

CITY COUNCIL MEETING GLADSTONE, MISSOURI MONDAY, SEPTEMBER 12, 2022

The City Council will meet in a Closed Executive Session at 6:30 pm, Monday, September 12, 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, 610.021(3) Personnel, 610.021(9) Employee Groups, and 610.021 (12) Negotiated Contract.

OPEN STUDY SESSION 7:15 PM

1. Discussion of Residential Hen & Bee Ordinance–Austin Greer, Community Development Director, will review proposed changes to the current City ordinance.

REGULAR MEETING 7:30 PM <u>TENTATIVE AGENDA</u>

- 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 August 22, 2022, Closed City Council Meeting Minutes.
- 6. Approval of the August 22, 2022, Regular City Council Meeting Minutes.

- RECOGNITION: Presentation of Certificate of Recognition for 7. citizen involvement with the Police Department.
- 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.
- Communications from the City Council. 9.
- Communications from the City Manager. **10**.

Date September 8, 2022

Posted at: 2:30 pm

REGULAR AGENDA

- 11. **RESOLUTION R-22-47** A Resolution authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt.
- **12**. **RESOLUTION R-22-48** A Resolution authorizing acceptance of a proposal from Shawnee Mission Ford, Shawnee, Kansas, for the purchase of one (1) 2022 Ford Ranger SuperCrew Cab pickup truck for the total purchase amount of \$30,227.00.
- RESOLUTION R-22-49 A Resolution revising the Community Center **13**. sales tax fund and transportation sales tax fund FY22 Midyear Budget for the City of Gladstone, Missouri and authorizing expenditures of funds.
- Other Business. 14.
- **15.** Adjournment.



Department of Community Development Memorandum ASG 22-02

DATE: September 7, 2022

TO: Scott Wingerson, City Manager

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

SUBJECT: Consideration of Residential Hen & Bee Ordinance

Over the past couple of years, stemming from the Gladstone: Shaping Our Future initiative, city staff has been evaluating the city's current ordinances to determine whether or not those ordinances allow for residents to keep hens and bees on their residential property. Within the last year, inquiries from residents to have hens or bees has increased and become more frequent. These individuals who have contacted city staff have been individuals who typically live in a neighborhood on a ½ or ½ acre lot.

In my research, the City of Liberty has simple summaries, ordinances, and permits that address hens and bees. I have based the City of Gladstone's versions on the City of Liberty's adopted codes and ordinances as they are just a few years old.

Currently, the City of Gladstone's codes and ordinances are a bit confusing and do not adequately address these topics. In your packet, I have drafted summaries, ordinances, and permits to better address these topics moving forward. On Monday, August 15th city staff held an open study session with the Planning Commission to get feedback and improve current drafts.

In summary, the Planning Commission as a whole is in favor of allowing hens and bees on residential lots in Gladstone with government regulation.

Below, are key components of the draft ordinance that were discussed with the Planning Commission on Monday, August 15th.

Hens:

- Residential lots up to three (3) acres may keep up to six (6) hens.
- Residential lots three (3) acres or more may keep a maximum of ten (10) hens.
- All coops and runs shall be located in the rear yard and be at least ten (10) ft. from any property line and at least fifty (50) ft. from any residential structure, deck, or porch not owned by the applicant.

- The coop and run may not exceed eighty (80) sq. ft. and the maximum height of the coop shall not exceed eight (8) ft.
- A chicken coop will not be considered a detached accessory structure.
- The city will charge a one-time permit fee of \$20.
- Private restrictions, such as an HOA, will remain enforceable and may prohibit the keeping of hens. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- Enforcement will be a combination of the Police Department (Animal Control) and the Community Development Department (Code Enforcement). If a nuisance is determined due to an impact to general safety, health, and welfare of the general public the Police Chief and Community Development Director and/or their designee has the authority to order the removal of the hens, coop, and run.

Bees:

- Residential lots up to three (3) acres may keep up to one (1) bee hive.
- Residential lots three (3) acres or more may keep a maximum of two (2) bee hives.
- All bee hives must be located in the rear yard an at least ten (10) ft. from any property line and at least fifty (50) ft. from any residential structure, deck, or porch not owned by the applicant.
- The beehive may not exceed 25 inches by 16 inches.
- Hives shall not be located within fifty (50) ft. of a pre-existing swimming pool or pre-existing kenneled animal.
- A supply of fresh water shall be maintained in a location readily accessible to the hive on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.
- Private restrictions, such as an HOA, will remain enforceable and may prohibit the keeping of bees. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- The city will charge a one-time permit fee of \$20.
- Enforcement will be a combination of the Police Department (Animal Control) and the Community Development Department (Code Enforcement). If a nuisance is determined due to an impact to general safety, health, and welfare of the general public the Police Chief and Community Development Director and/or their designee has the authority to order the removal of the bees and hive.

Depending on City Council feedback, below is a timeline for consideration and adoption of a new ordinance addressing hens and bees within the City of Gladstone.

- Planning Commission Consideration September/October 2022
- City Council Consideration October/November 2022

Thank you

Chapter 105. – Animal Regulations (Current Title)

Chapter 105. – Animal & Insect Regulations (New Title)

Sec. 2.105.160. - Keeping horses, livestock and fowl. (Current Ordinance)

Horses, livestock and fowl must be kept on a lot containing at least three acres under the following conditions. Livestock may be kept on less than three acres upon obtaining a special use permit. All applications for a special use permit shall be submitted to the animal control officer for investigation and recommendations prior to approval by the city council. Horses, ponies, cattle, hogs, mules, sheep, goats and other animals shall be kept in a detached accessory building which shall be located not less than 100 feet from any street, and not less than 50 feet from any property line. Not more than one horse, pony, cattle, hog, mule, sheep, goat or other animal shall be kept on each 10,000 square feet of land area. Not more than 25 fowl shall be kept on each 20,000 square feet of land area. Fowl shall not be kept or housed within 30 feet of a street or property line.

(Ord. No. 4.022, § 2, 2-26-2007)

Amend Sec. 2.105.160. - Keeping horses and livestock. (New Ordinance)

Horses and livestock must be kept on a lot containing at least three acres under the following conditions. Horses, ponies, cattle, hogs, mules, sheep, goats and other similar animals shall be kept in a detached accessory building which shall be located not less than 100 feet from any street, and not less than 50 feet from any property line. Not more than one horse, pony, cattle, hog, mule, sheep, goat or other animal shall be kept on each 10,000 square feet of land area.

(Ord. No. 4.022, § 2, 2-26-2007)

Add Sec. 2.105.161 – Keeping Backyard Hens. (New Ordinance)

For single-family residential lots smaller than one hundred and thirty thousand six hundred and eighty (130,680) square foot in area (3 acres) may keep up to six (6) female hens in accordance with the following provisions:

- a. Prior to keeping or housing hens, a person shall first submit an application for a hen permit to the City of Gladstone Community Development Department. Said permits are a one-time fee and non-transferable. Each applicant must submit information or evidence of the following for a permit:
 - i. All hens must have access to a covered enclosure (or coop) that allows for the housing of hens. In addition, all coops must have direct access to an enclosed run area. All coops and runs shall be located in the rear yard and be designed in a manner to minimize their visual impact. All coops and runs shall be at least ten (10) feet from any property line and at least fifty

- (50) feet from any residential structure, deck, or porch not owned by the permittee.
- i. The coop and run may not exceed sixty (80) square feet.
- ii. The maximum height of the coop shall be eight (8) feet.
- b. The keeping of roosters and guinea hens, or any fowl other than female chickens (hens) is prohibited.
- c. At all times, hens shall either be kept in a coop or a run as defined above.
- d. All feed and other items associated with the keeping of hens shall be kept clean and sanitary at all times and be protected so as to prevent the infestation of rats, mice, or other rodents.
- e. The hens are not raised for the purpose of slaughtering.
- f. Individuals that wish to own or maintain hens on property that they do not own must include written permission from the property owner or landlord that explicitly indicates that the permittee has permission to own or maintain hens on the subject property. Such written permission shall be supplied as part of the hen license application.
- g. If an inspection is required as a result of a nuisance complaint, the Animal Control Officer and/or Code Enforcement Officer will inspect the property.
- h. Notwithstanding the issuance of a permit by the city, private restrictions on the use of property shall remain enforceable and may prohibit the keeping of hens as provided herein. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- i. If the requirements of this section are not fully complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.
- j. The Community Development Director and/or the Police Chief and/or their designee have the authority to order the removal of the hens, coop, and run if a nuisance is determined and/or there is a proven impact to the general safety, health, and welfare of the general public.

For single-family residential lots larger than one hundred and thirty thousand six hundred and eighty (130,680) square foot in area (3 acres) may keep a maximum of ten (10) female chickens (hens).

Add Sec. 2.105.162 – Residential Bee Keeping (New Ordinance)

For single-family residential lots smaller than one hundred and thirty thousand and six hundred and eighty (130,680) square foot in area (3 acres) may keep one (1) beehive in accordance with the following provisions:

- a. Prior to keeping or housing bees, a person shall first submit an application for a residential bee keeping permit to the City of Gladstone Community Development Department. Said permits are a one-time fee and are nontransferable. Each applicant must submit information or evidence of the following for a permit.
 - i. All bees must have a man-made hive (house, structure, etc.) that a colony calls home. The hive shall be located in the rear yard and be designed in a manner to minimize their visual impact. All hives must be at least ten (10) feet from any property line and at least fifty (50) feet from any residential structure, deck, or porch not owned by the permittee.
 - ii. The beehive may not exceed 25 inches by 16 inches.
- b. Beekeepers that wish to own or maintain a beehive on property that they do not own must include written permission from the property owner or landlord that explicitly indicates that the beekeeper has permission to own or maintain a beehive on the subject property. Such written permission shall be supplied as part of the beekeeping application.
- c. Hives shall not be located within 50 feet of a pre-existing swimming pool or pre-existing kenneled animal.
- d. A supply of fresh water shall be maintained in a location readily accessible to the hive on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.
- e. If an inspection is required as a result of a nuisance complaint, the Animal Control Officer and/or Code Enforcement Officer will inspect the property only.
- f. It shall be unlawful for any beekeeper to keep a hive in such a manner as to cause any unhealthy condition or purposefully interfere with the normal use of adjoining properties.
 - i. Hive placement and related bee movement such that bees, without provocation, interfere with the reasonable freedom of movement of persons in a public right-of-way, or the location of bees have a proven impact to the general safety, health, and welfare of the general public.
- k. Notwithstanding the issuance of a license by the city, private restrictions on the use of property shall remain enforceable and may prohibit the keeping of bees as provided herein. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- 1. If the requirements of this section are not fully complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.
- m. The Community Development Director and/or the Police Chief and/or their designee have the authority to order the removal of the bees and hive if a nuisance is determined and/or there is a proven impact to the general safety, health, and welfare of the general public.

For single-family residential lots larger than one hundred and thirty thousand six hundred and eighty (130,680) square foot in area (3 acres) may keep a maximum of two (2) bee hives.

Backyard Hens – Summary Guide

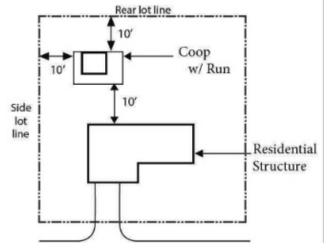
Do you live in a single-family residential neighborhood on a lot smaller than 130,680 square feet (3 acres)?

If so, you may keep up to 6 female chickens (hens), as long as they are kept in accordance with the following provisions:

- Complete a permit application prior to housing your future hen, you will need to submit an application for a hen permit. The following information must be submitted:
 - Layout of the coop and run in accordance with the guidelines provided.
 - Photograph (premade coop) or copy of plans (homemade coop) for the chicken coop and run.



- Roosters are prohibited.
- Hens must be kept in a covered coop or an enclosed run area at all times.
- Keep feed and other items associated with the keeping of hens clean and sanitary at all times to prevent the infestation of rats, mice and other rodents.
- Hens are not to be raised for the purpose of slaughtering



Coop & Run Area Guidelines:

- Must be at least 50 feet from any residential structure, deck, or porch not owned by the permittee and at least 10 feet from any property line.
- Must be located in the rear yard and designed to minimize visual impact.
- Coops must be covered with direct access to an enclosed run area.



Disclosures

- Private restrictions by HOA's or similar organizations on the use of the property shall remain enforceable and may prohibit the keeping of chickens.
- If these requirements are not fully complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.

Residential Bee Keeping – Summary

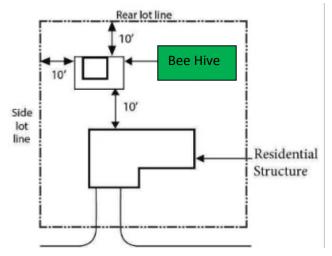
Do you live in a single-family residential neighborhood on a lot smaller than 130,680 square feet (3 acres)?

If so, you may keep up to 1 bee hive, as long as the hive is kept in accordance with the following provisions:

- Complete a permit application prior to housing your bees, you will need to submit an application for a bee keeping permit. The following information must be submitted:
 - Layout of the bee hive in accordance with the guidelines provided.
 - Photograph (premade hive) or copy of plans (homemade hive) for the bees.



- A supply of fresh water shall be maintained in a location readily accessible to the hive on site to prevent bees from congregating at neighboring properties.
- Hives shall not be located within 50 feet of a preexisting swimming pool or pre-existing kenneled animal.



Bee Hive Guidelines:

- Must be at least 50 feet from any residential structure, deck, or porch not owned by the permittee and at least 10 feet from any property line.
- Must be located in the rear yard and designed to minimize visual impact.
- Hive may not exceed 25 in. by 16 in.



Disclosures

- Private restrictions by HOA's or similar organizations on the use of the property shall remain enforceable and may prohibit the keeping of bees.
- If these requirements are not fully complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation.

City of Gladstone, Missouri Permit to keep Backyard Hens

Please submit permit application to:

City of Gladstone Community Development Department 7010 N. Holmes Street Gladstone, MO 64118

*Permit Fee \$20.00

Applicant Name:				
Property Address:				
Phone Number: Email Address:				
Please attach the appropriate required documentation to this application and please sign your name below showing that you understand and intend to comply with the terms of this ordinance requirement. • A site plan of the back yard which clearly outlines property lines, any existing and proposed structures (proposed coop, run, existing house, etc.) any existing and proposed setback distance between the proposed coop and run, any structures, and property lines. All coops and runs must be at least ten (10 feet from any property line and at least fifty (50) feet from any neighboring residence, deck, or porch not owned by the permittee. • Photograph (premade coop) or copy of plans (homemade coop) for the chicken coop and run.				
Applicant Signature: Date:				
*This permit must be kept by the owner and presented upon demand by any city official. Permits are non-transferable and may not be sold or assigned. Renewal permits require full re-submittal.				
Office Use Only:				
Received: Approved/Denied:				
Expiration Date: Comments:				

City of Gladstone, Missouri Permit for Residential Bee Keeping

Please submit permit application to:

City of Gladstone Community Development Department 7010 N. Holmes Street Gladstone, MO 64118

*Permit Fee \$20.00

Applicant Name:			
Property Address:			
Phone Number: Email Address:			
	riate required documentation to this application and please sign your name understand and intend to comply with the terms of this ordinance requirement.		
structures, any e structures, and p and at least fifty permittee. • Photograph (pre	back yard which clearly outlines property lines, any existing and proposed xisting and proposed setback distance between the proposed bee hive, property lines. All bee hives must be at least ten (10) feet from any property line (50) feet from any neighboring residence, deck, or porch not owned by the made hive) or copy of plans (homemade hive) for the bee hive. The hive may ches by 16 inches.		
Applicant Signature:	Date:		
·	ot by the owner and presented upon demand by any city official. Permits are y not be sold or assigned. Renewal permits require full re-submittal.		
Office Use Only:			
Received:	Approved/Denied:		
Expiration Date:	Comments:		



MINUTES REGULAR CITY COUNCIL MEETING GLADSTONE, MISSOURI MONDAY, AUGUST 22, 2022

PRESENT: Mayor Bill Garnos

Mayor Pro Tem Jean Moore Councilman R. D. Mallams Councilmember Tina Spallo Councilman Les Smith

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

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

Mayor Garnos opened the Regular City Council Meeting Monday, August 22, 2022 at 7:30 pm.

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

Mayor Garnos stated that the four Councilmembers were present and there was one vacancy.

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, Stanley Stoner, Gordon Harris, Charlie Cram, and Joe Liles.

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

The agenda was approved as published.

<u>Item No. 5. On the Agenda.</u> Approval of the August 8, 2022, Closed City Council Meeting Minutes.

Mayor Pro Tem Moore moved to approve the minutes of the August 8, 2022, Closed City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Mayor Pro Tem Moore, and Mayor Garnos. (3-0)

Note: Councilman Mallams was absent from the August 8, 2022, Regular City Council meeting, so, therefore, abstained from the vote on the Minutes of that meeting.

<u>Item No. 6. On the Agenda.</u> Approval of the August 8, 2022, Regular City Council Meeting Minutes.

Mayor Pro Tem Moore moved to approved the minutes of the August 8, 2022, Regular City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Spallo, Mayor Pro Tem Moore, and Mayor Garnos. (3-0)

Note: Councilman Mallams was absent from the August 8, 2022, Regular City Council meeting, so, therefore, abstained from the vote on the Minutes of that meeting.

<u>Item No. 7. On the Agenda.</u> PROCLAMATION Daughters of the American Revolution Constitution Week.

Mayor Garnos presented the Proclamation to: Ann Calvert, Susan Dowden, Maggie Henderson, Jean McHenry, Kristi Newhall, Kay Schaefer, Marge Underwood, and Patty Underwood.

<u>Item No. 8. On the Agenda.</u> FIRST READING BILL No. 22-29 An Ordinance appointing Les Smith to fill the City Council Seat left vacant by the resignation of former Councilman Tom Frisby.

Councilmember Spallo moved to place Bill No. 22-29 on its First Reading. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (4-0) The Clerk read the Bill.

Councilmember Spallo moved to accept the First Reading of Bill No. 22-29, waive the rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (4-0) The Clerk read the Bill.

Councilmember Spallo moved to accept the Second and Final Reading of Bill No. 22-29 and enact the Bill as Ordinance 4.606. Mayor Pro Tem Moore seconded.

Mayor Garnos reported that Les Smith had been a prior Councilmember and was returning to fill the vacant seat until the next election. He announced that the sign up period for the next Municipal election was December 2022 and the election would be held in April 2023. The Mayor welcomed Mr. Smith back to the City Council.

The Vote: "aye", Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (4-0)

Item No. 9. On the Agenda. CITY COUNCIL OATH OF OFFICE TO LES SMITH.

City Clerk Kris Keller administered the oath of office to Les Smith.

Item No. 10. On the Agenda. Communications from the Audience.

Robert Bateman, 209 NW 73rd Street, reported that he had a pending legal case with the City. He stated that the City "helped themselves" to his property and that it was worth a lot of money and he wanted to come to some agreement. He reported that the cave on his property disburses water when it rains and removes it from the City. He stated that it appeared attorneys were more interested in charging Gladstone rather than solving the problem. He discussed pre-judgement interest (6%) that would be charged to the City and that it would be better if the City settled. Mayor Garnos thanked Mr. Bateman.

Russ Tluscik, 3995 NE 63rd Terrace, congratulated Councilman Smith on his appointment to City Council. Mr. Tluscik thanked City Manager Scott Wingerson and Director Austin Greer, for a letter they sent to the owner of the Airbnb located in his neighborhood. He requested a status update from City Manager Wingerson. He reported the neighbors in attendance were there to express their thanks and stated there was also an individual from an adjoining neighborhood present so that the Council remained aware that it was an important issue to the residents. He then discussed information that he discovered on the Airbnb website and that Airbnb puts the responsibility on the hosts to conduct their due diligence prior to buying or listing a property. He distributed a handout from the Airbnb Help Center website (see attached) that listed responsible hosting cities in the United States and included links that provided information for potential buyers. He made a suggestion that Gladstone be added to the list, so individuals could be aware of zoning and ordinances in the City. Mayor Garnos thanked Mr. Tluscik.

<u>Item No. 11. On the Agenda.</u> Communications from the City Council.

Councilman Smith thanked the Council for allowing him to serve the remainder of Councilman Frisby's term. He expressed his excitement of joining a great team and pledged to work closely with the Council. He also reported that the City had quite a lot to be proud of with all the accomplishments in the past several years. He thanked his wife for her continued support.

Councilmember Spallo welcomed Councilman Smith and stated that it would be a pleasure to serve with him. She also discussed Public Works and all the revitalization happening with roads, curbs, and sidewalks. She thanked Director Tim Nebergall and his staff along with all other City staff that had to work outside in the extreme heat. She expressed her appreciation and thanks for their hard work and dedication.

Councilman Mallams Welcomed Les Smith to the City Council.

Mayor Pro Tem Moore Welcomed Councilman Smith and stated it was an honor to have him present. She recognized the passing of Dick Conn, who was a friend and Gladstone supporter. She stated that he had been a longtime member of the Gladstone Industrial Development Authority and Gladstone Rotary. She shared that both Dick and his wife Julie have been great supporters of Gladstone and that he would be greatly missed by the City and the residents.

Mayor Garnos reported his attendance at the Northland Regional Chamber of Commerce Board of Directors meeting. He announced that the Parks and Advisory Board meeting went very well and that he and the Chairman of the Board, Tammy McFerran, were honored to present a plaque to Pastor Bob and other members of the Antioch Bible Baptist Church, for the for their many years

of continuous support of the Gladstone Parks, Recreation & Cultural Arts Department through their volunteer work. He also reported that he and Mayor Pro Tem Moore had the opportunity to tour the Community Center with Congressman Emanuel Cleaver, who is trying to obtain federal funds for some significant infrastructure improvements at the Community Center. He reported that Director Merkey did a terrific job hosting the tour. He conveyed that Congressman Cleaver appeared impressed with the facility, the partnership with the school district, how the Community Center serves the schools throughout the district, and how the facility provides swim lessons for so many children throughout the Northland.

Item No. 12. On the Agenda. Communications from the City Manager.

City Manager Scott Wingerson congratulated and welcomed Councilman Smith to the City Council. He reported that the outdoor pool recently closed and 39,073 people had attended, which was about 1,000 more than 2021. He thanked all those that worked at the pool and attended over the summer season. In regards to the Airbnb, he announced that the City Code does not allow short-term rentals. If the public has any questions, they can contact the Community Development Department or the City Manager's office.

<u>Item No. 13. On the Agenda.</u> Consent Agenda.

Following the Clerks' reading:

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

Councilman Mallams moved to approve the SPECIAL EVENT PERMIT: Good Shepherd Church hosting Professional Disc Golf Association (PDGA), Flex Start Tournament, Hobby Hill Park, Sunday, September 25, 2022, 12:00 to 5:00 pm. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Mallams moved to approve the SPECIAL EVENT PERMIT: Gladfest, 7010 N Holmes Street, NE 69th Street to NE 70th Terrace, NE 70th Street, and Linden Square, Friday, September 30, 2022, 5:00 to 10:00 pm; Saturday, October 1, 2022, 10:00 am to 10:00 pm; and Sunday, October 2, 2022, 12:00 to 4:00 pm. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Mallams moved to approve the SPECIAL EVENT PERMIT: Good Shepherd Church hosting Hobby Hill Disc Golf Tournament, Hobby Hill Park, Saturday, October 15, 2022, 7:00 am to 6:00 pm. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Mallams moved to approve RESOLUTION R-22-46 A Resolution authorizing acceptance of work under contract with McConnell and Associates Corporation, for the Happy Rock Park Tennis Court Resurfacing Project, and authorizing final payment in the amount of

\$2,629.90 for Project CP2260. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Mallams moved to approve the Semi-Annual Financial Statement Ending June 30, 2022. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Mallams moved to approve the Financial Report Month End July 2022. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

REGULAR AGENDA

<u>Item No. 14. On the Agenda.</u> Public Hearing on a Rezoning and Site Plan Revision at 6415 NE Antioch Road.

Mayor Garnos opened the Public Hearing at 8:03 pm.

Community Development Director, Austin Greer presented the staff report for St. Andrews Church as a part of the Catholic Diocese of Kansas City. They have proposed to build a brand new legacy church, rectory, and additional parking that will cost approximately \$26 million dollars. Over the course of this multi-year project, St. Andrews Church also plans to improve the overall campus as funding becomes available. Director Greer gave the specifications of the church and reported that it would be connected to the existing school. He reported that multiple storm water detention and retention basins will be incorporated into the project. Also, the proposed project would require rezoning from R-1 (Single Family Dwelling District) to RP-1 (Planned District, Single Family Dwelling), due to the 74-foot-tall height of the church.

City Staff recommended the following conditions, if the City Council chose to approve the project request:

- 1) All mechanical equipment located on the roof and the ground shall be screened from public view similar in design to the rest of the structure. All screening will be reviewed via the building permit process.
- 2) All landscaped areas outlined in the landscaping and irrigation plan shall be sodded, irrigated, and maintained in perpetuity.
- 3) Signage compliant with the sign code shall be used. Signage shall be approved at the time of permitting.
- 4) All exterior lighting shall be LED and comply with city code.
- 5) The dumpster enclosures shall be constructed with materials consistent with the primary building. Specific colors and materials shall be submitted and approved as part of the building permit process.
- 6) Trash service and commercial deliveries shall occur between the hours of 7:00 a.m. to 10:00 p.m.
- 7) Tractor trailers, RV's, and other commercial vehicles shall not be parked or stored overnight on the premises.
- 8) Storage containers shall not be stored on-site unless as part of a valid building permit.

He reported that there was discussion at the Planning Commission regarding the decibel level of the Bell Tower and that information may be shared by the architect.

In favor of the Rezoning and Site Plan Revision at 6415 NE Antioch Road:

Gordon Kimball, with HTK architects, 9300 110th Street, Overland Park, Kansas, discussed working with Father Rogers on the vision to beautify the campus for the good of the community. He stated it would be a Romanesque style of church with brick and stone and that it would comply with all the City Staff comments on necessary requirements.

Father Rogers, Pastor at St. Andrews the past 12 years, discussed the growth of the church, which was about 300%. He stated that the Parish community was about 1,500 families and 3,500 people. He reported that the school attendance had also grown and there would be additional classroom space built. He discussed his time in Rome and how it impacted his thoughts on building a big beautiful Roman-style church. He expressed that he wanted to bring beauty and culture to Gladstone.

Mayor Pro Tem Moore inquired about the amount of acreage, which was reported to be twelve (12) acres and she discussed the elevation compared to local churches in the area. She stated that it would be an amazing project for Gladstone and the entire Northland.

Opposed to the Rezoning and Site Plan Revision at 6415 NE Antioch Road:

There was no one that reported they were opposed to the Rezoning and Site Plan Revision at 6415 NE Antioch Road.

Mayor Garnos closed the Public Hearing at 8:12 pm.

<u>Item No. 15. On the Agenda.</u> FIRST READING BILL NO. 22-30 An Ordinance approving a Zoning Change for 6415 NE Antioch Road.

Mayor Pro Tem Moore moved Bill No. 22-30 be placed on its First Reading. Councilmember Tina Spallo seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Mayor Pro Tem Moore moved to accept the first reading of Bill No. 22-30, waive the rule and place the bill on its Second and Final Reading. Councilmember Tina Spallo seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, 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. 22-30 and enact the Bill as Ordinance 4.607. Councilmember Tina Spallo seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

<u>Item No. 16. On the Agenda.</u> FIRST READING BILL NO. 22-31 An Ordinance approving a Final Development Plan for property located at 6415 NE Antioch Road Gladstone, Missouri.

Councilman Mallams moved Bill No. 22-31 be placed on its First Reading. Councilman Smith seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the first reading Bill No. 22-31, waive the rule and place the bill on its Second and Final Reading. Councilman Smith seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, 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. 22-31 and enact the Bill as Ordinance 4.608. Councilman Smith seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

<u>Item No. 17. On the Agenda.</u> PUBLIC HEARING: Site Plan Revision at 5705 NE Antioch Road.

Mayor Garnos opened the Public Hearing at 8:16 pm.

Community Development Director, Austin Greer presented the staff report for 5705 NE Antioch Road. Director Greer gave the planning information and specifications of the brand new 20,584 square foot building for Doctors Anthony Verachtert and Scott Staatz, who plan to move their Eye Center of Gladstone practice to this location and provide other retail and office opportunities in the building.

City Staff recommended the following conditions, if the City Council chose to approve the project request:

- 1) Keep an active business license in perpetuity.
- 2) All manicured grass and landscaped areas shall be sodded, irrigated, and maintained in perpetuity.
- 3) An enhanced and updated landscaping plan shall be submitted and approved as part of the building permit process.
- 4) All mechanical equipment located on the roof and the ground shall be screened from public view similar in design to the rest of the structure. All screening will be reviewed via the building permit process.
- 5) Signage compliant with the sign code shall be used.
- 6) All exterior lighting shall be LED and comply with city code.
- 7) The dumpster enclosure shall be constructed with materials consistent with the primary building. Specific colors shall be submitted and approved as part of the building permit process.
- 8) Trash service and commercial deliveries shall occur between the hours of 7:00 a.m. to 10:00 p.m.
- 9) Tractor trailers, RV's, and other commercial vehicles shall not be parked or stored overnight on the premises.
- 10) Storage containers shall not be stored on-site unless as part of a valid building permit.
- 11) Two (2) commercial bike racks shall be installed on-site.

- 12) A vinyl or composite 6-foot privacy fence, earth tone in color, shall be installed along the entire east border of the property.
- 13) Curb, gutter, and sidewalk shall be installed per city standards and specifications on the south side of NE 57th Terrace and the east side of NE Antioch Road.

In favor of the Site Plan Revision at 5705 NE Antioch Road:

Scott Staatz, one of the Optometrists at the In Vision Eye Care Center, currently located at 5769 NE Antioch, reported that they proposed this building for their new office and their growing business. He also expressed that it would provide other space for retailers and a potential restaurant in the lower level of the building. Their vision was to improve the property, have other property owners continue to upgrade their facilities, and continue to grow Gladstone.

Opposed to the Site Plan Revision at 5705 NE Antioch Road:

There was no one that reported they were opposed to the Site Plan Revision at 5705 NE Antioch Road.

Mayor Garnos closed the Public Hearing at 8:21 pm.

<u>Item No. 18. On the Agenda.</u> FIRST READING BILL NO. 22-32 An Ordinance approving a Site Plan Revision for property at 5705 NE Antioch Road.

Councilman Mallams moved Bill No. 22-32 be placed on its First Reading. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 22-32, waive the rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, 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. 22-31 and enact the Bill as Ordinance 4.609. Mayor Pro Tem Moore seconded.

Mayor Pro Tem Moore expressed her excitement to see the enormous projects for the City of Gladstone. She stated that the area of their new building had sat vacant for many years and she was excited to see the development of a beautiful building. She thanked the team for putting it together.

The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

<u>Item No. 19. On the Agenda.</u> FIRST READING BILL NO. 22-33 An Ordinance amending Section 6.110.100 of the Code of Ordinances of the City of Gladstone, Missouri levying the Water Primacy Fee previously established by Ordinance No 4.006.

Councilman Smith moved Bill No. 22-33 be placed on its First Reading. Councilmember Smith seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Smith moved to accept the First Reading of Bill No. 22-33, waive the rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Smith moved to accept the Second and Final Reading of Bill No. 22-33 and enact the Bill as Ordinance 4.610. Councilmember Spallo seconded.

Mayor Pro Tem Moore requested that the City Manager explain this Bill to the audience, because it was a fee that the City does not wish to enact, but is required to, by the State.

City Manager Wingerson explained that the primacy fee is a flat rate assessed by the State of Missouri to support public education and inspection services for water providers across the state. It's going from twenty-four (24) cents per bill to forty-four (44) cents per bill.

The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Item No. 20. On the Agenda. Adjournment.

There was no further business to come before the City Council. Mayor Garnos adjourned the August 22, 2022 Regular City Council meeting at 8:27 pm.

Respectfully submitted:	
Kris Keller, City Clerk	
, ,	Approved as presented:
	Approved as modified:
	Bill Garnos, Mayor

Certificate of Recognition

PRESENTED TO

GARY PORTWOOD

Who on August 11, 2022, through his keen observance and willingness to become an involved citizen, assisted in an investigation; rendering aid to two victims and leading to the recovery of the suspect vehicle.

On behalf of the Mayor, City Council, and all Gladstone Residents, our appreciation and respect for your outstanding response in a time of need, and your positive role as a community leader.

Presented this 12th Day of September, 2022

Mayor Bill Garnos

Mayor Pro Tem Jean Moore

Councilman R. D. Mallams

Councilmember Tina Spallo

Councilman Les Smith





RESOLUTION NO. R-22-47

A RESOLUTION AUTHORIZING ACCEPTANCE OF A PROPOSAL FROM INDEPENDENT SALT COMPANY FOR THE PURCHASE OF SNOW REMOVAL SALT.

WHEREAS, three (3) proposals were received for snow removal salt and the proposal of Independent Salt Company is recommended.

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

THAT, the City Manager of the City of Gladstone, Missouri, be and is hereby authorized to accept the proposal of Independent Salt Company for the purchase of snow removal salt on an asneeded basis at a cost of \$59.55 per ton.

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

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 12TH DAY OF SEPTEMBER 2022.

	Bill Garnos, Mayor	
ATTEST:		
Kris Keller, City Clerk		



Request for Council Action

RES ⊠# R-22-47	BILL □# City Clerk O	nly ORD # City O	Clerk Only
Date: 8/22/2022	Department: Public Works		
Meeting Date Requested: 9/12/2022			
Public Hearing: Yes Da	ate: N/A		
Subject: Award Road Salt	Contract		
Background: The City of G Highway Department, the C bids. With additional entitie each entity alone. Requests	City of Liberty, and the City es, the amount of salt reques	of Excelsior Springs particuted increases and subseque	cipated in the request for ently is less expensive than
Budget Discussion: Funds a are estimated to be \$ 180,00	S		ral Fund. Ongoing costs
Public/Board/Staff Input: Potthe amount of \$59.55 per to salt to the City in the past. Thutchinson Salt Company is	n is the lowest and best bid The City's current contract,	received. Independent Sal which expired at the end o	lt Company has supplied
The City typically uses 3,000 tons of material per year. Currently, the city has 2,500 tons of salt in storage.			
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor			
Timothy A. Nebergall Department Director/Admir	JM nistrator Ci	I ty Attorney	SW City Manager

RESOLUTION NO. R-22-48

A RESOLUTION AUTHORIZING ACCEPTANCE OF A PROPOSAL FROM SHAWNEE MISSION FORD, SHAWNEE, KANSAS, FOR THE PURCHASE OF ONE (1) 2022 FORD RANGER SUPERCREW PICKUP TRUCK FOR THE TOTAL PURCHASE AMOUNT OF \$30,227.00.

WHEREAS, the Mid America Regional Council of Public Procurement (MACPP), has published notification of bids ("Metropolitan Joint Vehicle Bid") and Shawnee Mission Ford, Shawnee, Kansas, submitted a bid with the lowest cost for purchasing of vehicles, and it is recommended that the City accept the contract price and purchase one (1) 2022 Ford Ranger SuperCrew pickup truck for Animal Control from Shawnee Mission Ford, Shawnee, Kansas.

WHEREAS, the 2023 Fiscal Year Budget included funds for the purchase of a 2022 Ford Ranger SuperCrew pickup truck for Animal Control in the General Fund.

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 the proposal through the MACPP Metropolitan Joint Vehicle Bid from Shawnee Mission Ford for the purchase amount of \$30,227.00.

1 – 2022 Ford Ranger SuperCrew 4x4 Pickup Truck TOTAL COST: \$30,227.00

FURTHER, THAT, funds for such purpose are authorized from the FY 2023 General Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 12TH DAY OF SEPTEMBER 2022.

	Bill Garnos, Mayor
Attest:	
Kris Keller, City Clerk	



Request for Council Action

RES ⊠# R-22-48	BILL □# City Clerl	Only ORD # City O	Clerk Only	
Date: 9/6/2022		Department:	General Administration	
Meeting Date Requested: 9/1	Meeting Date Requested: 9/12/2022			
Public Hearing: Yes Date	Public Hearing: Yes Date: Click here to enter a date.			
<u>Subject:</u> A Resolution authorizing acceptance of a proposal from Shawnee Mission Ford, Shawnee, Kansas, for the purchase of one (1) 2022 Ford Ranger SuperCrew pickup truck for the total purchase amount of \$30,227.00.				
<u>Background</u> : Replacement of the Animal Control vehicle was approved in the FY23 General Fund budget. Following the MARC cooperative purchase agreement, Shawnee Mission Ford was selected as the vendor at the purchase price of \$30,227.00. The replacement vehicle will be a 2022 Ford Ranger SuperCrew 4x4 pickup with a custom bed insert. Due to the unpredictable vehicle market, the delivery date is unknown at this time.				
<u>Budget Discussion</u> : Funds are budgeted in the amount of \$30,227.00 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 proposed Resolution				
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor				
Bob Baer Department Director/Admini	strator	JM City Attorney	SW City Manager	

RESOLUTION NO. R-22-49

A RESOLUTION REVISING THE COMMUNITY CENTER SALES TAX FUND AND TRANSPORTATION SALES TAX FUND FY22 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 Community Center Sales Tax Fund and Transportation Sales Tax Fund expenditure budget be revised as set forth below:

budget be revised as set for	th below:		
	REVISING BUDGET RESOLUTION NO. R-22-08/26	REVISING BUDGET RESOLUTION NO. R-22-XX	INCREASE (DECREASE)
COMMUNITY CENTER SALES TAX FUND	\$5,062,340	\$5,100,000	\$37,660
TRANSPORTATION SALES TAX FUND	\$5,815,600	\$5,900,000	\$84,400
THAT , the City Manager amounts as shown in the Re	of the City of Gladstone, M evised Budget.	issouri is hereby authoriz	ed to expend the
	PASSED, AND ADOPTE OURI, THIS 12TH DAY (

ATTEST:

Kris Keller, City Clerk

Bill Garnos, Mayor



Request for Council Action

RES ⊠# R-22-49	BILL □# City Cler	k Only	ORD # City Clerk Only
Date: 9/6/2022			Department: Finance
Meeting Date Requested: 9/1	2/2022		
Public Hearing: Yes Dat	e: Click here to er	nter a date	
Subject: 2022 Fiscal Year B	udget Amendment		
Background: With the 2022 final has the appropriate budget aut			ues and expenditures to ensure that the City e end of the fiscal year.
Budget Discussion: Funds ar estimated to be \$ 0 annually.	•		from the N/A Fund. Ongoing costs are
determined that additional bud Center Sales Tax Fund and Tr for the CCPT fund is the re-ba Navitas project, unused lease prequesting an increase in budg \$5,062,340. Ending fund balan over \$5,000,000 in street and so for the Rock Creek Greenway and overlay, and \$230,000 in \$84,400 to increase total budg	Iget authority will need ansportation Sales Tax lancing of capital experourchase proceeds will let authority to \$5,100,0 nee for the CCPT fund is idewalk work in the TS trial, \$575,000 in parkiturb, gutter, and sidewalet authority of \$5,900,0 other budgeted funds (rity for the 2022 fiscal)	to be granted Fund. The manditures from the re-allocated 00, an increase sprojected to T fund (\$2.2 mg projects, \$2 lk work). Staff 00 for the TST General Fund, year.	analysis of all the budgeted funds, staff has to complete expenditures for the Community in reason for the increase in budget authority the 2017 COP (changes in scope of the I for the 76th Street project). Staff is e of \$37,660 from the midyear estimate of be \$405,000. The City was able to complete million for the 76th Street project, \$675,000 250,000 in signal upgrades, \$1 million in mill is requesting additional budget authority of I fund. Ending fund balance for the TST fund PSST, CIST, CERF, and CWSS) appear to erk and Vendor
Dominic Accurso Department Director/Admini	strator	JM City Attorne	SW City Manager