer's Association, Walk to End Alzheimer's, Happy Rock Park West, Sunday, October 9, 2022 from 6:30 to 11:30 am.

Friday Fright Night, Happy Rock Park East, Friday, October 21, 2022 from 6:00 to 7:30 pm.

Cemetery Tours, Big Shoal Cemetery, Saturday, October 22, 2022 from 7:00 to 10:00 pm.

Mayor's Christmas Tree Lighting Ceremony, Linden Square, Tuesday, November 22, 2022, from 6:00 to 9:00 pm.

Photos and Cookies with Santa and Holiday Nights, Atkins-Johnson Farm, Saturday, December 10, 2022 from 10:00 am to 9:00 pm.

## **REGULAR AGENDA**

- 11. PUBLIC HEARING:** Establish Chapter 205: Short Term Stay and adding Section 7.205.010-Hotel, Motel, and Extended Stay regulations to the Gladstone city code. (This hearing will be opened and immediately continued to the June 27, 2022 City Council meeting.)
- 12. RESOLUTION R-22-26** A Resolution revising the Transportation Sales Tax Fund Fiscal Year 2022 midyear budget for the City of Gladstone, Missouri and authorizing expenditures of funds.
- 13. RESOLUTION R- 22-27** A Resolution adopting the 2023 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services.
- 14. RESOLUTION R-22-28** A Resolution authorizing the City Manager to execute a contract with Embassy Landscape Group, Incorporated, for the contractual landscape services of certain City of Gladstone parks and city facilities.

- 15. FIRST READING BILL NO. 22-20** An ordinance establishing certain fees and charges for services and activities provided by the City of Gladstone, Clay County, Missouri, and amending Ordinance no. 4.441.
- 16. FIRST READING BILL NO. 22-21** An Ordinance approving the Final Plat at 7400 North Broadway Avenue, Beginning North West Corner Lot 1 Willow Creek, West 150, North 435, East 154, South 435 to Point of Beginning, in Gladstone, Clay County, Missouri and directing the appropriate officials to affix their signatures to said Plat for recording.
- 17. FIRST READING BILL NO. 22-22** An Ordinance authorizing the City Manager to enter into a Memorandum of Understanding Agreement with the North Kansas City School District for providing space at the Early Education Center Campus to temporarily re-locate Police Headquarters.
- 18. Other Business.**
- 19. Adjournment.**

Representatives of the News Media may obtain copies of this notice by contacting:  
Kris Keller, City Clerk  
City of Gladstone  
7010 North Holmes  
Gladstone, MO 64118  
816-423-4096

Date: June 9, 2022  
Posted at: 4:00 pm



## ***Community Development Memorandum***

**TO:** Scott C. Wingerson, City Manager

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

**CC:** Austin Greer, Assistant to the City Manager | Community Development Director

**DATE:** June 2, 2022

**RE:** Rebuilding Together Kansas City

Rebuilding Together Kansas City, a not-for-profit organization, has been affiliated with the City of Gladstone since 2011. Their Mission Statement and Goal reflect the core of what they do:

**Mission:** Repairing Homes, Revitalizing Communities, Rebuilding Lives

**Goal:** Eliminate unsafe and substandard living conditions for disadvantaged families

They accomplish their mission and goals by providing home repairs and safety modifications for veterans, seniors, people living with disabilities and low-income families. With help and grant funding from Gladstone Neighbors Helping Neighbors, a not-for-profit organization, who has been affiliated with the City of Gladstone for better than twenty (20) years; and Gladstone Neighborhood Commission through the Gladstone Economic Betterment Council.

Attached is a flyer of Rebuilding Together Kansas City's home repairs; these home repairs help Gladstone residents to age with self-esteem; in their HOME.



## **Is your home in need of repairs?**

**Do you live in the city limits of  
Gladstone, Missouri?**

**You could qualify for a home repair grant.**

### **Repairs include:**

**Roofing**

**Windows**

**Doors**

**Exterior Paint**

**Exterior Siding**

**Plumbing**

**HVAC**

**Electrical**

**Safety Modifications (grab bars, handrails, ramps, etc.)**

**And More!**

**Rebuilding Together Kansas City**

**2050 Plumbers Way, #150**

**Liberty, MO. 64068**

**For more information call:**

**(816) 781-8985**

**or Email [info@rebuildingtogetherkc.org](mailto:info@rebuildingtogetherkc.org)**



**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, MAY 23, 2022**

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

City Manager Scott Wingerson  
Assistant City Manager Bob Baer  
City Attorney Chris Williams  
City Clerk Kris Keller

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

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

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

Mayor Garnos asked all to join in the Pledge of Allegiance to the Flag of the United States of America, and thanked VFW Post 10906 for presenting the colors: Jim Zimmerman, Joe Liles, Stanley Stoner, and Gordon Harris.

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

**Item No. 5. On the Agenda.** Approval of the May 9, 2022, Closed City Council Meeting Minutes.

**Councilman Mallams moved** to approve the minutes of the May 9, 2022, Closed City Council meeting as presented. **Councilman Frisby** seconded. The Vote: “aye”, Council member Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 6. On the Agenda.** Approval of the May 9, 2022, Regular City Council Meeting Minutes.

**Councilman Mallams** moved to approve the minutes of the May 9, 2022, Regular City Council meeting as presented. **Councilman Frisby** seconded. The Vote: “aye”, Council member Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 7. On the Agenda.** Proclamation: Mid-America Regional Council, MARC 50-Forward Day.

Mayor Garnos presented the Proclamation to Lauren Palmer.

**Item No. 8. On the Agenda.** Proclamation: World Elder Abuse Awareness Day- Clay County Senior Services,

Mayor Garnos read the Proclamation. A representative was unable to attend.

**Item No. 9. On the Agenda.** Communication from the Audience.

Jim Oldebeken, 400 NE 75<sup>th</sup> Terrace, thanked the City Council for the opportunity to speak tonight. He shared that he began attending a diverse church, where he had the opportunity to meet Alvin Brooks. Mr. Brooks wrote a memoir highlighting his civic right activism and civil service. He expressed his gratitude for the City of Gladstone and its efforts to be indivisible and treat people as equals. He thanked the City Council members for their efforts in this regard and provided a book to each of them.

He spoke of his recent experience with the Missouri Ethics Committee regarding a complaint he filed and was notified that it wasn't acted on because there are currently four vacant seats on the six position Commission. He asked if someone could please send a letter to the Governor to request those vacancies be filled.

**Item No. 10. On the Agenda.** Communication from the City Council.

**Councilmember Spallo** –Thanked the Parks Department for a quick cleanup of a dumping situation at the AJ Farm. She expressed her concern that dumping is a problem around the Kansas City Metropolitan area and its particularly popular in the parks. She also shared that the Gladstone Firefighters had saved and resuscitated a dog in a recent fire and thanked the firefighters for their commitment to not only the citizens, but their pets.

**Councilman Frisby** – Reported that the real estate market in Gladstone is thriving for residents and non-residents looking for homes in our community.

**Councilman Mallams** – Announced that he spoke at Meadowbrook Elementary Career Day to the fourth and fifth graders. He shared what a joy it is for him to be on the City Council and the opportunity he had for being the prior Mayor.

**Mayor Garnos** – Expressed his hopes that the City of Gladstone can keep up with the trash dumping situation. He reported that he enjoyed the ribbon cutting of the Davita Dialysis Clinic and was thrilled to have a good thriving business in that location. He stated that the Parks and Recreation Board Meeting had to be canceled, due to a lack of quorum, which has been a continuing issue for Boards and Commissions and that it would have to be discussed at some point to resolve the issue.



**Item No. 11. On the Agenda.** Communication from the City Manager.

City Manager Wingerson announced that the outdoor pool will open Saturday, May 28, 2022 and that City Hall will be closed for Memorial Day this upcoming Monday, May 30, 2022. Thanked the property owners of Gladstone that chose to mow their lawns over the weekend, which helped the code enforcement staff out.

**Item No. 12. On the Agenda.** Consent Agenda.

Following the clerk's reading:

**Mayor Pro Tem Moore** moved to approve the Consent Agenda as published. **Councilmember Tina Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve **RESOLUTION R-22-19** A Resolution adopting changes to the administration of the City of Gladstone's Flexible Benefits Plan. **Councilmember Tina Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve **RESOLUTION R-22-20** A Resolution authorizing the City Manager to execute an agreement with Sumner One for the purchase of copy machines for all city locations in the amount of \$41,000. **Councilmember Tina Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve **RESOLUTION R-22-21** A Resolution declaring certain city property surplus and authorizing the donation of surplus items to the Midwest Recycling Center. **Councilmember Tina Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve **RESOLUTION R-22-22**. A Resolution authorizing acceptance of work under contract with MegaKC Corporation, for the Carriage Commons Drainage Improvements Project, and authorizing final payment in the amount of \$13,256.54 for project CP2132. **Councilmember Tina Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the Special Event Permit, Remax Revolution Customer Appreciation Picnic, Happy Rock Park West, Saturday, July 16, 2022, from 5:30 to 8:30 pm. **Councilmember Tina Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the Special Event Permit, Public Works Household Hazardous Waste Drop-Off at Happy Rock Park West, Saturday, August 13, 2022 from 8:00 am to 12:00 pm. **Councilmember Tina Spallo** seconded. The Vote: "aye", Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the Special Event Permit, Restoration Run, a 5k run and 1K walk Saturday, August 20, 2022 from 6:00 to 9:30 am. at the Atkins-Johnson Farm. **Councilmember Tina Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the Special Event Permit, Pickin’ on the Front Porch Bluegrass Concert at the Atkins-Johnson Farm, Saturday, September 10, 2022 from 7:00 to 9:00 pm. **Councilmember Tina Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the Special Event Permit, Big Shoal Country Fair at the Atkins-Johnson Farm, Saturday, September 17, 2022 from 10:00 am to 4:00 pm. **Councilmember Tina Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the Special Event Permit, Fiesta on the Square; at Linden Square, Saturday, September 17, 2022 from 5:00 to 10:00 pm. **Councilmember Tina Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Mayor Pro Tem Moore** moved to approve the Financial Report Month for 10 Months Ending April 30, 2022. **Councilmember Tina Spallo** seconded The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

## **REGULAR AGENDA**

### **Item No. 13. On the Agenda. PUBLIC HEARING:** Budget Fiscal Year 2022-2023

**Mayor Garnos** opened the Public Hearing at 7:51 pm.

Finance Director Dominic Accurso approached Council. Please see attached documents for detailed information.

There were no comments either for or against the Budget Fiscal Year 2022-2023.

**Mayor Garnos** closed the Public Hearing at 8:15 pm.

**Item No. 14. On the Agenda. FIRST READING BILL No. 22-16** An Ordinance authorizing the City Manager to execute an agreement between the City of Gladstone, Missouri, and Mid-America Regional Council (MARC) for Coronavirus Response and Relief Supplemental Appropriations Act 2021 (CRRSAA) funds for the Regional Preventative Maintenance Program.

**Councilmember Tina Spallo** moved **Bill No. 22-16** be placed on its First Reading. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Councilmember Tina Spallo** moved **Bill No. 22-16** be placed on its Second Reading. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Councilmember Tina Spallo** moved to accept the Second and Final Reading of **Bill No. 22-16**, and enact the Bill as **Ordinance 4.593**. **Mayor Pro Tem Moore** seconded.

**Mayor Pro Tem Moore** explained to the audience that the ordinance allows the City to receive about a hundred and fifty-one thousand dollars and according to Director Nebergall it would be available next year, to enhance our Street Maintenance Program.

**The Vote:** “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 15. On the Agenda. FIRST READING BILL No. 22-17** An Ordinance directing the City Manager to execute a Cooperative Agreement with the North Kansas City School District for providing a School Resource Officer at Antioch Middle School.

**Councilman Mallams** moved **Bill No. 22-17** be placed on its First Reading. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Councilman Mallams** moved **Bill No. 22-17** be placed on its Second Reading. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Councilman Mallams** moved to accept the Second and Final Reading of **Bill No. 22-17**, and enact the Bill as **Ordinance 4.594**. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 16. On the Agenda. FIRST READING BILL No. 22-18** 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 Building and Construction Ordinance relating to the detached accessory structure regulations for the City of Gladstone, Missouri.

**Councilman Frisby** moved **Bill No. 22-18** be placed on its First Reading. **Councilman Mallams** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Councilman Frisby** moved **Bill No. 22-18** be placed on its Second Reading. **Councilman Mallams** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Councilman Frisby** moved to accept the Second and Final Reading of **Bill No. 22-18**, and enact the Bill as **Ordinance 4.595**. **Councilman Mallams** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 17. On the Agenda.** **FIRST READING BILL No. 22-19** An Ordinance authorizing the City of Gladstone, Missouri, to enter into an assessment contract and authorizing and approving certain documents in connection therewith.

**Mayor Pro Tem Moore** moved **Bill No. 22-19** be placed on its First Reading. **Councilmember Tina Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Mayor Pro Tem Moore** moved **Bill No. 22-19** be placed on its Second Reading. **Councilmember Tina Spallo** seconded. The Vote: “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

**Mayor Pro Tem Moore** moved to accept the Second and Final Reading of **Bill No. 22-19**, and enact the Bill as **Ordinance 4.596**. **Councilmember Tina Spallo** seconded.

Rick McConnell, with the Armstrong Teasdale Law firm, explained that this ordinance is a continuation of an apartment project that was granted Chapter 100 tax abatement for late last year. The presented document states that the City is not liable for the assessment.

**The Vote:** “aye”, Councilmember Spallo, Councilman Frisby, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

**Item No. 18. On the Agenda.** Other Business.

There was none.

**Item No. 19. On the Agenda.** Adjournment.

**Mayor Garnos** adjourned the May 23, 2022, Regular City Council meeting at 8:30 pm.

Respectfully submitted:

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Kris Keller, City Clerk

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

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

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Bill Garnos, Mayor

**RESOLUTION NO. R-22-23**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH SHEDIGS IT LLC, IN THE TOTAL AMOUNT NOT TO EXCEED \$648,520.00 FOR THE 2022 CURB, GUTTER AND SIDEWALK PROGRAM – PHASE 1 PROJECT TP2304.**

**WHEREAS**, two proposals were received for the 2022 Curb, Gutter, and Sidewalk Program – Phase 1 Project TP2304, and the proposal of SheDigs It LLC, in the amount of \$648,520.00 has been determined by the Director of Public Works to be the lowest and best 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 SheDigs It LLC for work as outlined in the contract for a total amount not to exceed \$648,520.00.

**FURTHER, THAT**, funds for such purpose are authorized from the Transportation Sales Tax Fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13<sup>th</sup> DAY OF JUNE 2022.**

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Bill Garnos, Mayor

ATTEST:

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Kris Keller, City Clerk



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

RES ☒ # R-22-23

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 5/31/2022

Department: Public Works

Meeting Date Requested: 6/13/2022

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

Subject: Contract Award, Project TP2304, 2022 Curb, Gutter, Sidewalk & Trail Program – Phase 1.

Background:

Two bids were received for this project:

SheDigs It LLC	\$648,520.00
Lan-Tel Communications & Underground Services, Inc.	\$697,005.00

The project consists of approximately 6000 LF of curb & gutter replacement, 14000 SF of sidewalk replacement, ADA ramps, restoration, and other associated work. A new sidewalk will also be constructed on the south side of NE 72<sup>nd</sup> Street between N. Park and N. Olive.

Budget Discussion: Funds are budgeted in the amount of \$700,000 from the Transportation Sales Tax Fund. Ongoing costs are estimated to be \$ 200,000 annually. Previous years' funding was \$200,000. The Engineer's Estimate for the project is \$652,230.

Public/Board/Staff Input:

SheDigs It is a company based in Blue Springs, MO. They have performed projects for the City in the past, including the construction of Hobby Hill Park and drainage improvements along Mill Creek. Staff has been pleased with their performance in the past and is looking forward to working with them again.

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

Timothy A. Nebergall  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager

## RESOLUTION NO. R-22-24

**A RESOLUTION AUTHORIZING ACCEPTANCE OF WORK UNDER CONTRACT WITH ORR WYATT STREETSCAPES, FOR THE ROCK CREEK GREENWAY TRAIL – PHASE 2 PROJECT, AND AUTHORIZING FINAL PAYMENT IN THE AMOUNT OF \$7,316.00 FOR PROJECT TP2072.**

**WHEREAS**, work under the contract with Orr Wyatt Streetscapes, for the Rock Creek Greenway Trail – Phase 2, Project TP2072, has been completed to the satisfaction of the Director of Public Works.

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

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

Original Contract Amount:	\$ 705,625.25
Change Order(s):	<u>(40,114.23)</u>
Revised Contract Amount:	\$ 665,511.02
Amount Paid to Date:	<u>658,195.02</u>
<b>Total Amount Due Final Pay:</b>	<b><u><u>\$ 7,316.00</u></u></b>

**FURTHER, THAT**, funds for such purpose are authorized from the Transportation Sales Tax Fund and a grant from the Federal Transportation Alternatives Program administered by the Missouri Department of Transportation.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13th DAY OF JUNE 2022.**

\_\_\_\_\_  
Bill Garnos, Mayor

ATTEST:

\_\_\_\_\_  
Kris Keller, City Clerk



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

RES ☒ # R-22-24

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 5/31/2022

Department: Public Works

Meeting Date Requested: 6/13/2022

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

Subject: Final payment approval, Project TP2072, Rock Creek Greenway Trail – Phase 2

Background: Work has been completed on the referenced project and the contractor, Orr Wyatt Streetscapes, has made application for final pay. The Change Orders were the result of a reduction in the quantity of large block retaining wall due to the adjustment of the trail's location.

Budget Discussion: Funds for this contract were budgeted in the Transportation Sales Tax Fund.

Original Contract Amount:	\$ 705,625.25
Change Order(s):	<u>(40,114.23)</u>
Revised Contract Amount:	\$ 665,511.02
Amount Paid to Date:	<u>658,195.02</u>
<b>Total Amount Due Final Pay:</b>	<b><u>\$ 7,316.00</u></b>

Public/Board/Staff Input:

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

Timothy A. Nebergall  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager



**RESOLUTION NO. R-22-25**

**A RESOLUTION DECLARING CERTAIN CITY PROPERTY SURPLUS.**

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

**WHEREAS**, the items set forth in Exhibit "A" are obsolete technology that would be more costly to properly dispose of than their present value.

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

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

**INTRODUCED, READ, PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 13th DAY OF JUNE 2022.**

\_\_\_\_\_  
Bill Garnos, Mayor

**ATTEST:**

\_\_\_\_\_  
Kris Keller, City Clerk



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

RES ☒ # R-22-25

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 6/7/2022

Department: Finance

Meeting Date Requested: 6/13/2022

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

Subject: Surplus Copy Machines

Background: The City purchased (10) copy machines for various locations in municipal buildings in 2013. The equipment is utilized by staff every day to assist in providing City services. Over time, the equipment comes to the end of its useful life or it is not economical to pay for repair. New copy machines have been purchased and will be delivered soon.

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

Public/Board/Staff Input: With the failure and frequent service of several copy machines that were purchased in 2013, City staff worked diligently to find a way to replace the copiers over the past few months. With the construction at City Hall about to start, storage space will be difficult to find. Sumner One has agreed to pick up and dispose of the old copy machines when the new machines are delivered at no additional charge. Exhibit A lists the current location, tag number, and model of each machine to be disposed of.

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

Dominic Accurso  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager

**COPY MACHINE DISPOSAL LISTING**

	<u>Location</u>	<u>Tag #</u>	<u>Model</u>
City Hall	Administration	W4241	C5250
City Hall	Administration	W4233	6275
City Hall	Community Development	W4234	6275
City Hall	Police	W4237	4045
City Hall	Dispatch	W4485	4245
City Hall	Finance	W4235	4045
Public Works		W4236	7525
Community Center		W4238	C5250



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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/25/2022

Department: Community Development

Meeting Date Requested: 5/23/2022

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

Subject: Special Event Permit

Background: The Parks, Recreation and Cultural Arts Department will be hosting the City's Annual Scarecrow 5K Run/Walk event on Sunday, October 2, 2021 in conjunction with Gladfest. The 1-mile walk and 5K Run will begin at 7:30am at Linden Square and both events will end at Linden Square. This event brings families and friends together in a healthy environment while exercising. Funds from this event will benefit the Northland Christmas Store. Please see attached map for the full route.

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

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022**  
**PERMIT NO.: SEP22-00035**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: SCARECROW 5K RUN/WALK**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: SUNDAY, OCTOBER 2, 2022**  
**TIME OF EVENT: 5:30AM TILL 9:30AM**  
**RUN/WALK STARTS AT 7:30AM**  
**EST. ATTENDANCE: 200±**

## REQUESTED TEMPORARY VARIANCE:

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

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

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

**Alan D. Napoli, C.B.O.**

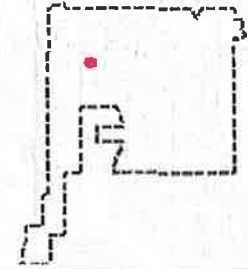
**Community Development Administrator | Building Official**

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## Gladstone, MO



### Legend

- Stop Sign
- KCPL 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
- Villages
- Apartment Polygon

### Notes

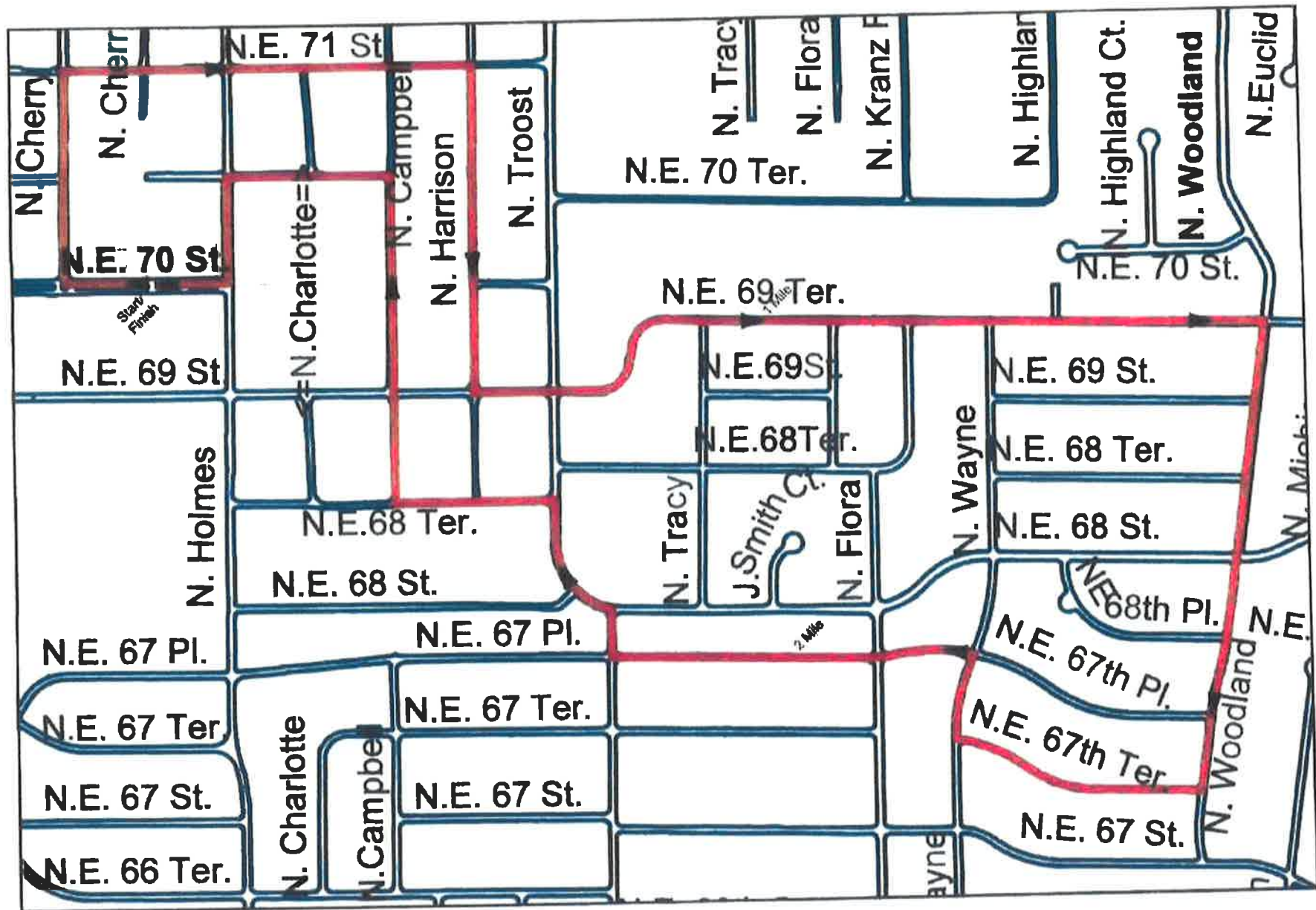
1 in. = 42ft.



83.3 0 41.67 83.3 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





# SCARECROW 5K



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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/25/2022

Department: Community Development

Meeting Date Requested: 5/23/2022

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

Subject: Special Event Permit

Background: The Parks, Recreation, and Cultural Arts Department will be hosting the City's Annual Whiskey Fest at Linden Square on Saturday, October 8, 2022 from 4:00 pm to 10:00 pm. There will be several local distillers offering samples of their products. In addition, there will be food trucks and the guests experience will be augmented by live music from Sounds on the Square.

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

JM  
City Attorney

SW  
City Manager



# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022**  
**PERMIT NO.: SEP22-00036**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: WHISKEY FEST**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: SATURDAY, OCTOBER 8, 2022**  
**TIME OF EVENT: 4:00PM TILL 10:00PM**  
**EST. ATTENDANCE: 1,600±**

## 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.
- ☒ Section 2.100.250(1) Outdoor display, sale and storage
- ☒ Section 2.100.250(3) Sales transactions

**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.

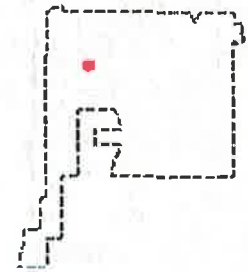
Community Development Administrator | Building Official

## ATTACHMENT(S):

- ☒ Map
- ☐ Other \_\_\_\_\_



## Gladstone, MO



### Legend

- Stop Sign
- KCPL 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
- Villages
- Apartment Polygon

1 in. = 42ft.



### Notes

83.3 0 41.67 83.3 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/21/2022

Department: Community Development

Meeting Date Requested: 5/23/2022

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

Subject: Special Event Permit

Background: The Alzheimer's Association is hosting their annual "Walk to End Alzheimer's" in Gladstone. The walk will take place at Happy Rock Park West on Sunday, October 9, 2022 from 6:30 am to 11:30 am. Attendees will sign in between 8:00 am to 9:00 am. The walk will take place on the paved trails. Temporary signs will be placed on site as well as a 10'x10' tent/canopy.

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

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 21, 2022**  
**PERMIT NO.: SEP22-00022**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: WALK TO END ALZHEIMER'S**  
**LOCATION OF EVENT: 7512 NE ANTIOCH ROAD**  
**HAPPY ROCK PARK WEST**  
**DATE OF EVENT: SUNDAY, OCTOBER 9, 2022**  
**TIME OF EVENT: 6:30AM TILL 11:30AM**  
**EST. ATTENDANCE: 500±**

## REQUESTED TEMPORARY VARIANCE:

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

**REMARKS:** 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):

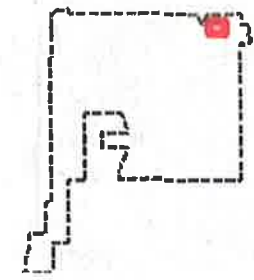
☒ Map

☐ Other \_\_\_\_\_





## Gladstone, MO



### Legend

- Stop Sign
- KCPL Lights
- Gladstone Lights
- School Point
- Bike Parking
- Bus Stop
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- Church
- Apartment Point
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- Driveway
- City Limits
- Parcel
- House Number
- School Polygon
- Villages
- Apartment Polygon

### Notes

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 5/24/2022

Department: Community Development

Meeting Date Requested: 6/13/2022

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

Subject: Special Event Permit

Background: The Parks, Recreation, and Cultural Arts Department will be hosting the City's Annual Friday Fright Night at Happy Rock Park East. The event will be on Friday, October 21, 2022 from 6:00 pm to 7:30 pm. This event is for kids 12 and under to Trick or Treat with local vendors for candy, enjoy snacks, and a SPOOKY Story, as well as participate in some fun activities. This is also a fundraiser for the Northland Christmas Store – all proceeds will go to the store, along with donated canned food items.

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

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

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

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

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022.**  
**PERMIT NO.: SEP22-00037**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: FRIDAY FRIGHT NIGHT**  
**LOCATION OF EVENT: 7511 NE ANTIOCH ROAD**  
**HAPPY ROCK PARK EAST**  
**DATE OF EVENT: FRIDAY, OCTOBER 21, 2022**  
**TIME OF EVENT: 3:30PM TILL 9:00PM – VENDOR SETUP AND TEAR DOWN**  
**6:00PM TILL 7:30PM – FRIGHT NIGHT EVENT**  
**EST. ATTENDANCE: 800±**

## REQUESTED TEMPORARY VARIANCE:

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

**REMARKS:** 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 \_\_\_\_\_





### Legend

-  KCPL 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

666.7	0	333.33	666.7 Feet
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THIS MAP IS NOT TO BE USED FOR NAVIGATION





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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/25/2022

Department: Community Development

Meeting Date Requested: 5/23/2022

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

Subject: Special Event Permit

Background: The Parks, Recreation, and Cultural Arts Department will host the City's Annual Cemetery Tours event. This event will be held at the Big Shoal Cemetery on Saturday, October 22, 2022 from 7:00 pm to 10:00 pm. The event is a candlelight tour of the Big Shoal Cemetery with volunteers portraying the cemeteries inhabitants. Two (2) sessions will be hosted and light refreshments will be served.

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

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022**  
**PERMIT NO.: SEP22-00048**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: CEMETERY TOURS**  
**LOCATION OF EVENT: 4125 NE 64<sup>TH</sup> STREET**  
**BIG SHOAL CEMETERY**  
**DATE OF EVENT: SATURDAY, OCTOBER 22, 2022**  
**TIME OF EVENT: 7:00PM TILL 10:00PM**  
**EST. ATTENDANCE: 1,200±**

## REQUESTED TEMPORARY VARIANCE:

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

**REMARKS:** 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



### Legend

- Stop Sign
- KCPL 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

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/252/22

Department: Community Development

Meeting Date Requested: 5/23/2022

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

Subject: Special Event Permit

Background: The Parks, Recreation, and Cultural Art Department will host the City's Annual Mayor's Christmas Tree Lighting Ceremony at Linden Square on Tuesday, November 22, 2022 from 6:00 pm to 9:00 pm. There will be a speech from the City's illustrious Mayor along with a variety of activities leading up to the lighting of the Mayor's Christmas Tree and Downtown Gladstone.

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

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022**  
**PERMIT NO.: SEP22-00038**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: MAYOR'S CHRISTMAS TREE LIGHTING CEREMONY**  
**LOCATION OF EVENT: 602 NE 70<sup>TH</sup> STREET**  
**LINDEN SQUARE**  
**DATE OF EVENT: TUESDAY, NOVEMBER 22, 2022**  
**TIME OF EVENT: 6:00PM TILL 9:00PM**  
**EST. ATTENDANCE: 1,000+**

## REQUESTED TEMPORARY VARIANCE:

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

**REMARKS:** 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

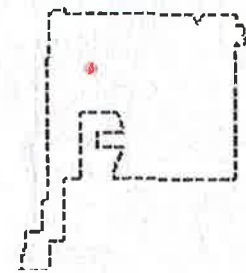
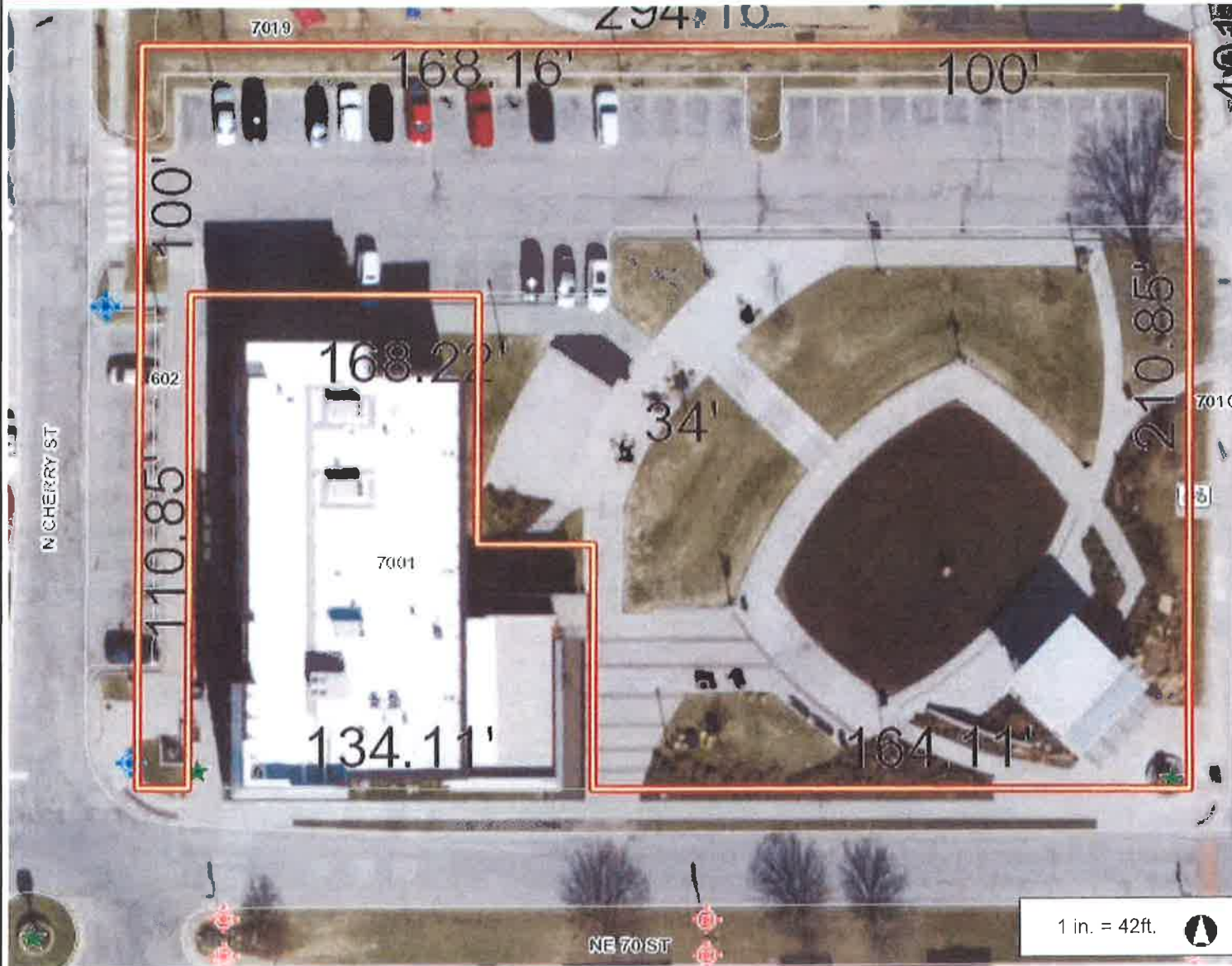
## ATTACHMENT(S):

- ☒ Map  
☐ Other \_\_\_\_\_





## Gladstone, MO



### Legend

- Stop Sign
- KCPL 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
- Villages
- Apartment Polygon

### Notes

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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 3/25/2022

Department: Community Development

Meeting Date Requested: 6/13/2022

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

Subject: Special Event Permit

Background: The Parks, Recreation, and Cultural Arts Department in conjunction with the Friends of the Atkins-Johnson Farm and Museum will host the City's Annual Photo's and Cookies with Santa and Holiday Nights at the Atkins-Johnson Farm and Museum on Saturday December 10, 2022 from 10:00 am to 9:00 pm.

Photos and cookies with Santa will take place from 10:00 am to 4:00 pm. (Cookies and cider will be served)

Holiday Nights will take place from 7:00 pm to 9:00 pm. This will be an open house with cookies, holiday beverages, kid's crafts, a luminary trail, carolers, and chestnuts roasting on an open fire (fire pit) outside.

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

JM  
City Attorney

SW  
City Manager

# LETTER OF TRANSMITTAL



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



**TO: CITY COUNCIL**  
**FROM: COMMUNITY DEVELOPMENT**  
**DATE: MARCH 25, 2022**  
**PERMIT NO.: SEP22-00049**  
**RE: TYPE 4 OUTDOOR SPECIAL EVENT**

**NAME OF EVENT: PHOTOS AND COOKIES/HOLIDAY NIGHTS**  
**LOCATION OF EVENT: 4109 NE PLEASANT VALLEY ROAD**  
**DATE OF EVENT: SATURDAY, DECEMBER 10, 2022**  
**TIME OF EVENT: 10:00AM TILL 4:00PM – PHOTO AND COOKIES WITH SANTA**  
**7:00PM TILL 9:00PM – HOLIDAY NIGHTS**  
**EST. ATTENDANCE: 800±**

## 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.
- ☒ Section 3.100.060 Burning Prohibited generally; exceptions
- ☐ 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



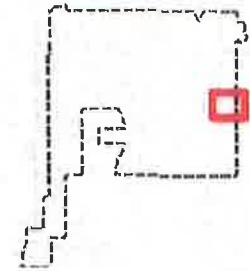
666.7 0 333.33 666.7 Feet

1 in. = 333ft.



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### Legend

- KCPL 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
- Villages
- Apartment Polygon

### Notes



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

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD ☐ # City Clerk Only

Date: 6/6/2022

Department: Community Development

Meeting Date Requested: 6/13/2022

Public Hearing: Yes ☒ Date: 6/13/2022

Subject: Ch. 205. Short Term Stay & Section 7.205.010 – Hotel, Motel, and Extended Stay Regulations

Background:

On May 16<sup>th</sup>, the Planning Commission discussed and recommended approval for an ordinance adding Chapter 205. – Short Term Stay and adding section 7.205.010 – Hotel, Motel, and Extended Stay regulations to the Gladstone City Code. After much discussion, the Planning Commission voted in favor to recommend this addition to the City Council. Five (5) Planning Commissioners voted in favor of the project and three (3) Planning Commissioners voted against the project.

City Staff is using the discussion from the Planning Commission on May 16<sup>th</sup> to improve the ordinance in preparation for City Council consideration.

Since this project requires a public hearing for selected dates and times, this project is required to be on the City Council agenda for Monday, June 13<sup>th</sup> at 7:30 p.m.

City Staff is requesting that the City Council open the public hearing then immediately continue the public hearing until Monday, June 27<sup>th</sup> at 7:30 p.m.

City Staff expects this ordinance to be complete and on the agenda for the Monday, June 27<sup>th</sup> City Council meeting.

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

Public/Board/Staff Input:

There were no comments by the public.

Planning Commissioners voted in favor of the project. 5 Yes – 3 No

City Staff will be making a recommendation of approval for the June 27<sup>th</sup> City Council meeting.

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

Austin Greer  
Community Development Director

JM  
City Attorney

SW  
City Manager



# AGENDA

## PLANNING COMMISSION GLADSTONE CITY HALL COUNCIL CHAMBERS

**Monday, May 16, 2022  
7:00 PM**

- 
1. Meeting called to order - Roll Call.
  2. Pledge of Allegiance to the United States of America
  3. Approval of the Previous Meeting Minutes (January 18<sup>th</sup>, 2022)
  4. **CONSIDERATION:** Final Plat for property located at 7400 N. Broadway Applicant: Martin T. Arling. Kaw Valley Engineering Inc. Owner: Susan Brandom. *The City Council will consider this request on Monday, June 13, 2022.* –Roll Call Vote
  5. Chapter 3000 Mobile Food Establishment Regulations-Voice Vote (All in favor)
  6. Establish Chapter 200: Short Term Stay and add Section 7.200.010 – Hotel, Motel, and Extended Stay –Roll Call Vote

When the public hearing is opened, city staff will give a presentation first, followed by a presentation by the applicant. Once city staff and the applicant have presented, the Planning Commission will take this opportunity to ask the applicant and city staff questions regarding the proposed project. Once those questions have concluded, the public will be given an opportunity to speak. Members of the public who are in favor of the project will be allowed to speak first at the podium. Those who are opposed to the project will speak second at the podium. After everyone in the audience has had a chance to speak, the chairperson will give the applicant an opportunity to respond to public comments. After the Planning Commission is satisfied with all of the information, the chairperson will close the public hearing.

When speaking, please state your name and address for the record and limit comments to 5 minutes.

7. Communications from the Public that are not part of tonight's agenda.

Please state your name and address for the record and please keep your comments to 5 minutes or less.

8. Communications from the City Council
9. Communications from the Planning Commission Members
10. Adjournment – Chairperson can close the meeting without making a motion

## RESOLUTION NO. R-22-26

### **A RESOLUTION REVISING THE TRANSPORTATION SALES TAX FUND FISCAL YEAR 2022 MIDYEAR BUDGET FOR THE CITY OF GLADSTONE, MISSOURI AND AUTHORIZING EXPENDITURES OF FUNDS.**

**WHEREAS**, the Council of the City of Gladstone, Missouri has determined the need for additional appropriations in the above referenced funds.

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

**THAT**, the Transportation Sales Tax Fund expenditure budget be revised as set forth below:

	REVISING BUDGET RESOLUTION <u>NO. R-22-08</u>	REVISING BUDGET RESOLUTION <u>NO. R-22-XX</u>	INCREASE (DECREASE)
TRANSPORTATION SALES TAX FUND	\$4,965,600	\$5,815,600	\$850,000

**THAT**, the City Manager of the City of Gladstone, Missouri is hereby authorized to expend the amounts as shown in the Revised Budget.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13th DAY OF JUNE, 2022.**

\_\_\_\_\_  
Bill Garnos, Mayor

ATTEST:

\_\_\_\_\_  
Kris Keller, City Clerk



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

RES ☒ # R-22-26

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 6/7/2022

Department: Finance

Meeting Date Requested: 6/13/2022

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

Subject: 2022 Fiscal Year Budget Amendment

Background: As the 2022 fiscal year comes to a close, staff analyzes revenues and expenditures to ensure that the City has the appropriate budget authority to pay expenditures through the end of the fiscal year.

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

Public/Board/Staff Input: In completing revenue and expenditure analysis of all the budgeted funds, staff has determined that additional budget authority will need to be granted to complete expenditures for the Transportation Sales Tax Fund in the amount of \$5,815,600 (an increase of \$850,000 from the midyear estimate of \$4,965,600). The main reason for the budget amendment is due to increases in the cost of labor and construction materials. Staff estimates that all other budgeted funds (General Fund, CCPT, PSST, CIST, CERF, and CWSS) appear to have appropriate budget authority for the 2022 fiscal year.

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

Dominic Accurso  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager



**RESOLUTION NO. R-22-27**

**A RESOLUTION ADOPTING THE 2023 ANNUAL OPERATING BUDGET FOR THE CITY OF GLADSTONE, MISSOURI, AND AUTHORIZING THE EXPENDITURES OF FUNDS FOR MUNICIPAL SERVICES.**

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

**THAT**, for the purpose of financing the conduct of affairs of the City of Gladstone, Missouri, during the fiscal year from July 1, 2022, and ending June 30, 2023 inclusive, the budget of the City's revenue and expenses for such period prepared and submitted to the Gladstone City Council by the City Manager is hereby approved and adopted as the Official Budget of the City of Gladstone, Missouri; and

**THAT**, the amounts set forth in the various funds are hereby appropriated to such uses, and authority is hereby given to the City Manager of the City of Gladstone, to expend the amounts shown for the purposes indicated; and

**THAT**, Annual Expenditures as shown in the Annual Budget and in each of the listed budgeted funds are:

Fund	Expenditure/Expense
General Fund	\$21,483,512
Capital Improvement Sales Tax Fund	\$13,607,700
Transportation Sales Tax Fund	\$3,712,145
Equipment Replacement Fund	\$639,000
Combined Waterworks Sewerage System Fund	\$12,311,796
Public Safety Sales Tax Fund	\$1,091,512
Comm Center/Parks Tax Fund	\$4,409,870
Special Parks & Playground Fund	\$0

**THAT**, the amounts for each fund, as shown in the Annual Budget, shall not be increased or decreased except by Council approval, but the various objects of expenses comprising the total appropriation for any fund may be increased or decreased at the discretion of the City Manager, providing the adjustments shall not increase the total amount appropriated for that fund.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 13TH DAY OF JUNE, 2022.**

\_\_\_\_\_  
Bill Garnos, Mayor

ATTEST:

\_\_\_\_\_  
Kris Keller, City Clerk



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

RES ☒ # R-22-27

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 6/6/2022

Department: Finance

Meeting Date Requested: 6/13/2022

Public Hearing: Yes ☒ Date: 5/23/2022

Subject: 2023 Fiscal Year Budget

Background: Staff has presented the the 2023 Fiscal Year Budget for the General Fund, Capital Improvement Sales Tax Fund, Transportation Sales Tax Fund, Equipment Replacement Fund, Combined Waterworks and Sewerage System Fund, Public Safety Sales Tax Fund, Community Center and Parks Tax Fund, and the Special Parks and Playground Fund during an Open Study Sessions and a Public Hearing. The Budget will serve as strategic, administrative and financial plan for the City for the 2023 Fiscal Year.

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

Public/Board/Staff Input: Staff is recommending that the 2023 budget be passed as presented at the Open Study Sessions and Public Hearing. The budgeted funds and amounts to expended are as follows: General Fund \$21,483,512, Capital Improvement Sales Tax Fund \$13,607,700, Transportation Sales Tax Fund \$3,712,145, Equipment Replacement Fund \$639,000, Combined Waterworks Sewerage System Fund \$12,311,796, Public Safety Sales Tax Fund \$1,091,512, Community Center/Parks Tax Fund \$4,409,870, and \$0 for the Special Parks & Playground Fund.

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

Dominic Accurso  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager



**RESOLUTION NO. R-22-28**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH EMBASSY LANDSCAPE GROUP, INCORPORATED, FOR THE CONTRACTUAL LANDSCAPE SERVICES OF CERTAIN CITY OF GLADSTONE PARKS AND CITY FACILITIES.**

**WHEREAS**, proposals were received for contract landscape services and the proposal from Embassy Landscape Group, Incorporated, has been determined to be the best overall bid.

**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 for contractual landscape services of certain City of Gladstone Parks and City Facilities, for the 2022 season in the amount of \$49,103.

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

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13<sup>th</sup> DAY OF JUNE 2022.**

---

Bill Garnos, Mayor

ATTEST:

---

Kris Keller, City Clerk



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

RES ☒ # R-22-28

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 6/7/2022

Department: Parks & Recreation

Meeting Date Requested: 6/13/2022

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

Subject: City Landscape Contract

Background: The City's Landscape services was publicly bid in 2021 and awarded to Kitch's Lawncare and Landscape Services Inc.

Budget Discussion: Funds are budgeted in the amount of \$49,103 from the General Fund. Ongoing costs are estimated to be \$ 49,103 annually. Previous years' funding was \$49,103

Public/Board/Staff Input: After numerous discussions regarding the poor performance with the city's current landscape company, Kitch's Lawncare and Landscape Services Inc, city staff is recommending termination of the contract as little improvement has been noted. Staff has proactively contacted the second winning bid from 2021 and staff is recommending we enter into a contract with Embassy Landscape Group, Inc. Staff feels they have the resources necessary to keep up with the City's landscape needs.

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

Justin Merkey  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager

**BILL NO. 22-20**

**ORDINANCE NO. 4.597**

**AN ORDINANCE ESTABLISHING CERTAIN FEES AND CHARGES FOR SERVICES AND ACTIVITIES PROVIDED BY THE CITY OF GLADSTONE, CLAY COUNTY, MISSOURI, AND AMENDING ORDINANCE 4.441.**

**WHEREAS**, the City has the authority to charge fees for management of the rights-of-way; including, but not limited to, costs associated with registering applicants; issuing, processing, and verifying rights-of-way permit applications; inspection of job sites and other costs that may be considered “management costs” or “rights-of-way management costs” under section 67.1830 RSMo and Chapter 115, Managing Excavation and Use of City Rights-of-Way of the City Code.

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

**SECTION 1. ENACTMENT OF NEW FEES FOR UTILITY PERMITS.**

The new fees and charges for certain services and activities as set out in the attached Exhibit “A” are hereby adopted for inclusion in the City Schedule of Fees and Charges.

**SECTION 2. SEVERABILITY CLAUSE.**

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 the Ordinance.

**SECTION 3. EFFECTIVE DATE.**

The Fees and Charges as set out in Exhibit “A” shall become effective upon passage.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13th DAY OF JUNE, 2022.**

\_\_\_\_\_  
Bill Garnos, Mayor

ATTEST:

\_\_\_\_\_  
Kris Keller, City Clerk

1<sup>st</sup> Reading: June 13, 2022

2<sup>nd</sup> Reading: June 13, 2022

## EXHIBIT A – Utility Permit Fees

### **Excavation Permit Fee\***

#### **Minor Projects**

1. Projects with a single excavation no greater than 150 square feet - \$100 per excavation (non-refundable base fee) including bore pits, manholes, poles and/or other facilities requiring excavation plus traffic control fee (if applicable).
2. Contiguous lineal installations no greater than 100 feet including those facilities installed by boring - \$100 per location (non-refundable base fee) plus single excavation fee (if applicable) for each bore pit, manhole, pole, and/or other facility requiring excavation plus traffic control fee (if applicable).

#### **Major Projects**

1. Contiguous lineal installations greater than 100 feet including those facilities installed by boring - \$100.00 per location (non-refundable base fee) for the first 100 feet plus \$75 per location for each additional 100 feet thereafter plus single excavation fee (if applicable) for each bore pit, manhole, pole, and/or other facility requiring excavation plus traffic control fee (if applicable).
2. Major projects requiring specialty work including building, electrical, mechanical, plumbing and excavations and any land disturbance activity that disturbs greater than 200 square feet – please contact Public Works at 816-436-5442 for assistance in calculating the permit fee.

### **Traffic Control Fee\***

1. Required for all work that requires a lane closure on a collector or arterial street or full closure of any residential street - \$75 per location (non-refundable base fee) plus \$15 per location per day.

### **Facility Maintenance Permit Fee\***

1. A Facility Maintenance Permit is required when working in the public rights-of-way and/or private easement so that the work can be tracked. Facility maintenance that requires a lane closure on a collector or arterial street or full closure of any residential street shall be charged a traffic control fee.
2. All other facility maintenance work that does not require excavation or street/lane closure – No fee.

### **Miscellaneous Fee(s)\***

1. Double fees. Absent an emergency situation, fees established by this schedule shall be doubled if work is commenced prior to obtaining a permit.
2. Street Plates - \$250 per location not to exceed 2 weeks. Plates are prohibited between November 1 and April 15.

\* The fee charged by the City is its cost incurred for rights-of-way management; including, but not limited to, costs associated with registering applicants; issuing, processing, and verifying rights-of-way permit applications; inspection of job sites and other costs that may be considered “management costs” or “rights-of-way management costs” under section 67.1830 RSMo. Excess fees collected and not used by the City may be refundable to the applicant upon written request of the applicant after closure of the permit and start of the warranty period.



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

RES ☐ # City Clerk Only

BILL ☒ # 22-20

ORD # 22-4.597

Date: 6/7/2022

Department: Public Works

Meeting Date Requested: 6/13/2022

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

Subject: Rights-of-Way Management (Utility) Permit Fees

Background: Please see attached memorandum.

Budget Discussion:

Public/Board/Staff Input: City staff recommends that the City adopt a new schedule of fees and charges for Rights-of-Way Management (Utility) Permits.

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

Timothy A. Nebergall  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager



## ***Department of Public Works Memorandum***

**DATE:** June 6, 2022

**TO:** Scott Wingerson, City Manager

**FROM:** Timothy A. Nebergall, Director of Public Works

**RE:** Rights-of-Way Management (Utility) Permit Fees

**Background:**

The City of Gladstone has the authority to charge fees for management of the rights-of-way; including, but not limited to, costs associated with registering applicants; issuing, processing, and verifying rights-of-way permit applications; inspection of job sites and other costs that may be considered "management costs" or "rights-of-way management costs" under section 67.1830 RSMo.

Chapter 115, Managing Excavation and Use of City Rights-of-Way of the City Code states that "...applicable rights-of-way permit fee shall be recommended by the Director of Public Works, approved by the City Council, and set out in the schedule of fees and charges as maintained in the City Clerk's office."

The code states that a separate fee structure shall be established for minor projects that require excavation in the rights-of-way in which a single excavation of no greater than 150 square feet is made and for major projects that require additional staff time and resources due to size and complexity. Furthermore, the code allows the City to issue permits for facilities maintenance projects in the rights-of-way that disrupt traffic.

The current fee structure that was adopted in 2018 is as follows:

**Minor Projects**

1. Projects with a single excavation no greater than 150 square feet - \$75 per excavation (non-refundable base fee).
2. Contiguous lineal installations no greater than 100 feet including those facilities installed by boring - \$75 per location (non-refundable base fee).

**Major Projects**

1. Contiguous lineal installations greater than 100 feet including those facilities installed by boring - \$75 for the first 100 feet plus \$37.50 for each additional 100 feet thereafter.

**Facility Maintenance Projects (No Excavation)**

1. Facility Maintenance Permit that requires a lane closure on a collector or arterial street or complete closure of a residential street - \$37.50 per location.



2. All other facility maintenance work that does not require excavation or street/lane closure – No fee.

Gladstone collected \$12,525 in FY21 and \$19,010 so far in FY22 and has issued over 100 utility permits during this same time period.

**Analysis:**

The time required to manage the utility permit process continues to increase due to a variety of factors including the number of utilities operating in the rights-of-way. Furthermore, utility companies provide little or no public engagement further placing the burden on the City. Missouri law requires that all fees be substantiated and attorney's fees must be excluded.

The City typically commits approximately 4 hours of time for each minor project. Major projects require additional time and resources to manage. The process includes a detailed review of the application for proof of insurance, bonding, and City business license. This process is all electronic. The project application also undergoes a technical review to ensure conformance with City codes and ordinances. Potential conflicts with City facilities including water and sewer are also identified during the review process. During construction, City staff will perform inspection(s) and respond to resident concerns as necessary. The permit is valid for 60 days.

Kansas City, MO (KCMO) currently charges a fee of \$167 per excavation and \$167 per 100 feet for lineal installations. Furthermore, KCMO charges an \$88 application fee and a daily fee for all traffic control permits requiring lane closures. The daily fee is calculated using a complex formula that factors in the number of lane closures and length of detours.

Blue Springs, MO currently charges a base fee of \$125 for all types of excavations up to 667 feet and an additional \$20 for inspections. Traffic control fees are included in the base fee.

Raytown, MO currently charges a base fee of \$125 for all types of excavations up to 200 feet and a \$70 temporary traffic control fee.

**Recommendations:**

Staff recommends the adoption of the new fee structure contained in Exhibit A. Fees will be calculated in a similar manner as they have in the past with the exception of a traffic control fee for work that disrupts traffic. Traffic control fees will be calculated separately from other permit fees and will include a daily fee to assist the City in recovering rights-of-way management costs for extended lane closures. It should be noted that the proposed fee structure is sufficient to cover the City's rights-of-way management costs for the recent Evergy work in NE 72<sup>nd</sup> Street. That project included the installation of 800 feet of new duct bank and cable and required lane closures for a period of 180 days.

For large projects requiring specialty work including building, electrical, mechanical, plumbing and excavations and any construction activities that disturb greater than 200 square feet, staff is proposing to use the existing fee structures established for this type of work and utilized by the Community Development Department.

If you have any questions, please contact me at your convenience.

## EXHIBIT A – Utility Permit Fees

### **Excavation Permit Fee\***

#### Minor Projects

1. Projects with a single excavation no greater than 150 square feet - \$100 per excavation (non-refundable base fee) including bore pits, manholes, poles and/or other facilities requiring excavation plus traffic control fee (if applicable).
2. Contiguous lineal installations no greater than 100 feet including those facilities installed by boring - \$100 per location (non-refundable base fee) plus single excavation fee (if applicable) for each bore pit, manhole, pole, and/or other facility requiring excavation plus traffic control fee (if applicable).

#### Major Projects

1. Contiguous lineal installations greater than 100 feet including those facilities installed by boring - \$100.00 per location (non-refundable base fee) for the first 100 feet plus \$75 per location for each additional 100 feet thereafter plus single excavation fee (if applicable) for each bore pit, manhole, pole, and/or other facility requiring excavation plus traffic control fee (if applicable).
2. Major projects requiring specialty work including building, electrical, mechanical, plumbing and excavations and any land disturbance activity that disturbs greater than 200 square feet – please contact Public Works at 816-436-5442 for assistance in calculating the permit fee.

### **Traffic Control Fee\***

1. Required for all work that requires a lane closure on a collector or arterial street or full closure of any residential street - \$75 per location (non-refundable base fee) plus \$15 per location per day.

### **Facility Maintenance Permit Fee\***

1. A Facility Maintenance Permit is required when working in the public rights-of-way and/or private easement so that the work can be tracked. Facility maintenance that requires a lane closure on a collector or arterial street or full closure of any residential street shall be charged a traffic control fee.
2. All other facility maintenance work that does not require excavation or street/lane closure – No fee.

### **Miscellaneous Fee(s)\***

1. Double fees. Absent an emergency situation, fees established by this schedule shall be doubled if work is commenced prior to obtaining a permit.
2. Street Plates - \$250 per location not to exceed 2 weeks. Plates are prohibited between November 1 and April 15.

\* The fee charged by the City is its cost incurred for rights-of-way management; including, but not limited to, costs associated with registering applicants; issuing, processing, and verifying rights-of-way permit applications; inspection of job sites and other costs that may be considered “management costs” or “rights-of-way management costs” under section 67.1830 RSMo. Excess fees collected and not used by the City may be refundable to the applicant upon written request of the applicant after closure of the permit and start of the warranty period.

**BILL NO. 22-21**

**ORDINANCE NO. 4.598**

**AN ORDINANCE APPROVING THE FINAL PLAT OF 7400 NORTH BROADWAY AVE, BEGINNING NORTHWEST CORNER LOT 1 WILLOW CREEK, WEST 150, NORTH 435, EAST 154, SOUTH 435 TO POINT OF BEGINNING, IN GLADSTONE, CLAY COUNTY, MISSOURI AND DIRECTING THE APPROPRIATE OFFICIALS TO AFFIX THEIR SIGNATURES TO SAID PLAT FOR RECORDING.**

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

Section 1. It appearing to the Council of the City of Gladstone, Missouri, from the Plat filed and exhibited to them that all parties having any right, title, or interest in or to said property described more particularly in the attached Exhibit "A", having signed said Plat, and it is in the best interests of the City of Gladstone to approve and accept the same; it is hereby ordained by the Council of the City of Gladstone, that the Replat of 7400 N. Broadway in Gladstone, Clay County, Missouri" is hereby accepted.

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

**INTRODUCED, READ, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 13<sup>TH</sup> DAY OF JUNE, 2022.**

\_\_\_\_\_  
Bill Garnos, Mayor

Attest:

\_\_\_\_\_  
Kris Keller, City Clerk

1<sup>st</sup> Reading: June 13, 2022

2<sup>nd</sup> Reading: June 13, 2022



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

RES ☐ # City Clerk Only

BILL ☒ # 22-21

ORD # 4.598

Date: June 3, 2022, 2022

Department: Community Development

Meeting Date Requested: June 13, 2022

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

Subject: Re-Plat 7400 N Broadway Avenue

Background: The owner/applicant is requesting the City approve a re-plat of 7400 N Broadway Avenue in order to build another single family residential structure. Currently, the property is one large plat with one (1) single family residential structure that is owner occupied by Ms. Susan Brandom and is situated entirely in Kansas City, Missouri (KCMO). This property is shared jurisdiction between KCMO and Gladstone, Missouri (City). Access to the property is through the City as there is no access from KCMO. The purpose of the lot split is so that Ms. Brandom's son can build a home for him and his family to reside.

The new single family residential structure will be situated fully in KCMO. The water and sanitary sewer service will be provided by the City, as 7400 N Broadway is; there are no services provided by KCMO due to its location within KCMO.

As part of the plat there will be recorded a forty (40) foot cross access easement for the access drive for shared access to both lots.

Current and Proposed Size of Lots:

- Current – 9.46 Acres
- Lot 1 – 7.60 Acres and will contain the existing single family residential structure
- Lot 2 – 1.86 Acres

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:

Public – None

Board – Voted unanimously to support the proposed re-plat

Staff – Recommends approval of the final plat as submitted

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

Alan D. Napoli, C.B.O.

Community Development Administrator | Building Official

JM  
City Attorney

SW  
City Manager



## **Community Development Department**

### **Staff Report**

Date: May 3, 2022

File #: Plat21-00010

Requested Action: Final Plat/Re-Plat

Date of PC Consideration: Monday, May 16, 2022

Date of Council Consideration: Monday, June 13, 2022

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Applicant: Martin T. Arling, P.E.  
Kaw Valley Engineering, Inc.  
8040 N Oak Trafficway, Kansas City, MO 64118

Property  
Owners: Susan Brandom  
7400 N Broadway, Kansas City, MO. 64118

Architect/  
Engineer: Martin T. Arling, P.E.  
Kaw Valley Engineering, Inc.  
8040 N Oak Trafficway, Kansas City, MO. 64118

Address of Property: 7400 N Broadway, Kansas City, MO. 64118

### **Planning Information**

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- Planned Land Use (Future): Gladstone- R-1 Single Family Dwelling District  
Kansas City- R-80 Single Family Residential
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan
- Site Area: Current lot size 9.46 Acres; Lot Split - Lot 1 7.60 Acres; Lot 2 1.86 Acres

### **Analysis**

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The Applicant, Martin T. Arling, P.E. (Kaw Valley Engineering, Inc.) and Susan Brandom (property owner) are proposing a lot split of 7400 N. Broadway into two (2) separate lots; Lot 1 and Lot 2. Lot 1 will continue to remain under the ownership and be the primary residence of Susan Brandom. This particular property is shared jurisdiction between Kansas City, Missouri and Gladstone, MO with the majority of the property and residential structures residing in Kansas City, Missouri.



The purpose of the lot split and Lot 2 is so that Ms. Brandom's son can build a home for him and his family to reside in. Both residential structures will be located fully in the city limits of Kansas City; as does the current single family residence located at 7400 N. Broadway. The existing single family residential structure has its water and sewer provided by the City of Gladstone, as there are no facilities nearby in Kansas City. The new single family residential structure that is being planned will be occupied by Ms. Brandom's family member will also have water and sewer provided by the City of Gladstone.

A forty (40) foot cross access easement for the access drive is part of the plat for shared access to both lots.

Also, this plat has been submitted and approved by the Planning Commission of Kansas City, Missouri.

### **Recommended Conditions**

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N/A

### **Recommendation**

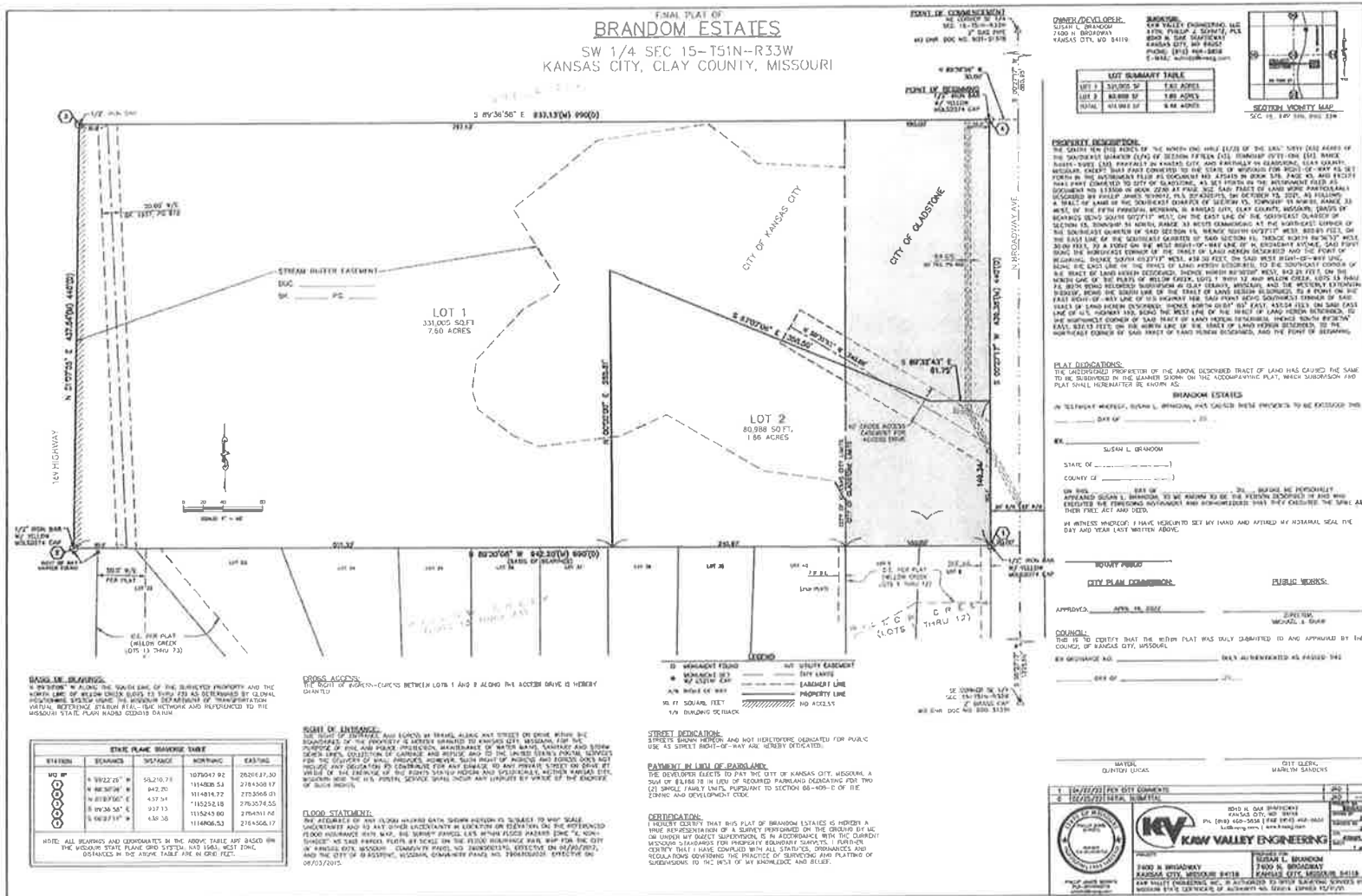
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City Staff recommends that the request be **APPROVED**.

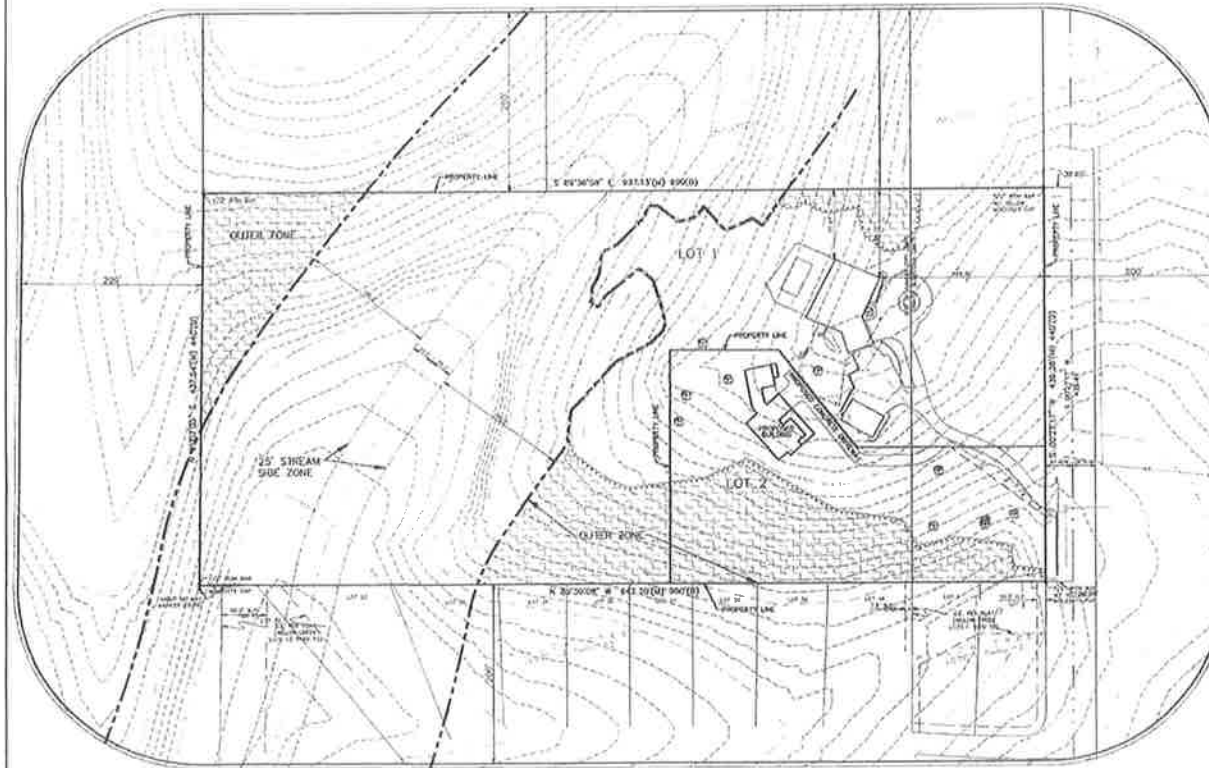
FINAL PLAT OF  
BRANDOM ESTATES

SW 1/4 SFC 15-T51N-R33V

KANSAS CITY, CLAY COUNTY, MISSOURI

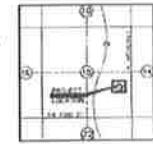


PRELIMINARY PLAT BUFFER PLAN  
BRANDOM ACRES  
SW 1/4, SEC. 15 T5N-R33W  
KANSAS CITY, CLAY COUNTY, MISSOURI



OTHER PROSPECTS: L. A. Z.  
SALAS C. (FRANCISCO)  
JACOB H. STUBBART AVE.  
PASADENA, CA 91108

**SURVEYOR:**  
KAR VALLEY ENGINEERING  
ATTN: MATTI MATTAS  
8040 N. OAK TRAILWAY  
KANSAS CITY, MO 64132  
PHONE (816) 485-5858  
E-MAIL [carl.valley@eng.com](mailto:carl.valley@eng.com)



### LOCATION MAP

STREAM BUFFER DATA  
STREAM SIZE: 1000

CLUSTER ZONE USED FOR DISINTEGRATION → 2.0' MARCH (0.00)

USCND

**SUBJECT:** CANTONMENT  
DISPOSAL OF WASTE  
LIMITS OF SPECIALIZED ZONE  
LIMITS OF CHINA ROAD  
LIMITS OF DISCHARGE

**AREA WITH NATURE RESERVE**  
VEGETATION ON SLOPES OF 15%  
OR GREATER PER RCMG US



PLANNING COMMISSION  
GLADSTONE, MISSOURI  
*Gladstone City Hall*  
Monday, May 16th, 2022  
7:00 pm

**Item 1 on the Agenda: Roll Call.**

**Present:** Gary Markenson  
Kate Middleton  
Bill Turnage  
Mike Ebenroth, Chair  
Alicia Hommon  
Jennifer McGee  
Kim Murch  
James New

**Absent:** JN Hernandez  
Chase Cookson, Vice Chair  
Brenda Lowe, Secretary  
Larry Whitton

**Council & Staff Present:**

Austin Greer, Community Development Director  
Alan Napoli, Community Development Administrator/Building Official  
Angie Daugherty, Admin. Assistant  
Jean B. Moore, Council Member  
R.D. Mallams, Council Member

**Item 2 on the Agenda: Pledge of Allegiance.**

Chair Ebenroth led the group in reciting the Pledge of Allegiance to the United States of America.

**Item 3 on the Agenda: Approval of the January 18th, 2022 Minutes.** Chair Ebenroth asked if there was a motion to approve the minutes from the January 18<sup>th</sup> meeting.

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

**Item 4 on the Agenda: Consideration:** On a Final Plat for property located at 7400 N Broadway. Applicant: Martin T. Arling Kaw Valley Engineering Inc. Owner: Susan Brandom. #Plat21-00010. *The City Council Public Hearing is scheduled for Monday, June 13th, 2022.*

Mr. Napoli read from the staff report.

The Applicant, Martin T. Arling, P.E. (Kaw Valley Engineering, Inc.) and Susan Brandom (property owner) are proposing a lot split of 7400 N. Broadway into two (2) separate lots; Lot 1 and Lot 2. Lot 1 will continue to remain under the ownership and be the primary residence of

Susan Brandom. This particular property is shared jurisdiction between Kansas City, Missouri and Gladstone, MO with the majority of the property and residential structures residing in Kansas City, Missouri.

The purpose of the lot split and Lot 2 is so that Ms. Brandom's son can build a home for him and his family to reside in. Both residential structures will be located fully in the city limits of Kansas City; as does the current single family residence located at 7400 N. Broadway. The existing single family residential structure has its water and sewer provided by the City of Gladstone, as there are no facilities nearby in Kansas City. The new single family residential structure that is being planned will be occupied by Ms. Brandom's family member will also have water and sewer provided by the City of Gladstone.

A forty (40) foot cross access easement for the access drive is part of the plat for shared access to both lots.

Also, this plat has been submitted and approved by the Planning Commission of Kansas City, Missouri.

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

Ms. Middleton asked what property is in Gladstone.

Mr. Napoli stated that the shaded part on the map is in Gladstone. Everything West of that is in Kansas City Missouri. The Kansas City property contains the single family structure and detached garage. The new house that they want to build will also be in Kansas City.

Ms. Hommon asked if this has already been approved by the Planning Commission with Kansas City.

Mr. Napoli stated yes. Mr. Martin T. Arling can explain further after he is done with questions.

Mr. Martin T. Arling with Kay Valley Engineering Inc. 8040 N Oak Trafficway Kansas City, MO. He stated that yes they have been through Kansas City MO. They did go through Kansas City Missouri and they went through the Preliminary Plat process. Now we are in the planning process. They are hoping next week or the week after Kansas City will have the ordinance.

Ms. Hommon asked if the recommendation for the planning commission is in approval with Kansas City.

Mr. Martin T. Arling stated yes.

Mr. Ebenroth asked if any of the property was in flood zone.

Mr. Martin T. Arling stated no.

Ms. Middleton asked why does it matter if these houses are in Kansas City.

Mr. Napoli stated because a portion of the property is in Gladstone. So they have to replat that portion that is in Gladstone. Because access to that property is in Gladstone.

**MOTION: By Mr. Markenson, second by Ms. Hommon to approve a Final Plat for the property located at 7400 N. Broadway.**

<b>Vote: Mr. Murch</b>	<b>Yes</b>
<b>Mr. Markenson</b>	<b>Yes</b>
<b>Mr. New</b>	<b>Yes</b>
<b>Mr. Turnage</b>	<b>Yes</b>
<b>Ms. Middleton</b>	<b>Yes</b>
<b>Chair Ebenroth</b>	<b>Yes</b>
<b>Ms. McGee</b>	<b>Yes</b>
<b>Ms. Hommon</b>	<b>Yes</b>

**The motion carried. (8-0)**

**Item 5 on the Agenda: Chapter 3000 Mobile Food Establishment Regulations**

Mr. Napoli stated that in 2019 he brought this forward to them. He stated they voiced their concerns and had comments. These food trucks are getting more popular here in Gladstone. Currently they do not have any regulations that cover food trucks. The food trucks would sometimes get special event permits and we would allow them to our special events. Division one is the Administrative portion that deals with the application, duties and powers of the Building Official, any violation and notices that we have to give. Any type of an appeal. The appeal will go through the uniform Code Board of Appeals. The Second Division is all definitions. Division three is the actual body of it. First section is regarding licensing and operations. What we are going to require is that all Mobile Food Establishments have a business license in the City of Gladstone. If they do not, it is unfair to our brick and mortar businesses. The only time they would not have to have a business license is if they have a commissary that was operational in Gladstone that they vend from. Currently the only one that is doing that is the new Brancato Sausage that opened up. They have a mobile food truck. They have a business license for their brick and mortar building here in Gladstone so the mobile food truck would not have to have a business license. We would require that all these food establishments have a permit with Clay County Public Health Department.

They would operate under the following standards:

1. Allow Gladstone's Fire Marshal to inspect for fire code compliance;
2. Obtain and be able to produce upon request, written permission from the property owner;
3. Obtain written permission, in the case of property owned by the City of Gladstone, as follows:
  - 3.1 Operate in City Parks with permission from the Parks, Recreation and Cultural Arts Director or designee;
  - 3.2 Operate on City property in conjunction with City sponsored events;
    - 3.2.1 Comply with special event requirements for City sponsored events;
4. Cannot operate upon City rights-of-way (streets or sidewalks) so as not to obstruct the flow of vehicular or pedestrian traffic;
5. Restrict operation to paved surfaces;



6. Not block driveway access, access to streets and alleys, entry and exiting access from businesses, cause a parking problem or impede vehicular or pedestrian traffic on private property;
7. Limit operations to between 7:00am and 10:00pm Sunday thru Saturday;
8. Not operate within one-hundred (100) feet of the front facing and side facing facades adjacent to a public street of any eating establishment;  
**Exception:** Operations may be conducted within one-hundred (100) feet of the front facing and side facing facades of an eating establishment if such *mobile food unit* or *pushcart* is owned and operated by and eating establishment located within that one-hundred (100) foot zone.
9. Soliciting occupants or vehicles, or advertise in any way that impedes vehicular or pedestrian traffic is prohibited;
10. The use of outdoor sound amplifying equipment, lights or any other illuminated or noise devises is prohibited, except for the lighting of a menu board attached to the side of the *mobile food establishment* providing only enough light for customers directly in front of or nearby the menu to read;
11. The use of any equipment (chairs, tables, signs, etc.) outside of the truck, except for one (1) refuse container, is prohibited;
12. A refuse container must be available for use by customers when *mobile food establishment* vending occurs and the container shall be placed close to the *mobile food establishment* and not impede vehicular or pedestrian traffic;
13. Immediately upon cessation of the vending, the site shall be returned to its previous condition, including the removal of all litter, or other evidence of the vending. If the site is not returned to its previous condition, the City may restore the site at the expense of the applicant.; and
14. Be attended at all times, whether serving or not.

Mr. Markenson asked in Division three sentence four. He thinks this reads better if the word NOT comes out. He thinks the way it reads now is just the opposite of what you want to do.

Mr. Napoli stated that you think it should read “cannot operate upon City rights-of-way (streets or sidewalks) so as to obstruct the flow of vehicular or pedestrian traffic”. Mr. Napoli says that makes sense and he will change that.

Mr. Markenson asked about number 11. He asked does this apply only to trucks.

Mr. Napoli stated typically the ones that have the push cart they are not typically going to carry table and chairs around on a regular basis. It should actually be for all of them.

Mr. Markenson asked what this does to a Rotarian. They have a concession stand and behind the concession stand they have tables and grill and smoker.

Mr. Napoli stated that can be under a Special Event Permit.

Mr. Markenson asked about number 14 where the vehicle has to be attended at all times. He thinks it should say at regular operating hours.

Mr. Napoli stated that it would be 24 hours as long as the vehicle is there.

Ms. Hommon asked about number eight regarding not operating within 100 feet of the brick and mortar buildings. She wants to know if maybe we could change this to without the permission of the business owner. She can think of events like many trucks get together with brick and mortar businesses and hold an event. She does understand that this would be a special event permit.

Mr. Napoli stated that the special event permit is going to be more than 30 days at a time. Most of them are just weekends. 100 feet is far enough away that it will not have a direct effect on the brick and mortar buildings. They have looked into what other cities have and they have anywhere from 50 feet to 200 feet. They feel that 100 feet is a good distance.

Ms. Hommon stated that sometime it would be nice if they could maybe have some food trucks and have Summit Grill and Stone Canyon a different variety of food on a day.

Mr. Napoli stated that would be special event permit they would need.

Ms. McGee stated that there was an event scheduled in North Kansas City where a number of food trucks were brought to a location. Business along Armour Road began to complain. Even though they didn't have any evidence that their receipts were being effected buy this. But they still complained. She understands the need to protect brick and mortar. And she understands how a food truck and relocate much easier and cheaper than a brick and mortar business can. But at the same time she would hate to see physical brick and mortar businesses complaining about special use permits in such a way that prevented Gladstone Fest from happening.

Mr. Napoli stated that currently they have some events at Linden Square that will still happen. They would not do a special event permit on a regular basis for food trucks in our parks. They respect our brick and mortar businesses and that is why they are doing this to protect them.

Ms. McGee asked if a school or church has an event does this ordinance apply to them.

Mr. Napoli stated they would have to have a special event permit for this to happen.

Ms. McGee asked would this ordinance effect a kid's limeade stand.

Mr. Napoli stated that this question has been brought up before. Non for profits like kids selling girl scout cookies they do not require a special event permit for that. So the answer is no we do not care about the kid's limeade stand.

Ms. McGee asked would the city consider having a business license for anyone under the age of 16 that have a much cheaper and quicker permitting processes. She believes there was a city where a kid had a limeade stand that the fire department interacted with them in the past five years. The neighborhood complained that the fire department went there and supported it. And with the way the ordinance is written means that someone in his position 20 or 50 years from now could shut down that limeade stand if we don't have something saying that it can happen.

Mr. Napoli stated that he would have to talk to their finance department. This would fall under the 72 hour non for profit.

Mr. Murch asked how does this impact Hy Vee food trucks.

Mr. Napoli stated that they should have a special event permit.

Mr. Murch asked about non for profit on those trucks.

Mr. Napoli stated if they are there 72 hours or less then they don't worry about it.

Mr. Murch asked what the definition of food prepared versus not prepared food. Like the Swans truck or the meat truck that goes house to house.

Mr. Napoli stated that he would have to look into that a little further. Typically, those are not a mobile food establishment.

Mr. Murch asked how this would impact the local farmer that is selling sweetcorn and melons.

Mr. Napoli stated that falls under state requirements and they are allowed to do it.

Mr. Murch asked how does this impact 72<sup>nd</sup> and Troost with church groups and other individuals will be passing out free coke or water.

Mr. Napoli stated that would be non for profit. Our police department will address further if need be.

Mr. Murch asked what is the difference between this and a mobile mechanic. Why is food being singled out? Do they have all of these regulations?

Mr. Napoli stated that they are supposed to have business licenses. They don't have anything for them. Food is being singled out because product is being sold and there is not a service. The following changes will be made: Change item four taking the word "not" out and number 11 to remove truck and put in Mobile Food Establishments.

**MOTION: By Mr. Markenson, second by Ms. Hommon to move forward with Chapter 3000 Mobile Food Establishment Regulations. (Voice Vote)**

<b>Vote: Mr. Murch</b>	<b>No</b>
<b>Mr. Markenson</b>	<b>Yes</b>
<b>Mr. New</b>	<b>Yes</b>
<b>Mr. Turnage</b>	<b>Yes</b>
<b>Ms. Middleton</b>	<b>Yes</b>
<b>Chair Ebenroth</b>	<b>Yes</b>
<b>Ms. McGee</b>	<b>Yes</b>
<b>Ms. Hommon</b>	<b>Yes</b>

**Item 6 on the Agenda: Establish Chapter 205: Short Term Stay and add Section 7.200.010-Hotel, Motel, and Extended Stay**

Mr. Greer read from the Staff Report.

City Staff is proposing to add Chapter 205 – Short Term Stay to the Gladstone City Code. Within this new Chapter, City Staff is proposing to add section 7.205.010. – Hotel, Motel, and Extended Stay in order to create safeguards to ensure current and future hotels maintain a certain level of quality expected by the citizens of Gladstone. It is important that these facilities maintain their approved use and integrity as these projects age from year 1 to year 15 and beyond.

## **Amend Title VII – Zoning and Planning Ordinance**

### **Amend 7.100.010. – Definitions**

**Extended Stay Hotel** - Any structure consisting of one or more buildings, with more than five dwelling units with provisions for living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered for pay to (a) persons for extended-stays and/or stays longer than thirty (30) days, regardless of the presence of rentals or leases for shorter periods of time; or (b) for stays longer than thirty (30) days in rooms equipped with kitchen facilities. Or, where more than five percent (5%) of the guest rooms therein contain fixed cooking appliances.

**Homeless Shelter** - A building generally operated by a public entity, a publicly funded entity, a nonprofit or charitable organization, a church, or a place of worship that provides temporary day and/or overnight shelter to one or more persons who lack a fixed, regular, and adequate nighttime residence.

**Hotel/Motel** - Any structure consisting of one or more buildings, with more than five dwelling units with provisions for transient living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary lodging of generally ten (10) days or less is offered for pay to persons, is not intended for long-term occupancy, and does not otherwise meet the definition of an extended-stay hotel defined in this section.

**Kitchen Facilities** – Shall mean kitchen amenities including, but not limited to, refrigerators, stoves, ovens, and kitchen-type sink. Amenities limited to a microwave, mini refrigerator, and/or an appliance designed to produce coffee or tea do not constitute “kitchen facilities” for purposes of this definition.

**Residential Housing and Treatment for Alcohol and Drug Addiction** – Residential housing and treatment facilities that provide care to an individual(s) who use and abuse a substance (alcohol or drug) that causes significant problems or distress.

**Residential Housing and Treatment for Mental Illness/Behavioral Health** – Residential housing and treatment facilities that provide care for the mentally ill involving changes in emotion, thinking, or behavior (or a combination of these).

**Staff** – A person or persons, as employees, charged with carrying out the work of the organization or establishment.

**Transitional Housing** – Transitional housing is temporary housing usually incorporated with case management for individuals living in an emergency shelter at least 60 days to help move them to self-sufficiency and obtain permanent housing.

**Add Chapter 205. – Short Term Stay**

**Add Section 7.205.010. – Hotel, Motel, and Extended Stay**

No hotel, motel, or extended stay hotel/motel shall be constructed, altered, or used without complying with the following regulations:

- (a) The common areas and unoccupied rooms of any hotel, motel, and extended stay hotel are subject to inspection by City of Gladstone Fire, EMS, Police and the Community Development Department if there is reasonable cause to suspect that such area or room is being used for criminal activity, a homeless shelter, housing and treatment for mental illness/behavioral health and housing and treatment for alcohol and drug addiction, or in violation of this ordinance or condition of zoning.
- (b) Hotels, motels and extended stay hotels operate for the benefit of travelers and transient parties conducting legitimate business or recreation in the surrounding area. No hotel, motel, or extended stay hotel may be used as a homeless shelter, housing and treatment for mental illness/behavioral health and housing and treatment for alcohol and drug addiction.
- (c) No hotel or motel may be converted to be and operated as an extended stay hotel.
- (d) No owner, operator, keeper, proprietor or employee of a hotel, motel, or extended stay hotel shall provide lodging at an hourly rate.
- (e) Each hotel, motel, or extended stay hotel shall have a minimum of (60) rooms.
- (f) No hotel or motel located within the City shall allow any person to occupy such hotel or motel for more than thirty (30) consecutive days, nor more than sixty (60) days during a one hundred eighty (180) day period. No guest residing for thirty (30) consecutive days shall begin a new rental agreement with the hotel or motel without a two week (14) day vacancy between stays. Exceptions to this condition include circumstances where a home is uninhabitable and is being repaired or rebuilt due to fire, flood, or a situation similar in nature.

The entirety of the proposed ordinance and definitions can be found in your Planning Commission packet.

This code amendment will be heard by the City Council on Monday, June 13<sup>th</sup> at 7:30 p.m. in the City Council Chambers inside City Hall.

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

Ms. McGee asked regarding the hotel motel shall have a minimum of 60 rooms. And in the definitions for both hotel and motel it says something, something more than five dwelling units. Does those two sections conflict.

Mr. Greer stated that they had a legal go through this thoroughly and so has he. He does not believe there is a conflict between the two. They have taken these definitions from other cities that has done this and it is almost verbatim for all of those other cities that the city has compared them to. Ms. McGee asked if a building had fewer than 60 rooms would it not be a hotel.

Mr. Greer stated what they are saying is if you are a hotel, motel, extended stay there need to be a minimum of 60 rooms. Anything less than that you start to get into the Airbnb. Which does not tie into this but this is why staff is trying to establish a chapter for short term stays. They are steading Airbnb's right no. That division could go under this chapter. That is where you are getting into that territory.

Ms. McGee asked basically you are saying the section that would define for example a 25 room building has not been built yet and so we should ignore it.

Mr. Greer stated no not ignore it. What they are saying is what we determine a hotel, motel and extended stay is a minimum of 60 rooms.

Ms. McGee asked even if the definitions say more than five dwelling units.

Mr. Greer stated any structure consisting of one or more buildings, with more than five dwelling units with provisions for transient living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary lodging of generally ten (10) days. This may be a typo and he will look into it.

Mr. Murch stated that this time next year is going to be the NFL draft is in Kansas City. There are no hotel rooms available in the metro area even at the Gladstone hotel and people are renting other people's homes. How does that apply to this? Can we include this in short term stay?

Mr. Greer stated it doesn't and the city wouldn't know about it and the city has no regulations saying they can't do it. We are trying to establish the chapter to start. As years go by this could become a section of this chapter. Tonight we are going over hotel, motel and extended stays.

Mr. Murch asked if he has any input or documentation on what the opinion with Marriott is.

Mr. Greer stated yes he has spoken to the hotel operators a lot about this particular ordinance and they looked it over and gave there ok. He has not spoken directory with Marriott.

Mr. Markenson asked there is a definition on transitional housing but he doesn't see how it is regulated in any way.

Mr. Greer stated that if he looks in section 205.010 it gets into how hotels cannot be used as transitional housing or a homeless shelter.

Mr. Markenson stated that he does not see transitional housing listed there.

Mr. Greer stated that we will had that in there.

Mr. Turnage asked about business that travel to job sites and they could be there 30 days or 120 days. So if they are there 30 days someone keeps track of that?

Mr. Greer stated that the hotel will keep track of that and let us know.

Ms. Middleton stated that this seems to be helping the hotel out. If someone isn't causing problems at the hotel, then the hotel wouldn't mind them staying. But if they are asked to leave then the hotel can say you need to leave this is an ordinance with the city.

Mr. Ebenroth asked if there are any exceptions.

Mr. Greer stated that his own personal opinion would be to not do that. He really doesn't want them to regulate behavior.

Mr. Murch asked what is the point of this ordinance. Why is this board being asked to pass this because they are uneducated hotel operators as well as the city staff? And they are being asked to set ground rules on how they operate their business. He is sure the hotel has their own guidelines and rules on how to handle all of this.

Mr. Greer stated he hears what he is saying> He thinks what they are trying to achieve as staff is for these hotels to operate under the approved use that they were the first time around. As we see with apartment complexes and other facilities that these projects do age from year one to 15 to 25 and sometimes the owner to developer may want to transition that property to something that is wasn't approved from the start. He also thinks that in the last couple of years they have seen where a homeless population or transitional housing population has been put in hotels around certain metros. That hasn't gone so well for those hotels or those cities. He thinks this is the cities way of staff to protect the integrity of these investments in our community.

Mr. Murch stated that they are putting handcuffs on the Marriott corporation.

Mr. Greer stated as the developer and operator they work in tandem with the Marriott and have looked over this ordinance and they had not quorums.

Ms. Middleton stated that he thinks it sounds good.

Mr. Greer stated the Mr. Murch makes sense in a lot of way and he can't disagree with a lot of what he says but from a staff prospective this is their way to try and protect a community aspect.

Mr. New asked is there a reason they picked 30 days.

Mr. Greer stated that was a particular use of days that other cities have used.

Mr. Murch stated he is not an expert in hotel, motel management and no one at this table has a background in it and I don't see anyone in the city staff or the city that has any expertise in hotel, motel management. I don't see anyone here from the hotel, motel company that can tell us what their opinion is.

Mr. Ebenroth asked if something can be added like exception to the policy.

Mr. Greer stated if this is recommended to move to City Council tonight there is always a chance that we find an error. Things evolve over time. If they need to come back and make an alteration to this particular ordinance we can. Generally, policy isn't perfect the first time around. He thinks



this is a good place for us to start and if we notice mistakes in the future we can certainly come back and alter that.

Mr. Markenson stated not to disagree with you on this but we are not supposed to be in hotel management. They are talking about policies in regards to the citizens of Gladstone. To my understanding to whole purpose of this is in the future the Fairfield Inn could become a homeless shelter.

Mr. Greer stated that at 15 or 20 years from now they want to make sure this type of facility isn't going to be run down and charging by the hour. The city is just trying to be proactive instead of reactive.

Ms. McGee stated that it feels to her that if our goal is to protect our asset then creating a situation where homeless people are not allowed to be is going to force homeless people into places we don't want them. If they systematically make it illegal for a homeless person to be at a hotel and make it illegal for a homeless person to be in a church basement to make it illegal for a homeless person to be in many other locations, then homeless people are going to have to live somewhere and that somewhere is going to be that place we haven't regulated yet that we don't like. If they really want to solve a problem of not having homeless people in certain areas, they should provide a place for them to be.

Mr. Greer stated that he agrees with what she said but that is not particular to this hotel or extended stay hotel. He does believe that this is a conversation the city will have in the future for sure.

Ms. McGee stated that should this Planning Commission bare any responsibility for creating the zoning and restrictions on housing and limiting housing units that contribute to some of those problems of homelessness. She stated that she is going to vote no to this ordinance because she does not feel that they all of the same vision on where we want to be. She thinks some of them might be trying to cause problems that are creating other problems.

Mr. Greer stated that this is a conversation that will be brought up in the future.

**MOTION: By Ms. Middleton, second by Mr. Turnage to approve to Establish Chapter 205 Short Term Stay and add section 7.205.010 Hotel, Motel, and Extended Stay.**

<b>Vote: Mr. Murch</b>	<b>No</b>
<b>Mr. Markenson</b>	<b>No</b>
<b>Mr. New</b>	<b>Yes</b>
<b>Mr. Turnage</b>	<b>Yes</b>
<b>Ms. Middleton</b>	<b>Yes</b>
<b>Chair Ebenroth</b>	<b>Yes</b>
<b>Ms. McGee</b>	<b>No</b>
<b>Ms. Hommon</b>	<b>Yes</b>

**The motion carried. (5-3)**

**Item 7 on the Agenda: Communication from the Public**  
No Communication

**Item 8 on the Agenda: Communications from the City Council**

Councilmember Moore wanted to say please check the website. They are going through a process for the Comprehensive Plan. She is encouraging everybody to get involved and contribute. There are opportunities on there to fill out surveys and to participate in lots of events that are going on. It is a really important process for the city. With summer being here there are lots of events at Linden Square and Blues Fest and lots of things going on at Atkins-Johnson Farm. So please take advantage of all the good fun things happening in Gladstone.

**Item 9 on the Agenda: Communications from the Planning Commission Members**

Mr. Turnage stated that Gladstone Public Works Department had events 3 weekends in a row. The first weekend they had electronic drop off the 2<sup>nd</sup> weekend they had household item drop off and the 3<sup>rd</sup> weekend was yard waste and branches. He talked to a few people about it and they didn't know anything about it. Perhaps the city needs to do a better job of publicizing those events.

Mr. Markenson stated that he would like to have the drinking fountains turned on at the parks.

Ms. Hommon stated that when she was a kid in high school she was not a very bold person. When she was asked to do something she didn't want to do she would frequently call her dad. As they are having this conversation regarding that ordinance she found herself in this very situation as a business owner. Knowing that is really nice when her dad would say no about something. Because we are in a season right now with people with instant gratification they want what they want they don't really care what you think and knowing that there are ordinances in place to protect her and her business is really comforting. At the same time, she found it really hard to decide what to vote one. Ms. McGee and the rest of our commissioners brought up some really incredible things to say. She wanted to share that she likes the conversations that they have where it is hard to decide what to say because that means that they are considering all of the things we need to consider, and they are not making a decision lightly. She wanted to thank them all because it's really an honor and pleasure to get to sit at this table with them.

**Item 10 on the Agenda: Adjournment**

Chair Ebenroth adjourned the meeting at 8:02 pm.

Respectfully submitted:

\_\_\_\_\_  
Mike Ebenroth, Chair

Approved as submitted \_\_\_\_\_

\_\_\_\_\_  
Angie Daugherty, Recording Secretary

Approved as corrected \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AGREEMENT WITH THE NORTH KANSAS CITY SCHOOL DISTRICT FOR PROVIDING SPACE AT THE EARLY EDUCATION CENTER CAMPUS TO TEMPORARILY RE-LOCATE POLICE HEADQUARTERS.**

**WHEREAS**, the City of Gladstone, Missouri, is ready to begin construction of a new Police Headquarters, which will require the Police Department to temporarily vacate their current space; and

**WHEREAS**, the North Kansas City School District has agreed to provide temporary space for the Police Department at their Early Education Center Campus; and

**WHEREAS**, the City of Gladstone and the North Kansas City School District have agreed upon the terms of temporarily occupying the space and have outlined those terms in a proposed Memorandum of Understanding (MOU).

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

**THAT**, the City Manager of the City of Gladstone, Missouri, is hereby authorized to enter into the proposed Memorandum of Understanding, in substantially the form attached hereto and incorporated herein, with the North Kansas City School District to occupy space at the Early Education Center Campus to temporarily re-locate Police Headquarters.

**INTRODUCED, READ, PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 13TH DAY OF JUNE, 2022.**

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Bill Garnos, Mayor

**ATTEST:**

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Kris Keller, City Clerk

FIRST READING: June 13, 2022

SECOND READING: June 13, 2022



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

RES ☐ # City Clerk Only

BILL ☒ # 22-22

ORD # 4.599

Date: 6/2/2022

Department: General Administration

Meeting Date Requested: 6/13/2022

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

Subject: An Ordinance authorizing the City Manager to enter into a Memorandum of Understanding with the North Kansas City School District for providing space at the Early Education Center Campus to temporarily re-locate Police Headquarters.

Background: Construction of the new Police Headquarters will begin sometime in late June 2022. Completely moving the Police Department from their existing space creates the opportunity for significant savings on the overall project. The North Kansas City School District has agreed to provide space in three (3) former retail spaces they own at the Early Education Center Campus (Prospect Plaza) for the City to temporarily re-locate the majority of Police Department operations. Once the MOU is approved by City Council, it will go to the NKCSO Board for approval on June 21. We are anticipating an early July move once a few minor construction and IT considerations are completed.

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

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

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

Bob Baer  
Department Director/Administrator

JM  
City Attorney

SW  
City Manager

## COOPERATIVE AGREEMENT

This Cooperative Agreement (the “**Agreement**”), made this \_\_\_\_ day of June, 2022, between the School District of North Kansas City, Missouri, No. 74, a political subdivision of the State of Missouri (the “**District**”), and the City of Gladstone, Missouri, a municipal corporation in the State of Missouri (the “**City**”) (collectively, the “**Parties**” or individually, the “**Party**”).

WHEREAS, the District is a public school district and a political subdivision of the State of Missouri; and

WHEREAS, the City is a third-class city and a political subdivision of the State of Missouri; and

WHEREAS, Section 70.220, RSMo. authorizes political subdivisions to enter cooperative agreements with each other, to plan, develop, construct, acquire, or operate any public improvement or facility, or for a common service, and which are within the scope of powers of both political subdivisions; and

WHEREAS, the City operates a police department that serves the Gladstone community, which includes District students, staff and facilities; and

WHEREAS, the City is in the process of constructing a new headquarters for its police department, so it is in need of temporary space for police operations during construction; and

WHEREAS, the District owns, operates and maintains property located in a center commonly known as Prospect Plaza, located at 6403-6479 N. Prospect Avenue, Gladstone, Missouri 64119; and

WHEREAS, the District is currently renovating a portion of Prospect Plaza, but has available space for the City’s use as a temporary police headquarters (the “Utilized Space”); and

WHEREAS, the City will construct improvements in the Utilized Space that will benefit the District and the public; and

WHEREAS, the District will also benefit from an increased security presence in Prospect Plaza as it renovates the premises for various purposes; and

WHEREAS, the City and District have enjoyed a mutually-beneficial relationship and desire to continue to assist each other and the public at large when able to do so.

NOW, THEREFORE, IT IS MUTUALLY AGREED BY and between the Parties as follows:

1. Incorporation of Recitals. The above Recitals constitute the factual basis upon which the City and the District have entered into this Agreement. The City and the District acknowledge the Recitals’ accuracy and, therefore, incorporate them into this Agreement.

2. Property to be Used and Developed. The Utilized Space will include units 200, 210 and 220 of Prospect Plaza.

3. Ongoing Construction. The City acknowledges that the District is in the process of renovating the portion of Prospect Plaza around the Utilized Space. The District and City will cooperate and coordinate activities to ensure no disruption to the District's renovations will occur as a result of this Agreement.

4. Anticipated Timeline. It is anticipated the City will be in the Utilized Space from July 2022 until August 2023. The parties agree to engage in good-faith discussions in the event this timeline must be adjusted.

5. City's Improvements to the Property. The City is going to construct the following improvements in the Utilized Space: Clean up and maintenance; build out of office walls and interior connection of spaces; installation of a network and other work necessary to create office space (the "Improvements"). The City and District agree to engage in good-faith discussions about the design and construction of the Improvements so that they will benefit both the City and the District. The City will fund all Improvements, and will abide by all applicable bidding and prevailing wage requirements in constructing the Improvements. Upon termination of this Agreement, all Improvements will be left unchanged by the City and shall become a part of the premises to be used by the District.

6. Utilities; Insurance. The City shall be responsible for payment of all utilities while occupying the Utilized Space. The City shall also have property and liability insurance coverage in amounts acceptable to the District covering the Utilized Space in effect for the duration of this Agreement.

7. Term; Termination. Unless earlier terminated as provided for in this Agreement, this Agreement shall continue in full force and effect until completion of its purpose.

8. Amendment; Integration. Any amendments, changes or waivers to any provision of this Agreement must be in a written instrument and signed by both parties. Oral amendments, changes or waivers shall be of no effect or shall bind any party to this Agreement.

9. Execution. This Agreement may be executed in counterparts all of which shall constitute one original document.

10. Governing Law. The laws of the State of Missouri will govern the interpretation and enforcement of this Agreement.

11. Severability. In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent

of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

12. Corporate Authority. The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which said party is bound.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first written above.

THE SCHOOL DISTRICT OF NORTH KANSAS CITY, MISSOURI, NO. 74:

Signature: \_\_\_\_\_  
Print/Type Name: \_\_\_\_\_  
Title: \_\_\_\_\_

THE CITY OF GLADSTONE, MISSOURI:

Signature: \_\_\_\_\_  
Print/Type Name: \_\_\_\_\_  
Title: \_\_\_\_\_