



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 9, 2023**

The City Council will meet in a Closed Executive Session at 6:30 pm, Monday, January 9, 2023, 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 7:00 PM

1. John Mullane will present a variety of proposed changes to the City Code related to the recently approved Amendment 3.
2. General discussion related to the potential sales tax on adult use recreational marijuana.

REGULAR MEETING 7:30 PM

TENTATIVE AGENDA

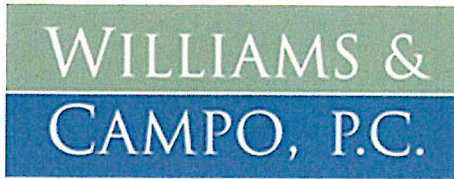
1. Meeting Called to Order.
2. Roll Call.
3. Pledge of Allegiance to the Flag of the United States of America.
4. Approval of the Agenda.

5. **Approval of the December 12, 2022, Closed City Council Meeting Minutes.**
6. **Approval of the December 12, 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.**
 - Retiring Board and Commission members.
9. **Communications from the City Manager.**
10. **CONSENT AGENDA**
CONSIDER FINANCIAL REPORT MONTH END NOVEMBER 2022.
REGULAR AGENDA
11. **PUBLIC HEARING:** Special Use Permit subject to certain conditions to Brighton Learning Center for the purpose of operating a child care facility at 7260 NE Antioch Road.
12. **FIRST READING BILL NO. 23-01** An Ordinance granting a special use permit subject to certain conditions to Brighton Learning Center for the purpose of operating a child care facility at 7260 NE Antioch Road.
13. **PUBLIC HEARING:** Special Use Permit to A Turning Point for the purposes of operating a social services organization at 1900 and 1904 NE Englewood Road.
14. **FIRST READING BILL NO. 23-02** An Ordinance calling a General Election for the election of two positions to the Gladstone City Council on Tuesday, April 4, 2023; describing the form of the ballot and directing the City Clerk to submit certification of such election to the Clay County Board of Election Commissioners Pursuant to RSMo. 115.125.

- 15. FIRST READING BILL NO. 23-03** An ordinance authorizing the City Manager to enter into an addendum to the Cooperation and Use Agreement between the North Kansas City School District and the City of Gladstone, Missouri, providing operations for the natatorium component of the Gladstone Community Center.
- 16. Other Business.**
- 17. 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 January 5, 2023
Posted at: 3:30 pm



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AMENDMENT 3

Mayor Garnos and Members of the City Council, as you know Amendment 3 was recently passed by the voters of Missouri. It legalizes adult-use (recreational) marijuana, modifies some portions of the prior amendment on medical marijuana, and authorizes a sales tax on adult-use marijuana. Due to its passage, staff has identified several provisions in the code that should be changed to ensure compliance with the new law – offenses, nuisance, cultivation, and zoning.

It is important to look at the Amendment and proposed code revisions through the lens of its stated purpose. I have included here the most relevant portions of the intent:

"The purpose of [Amendment 3] is to make marijuana legal under state and local law for adults twenty-one years of age or older, and to control the commercial production and distribution of marijuana under a system that licenses, regulates, and taxes the businesses involved while protecting public health.

The intent is to prevent arrest and penalty for personal possession and cultivation...

This section is not intended to allow for the public use of marijuana, driving while under the influence of marijuana, the use of marijuana in the workplace, or the use of marijuana by persons under twenty-one..."

Attached are preliminary drafts of code changes that have been identified. Staff is still working on identifying all necessary changes and ensuring the language tracks with Amendment 3. A final version will be presented for your review at the next meeting in January. Additions are shown in **bold and underline**, deletions in ~~striketrough~~.

Below, is a brief overview of the various portions of the code of ordinances that have been identified and an explanation on why those provisions are flagged.

1. Title III – Offenses / Title II – Public Health Safety and Welfare.

Amendment 3 legalizes adult-use of marijuana. As a part of that, it includes express protections and penalties on certain conduct. Outside of those express provisions, the Amendment authorizes cities to enact various regulations on use of marijuana.

Highly summarized, the ‘personal use’ protections apply to adults 21 and over, and include:

- a. Possessing/using three ounces or less of marijuana.
- b. Cultivating marijuana plants (if registered with DHSS to grow).
- c. Assisting other adults in their use of marijuana.
- d. Possessing/using marijuana accessories.

The personal protections do not extend to smoking or consuming marijuana in a public place, smoking marijuana in places where tobacco is prohibited, selling to a person under 21, purchasing or use (non-medical) for a person under 21, operating a motor vehicle while under the influence of marijuana, consuming marijuana while operating a vehicle, smoking marijuana in a vehicle, possessing or consuming marijuana at preschool, elementary or secondary school, institutions of higher education, school busses, or grounds of correctional facilities, negligent conduct, or certain types of extractions on marijuana.

In light of these changes, the code needs to be modified to ensure it accurately reflects the protections on personal use and tracks with the express penalty provisions.

2. Title IX, Chapter 2900 Marijuana Cultivation

As noted above, adults may register with DHSS and cultivate marijuana at home. Specifically, once a person 21 years or older obtains the proper cultivation card, they may cultivate up to six flowering plants, six unflowering plants, and six “clones” under 14 inches. The plants must be kept at one private residence, in a locked space, and not be visible by normal, unaided vision from a public place.

Accordingly, the existing Chapter 2900 will need to be modified to reflect adult-use marijuana cultivation by a person registered with DHSS in addition to medical users.

3. Title VII – Zoning and Planning Ordinance

Amendment 3 creates several new kinds of facilities to provide for cultivation and sale of adult-use marijuana. These include comprehensive wholesale facilities, comprehensive dispensary facilities, comprehensive marijuana infused products facilities, microbusiness dispensary facilities, and microbusiness wholesale facilities. The code needs to be modified to include these new facilities and their definitions. However, this is less urgent because new facilities will not be licensed until October of 2023. Existing medical facilities can be approved for conversion to recreational on February 6. New licenses will be issued for microbusiness in October of 2023, and new licenses for comprehensive facilities will be issued August 2024.

In addition to the new terms and definitions, the Amendment also includes a new requirement on calculating the distance between marijuana facilities and churches, day care and schools. Gladstone currently requires a separation of 750 ft measured by a straight line. Now, the distance is to be measured utilizing the “shortest path between the demarcation points that can be lawfully traveled by foot.” The applicable demarcation points that the 1000-foot separation requirement is to be measured from depends on whether the marijuana facility and the church, day care or school are in freestanding or non-freestanding buildings.

Let me know if you have any questions!

John Mullane

Section 1. That Chapter 2900 is hereby amended with additions in bold underline and deletions with strikethrough notation as follows, all other terms and definitions remain unchanged:

CHAPTER 2900. MARIJUANA CULTIVATION REGULATIONS

Division I. Scope and Administration

Part 1. Scope and Application

Sec. 9.2900.101. General.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.101.1. Title.

These regulations shall be known and cited as the marijuana cultivation regulations of the City of Gladstone, Clay County, Missouri hereinafter referred to as "this chapter."

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.101.2. Scope.

The provisions of this chapter shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, and removal of marijuana cultivation.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.101.3. Intent.

The purpose of this chapter is to provide and to protect the public health and welfare, increase and preserves residential and commercially developed land values while ensuring the safety of residents, businesses, and the structures that they live, work, and recreation in.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.102. Applicability.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.102.1. General.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.102.2. Other laws.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.102.3. Application of references.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.102.4. Partial invalidity.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Part 2. Administration and Enforcement**Sec. 9.2900.103. Duties and powers of building official.**

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.103.1. General.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.103.2. Inspections.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.103.3. Right of entry.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.103.4. Identification.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.103.5. Notices and orders.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.103.6. Department records.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.104. Violations.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.104.1. Unlawful act.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.104.2. Notice of violation.

The building official shall serve a notice of violation or order in accordance with section 9.2900.105.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.104.3. Prosecution of violation.

Any person failing to comply with a notice of violation or order, served in accordance with section 9.2900.105, shall be deemed guilty of a misdemeanor or civil infraction as determined by this jurisdiction, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the building official shall institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful condition in violation of the provisions of this chapter or of the order or direction made pursuant thereto. Any action taken by this jurisdiction on such premises shall be charged against the real estate upon which the violation is located and shall be a lien upon such real estate.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.104.4. Violation; penalties.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.105. Notices and orders.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.105.1. Notice to person responsible.

Whenever the building official determines that there has been a violation of this chapter or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in sections 9.2900.105.2 and 9.2900.105.3 to the owner, owner's authorized agent and/or person(s) responsible for the violation as specified in this chapter.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.105.2. Form.

Such notice prescribed in section 9.2900.105.1 shall be in accordance with the following:

- (1) Be in writing.
- (2) Include a description of the real estate sufficient for identification.
- (3) Include a statement of the violation or violations and why the notice is being issued.
- (4) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the premises or private property into compliance with the provisions of this chapter.
- (5) Inform the property owner or owner's authorized agent of the right to appeal.
- (6) Include a statement of the right to file a lien in accordance with section 9.2900.104.3.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.105.3. Method of service.

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

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.105.4. Unauthorized tampering.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.105.5. Penalties.

Penalties for noncompliance with orders and notices shall be as set forth in section 9.2900.104.4.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.105.6. Transfer of ownership.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.106. Appeals.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.106.1. General.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.106.2. Application for appeal.

Persons directly affected by a decision of the building official or a notice issued under this chapter shall have the right to appeal to the board of zoning and adjustments (BZA), provided that a written application is filed on a form furnished by the community development department for that purpose. The application for appeal shall be submitted to the building official within ten days of orders, decisions, or determinations therefore made by the building official.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.106.3. Authority on appeal.

See title VII, chapter 190 of the City of Gladstone's Code of Ordinances.
(Ord. No. 4.522, § 2, 7-13-2020)

Division II. Definitions

Sec. 9.2900.201. General.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.201.1. Scope.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.201.2. Interchangeability.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.201.3. Terms defined in other codes.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.201.4. Terms not defined.

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

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.202. General definitions.

Accessory structure means a structure that is accessory to and incidental to that of the dwelling(s) and that is located on the same lot.

Building official means the officer or other designated authority charged with the administration and enforcement of this chapter, or a duly authorized representative.

Outbuilding means a building, such as a shed, barn, or garage, on the same lot but detached from the primary structure(s).

Primary caregiver means an individual who has significant responsibility for managing the well-being of a qualifying patient and who possesses a primary caregiver identification card issued by the Missouri Department of Health and Senior Services.

Qualifying patient means a Missouri resident issued a valid identification card by the Missouri Department of Health and Senior Services.

(Ord. No. 4.522, § 2, 7-13-2020)

Division III. Cultivation

Sec. 9.2900.301. Business licenses and registration.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.301.1. Business licenses required—No additional licenses.

Medical facilities and marijuana facilities, as those terms are defined by Article XIV of the Missouri Constitution, businesses shall have a city business license as required in accordance with title V, chapter 100, but shall not be required to have any other city issued license.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.301.2. Home cultivation by qualifying patients—Primary caregivers.

Home cultivation shall be subject to the following requirements.

- (1) The primary use of the residential property where marijuana is grown shall remain at all times a residence, with legal and functioning cooking, eating, sleeping, and toilet facilities with proper ingress and egress. No room shall be used for cultivating marijuana where the activity will impair or prevent the primary uses for cooking, eating, sleeping, or toileting.

- (2) Access to the growing area shall be secured by lock and key or equivalent at all times.

Exception: When the facility is being actively supervised in person by the permit holder

- (3) State cultivation authorization shall be clearly displayed within the enclosed cultivation area.

- (4) The growing area shall comply with the adopted building, electrical, fire, mechanical, plumbing, and any other local regulations .

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- (5) The growing area shall be properly ventilated so as not to create excessive heat, humidity, mold, hazardous atmosphere, or other related conditions.
 - (6) Lighting used in the growing area shall not exceed 1,000 watts per light.
 - (7) The use of compress gas products, including, but not limited to, carbon dioxide, butane, solvents, or ozone generators in the growing area is prohibited
 - (8) The growing area shall be within the confines of the primary residential structure, or approved accessory structure.

(9) The growing area shall comply with all other requirements set forth in Article XIV of the Missouri Constitution.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.301.3. Cultivation and use—Other.

Uses and other cultivation methods shall be subject to the following requirements.

- (1) No person shall consume marijuana for medical use in a public place, unless provided by law.
- (2) No person shall infuse or extract resins from marijuana using dangerous materials or combustible gases without a medical marijuana-infused products manufacturing facility license issued by the Missouri Department of Health and Senior Services.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.302. Public nuisance.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.302.1. Odor, smell.

The smell or noxious odor emitted from smoking or consumption of marijuana by a person possessing a valid state issued license shall be treated as a public nuisance. Any odors emitted from cultivating or consuming marijuana shall be treated as a public nuisance.

(Ord. No. 4.522, § 2, 7-13-2020)

Sec. 9.2900.302.2. Public nuisance, grow.

It shall be unlawful for any person or entity to grow marijuana in such a manner that constitutes a public nuisance. A public nuisance may be deemed to exist if growing marijuana produces light, glare, heat, noise, odor, or vibration that is detrimental to public health, safety, or welfare, or interfere with the reasonable enjoyment of life and property.

(Ord. No. 4.522, § 2, 7-13-2020)

Title VII – Zoning Amendments

Section 1. That Section 7.100.010 is hereby amended with additions in bold underline and deletions with strikethrough notation as follows, all other terms and definitions remain unchanged:

Comprehensive Facility means comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

Comprehensive Marijuana Cultivation Facility means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

Comprehensive Marijuana Dispensary Facility means a facility licensed by the department to acquire, process, package, store on or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as allowed by applicable law to a qualifying patient or primary caregiver, as defined by law, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver, or consumer and consistent with the limitations of applicable laws and as otherwise allowed by law, to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana, but shall collect all appropriate tangible personal property sales tax for each sale, as set forth in Article XIV of the Missouri Constitution and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

Comprehensive Marijuana-Infused Products Manufacturing Facility means a facility licensed by the department to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

Infused preroll means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper, (2) dried flower, buds, and/or plant material, and (3) a concentrate,

oil or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may or may not include a filter or crutch at the base of the product.

Marijuana or marihuana means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana infused products. "Marijuana" or "marihuana" do not include industrial hemp containing a cropwide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, **as defined by Missouri statute**, or commodities or products manufactured from industrial hemp.

Marijuana Facility means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, marijuana testing facility, comprehensive marijuana-infused products facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana-related facility or business licensed or certified by the department, but shall not include a licensed medical facility.

Marijuana-infused products means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates, **dipped, coated, sprayed, or mixed with marijuana or an extract thereof, including, but not limited to, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.**

Marijuana Microbusiness Facility means a facility licensed by the department as a microbusiness dispensary facility or microbusiness wholesale facility, as defined by law.

Marijuana Testing Facility means a facility certified by the department to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility.

Medical Facility means any medical marijuana cultivation facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility, as defined in this section.

Medical marijuana cultivation facility means a facility licensed by the department, to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, and marijuana vegetative cuttings (also known as clones) to a medical marijuana dispensary facility, medical marijuana testing facility, medical marijuana cultivation facility, or to a medical marijuana-infused products manufacturing facility. **A medical marijuana cultivation facility's authority to process marijuana shall include the production and sale of prerolls, but shall not include the manufacture of marijuana-infused products.**

Medical marijuana dispensary facility means a facility licensed by the department to acquire, **process, package**, store **on site or off site**, sell, transport **to or from**, and deliver marijuana, **marijuana seeds, marijuana vegetative cuttings (also known as clones)**, marijuana infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a

qualifying patient, a primary caregiver, anywhere on the licensed property or to any address as directed by the patient or primary caregiver, so long as the address is a location allowing for the legal possession of marijuana, another medical marijuana dispensary facility, a medical marijuana testing facility, a medical marijuana cultivation facility, or a medical marijuana-infused products manufacturing facility. Dispensary facilities may receive transaction orders at the dispensary in person, by phone, or via the internet, including from a third party. A medical marijuana dispensary facility's authority to process marijuana shall include the production and sale of prerolls, but shall not include the manufacture of marijuana-infused products.

Medical marijuana-infused products manufacturing facility means a facility licensed by the department, to acquire, process, package, store on site or off site, manufacture, transport to or from, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

Medical marijuana Marijuana testing facility means a facility certified licensed by the department, to acquire, test, certify, and transport marijuana, including those originally licensed as a medical marijuana testing facility.

Microbusiness Dispensary Facility means a facility licensed by the department to acquire, process, package, store on or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (clones), marijuana infused products, and drug paraphernalia used to administer marijuana as allowed by law to a qualifying patient or primary caregiver, as defined by law, or to a consumer, anywhere on the licensed property or to any address as directed by the qualifying patient, primary caregiver, or consumer and consistent with the limitations of Article XIV of the Missouri Constitution and as otherwise allowed by law, a microbusiness wholesale facility, or a marijuana testing facility. Microbusiness dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A microbusiness marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

Microbusiness Wholesale Facility means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (clones) and marijuana infused products to a microbusiness dispensary facility, other microbusiness wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

Preroll means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper and (2) dried flower, buds, and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

Transportation facility means a facility licensed as such by the department Missouri Department of Health and Senior Services in connection with the transportation and storage of medical marijuana.

Section 2. That Title VII, Chapter 168 is hereby amended to read as follows, with additions in bold underline and deletions with strikethrough notation:

Chapter 168. Medical marijuana **and marijuana facilities**

Sec. 7.168.010. Medical marijuana **and marijuana facilities**.

~~No medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, or transportation facility shall be constructed, altered, or used without complying with the following regulations~~ **The following regulations apply to all medical marijuana facilities, comprehensive marijuana facilities, and microbusinesses, including cultivation facilities, dispensary facilities, infused products manufacturing facilities, testing facilities, transportation facilities, and wholesale facilities:**

No **new** ~~medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility, or transportation~~ **medical facility or marijuana** facility shall be initially sited within 750 feet of any then-existing **elementary or secondary** school, child daycare center, or church or within 150 feet of any building containing a residential unit or single family home. ~~Measurements shall be made in a straight line, without regard to intervening structures, from the nearest point of the property line of a school, child daycare center, church, or building containing a residential unit or single family home to the nearest point of the property line containing the medical marijuana business.~~ **In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church. If the school, daycare, or church is part of a larger structure, such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility. Measurements shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.**

For purposes of this section,

1. A "daycare" means a child-care facility, as defined by RSMo 210.201, **or its successor provisions**, that is licensed by the state of Missouri.
2. A "elementary or secondary school" means any public school as defined in RSMo 160.011, or any private school giving instruction in a grade or grades

not higher than the 12th grade, including any property owned by the public or private school that is regularly used for extracurricular activities, but does not include any private school in which education is primarily conducted in private homes.

3. A "church" means a permanent building primarily and regularly used as a place of religious worship.
 4. "Then existing" means any school, daycare, or church with a written building permit from the city to be constructed, or under construction, or completed and in use at the time the marijuana facility first applies for either zoning or a building permit, whichever comes first.
- (2) Outdoor operations or storage prohibited. **All medical facilities' and** marijuana facilities' operations and all storage of materials, products, or equipment shall be within a fully enclosed building.
 - (3) Onsite usage prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of a **medical facility or** marijuana facility.
 - (4) Hours of operation. All **medical facilities and** marijuana facilities shall be closed to the public, no persons not employed by the business shall be on the premises, and no sales or distribution of marijuana shall occur upon the premises or by delivery from the premises between the hours of 10:00 p.m. and 7:00 a.m.
 - (5) Residential dwelling units prohibited. No medical ~~marijuana business~~ **facility or marijuana facility** shall be located in a building that contains a residence.
 - (6) ~~A medical marijuana testing facility, medical marijuana dispensary facility, medical marijuana infused products manufacturing facility, or transportation facility shall be entirely within an enclosed building.~~
 - (7) Ventilation required. All **medical facilities and** marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the ~~business~~**facility**. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the facility is located.
 - (8) Security requirements. All **medical facilities and** marijuana facilities shall comply with all security requirements set forth and approved by ~~the~~ department of health and senior services **and set forth in Article XIV of the Missouri Constitution**.
 - (9) Signage (outside/inside). **All signs must comply with the requirements set forth and approved by the department of health and senior services.** A sign master plan shall be submitted and approved by city staff in accordance with chapter 1600—Signs.
 - (10) Occupancy inspection required. All new marijuana facilities shall obtain a certificate of occupancy prior to operation.
 - (11) Lighting (indoor/outdoor). All lighting shall be energy efficient (LED) and in accordance with chapter 181—Outdoor lighting.

Section 3. That Title VII, Chapter 140, Section 7.140.010(8) is hereby amended to read as follows, with additions in bold underline and deletions with strikethrough notation:

(8) Medical marijuana dispensary facility, **Microbusiness dispensary facility, Comprehensive marijuana dispensary facility.**

Section 4. That Title VII, Chapter 145, Section 7.145.010(8) is hereby amended to read as follows, with additions in bold underline and deletions with strikethrough notation:

(8) Medical marijuana dispensary facility, **Microbusiness dispensary facility, Comprehensive marijuana dispensary facility.**

Section 5. That Title VII, Chapter 150, Section 7.150.010 is hereby amended to read as follows, with additions in bold underline and deletions with strikethrough notation:

Sec. 7.150.010. Use regulations.

No building, structure, land or premises in a C-4 district shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except for the following use:

- (1) C-4A: Businesses commonly known as "miniwarehouses," for the storage of items of personal property in individual storage units.
- (2) Medical marijuana cultivation facility/**microbusiness wholesale facility/comprehensive marijuana cultivation facility.**
- (3) Medical marijuana testing facility/**marijuana testing facility**/medical marijuana-infused products manufacturing facility/**comprehensive marijuana-infused products manufacturing facility.**
- (4) ~~Medical m~~**Marijuana** transportation facility.

Offenses Amendments

Sec. 3.130.020. Drug paraphernalia—Definitions.

The following words, terms and phrases, when used in this section and section 3.130.030, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Controlled substance means a drug, substance, or immediate precursor as defined in RSMo 195.010.

Deliver or *delivery* means the actual, constructive or attempted transfer from one person to another of drug paraphernalia or of a controlled substance, or an imitation controlled substance, whether or not there is an agency relationship, and includes a sale.

Drug means:

- (1) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States or official national formulary or any supplement to any of them; or
- (2) Substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in humans or animals;
- (3) Substances, other than food, intended to affect the structure or any function of the body of humans or animals; and
- (4) Substances intended for use as a component of any article specified in this definition. It does not include devices or their components, parts or accessories.

Drug paraphernalia.

- (1) All equipment, products and materials any kind of which are used or intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of RSMo Ch. 195.
- (2) The term "drug paraphernalia" includes, but is not limited to:
 - a. Kits used or intended for use, or designed for use, in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived;
 - b. Kits used or intended for use, or designed for use, in manufacturing, compounding, converting, producing, processing, or preparing controlled substances or imitation controlled substances;
 - c. Isomerization devices used or intended for use, or designed for use, in increasing the potency of any species of plant which is a controlled substance or imitation controlled substances;

- d. Testing equipment used or intended for use, or designed for use, in identifying, or in analyzing the strength, effectiveness or purity of controlled substances or imitation controlled substances;
- e. Scales and balances used or intended for use, or designed for use, in weighing or measuring controlled substances or imitation controlled substances;
- f. Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used or intended for use, or designed for use, in cutting controlled substances or imitation controlled substances;
- ~~g. Separation gins and sifters used or intended for use, or designed for use, in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;~~
- h. Blenders, bowls, containers, spoons and mixing devices used or intended for use, or designed for use, in compounding controlled substances or imitation controlled substances;
- i. Capsules, balloons, envelopes and other containers used or intended for use, or designed for use, in packaging small quantities of controlled substances or imitation controlled substances;
- j. Containers and other objects used or intended for use, or designed for use, in storing or concealing controlled substances or imitation controlled substances;
- k. Hypodermic syringes, needles and other objects used or intended for use, or designed for use, in parenterally injecting controlled substances or imitation controlled substances into the human body;
- l. Objects used or intended for use, or designed for use, in ingesting, inhaling, or otherwise introducing ~~marijuana~~, cocaine, hashish, or hashish oil into the human body, **except those designed or intended for use with marijuana**, such as:
 - 1. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
 - 2. Water pipes;
 - 3. Carburetion tubes and devices;
 - 4. Smoking and carburetion masks;
 - 5. Roach clips meaning objects used to hold burning material, **except those designed or intended for use with marijuana**, such as a ~~marijuana~~ cigarette, that has become too small or too short to be held in the hand;
 - 6. Miniature cocaine spoons and cocaine vials;
 - 7. Chamber pipes;
 - 8. Carburetor pipes;
 - 9. Electric pipes;
 - 10. Air-driven pipes;
 - 11. Chillums;

12. Bongs;
 13. Ice pipes or chillers.
- (3) In determining whether an object is drug paraphernalia, a court or other authority should consider, in addition to all other logically relevant factors, the following:
- a. Statements by an owner or by anyone in control of the object concerning its use;
 - b. Prior convictions, if any, of an owner, or of anyone in control of the object, under any state or federal law relating to any controlled substance or imitation controlled substances;
 - c. The proximity of the object, in time and space, to a direct violation of this section and section 3.130.030;
 - d. The proximity of the object to controlled substances or imitation controlled substances;
 - e. The existence of any residue of controlled substances or imitation controlled substances on the object;
 - f. Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom such person knows intend to use the object to facilitate a violation of this act; the innocence of an owner, or of anyone in control of the object, as to a direct violation of this section and section 3.130.030 shall not prevent a finding that the object is intended for use, or designed for use, as drug paraphernalia;
 - g. Instructions, oral or written, provided with the object concerning its use;
 - h. Descriptive materials accompanying the object which explain or depict its use;
 - i. National and local advertising concerning its use;
 - j. The manner in which the object is displayed for sale;
 - k. Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products;
 - l. Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;
 - m. The existence and scope of legitimate uses for the object in the community;
 - n. Expert testimony concerning its use.

Manufacture means the production, preparation, propagation, compounding or processing of drug paraphernalia or of a controlled substance, or an imitation controlled substance, either directly or by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container. The term "manufacture" does not include the preparation or compounding of a controlled substance or an imitation controlled substance or the preparation, compounding, packaging or labeling of a narcotic or dangerous drug:

- (1) By a practitioner as an incident to the practitioner administering or dispensing a controlled substance or an imitation controlled substance in the course of the practitioner's professional practice; or
- (2) By a practitioner or the practitioner's authorized agent under the practitioner's supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

Practitioner means a physician, dentist, optometrist, podiatrist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by this state to distribute, dispense, conduct research with respect to or administer or to use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in this state, or a pharmacy, hospital or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to or administer a controlled substance in the course of professional practice or research.

Sec. 3.130.050. - Possession of marijuana or synthetic cannabinoid.

A person commits the offense of possession of marijuana or any synthetic cannabinoid, as both terms are defined in RSMo 195.010, if he or she knowingly possesses marijuana or any synthetic cannabinoid, except as authorized by RSMo Ch. 579, ~~or~~ RSMo Ch. 195, or Article XIV of the Missouri Constitution.

Sec. 3.130.051. – Public Consumption; Public Smoking

- A. No person shall consume or smoke marijuana in a public place, or in any place the smoking of tobacco is prohibited.
- B. For purposes of this section, a public place means any public or private property, or portion of public or private property, that is open to the general public, including but not limited to, sidewalks, streets, bridges, parks, schools, and businesses, but does not include any area authorized by the City for that purpose.
- C. Violation of this Section shall be punishable by a fine not to exceed One Dollars (\$100.00).

Sec. 3.130.052. – Sale to Persons Under Twenty-One

- A. No person shall deliver to, transfer to, or sell to persons under twenty-one years of age marijuana or marijuana accessories.
- B. For purposes of this Chapter, "Marijuana accessories" means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

Sec. 3.130.053. – Possession by Persons Under Twenty-One, Three Ounces or Less.

- A. Except as provided by Article XIV of the Missouri Constitution, no person under twenty-one years of age may possess, use, ingest, inhale, transport, deliver, or distribute marijuana or marijuana accessories.
- B. For offenses involving three ounces or less of marijuana, and no monetary consideration, violation of this Section shall be punishable by a fine not to exceed One Hundred Dollars (\$100.00). Any such person shall be provided the option of attending up to four hours of drug education or counseling in lieu of the fine.

Sec. 3.130.054. – Possession; Less than Twice the Legal Limit

- A. Subject to the limitations of Article XIV of the Missouri Constitution, a person who possesses, produces, delivers without receiving any consideration or remuneration to a person who is at least twenty-one years of age, or possesses with intent to deliver, not more than twice the amount of marijuana allowed pursuant to Article XIV Section 2 p. 10, is subject to the following:
 - 1. For a first violation, is subject to a fine not exceeding two hundred and fifty dollars and forfeiture of the marijuana.
 - 2. For a second and subsequent violations, is subject to a fine not exceeding five hundred dollars and forfeiture of the marijuana.
 - 3. A person under twenty-one years of age is subject to a civil penalty not to exceed two hundred and fifty dollars. Any such person shall be provided the option of attending up to eight hours of drug education or counseling in lieu of the fine.
 - 4. In lieu of payment, penalties under this subsection may be satisfied by the performance of community service. The rate of pay-down associated with said service option will be the greater of \$15 or the minimum wage in effect at the time of judgment.

Sec. 3.130.054. – Motor Vehicle Offenses.

- A. It shall be unlawful for any person to:
 - 1. Operate or be in physical control of any motor vehicle, train, aircraft, motorboat, or other motorized form of transport while under the influence of marijuana. Notwithstanding the foregoing, a conviction of a person who is at least twenty-one years of age for any applicable offenses shall require evidence that the person was in fact under the influence of marijuana at the time the person was in physical control of the motorized form of transport and not solely on the presence of tetrahydrocannabinol (THC) or THC metabolites, or a combination thereof, in the person's system.
 - 2. Consumption of marijuana while operating or being in physical control of a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated.
 - 3. Smoking marijuana within a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated.



To: Mayor and City Council
From: Scott Wingerson, City Manager
Date: December 23, 2022
Subject: Potential Sales Tax on Adult Use (recreational) Marijuana

Mayor and City Council,

On November 8, 2022 Missouri voters approved Amendment 3 commonly known as allowing the sale and use of recreational marijuana. Part of this Amendment allows for Gladstone voters to consider an additional 3% sales tax on the sale of adult use (recreational) marijuana. The sales tax on medical marijuana would remain unchanged and regulated by the State of Missouri.

Staff is seeking direction from the City Council on two aspects of this conversation.

- 1) Does the City Council desire to place this issue on the April 4th ballot for voter consideration? If so, an ordinance similar to the draft attached would need to be considered and approved by the City Council on January 23rd.
- 2) Although the State does not require a declaration concerning how the funds will be used, it is often helpful to advise voters of the anticipated use. In the attached draft ordinance, it is suggested that the additional sales tax be used to support the provision of emergency services.

If placed on the ballot by the City Council and approved by Gladstone voters, the additional 3% sales tax would generate in the neighborhood of \$100,000 annually.

If you should have any questions or desire additional information, please advise.

BILL NO. 23-XX

ORDINANCE NO.

AN ORDINANCE IMPOSING A SALES TAX AT A RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF NON-MEDICAL ADULT USE MARIJUANA SOLD WITHIN THE CITY OF GLADSTONE, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION SUBJECT TO THE APPROVAL BY THE VOTERS OF THE CITY AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 4, 2023; DESIGNATING THE FORM OF BALLOT; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION.

WHEREAS, on November 8, 2022, the electors of the State of Missouri approved Amendment 3 to the Missouri Constitution enacting Section 2 of the Article XIV of the Missouri Constitution effective December 8, 2022; and

WHEREAS, the newly enacted Article XIV, section 2.6(5) of the Missouri Constitution authorizes the City of Gladstone, Missouri to impose, by ordinance, and additional sales tax in the amount not to exceed three percent on all tangible personal property retail sales of non-medical adult use marijuana sold in such political subdivision subject to approval by voters of the City of Gladstone, Missouri; and

WHEREAS, the City Council finds that it is in the best interests of the citizens of the City of Gladstone, Missouri to impose a sales tax of all tangible personal property retail sales of non-medical adult use marijuana sold in the City of Gladstone, Missouri, and to submit the same to the voters of the City for approval by a majority of those voting at the general municipal election to be held on April 4, 2023.

WHEREAS, the City desires to impose an additional sales tax to support the provision of emergency services.

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

SECTION 1- CITY SALES TAX- A sales tax at the rate of three percent on all tangible personal property retail sales of non-medical adult use marijuana sold in the City of Gladstone, Missouri, as authorized by Article XIV, section 2.6(5) of the Missouri Constitution, is hereby imposed.

SECTION 2- EFFECTIVE DATE- The sales tax imposed by this Ordinance shall not be effective unless approved by a majority of the votes cast by the qualified voters voting thereon at the General Municipal Election to be held on April 4, 2023, at which election a proposal to authorize the City Council of the City of Gladstone, Missouri to impose the tax herein provided for shall be submitted to the voters of the City of Gladstone.

SECTION 3- FORM OF BALLOT- The ballot to be used in such election shall contain the following question:

BILL NO. 23-XX

ORDINANCE NO.

Question 1

Shall the City of Gladstone, Missouri impose a sales tax of three percent on all tangible personal property retail sales of non-medical adult use marijuana sold in the City of Gladstone, Missouri?

☐ **Yes**

☐ **No**

SECTION 4- NOTICE OF ELECTION- The City Clerk is hereby directed to notify the ELECTION AUTHORITY of the Clay County, Missouri, of the enactment of this Ordinance no later than 5:00 pm on Tuesday, January 24, 2023, in accordance with the Comprehensive Election Act, Chapter 115 of the Revised Statutes of Missouri, as amended.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS ____ DAY OF _____, 2023.

Bill Garnos, Mayor

ATTEST:

Kris Keller, City Clerk

1st Reading:

2nd Reading:



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 12, 2022**

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

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

ABSENT: Assistant City Manager Bob Baer

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

Mayor Garnos opened the Regular City Council Meeting of Monday, December 12, 2022, at 7:30 pm.

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

Mayor Garnos stated that all Councilmembers were present.

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.

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

The agenda was approved as published.

Item No. 5. On the Agenda. Approval of the November 28, 2022, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the November 28, 2022, Closed City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Item No. 6. On the Agenda. Approval of the November 28, 2022, Regular City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the November 28, 2022, Regular City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Item No. 7. On the Agenda. **RECOGNITION:** Donation Presentation by the Episcopal Church of the Good Shepherd for the planting of trees in city parks.

Father Galan of the Episcopal Church of the Good Shepherd Church, 4947 E Chateau Drive, Kansas City, Missouri addressed the Council and presented a check to the city in the amount of fifteen-hundred dollars (\$1,500.00). The donation check, with Director Justin Merkey’s recommendations, is to be utilized for the planting of trees, shrubs, or native grasses to help fight global warming and climate change. He also mentioned that planting such vegetation was used for the beautification and to add value to parks and urban areas in the city.

Mayor Garnos thanked Father Galan and expressed his appreciation.

Item No. 8. On the Agenda. Communication from the Audience.

There were no communications from the audience.

Item No. 9. On the Agenda. Communication from the City Council.

- Board and Commission Appointments. (Attached)

Councilmember Spallo thanked City Staff and council who volunteered at the Northland Christmas Store this year. She reported an outstanding year and 208 families were served and many were from the Gladstone area. She expressed her appreciation for the support from the community and council along with the City events that are held to raise funds and donate food for the store.

Councilman Mallams thanked Councilmember Spallo for all she does through the Northland Christmas Store to help families and children and stated it was monumental.

Mayor Pro Tem Moore wished everyone a Merry Christmas, Happy Holidays, and Happy New Year.

Mayor Garnos summarized the nine (9) different Board and Commissions, the selection process, and reported that the City relied heavily on these members. He announced the proposed appointment and reappointment recommendations. See attached

Mayor Pro Tem Moore moved to accept the **Board and Commission Appointments as presented.** **Councilman Smith** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Mayor Garnos recognized the members in the audience that were appointed or reappointed and thanked them for helping the community. He also reported that the retiring and outgoing members will be recognized at a later meeting next month. He shared that the Council is

currently reviewing the Neighborhood Commission for ways to improve their ability to support and communicate with the different Neighborhood Associations and Home Owners Associations in Gladstone. He reported that there may be a mission change in the new year.

Item No. 10. On the Agenda. Communication from the City Manager.

City Manager Wingerson announced that City Hall would be closed December 26, 2022 and January 2, 2023 in observance of the holidays. He wished the City Council, the public, businesses, leadership team, and staff a safe and Happy Holidays.

Item No. 11. On the Agenda. Consent Agenda.

Following the Clerks' reading:

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

Councilman Smith moved to approve the **Building Permit** at Saint Andrews Catholic Church, 6415 NE Antioch Road. **Councilman Mallams** seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve **RESOLUTION R-22-63** A Resolution authorizing Change Order No. 2 in the amount of \$54,643.95 to the contract with Nationwide Turf Installation, for the Happy Rock Park Trail Replacement Project CP2358C. **Councilman Mallams** seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Item No. 12. On the Agenda. **FIRST READING BILL NO. 22-41** An Ordinance authorizing the execution of certain documents related to a project previously financed by the City under Article VI, Section 27 of the Missouri Constitution and Sections 100.010 to 100.200 of the Revised Statutes of Missouri; and authorizing the execution of certain documents and taking of certain actions in connection therewith.

Councilmember Spallo moved **Bill No. 22-41** 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.

Councilmember Spallo moved to accept the First Reading of **Bill No. 22-41**, 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.

Councilmember Spallo moved to accept the Second and Final Reading of **Bill No. 22-41**, and enact the Bill as **Ordinance 4.617**. **Mayor Pro Tem Moore** seconded.

Item No. 13. On the Agenda. **FIRST READING BILL NO. 22-42** An Ordinance authorizing the City Manager to enter into a Cooperative Agreement with Clay County, MO, the City of Excelsior Springs, MO; the City of Liberty, MO; the City of Kearney, MO; the City of North Kansas City, MO; and the City of Smithville, MO for Replica, Inc. Subscription Service Access.

Councilman Mallams moved **Bill No. 22-42** 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 of **Bill No. 22-42**, 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. 22-42**, and enact the Bill as **Ordinance 4.618**. **Councilman Smith** seconded.

Item No. 14. On the Agenda. Other Business

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

Item No. 15. On the Agenda. Adjournment

Mayor Garnos adjourned the December 12, 2022, Regular City Council meeting at 7:49 pm.

Respectfully submitted:

Kris Keller, City Clerk

Approved as presented: _____

Approved as modified: _____

Bill Garnos, Mayor

AGENDA ITEM #9
BOARD & COMMISSION APPOINTMENT RECOMMENDATIONS
FOR CITY COUNCIL ACTION DECEMBER 12, 2022

| <u>BOARD/COMMISSION</u> | <u>TERM EXPIRATION</u> |
|--------------------------------|-------------------------------|
|--------------------------------|-------------------------------|

ARTS COMMISSION

| | | |
|-----------------|-------------|---------------|
| Reappointment | GK Callahan | December 2025 |
| Reappointment | Chad Pio | December 2025 |
| New Appointment | Sarah Day | December 2025 |

BOARD OF ZONING ADJUSTMENT

| | | |
|-----------------|-----------------|---------------|
| Reappointment | Michael Houx | December 2027 |
| New Appointment | Taylor Sherrell | December 2027 |

CAPITAL IMPROVEMENTS PROGRAM

| | | |
|-----------------|-----------------|---------------|
| Reappointment | Ron Guglielmino | December 2025 |
| New Appointment | Greg Strasser | December 2025 |
| New Appointment | Bob Wilson | December 2023 |

CODE BOARD OF APPEALS

| | | |
|---------------|---------------|---------------|
| Reappointment | Robert Franke | December 2025 |
| Reappointment | Charles Logan | December 2025 |

ENVIRONMENTAL MANAGEMENT ADVISORY COMMITTEE

| | | |
|-----------------------|----------------|---------------|
| Reappointment | Gary Smedile | December 2025 |
| Reappointment 2025 | Larry Thrasher | December |

NEIGHBORHOOD COMMISSION

| | | |
|-----------------|----------------|---------------|
| Reappointment | D.D. Zimmerman | December 2025 |
| New Appointment | Dan Green | December 2025 |

PARKS AND RECREATION ADVISORY BOARD

| | | |
|-----------------|-----------------|---------------|
| Reappointment | Emily Lenhausen | December 2025 |
| Reappointment | Jim Olshefski | December 2025 |
| Reappointment | Ashlyn Stone | December 2025 |
| New Appointment | Julie Beamer | December 2025 |
| New Appointment | Andrea Johnson | December 2025 |

PLANNING COMMISSION

| | | |
|-----------------|----------------|---------------|
| Reappointment | Chase Cookson | December 2026 |
| Reappointment | Spencer Davis | December 2026 |
| Reappointment | Jennifer McGee | December 2026 |
| Reappointment | James New | December 2026 |
| New Appointment | Steve Beamer | December 2025 |
| New Appointment | Cameron Nave | December 2023 |

TAX INCREMENT FINANCING COMMISSION

| | | |
|---------------|--------------|---------------|
| Reappointment | Sharon Euler | December 2026 |
| Reappointment | Pete Hall | December 2026 |



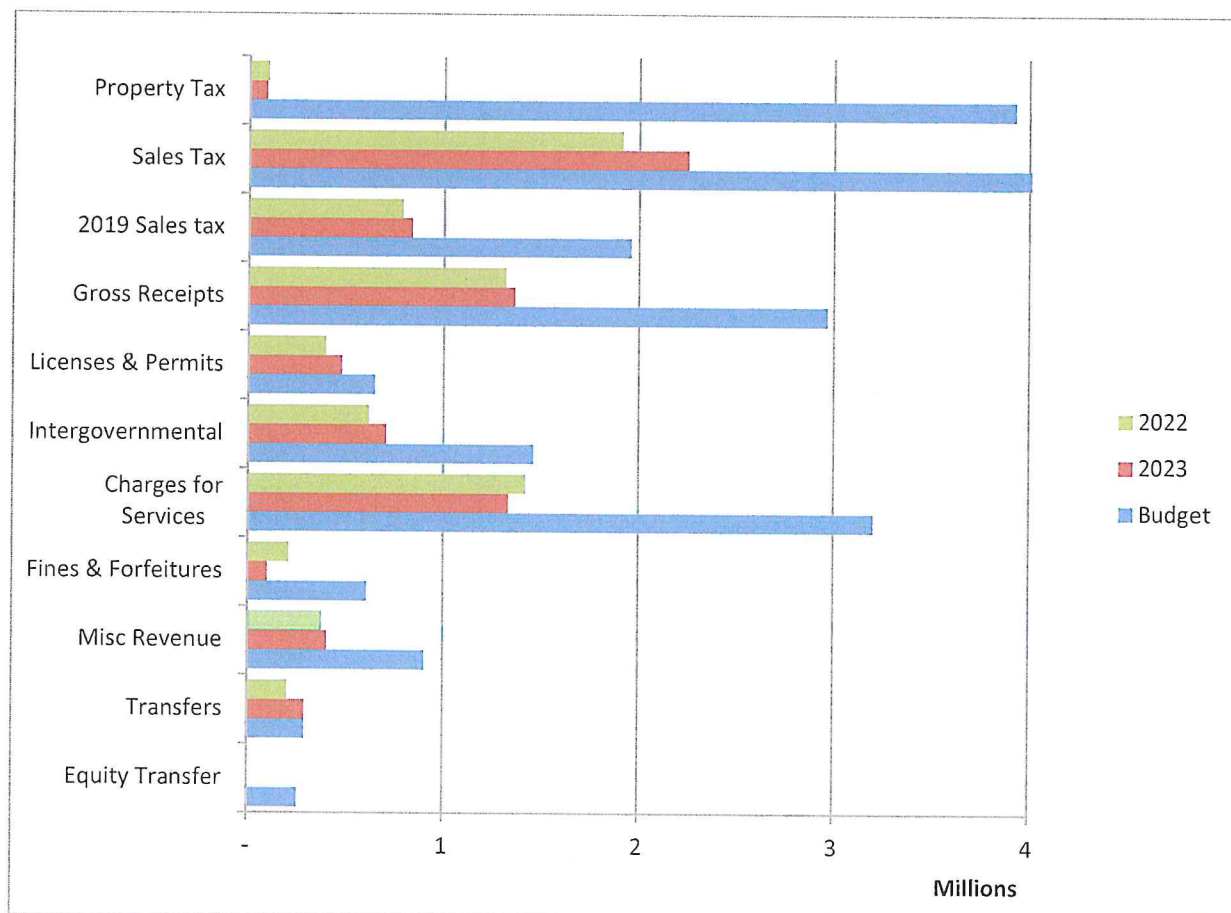
CITY OF GLADSTONE MISSOURI

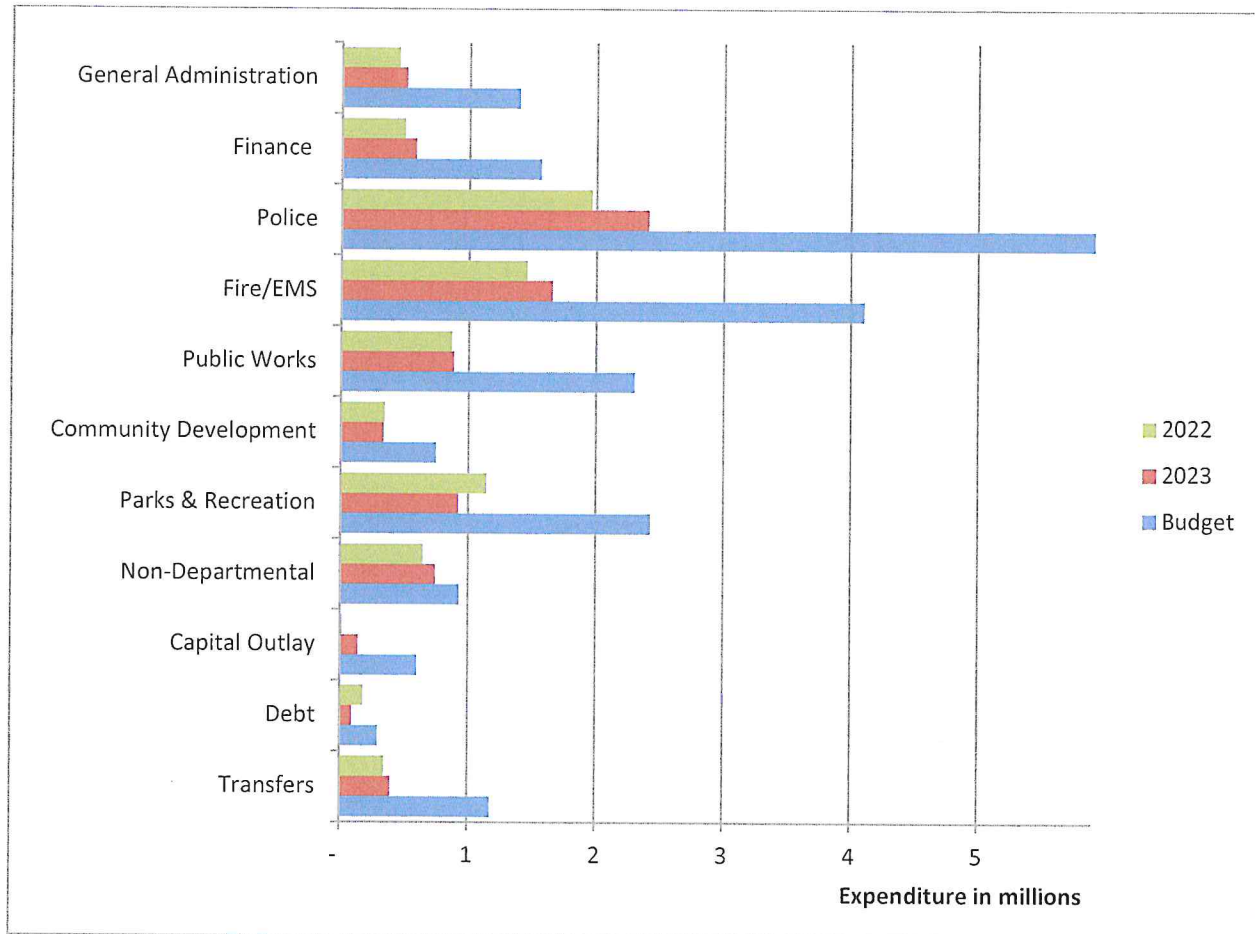
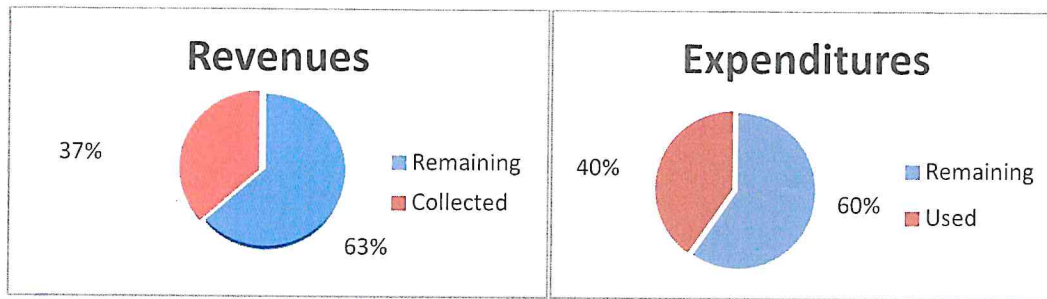
Financial Report for 5 Months Ending
November 30, 2022

GENERAL FUND

General Fund Revenues

Total revenues for the General Fund through 5 months or 42% of this fiscal year are \$7,871,998 compared to total budgeted revenues for the year of \$21,483,512 or 37% of budgeted revenue. Revenue from property tax is \$90,913. Sales tax on a cash basis is \$2,252,683 or \$337,441 (18%) more than last year. The 2019 sales tax (1/2 cent sales tax passed in 2019) is \$836,335, an increase of 6%. Gross receipts taxes are \$1,365,757, an increase of \$46,922 or 4% from last year due to increases and timing in electricity gross receipts and the hotel tax. License and Permit revenues are \$479,682, 21% or \$81,922 more than FY22 due to building and mechanical permits. Intergovernmental revenue is \$709,169 or \$89,578 (14%) over the previous year due to increased receipts from the state gas tax. Charges for Services are \$1,335,381 a decrease of 6% or \$85,786 compared to the previous year primarily due to senior activities. Fines and Forfeitures have decreased \$110,172 or 52% from the same time last year to \$101,973. Miscellaneous Revenue is \$407,405, an increase of \$29,556 due to interest revenue. Debt proceeds are not budgeted for the current fiscal year. Revenue from inter-fund transfers is \$293,000. An equity transfer of \$256,500 is budgeted for the General Fund.

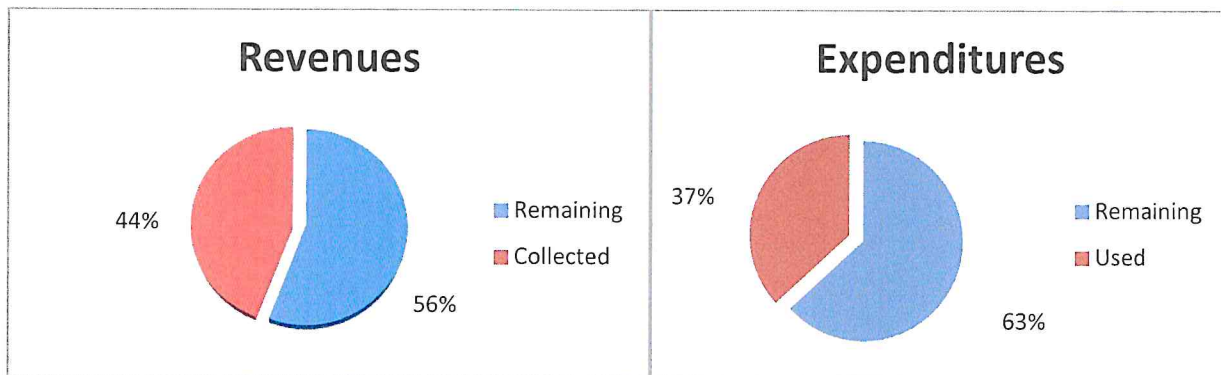
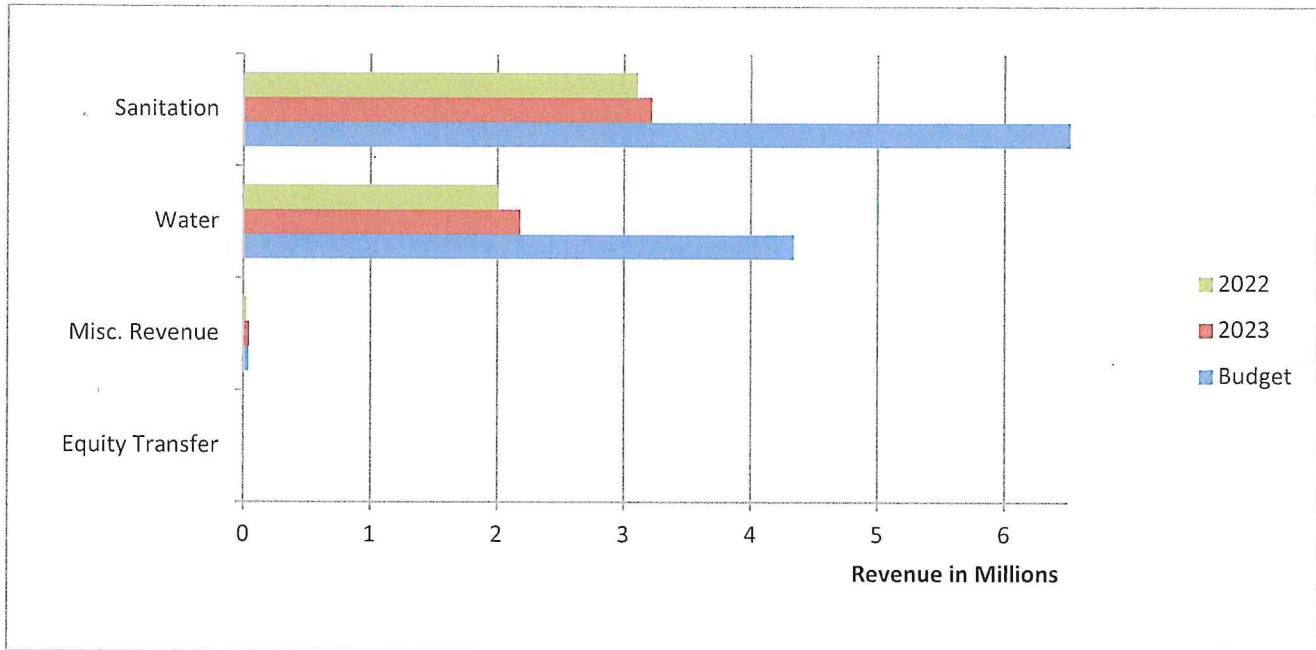




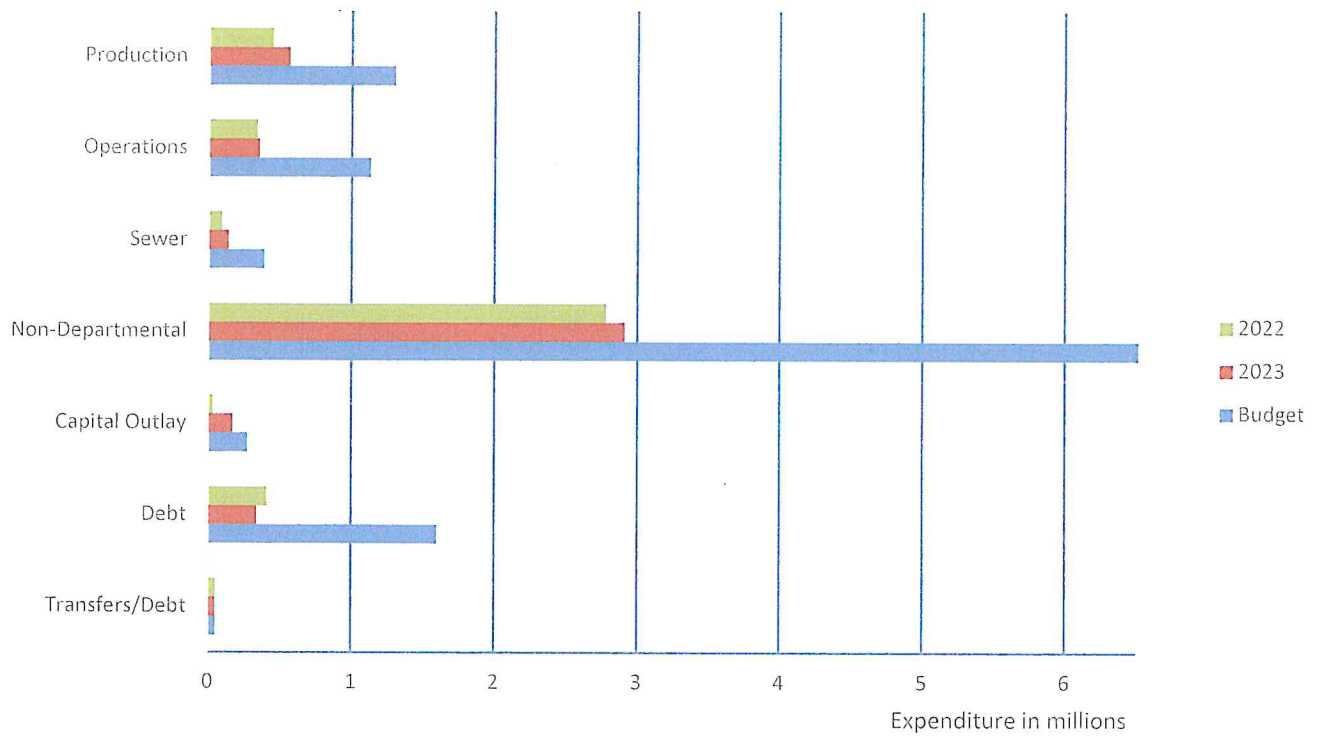
Expenditures through 5 months or 42% of this fiscal year amounted to \$8,653,857 or 40% of FY23 budgeted expenditures of \$21,483,512. This indicates that actual expenditures are 9% or \$690,400 more than last year's expenditures of \$7,913,457. General Administration expenditures are \$507,271, an increase of \$57,593 or 13% due to changes in staffing. Finance expenditures have increased \$85,172 (17%) to \$579,976 due to increased personnel costs. Police expenditures are \$2,406,656, an increase of \$394,722 or 20%. Fire/EMS expenditures have increased \$198,813 to \$1,655,449. Public Works expenditures are \$882,373, \$16,022 or 2% more than the prior year. Community Development expenditures are \$332,791, a decrease of \$11,247. Parks & Recreation expenditures are \$919,334, down \$223,379 from the same time last year due to senior activities. Non-Departmental expenditures are \$742,980, an increase of \$96,360 due to the comprehensive plan update and increases in liability and property insurance. Capital Outlay is \$140,055. Payments for debt are \$91,972, a decrease of \$91,345 due to lease purchases falling off the debt schedule. Transfers will occur throughout the fiscal year. Current expenditures exceed current revenues in the amount of \$651,859.

COMBINED WATER AND SEWERAGE SYSTEM FUND

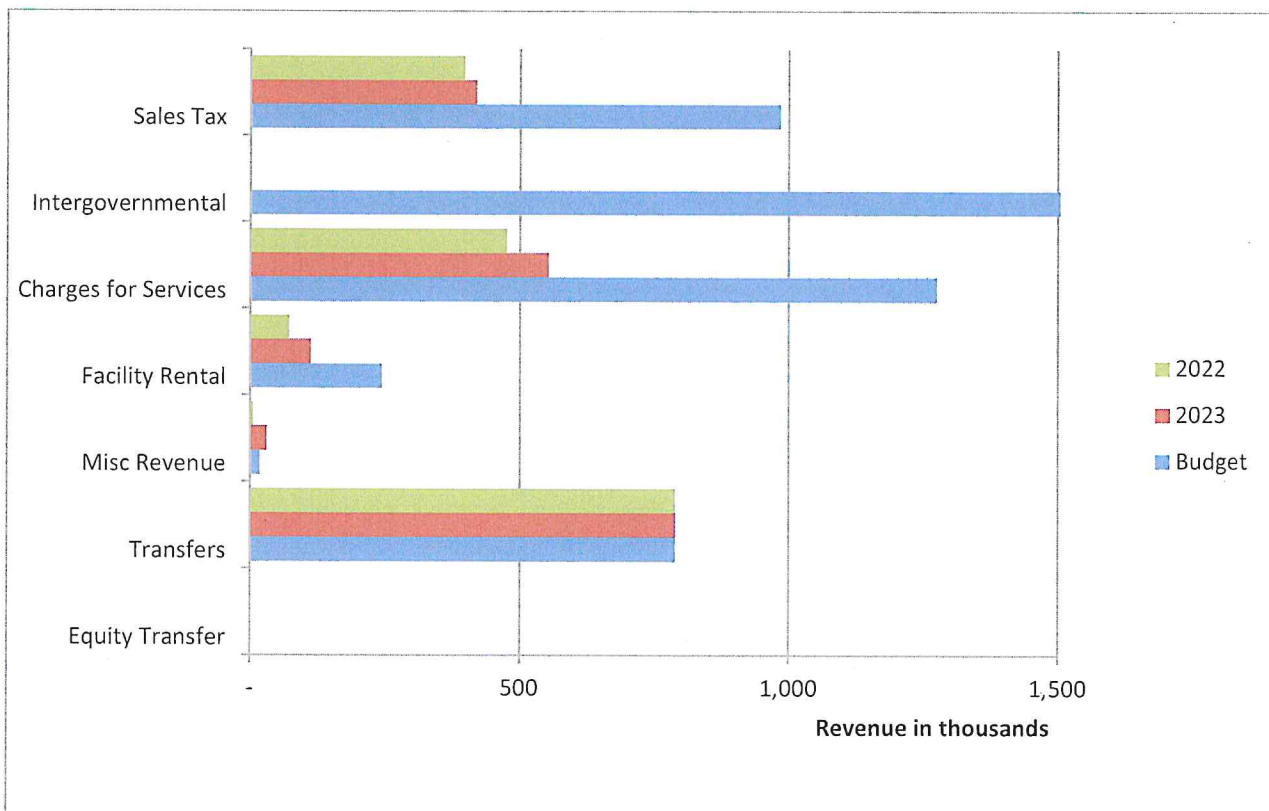
Total budgeted revenues for the fiscal year are \$12,324,296. Total revenues through 5 months or 42% of this fiscal year, amounted to \$5,449,020 or 44% of FY23 budgeted revenues. Charges for sanitation are \$3,219,115, an increase of \$116,105. Charges for water have increased to \$2,180,212 due to increased usage. Miscellaneous revenue has increased \$23,888 to \$49,693 due to interest revenue.

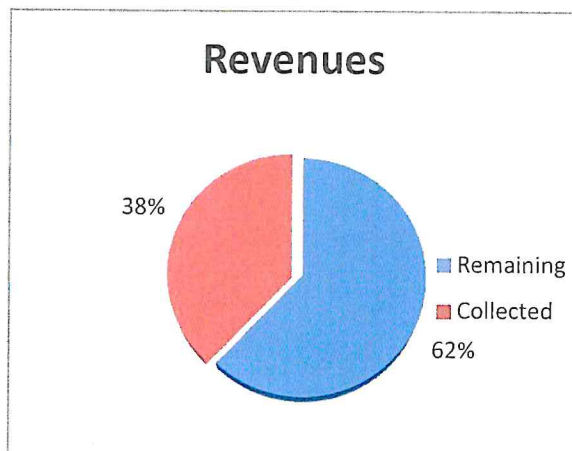


Total budgeted expenditures for the fiscal year are \$12,311,796. Total expenditures through 5 months or 42% of this fiscal year amounted to \$4,532,714 or 37% of FY23 budgeted expenditures. Production expenditures are \$565,368, an increase of \$118,252 due to increases in chemical costs and repairs to the east secondary basin. Operations division expenditures are \$355,195, an increase of \$14,544. Sewer division expenditures have increased \$48,993 to \$139,431 due to changes in staffing. Non-departmental expenditures are \$2,911,412, an increase of \$129,493 due to increased sewer charges from Kansas City. Capital outlay is \$168,881, an increase of \$138,133 due to water main repairs. Payments for debt have decreased 21% or \$66,415 to \$342,427 due to lease purchases falling off the debt schedule. Current revenues exceed current expenditures by \$916,306.



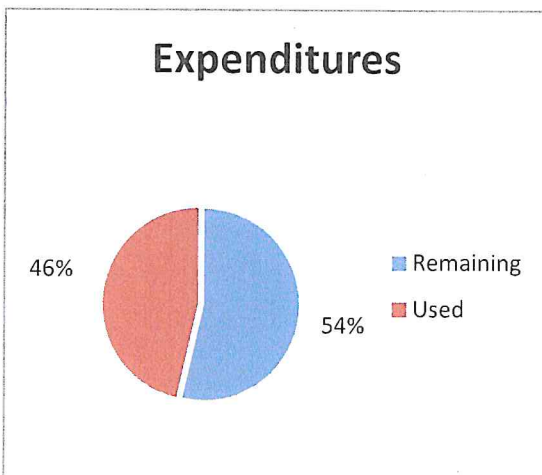
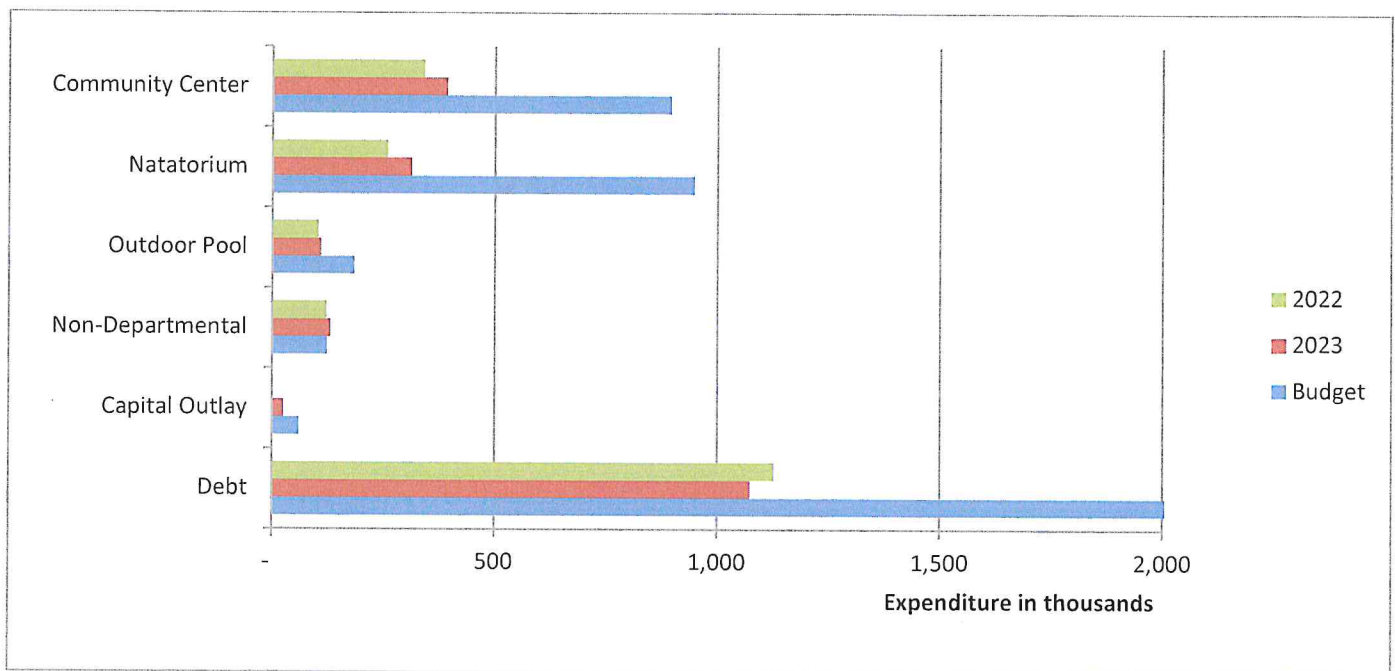
COMMUNITY CENTER AND PARKS TAX FUND





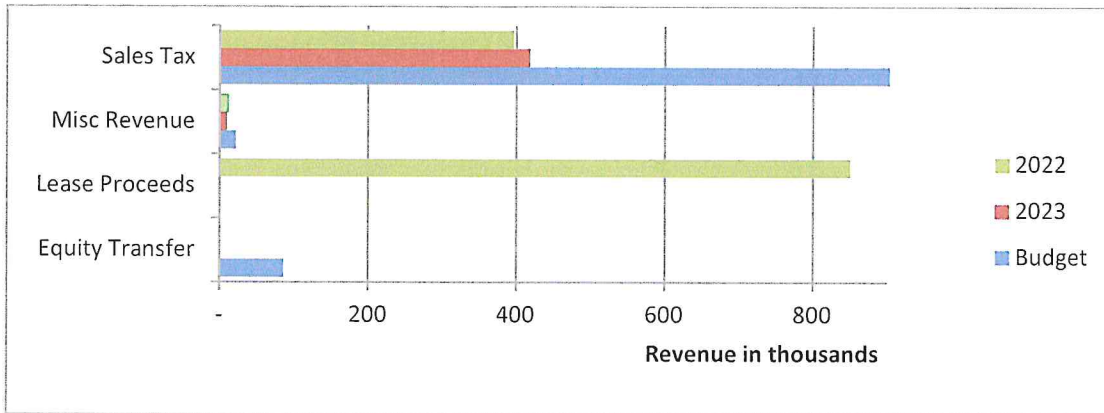
Total budgeted revenues for the fiscal year are \$5,009,081. Total revenues through 5 months or 42% of this fiscal year, amounted to \$1,903,023 or 38% of FY23 budgeted revenues. Sales tax received is \$418,570, an increase of \$22,221 (6%) from the previous year. Intergovernmental revenue consists of a charge to the North Kansas City School District for the natatorium \$700,000 and \$1,000,000 in ARPA funding. Revenue from the NKC School District is usually received in January and ARPA funding will be added at year end. Charges for services are \$552,554, an increase of \$76,728 (16%). Revenue from facility rental is \$111,940, an increase of \$39,404 (54%). Miscellaneous revenue is \$30,959. Transfers

to the fund are \$789,000. There is no equity transfer budgeted for the fiscal year.

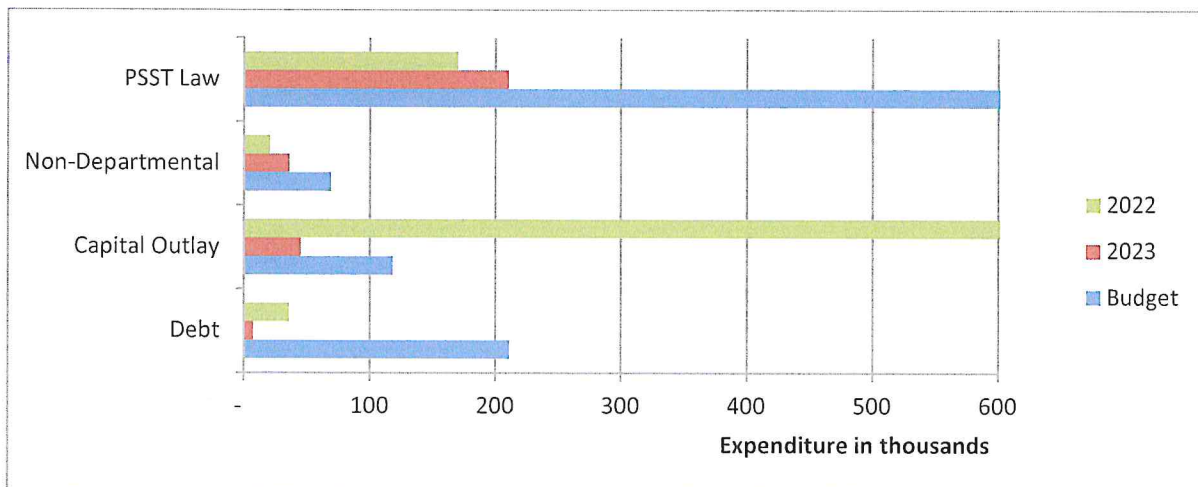
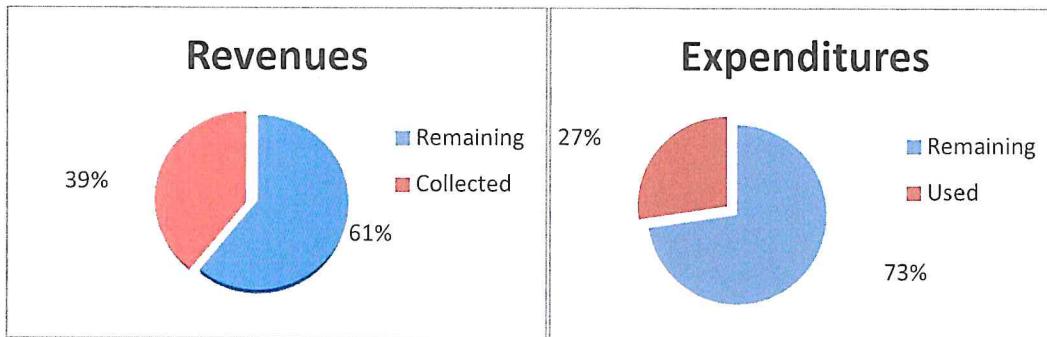


Total budgeted expenditures for the fiscal year are \$4,409,870. Total expenditures through 5 months or 42% of this fiscal year amounted to \$2,047,414 or 46% of FY23 budgeted expenditures. Community Center expenditures are \$393,430, an increase of \$51,763 (15%) due to changes in staffing. Natatorium expenditures are \$312,890, an increase of \$53,455 (21%) due to increases in building maintenance. Outdoor Pool expenditures are \$109,603, an increase of \$6,054 (6%) due to increases in part time personnel costs and chemicals. Non-departmental expenditures have increased \$9,024 to \$131,160 due to increases in property and liability insurance. Payments for debt are comparable to the previous year at \$1,073,492. Current expenditures exceed current revenues by \$144,391.

PUBLIC SAFETY SALES TAX FUND



Total budgeted revenues for the fiscal year are \$1,091,512. Total revenues through 5 months or 42% of this fiscal year amounted to \$428,339 or 39% of FY23 budgeted revenues. Sales tax on a cash basis is \$418,563, or an increase of \$22,223 (6%). Miscellaneous revenue is \$9,776. No lease proceeds are budgeted for this fiscal year. An equity transfer of \$86,012 is budgeted for the fund.



Total budgeted expenditures for the fiscal year are \$1,091,512. Total expenditures through 5 months or 42% of this fiscal year are \$298,757 or 27% of the FY23 budgeted expenditures. Law division is \$210,254, an increase of \$39,987 from the same time last year. Non-Departmental is \$35,959, compared to \$20,740 during the previous year. Capital outlay is \$45,106. Payments for debt is \$7,438. The decrease is due to debt issuance cost from the radio project in the previous year. Current revenue over expense for the fund is \$129,582.

Respectfully submitted,

A handwritten signature in dark ink, reading "Dominic Accurso". The signature is written in a cursive, flowing style. The first letter "D" is large and loops around the first few letters. The last few letters "Accurso" are also cursive and connected.

Dominic Accurso
Director of Finance



Request for Council Action

RES ☐# City Clerk Only

BILL ☒# 23-01

ORD ☒# 4.619

Date: 1/3/2023

Department: Community Development

Meeting Date Requested: 1/9/2023

Public Hearing: Yes ☒ Date: 1/9/2023

Subject: Brighton Learning Center – Five (5) Special Use Permit Request

Background:

The applicants are requesting a Special Use Permit to operate an early education center/daycare for children located at 7260 NE Antioch Road.

The property located at 7260 NE Antioch Road has been vacant the last couple of years but before the vacancy, another early education/children's daycare operated on a Special Use Permit at this location for well over a decade called Caroline's House.

Alecia and Darron Jones have been operating their flagship location in Gladstone at 7227 N Euclid Avenue for over 11 years.

Alecia and Darron Jones submitted a narrative further explaining their child care facility called Brighton Learning Center. The document can be found in your packet.

During the Planning Commission meeting on December 19th, Planning Commissioners discussed and unanimously voted in favor of a five (5) year Special Use Permit due to the owners good standing as business owners in the City of Gladstone for well over a decade. City staff agreed and therefore have made the necessary changes from proposing a one (1) year Special Use Permit to a five (5) year Special Use Permit in the ordinance.

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

Public/Board/Staff Input:

Public: No comments

Board: Voted unanimously in favor of a five (5) year Special Use Permit

Staff: Staff agreed with Planning Commission on a five (5) year Special Use Permit

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

Austin Greer
Department Director/Administrator

JM
City Attorney

SW
City Manager



Community Development Department

Staff Report

Date: 1/3/2022

File #:

Requested Action: Special Use Permit

Date of PC Consideration: 12/19/2022

Date of Council Consideration: 1/9/2023

Applicant: Darron & Alecia Jones, Brighton Learning Center

Owner: Same as Applicant

Address of Property: 7260 NE Antioch Rd, Gladstone, MO 64119

Planning Information

- Current Zoning: CP-0 Nonretail Business District & RP-2 Planned District, Two Family Dwelling (Split Zoning)
- Zoning History: CP-0 Nonretail Business District & RP-2 Planned District, Two Family Dwelling
- Planned Land: CP-0 Nonretail Business District & RP-2 Planned District, Two Family Dwelling
- Surrounding Uses: R-1 Single Family, RP-2 Planned District, Two Family Dwelling, R-3 Garden Apartment Residential
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Split Zoning – A single lot or parcel containing two or more different zoning classifications.

The land in which the building, parking lot, and play area are located are zoned CP-0. The most northern section of the property that is undeveloped is zoned RP-2.

Additional Information

- Public Utility Availability: Existing
- Ingress/Egress: NE 72nd Terrace and NE Antioch Road
- Traffic Impacts: None
- Parking Provided: Approximately 25 parking spaces

Analysis

The applicants are requesting a Special Use Permit to operate an early education center/daycare for children located at 7260 NE Antioch Road.

The property located at 7260 NE Antioch Road has been vacant the last couple of years but before the vacancy, another early education/children's daycare operated on a Special Use Permit at this location for well over a decade called Caroline's House.

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Recommended Conditions

City Staff recommends that the following conditions be considered if the City Council approves this five (5) year Special Use Permit.

1. This Special Use Permit is to be issued to Brighton Learning Center and to be used at this location only. If Brighton Learning Center sells or leases this location to another tenant, either Brighton Learning Center or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
2. Brighton Learning Center shall apply for and maintain all applicable State, County, and City business and occupational licenses; copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation for this location shall be limited to 6:30 a.m. to 10:00 p.m., Monday – Friday.
4. All building and fire safety requirements shall be complied with and maintained as required.
5. Signage shall follow all rules and regulations associated with all City of Gladstone sign ordinances.
6. Trash service and commercial deliveries shall occur between the hours of 7:00 a.m. to 10:00 p.m.
7. The dumpster enclosure shall be maintained with materials consistent with the primary building.
8. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless as part of a valid building permit.
9. Any false statements in the application or violation of these conditions or other City Code requirements may result in the cancellation of this Special Use Permit.

Recommendation

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

PLANNING COMMISSION
GLADSTONE, MISSOURI
Gladstone City Hall
Monday, December 19th, 2022
7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Gary Markenson
Kate Middleton
Bill Turnage
Mike Ebenroth, Chair
Jennifer McGee
Kim Murch
Chase Cookson, Vice Chair
Spencer Davis

Absent: Larry Whitton
Brenda Lowe, Secretary
James New

Council & Staff Present:

Austin Greer, Community Development Director
Angie Daugherty, Admin. Assistant
Jean B. Moore, Mayor Pro Tem

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 December 5th, 2022 Minutes. The minutes from the meeting will be considered at the next Planning Commission meeting in 2023.

Item 4 on the Agenda: Public Hearing: A Special Use Permit to operate a childcare facility of property located at 7260 NE Antioch Rd. Applicant/Owner Darron and Alicia Jones. *The City Council Public Hearing is scheduled for Monday, January 9, 2023.*

Mr. Greer read the staff report,

The applicants are requesting a Special Use Permit to operate an early education center/daycare for children located at 7260 NE Antioch Road.

The property located at 7260 NE Antioch Road has been vacant the last couple of years but before the vacancy, another early education/children's daycare operated on a Special Use Permit at this location for well over a decade called Caroline's House.

Alecia and Darron Jones have been operating their flagship location in Gladstone at 7227 N Euclid Avenue for over 11 years.

Alecia and Darron Jones submitted a narrative further explaining their childcare facility called Brighton Learning Center. The document can be found in your packet.

City Staff recommends that the following conditions be considered if the Planning Commission and City Council approve this one (1) year Special Use Permit.

1. This Special Use Permit is to be issued to Brighton Learning Center and to be used at this location only. If Brighton Learning Center sells or leases this location to another tenant, either Brighton Learning Center or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
2. Brighton Learning Center shall apply for and maintain all applicable State, County, and City business and occupational licenses; copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation for this location shall be limited to 6:30 a.m. to 10:00 p.m., Monday – Friday.
4. All building and fire safety requirements shall be complied with and maintained as required.
5. Signage shall follow all rules and regulations associated with all City of Gladstone sign ordinances.
6. Trash service and commercial deliveries shall occur between the hours of 7:00 a.m. to 10:00 p.m.
7. The dumpster enclosure shall be maintained with materials consistent with the primary building.
8. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless as part of a valid building permit.
9. Any false statements in the application or violation of these conditions or other City Code requirements may result in the cancellation of this Special Use Permit.

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

Mrs. Jones stated that they have operated a childcare facility for almost 12 years. Prior to that she taught in the North Kansas City School District. Her and her husband opened up a childcare facility after having three kids of their own. We are planning on opening our hopefully soon to be a 3rd location. Currently, we have one in Gladstone and another in Kansas City off of Barry Rd. We currently have about 150 kids enrolled in these two locations. We employ almost 40 teachers and we now have a waitlist over seven pages long of people needing childcare.

Mr. Jones stated that this is a family owned business. We enjoy being a part of Gladstone and we have committed a lot to this business and location. We have had tremendous feedback as far as their school readiness programs and we could employ up to 10 to 15 more teachers.

Mr. Murch asked Mr. Greer what the current zoning is at their current flagship location.

Mr. Greer stated CP-1.

Mr. Murch asked is it commercial.

Mr. Greer stated yes sir, their flagship location is zoned commercial CP-1. In the zoning code C1 or CP-1 is the lowest minimum zoning you can have to have a private school or childcare facility. This particular location happens to be a split zoning but the part that they are interested in is zoned CP-0 non-retail which is why a special use permit is needed for this location. This is also why Caroline's House previously needed and operated off of a special use permit as well.

Mr. Murch asked what is a CP-0

Mr. Greer stated it is considered non-retail or office such as a lawyer, architect, accountant type of office setting.

Mr. Markenson stated that he passes Caroline's House every day and he thought what a waste for that space to be vacant. It is a beautiful facility. He is glad it is being used for a quality day care and child care services are in great need. My wife worked in daycare licensing in Jefferson City and he is curious if they participate in any food programs offered by the state.

Mrs. Jones stated that they do not because you have to have a certain amount of lower income families and currently we do not have that.

Mr. Murch stated based on the history of the facility that was there for many years on 72nd and Euclid why are we doing a one-year special use permit versus a five-year special use permit.

Mr. Greer stated that he is probably referencing one of their previous meetings where there was a jump to a seven-year special use permit instead of starting with a one-year special use permit. Mr. Markenson made a great point at our last meeting that we shouldn't get out of the habit of starting with one year to start and I wholeheartedly agree with him. Also, this particular situation and use is completely different than the situation and use in a previous meeting earlier this month. However, if the Planning Commission agrees with Mr. Murch I am certainly open and agreeable to starting Brighton Learning Center with a five-year special use permit given their history and good standing in the community.

Mr. Murch stated that he is going off of the history of the subject facility and asked the owners if they rent or own the building.

Mrs. Jones stated that her and her husband own the property.

Mr. Murch stated that for them to make that type of investment in a property to only get a one-year special use permit isn't fair and doesn't feel like city staff is being very business friendly to people that have a proven track record of being good business people in Gladstone. Does it typically start out as one year then go to five years? Does the 72nd and Euclid location have a special use permit?

Mr. Greer stated that special use permits historically start with one year, then five years, then ten years and no the 72nd and Euclid location does not have a special use permit because the property has the correct commercial zoning. If the other planning commissioners agree with Mr. Murch and there is a number of years you all are thinking of I am more than open to hear it. Thank you.

Mr. Murch stated that since they are good business people and the history of that facility is a childcare facility then I would propose starting them out with a five year special use permit.

Mr. Greer stated that if this is something that the Planning Commission would like to entertain, I would certainly be open to it. Mr. Murch makes some great points and I certainly agree with them but I would like to see an agreement amongst all the Planning Commissioners to start out with a higher number of years.

Mr. Davis stated he is happy that they are here tonight and that more childcare services in our community are certainly needed.

Mrs. Jones stated that they had an open house last week and over three days they had almost 50 tours for their newest location.

Mr. Davis asked Mr. Greer his thoughts about permanently changing the zoning for this property.

Mr. Greer stated that he thinks permanently changing the zoning to something else opens up that property to more intense uses listed in the zoning code and my concern would be to what comes after the childcare facility if they were to move out and sell the property. If rezoned to a more intense type of zoning, then the next use after the childcare facility may not be compatible to the residential zoning that surrounds it.

Mr. Cookson stated that he is open to starting with a five-year special use permit.

Mr. Greer stated that he would like to hear from the other Planning Commissioners to see if they are open to what Mr. Murch suggested.

Mr. Turnage asked Mr. Greer if there has been any communication from neighbors living next to the subject property.

Mr. Greer stated no sir.

Mrs. Jones stated that they went door to door and everyone that they were able to talk to were really supportive.

Ms. Middleton stated that she is ok with the five-year special use permit as well.

Ms. McGee stated that she is ok with the five-year special use permit.

Mr. Greer stated he will make that change from one year to five years and put this in front of City Council for their consideration. Thank you.

MOTION: By Mr. Markenson, second by Ms. McGee to approve the Special Use Permit located at 7260 NE Antioch Rd for a five-year period.

Yes - 8 No - 0

The motion carried. (8-0)

Item 5 on the Agenda: Communication from the Public

No communication

Item 6 on the Agenda: Communication from the City Council

Council Member Moore stated that she wanted to thank everyone for being part of this Planning Commission. Also, Merry Christmas and Happy Holidays.

Item 7 on the Agenda: Communications from the City Staff

Mr. Greer said he wanted to wish everyone a Merry Christmas and Happy Holidays as well.

Item 8 on the Agenda: Communications from the Planning Commission Members

Mr. Markenson stated that there were about 700 visitors at the Museum for Santa Clause and pictures with Santa.

Chair Ebenroth wanted to wish everyone a Merry Christmas.

Item 9 on the Agenda: Adjournment

Chair Ebenroth adjourned the meeting at 7:15 pm.

Respectfully submitted:

Mike Ebenroth, Chair

Approved as submitted _____

Angie Daugherty, Recording Secretary

Approved as corrected _____

AN ORDINANCE GRANTING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO BRIGHTON LEARNING CENTER FOR THE PURPOSE OF OPERATING A CHILD CARE FACILITY AT 7260 NE ANTIOCH ROAD.

WHEREAS, pursuant to Section 32-39 of Ordinance No. 2.292, being the Gladstone Zoning Ordinance, public notice was made of a request to grant a Special Use Permit on property located at 7260 NE Antioch Road, and

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

WHEREAS, the Planning Commission of the City of Gladstone did submit its recommendation to the City Council for approval of such Special Use Permit requesting certain conditions as incorporated herein;

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

SECTION 1. SPECIAL USE PERMIT:

THAT, Brighton Learning Center is hereby granted a Special Use Permit for the operation of a child care facility on property located at 7260 NE Antioch Road, the effective date of which shall be the enactment date of this Ordinance and expiring **five (5)** years from this date, all subject to the terms and conditions set forth herein:

1. This Special Use Permit is to be issued to Brighton Learning Center and to be used at this location only. If Brighton Learning Center sells or leases this location to another tenant, either Brighton Learning Center or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
2. Brighton Learning Center shall apply for and maintain all applicable State, County, and City business and occupational licenses; copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation for this location shall be limited to 6:30 am to 10:00 pm, Monday – Friday.
4. All building and fire safety requirements shall be complied with and maintained as required.
5. Signage shall follow all rules and regulations associated with all City of Gladstone sign ordinances.
6. Trash service and commercial deliveries shall occur between the hours of 7:00 am to 10:00 pm.
7. The dumpster enclosure shall be maintained with materials consistent with the primary building.
8. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless as part of a valid building permit.

9. Any false statements in the application or violation of these conditions or other City Code requirements may result in the cancellation of this Special Use Permit.

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 this ordinance.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 9TH DAY OF JANUARY, 2023.

Bill Garnos, Mayor

ATTEST:

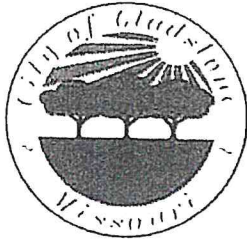
Kris Keller, City Clerk

1st Reading: January 9, 2023

2nd Reading: January 9, 2023

File #

DEVELOPMENT APPLICATION



CITY OF GLADSTONE
7010 N HOLMES STREET
GLADSTONE, MISSOURI 64118
PHONE: 436-4110 FAX: 436-2228

File #: SWP22-00002
Application Date: Nov. 21st
PC Date: Dec 19th
CC Date: Jan 6th

Application Type:

- ☒ (PH) Special Use Permit (\$500) ☐ (PH) Right-of-Way Vacation (\$200)
☐ (PH) Zoning Change (\$500) ☐ (PH) Variance - BZA (\$200)
☐ (PH) Site Plan Revision (\$500) ☐ Final Plat/Replat (\$75)

Address of Action: 7260 NE Antioch Rd

Legal Description:

Attach under separate cover if needed.

Gladstone MO 64119

Proposed Change: Proposed change is for
special use permit so to operate
a child care center.

Applicant/Property Owner Information:

- ☐ Applicant(s) Darron & Alecia Jones
Company Brighton Learning Center
Address _____
Phone 816-377-3678 Fax: _____ E-Mail: djonesblc KC@gmail.com
- ☐ Property Owner (if different than applicant) _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____
- ☐ Architect/Engineer _____
Company _____
Address _____
Phone _____ Fax: _____ E-Mail: _____

Please indicate in one box above which person is to be the contact.

Applicant's Signature Darron Jones Date 11/10/2022

DEVELOPMENT APPLICATION

OWNER'S AUTHORIZATION

I, Darron Jones, do hereby authorize Darron Jones
(Owner's name) (Applicant's name)

to apply for the following action on my property at 7260 NE Antioch Rd
Gladstone MO 64119

- a. Rezone from _____ to _____
- b. Site Plan Revision _____
- c. Special Use Permit Daycare
- d. Variance _____
- e. Plat/Replat _____

Date: 11-15-2022 Owner's Signature: [Signature]

NOTARIZATION

State of Missouri
County of Clay

Subscribed and sworn before me this 15 day of November, 2022.

Notary's Signature:

[Signature]

My Commission expires:

August 27-2024



City of Gladstone Special Use Permit Narrative

Brighton Learning Center is a family owned early education center that has been operating in Gladstone for over eleven years at our flagship location off of Euclid and 72nd Street. We opened there with a handful of teachers and under fifteen students and a mission to use the experience and education we gained from the University of Missouri degrees and working in local school districts (North Kansas City and Park Hill) to impact a younger generation. From then we have grown over the last eleven years to two (soon to be three!) locations, thirty-six teachers and over 150 students, with over 50 more on our waiting list. Our six page waiting list is both a testament to the quality of care and education provided at Brighton Learning Center and the void that is needing to be filled in our community. Between the devastating effects of the covid-19 pandemic and the job shortage that plagued the hospitality industry over the last two years; the Gladstone area lost several childcare facilities to closures. We are seeking to help fill that gap with this potential third location at 7260 NE Antioch Road.

Employing quality teachers from the surrounding area is also a huge calling for us as we strive to pay a fair and living wage and provide competitive benefits to our teachers. We plan to employ ten to fifteen more staff with the opening of this third location, creating more jobs in the area as well. For the safety of the students, other staff members and surrounding community, teachers are all fingerprinted, background checked, CPR and first aid certified as well as being well versed in what to do in emergencies.

Our entire team at Brighton Learning Center works with each family individually to make sure that area children receive the quality, affordable childcare, and early education that we are known for. We also encourage

family and community involvement through many different family-focused events such as the grandparents' day lunch, field day, our annual family BBQ, bike day, literacy night and so many more activities. We also visit many Kansas City attractions, such as the Kansas City Zoo, Kaleidoscope, Science City, pumpkin patches and more, through field trips that extend our students' learning experiences.

We are excited to grow our business by this third location in the community we have both lived in and worked in for the past decade. Thank you for your consideration!



All-America City

Gladstone



2008

TO: Property Owners Within 185' & Other Interested Parties
FROM: Community Development Department
DATE: November 30th, 2022
SUBJECT: Brighton Learning Center 7260 NE Antioch Rd.

PUBLIC HEARING

All persons are hereby notified that the Gladstone Planning Commission will conduct a public hearing on December 19th, 2022 at 7:00 PM in the Council Chamber of Gladstone City Hall on a request for a Special Use Permit at 7260 NE Antioch Rd. legally described as 007260 NE ANTIOCH RD MEADOWBROOK MANOR NORTH TR B

Applicant: Darron & Alecia Jones

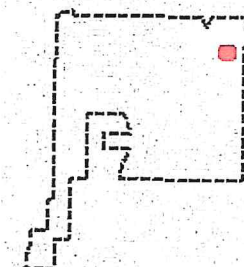
Owner: Same

Subsequently, at its regular meeting of January 9th, 2023, at 7:30 PM, the City Council will conduct a public hearing on the same request.





















In summary:

Brighton Learning Center is a family owned children's early education center. The proposed address above is a third location in addition to their flagship location at Euclid and 72nd St. here in Gladstone. Previously, 7260 NE Antioch Rd. operated as Caroline's House, also a childcare facility for many years.

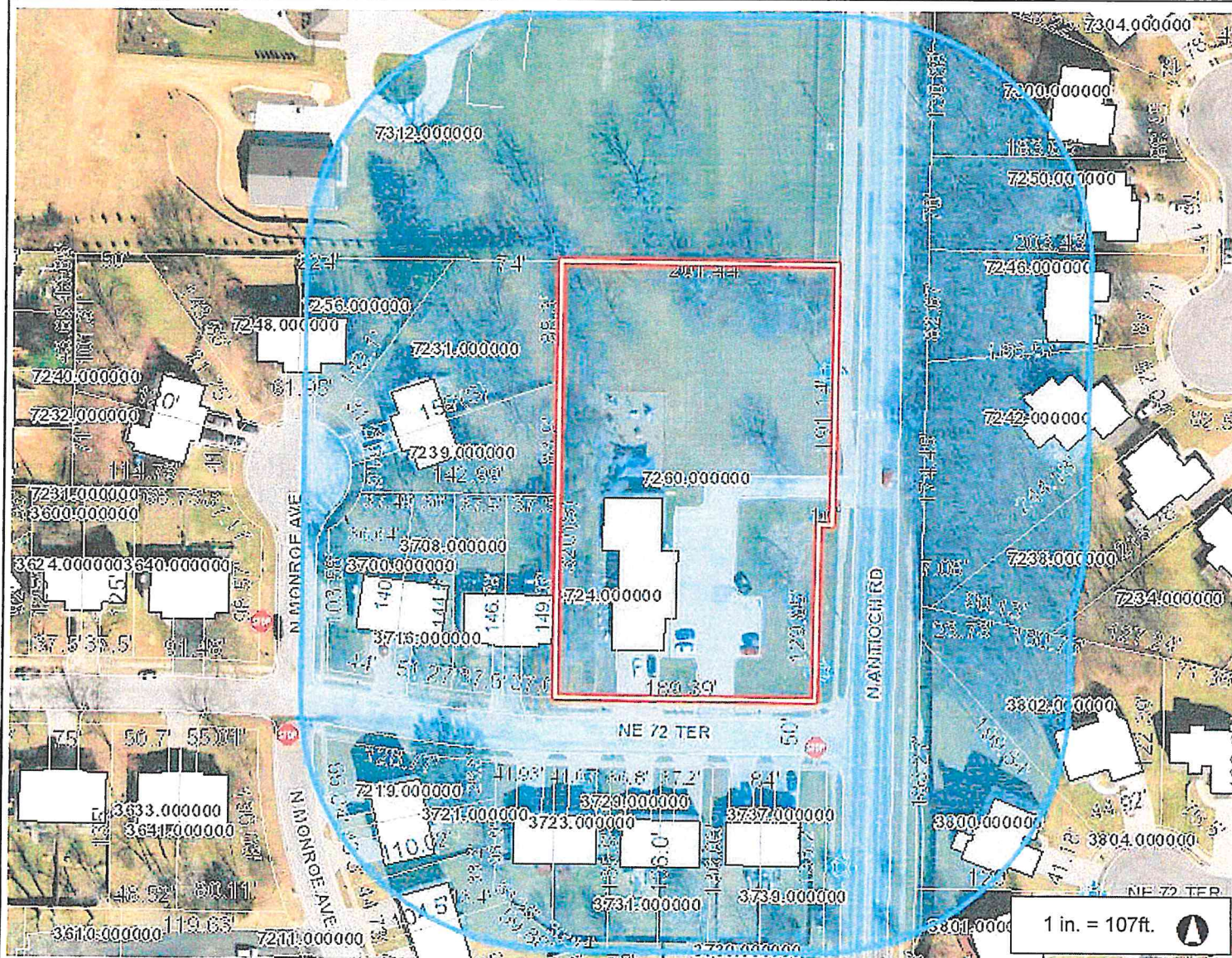
If you have any questions or concerns, please contact Austin Greer, Community Development Director & Assistant To the City Manager at austing@gladstone.mo.us and/or 816-423-4102.



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
-  Building Footprint
-  School Polygon
-  City Park
-  Villages
-  Apartment Polygon

Notes



1 in. = 107ft.

| | | | |
|-------|---|--------|------------|
| 213.3 | 0 | 106.64 | 213.3 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



Request for Council Action

RES ☐# City Clerk Only

BILL ☐# City Clerk Only

ORD ☐# City Clerk Only

Date: 1/3/2023

Department: Community Development

Meeting Date Requested: 1/9/2023

Public Hearing: Yes ☒ Date: 1/9/2023

Subject: A Turning Point – Seven (7) Special Use Permit Request

Background:

The applicant is requesting a seven (7) year Special Use Permit to operate a social services organization at 1900 & 1904 NE Englewood Road. The need for a Special Use Permit at this location is because A Turning Point is operating a social services organization in a zoning district that is currently zoned R-1 Single Family.

Historically, City Staff proposes a one (1) year Special Use Permit to start. Given the investment by the A Turning Point organization of hundreds of thousands of dollars into both properties, City Staff believes that an initial Special Use Permit of seven (7) years is a reasonable request.

In summary, A Turning Point provides the following services:

- Food Pantry
- Wardrobe Clothes Closet
- Education Academy
- Community Meals
- Day Center Services
- Community Meetings
- Support Groups
- Job training programs
- Gymnasium for recreation opportunities

Cathy McIntire, Executive Director of A Turning Point has submitted a detailed narrative further explaining the organization and the services they provide. That document can be found in your packet.

Since the Planning Commission meeting in December 2022, new information has been made available to city staff by Christy Purl, Director of Holy Cross Early Childhood Center. The Holy Cross Early Childhood Center is located across the street of NE Englewood Rd. in Kansas City, MO and adjacent to the A Turning Point property on the southeast side. Please see the attached document sent from Director Purl to city staff.

Request for Council Action

RES ☐# City Clerk Only

BILL ☐# City Clerk Only

ORD ☐# City Clerk Only

Christy Purl and board members of their organization do plan to attend the Monday, January 9, 2023, City Council meeting to speak during the public hearing.

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:

Public: There were approximately 50+ individuals who showed up in support for the A Turning Point project. A few individuals did speak in favor of the Special Use Permit. No individuals spoke in opposition to the project at the Planning Commission meeting.

Board: There was much discussion amongst the Planning Commissioners, please see attached court reporter minutes. The commission voted in favor of a seven (7) year Special Use Permit. (7 Yes – 1 No)

Staff: City Staff recommends that the request be approved contingent upon the conditions listed in the draft ordinance and staff report.

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

Austin Greer
Department Director/Administrator

JM
City Attorney

SW
City Manager

From: Holy Cross Early Childhood Center [<mailto:ecc@holycrosskc.org>]
Sent: Friday, December 16, 2022 11:54 AM
To: Austin Greer <austing@gladstone.mo.us>
Subject: Holy Cross Early Childhood

Austin,

It was good talking to you the other day about, turning point across the street from the center. We have many issues and concerns with this program being right across the way. Since Turning point has been here we have had homeless constantly walking on both sides of the sidewalk.

They are always carrying bags and wearing backpacks. I wish I didn't think the worst of people right now, but how do I know what they are carrying in their backpacks? They could have weapons or be sex offenders for we know.

I am responsible for the safety and care of 99 children's ages being 6 weeks to 5 years old along with 27 staff here at the site.

I have had to several times ask different homeless people several times to not being on our property.

I have had to call the cops on a couple occasions because they are just lying on the sidewalk.

I should've called the cops one time, because we had a homeless man try jumping over our gate to the babies. We hurried up and got all the children in both of our buildings until I knew it was safe to be outside again.

Since then we have called the police to talk about what we need to do if we encounter problems.

I have also purchased walkie talkies for all the teachers to have.

I have also had several parents concerned with the traffic of strange men and women close to the daycare.

We have also had several homeless hiding in our bushes and behind our trash container. So we have been getting rid of the hiding places taking out bushes and installed security cameras

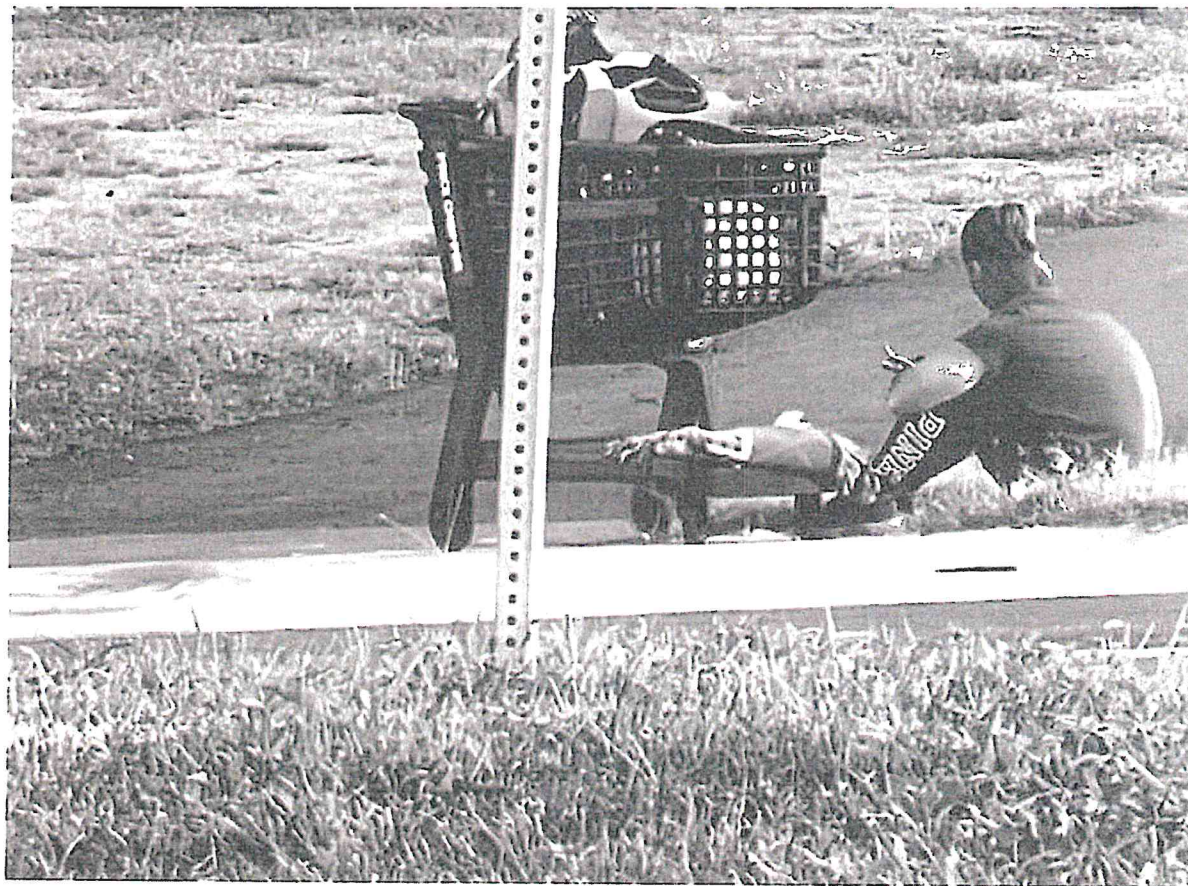
I will email you a couple of pictures of what we see, I could go on and on.

Please let me know if there's another meeting about Turning Point.

Sincerely,

Director/Christy Purl
816-452-9113

227 55017 1/8/11
Holy Cross ETC





Holy Cross Lutheran Early Childhood Center

July 2008 ETC





Community Development Department

Staff Report

Date: 1/4/2022

File #:

Requested Action: Special Use Permit

Date of PC Consideration: 12/5/2022

Date of Council Consideration: 1/9/2023

Applicant: Cathy McIntire, Executive Director

Owner: A Turning Point

Address of Property: 1900 & 1904 NE Englewood Road, Gladstone, MO 64118

Planning Information

- Current Zoning: R-1 Single Family Dwelling Unit
- Zoning History: R-1 Single Family Dwelling Unit
- Planned Land Use: R-1 Single Family Dwelling Unit
- Surrounding Uses: R-1 Single Family Dwelling Unit
- Applicable Regulations: Zoning and Subdivision Ordinance and Comprehensive Plan

Additional Information

- Public Utility Availability: Existing
- Ingress/Egress: N. Woodland Avenue; NE Englewood Rd. (Private Drive)
- Traffic Impacts: None
- Parking Provided: 128 parking spaces
- Existing Signage: Monument signage along NE Englewood Rd.

Analysis

The applicant is requesting a seven (7) year Special Use Permit to operate a social services organization at 1900 & 1904 NE Englewood Road. The need for a Special Use Permit at this location is because A Turning Point is operating a social services organization in a zoning district that is currently zoned R-1 Single Family.

Historically, City Staff proposes a one (1) year Special Use Permit to start. Given the investment by the A Turning Point organization of hundreds of thousands of dollars into both properties, City Staff believes that an initial Special Use Permit of seven (7) years is a reasonable request.

In summary, A Turning Point provides the following services:

- Food Pantry

- Wardrobe Clothes Closet
- Education Academy
- Community Meals
- Day Center Services
- Community Meetings
- Support Groups
- Job training programs
- Gymnasium for recreation opportunities

Cathy McIntire, Executive Director of A Turning Point has submitted a detailed narrative further explaining the organization and the services they provide. That document can be found in your City Council packet.

Since the Planning Commission meeting in December 2022, new information has been made available to city staff by Christy Purl, Director of Holy Cross Early Childhood Center. The Holy Cross Early Childhood Center is located across the street of NE Englewood Rd. in Kansas City, MO and adjacent to the A Turning Point property on the southeast side. In the City Council packet, you will find a document sent from Director Purl to city staff.

Recommended Conditions

City Staff recommends that the following conditions be considered if the Planning Commission and City Council approve this seven (7) - year Special Use Permit.

1. This Special Use Permit is to be issued to A Turning Point and to be used at this location only. If A Turning Point relocates, sells, or leases this location to another tenant, either A Turning Point or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
2. A Turning Point shall apply for and maintain all applicable State, County, and City business and occupational licenses; copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation for this location shall be limited to 7:00 a.m. to 10:00 p.m., Monday – Saturday; six days a week.
4. This Special Use Permit allows for the following uses at 1900 NE Englewood Road:
 - Food Pantry
 - Wardrobe Clothes Closet
 - Education Academy
 - Site to store, prepare, and load vehicles for the Community Meals outreach program
 - Day Center Services (Guesthouse)
 - Services provided shall be shower and laundry facilities, hot meals, computer/internet access, and case management.
 - Hours of operation for these services shall be limited to Monday-Friday from 10:00 a.m. to 2:00 p.m.

- Community Meetings
 - Support Groups
 - Community Garden
 - One (1) community garden not exceeding 3,600 sq. ft.
 - The Institute job training program
 - Gymnasium for youth sports leagues, practices, tournaments, performances, recreation, and educational activities.
5. All building and fire safety requirements shall be complied with and maintained as required.
 6. The six (6) foot privacy fence, as well as the property located north and south of the privacy fence (residential homes to commercial use), shall be maintained in perpetuity by the applicant.
 7. Signage shall follow all rules and regulations associated with all City of Gladstone sign ordinances. Landscaping approved by the Community Development Department shall be installed and maintained around the monument sign located adjacent to NE Englewood Road.
 8. 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 shall be approved by the Community Development Department.
 9. Trash service and commercial deliveries shall occur between the hours of 7:00 a.m. to 10:00 p.m.
 10. Dumpster enclosures shall be constructed with materials consistent with the primary building. Specific colors and materials shall be approved by the Community Development Department.
 11. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles other than one (1) A Turning Point box truck shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless as part of a valid building permit.
 12. Overnight accommodations of any kind on the property are prohibited. However, this prohibition does not include temporary overnight stays not to exceed five (5) nights at a time of six (6) occasions per year by organizations performing mission work in and around the greater Kansas City area. This condition does not include the on-site manager position and his/her immediate family who reside on campus.
 13. Any false statements in the application or violation of these conditions or other City Code requirements may result in the cancellation of this Special Use Permit.

*The leadership of A Turning Point and City Staff are in agreement on all conditions.

Recommendation

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

DEVELOPMENT APPLICATION

OWNER'S AUTHORIZATION

I, A Turning Point, do hereby authorize Cathy McIntire
(Owner's name) (Applicant's name)
to apply for the following action on my property at 1900 NE Englewood Rd
Gladstone, Mo 64118.

- a. Rezone from _____ to _____
b. Site Plan Revision _____
c. Special Use Permit ☒ _____
d. Variance _____
e. Plat/Replat _____

Date: 11/1/2022 Owner's Signature: Cathy McIntire

NOTARIZATION

State of Missouri
County of Clay

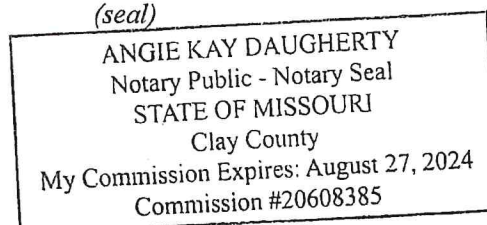
Subscribed and sworn before me this 1 day of November, 2022

Notary's Signature:

Angie Daugherty

My Commission expires: 8-27-24

(seal)





Organization History: A Turning Point

VISION: *We exist to serve as a catalyst for families to thrive.*

Our mission is to support families by providing basic needs and education equipping them for self-sufficiency.

HISTORY OF ORGANIZATION:

In 2015, Good Shepherd United Methodist Church, which is located in the Kansas City, MO Northland region, established a task force committee to consider how it could best serve the surrounding community. After devoting a year of extensive time and energy into researching, collecting data, and collaborating about pertinent support needs and gaps in essential services provided by local agencies and/or other area organizations, the committee concluded that creating a separate non-profit to effectively impact and improve the lives of at-risk individuals was the most forward-thinking plan; thus, A Turning Point (ATP) was organized, incorporated, and received 501c-3 status. ATP launched in January 2016 with the mission of providing individuals in crisis with not only the most basic short-term necessities to sustain life, but also the long-term confidence and skill-set necessary to achieve self-sufficiency and become contributing, productive members of society. At the core of ATP's mission of lasting success is the goal of client transformation and empowerment.

Because of our premise and foundation of filling the gaps in the community services, ATP has a very stringent protocol and process for determining the programs that we consider, create, launch, and support. We are very intentional about matching our programming with the most pressing of community needs. This process includes a ministry/business plan being submitted by an individual(s) who are committed to providing the necessary leadership to implement the program. This plan is then submitted to our Board of Directors for a review process. As part of this process, the Board of Directors evaluates and discusses the feasibility of this program in a number of areas: resources (human and financial), sustainability (immediate and long-term), compatibility (does it align with our vision and mission), and need (does it address a community service gap). The Board of Directors interviews the leadership submitting the plan and then determines if A Turning Point will accept and implement it as a new program. Outlined below are the programs that we have adopted as a result of this process.

CURRENT PROGRAMS:

In April of 2016, A Turning Point was gifted its' first facility located at 5105 NW Waukomis Drive. It was at this location that our initial programs were birthed and launched. Shortly after attaining the property, our Food Pantry opened, moving from the Good Shepherd campus and reshaping the entire prior serving model. While a food pantry in and of itself is not a unique program in our community, changes we made to our Pantry's serving philosophy certainly gives it a very unique flair that provides our guests with a dignified opportunity to receive assistance. It became (and still is) a full client-choice pantry offering non-perishables, fresh fruits and vegetables, dairy products, fresh meat, baby goods, hygiene items and more. We quickly moved from serving approximately 300 individuals monthly to currently serving between 2800 - 3200 people per month. These numbers alone affirm the need for our Food Pantry service along with the fact that in our geographic region, 1 in 8 individuals are experiencing food insecurity. Households are allowed to visit the Food Pantry once a week and must make a same-day reservation in order to access service. Our same-day reservation system provides the necessary

framework of procedures to ensure that wait time, crowding, and traffic flow is not a problem. Typically during any one of our open Food Pantry sessions, we have no more than 25 client vehicles in our lot. The Food Pantry is open Tuesday evenings 5:00-6:30, on Thursday afternoons 1:00-2:30 and on Saturday mornings 8:30-10:00.

In January of 2017 two more programs, the Wardrobe and the Academy, were added to our repertoire. Our Wardrobe is the only clothes closet in the Northland that is designed to serve infants through adults of all sizes that requires no referral for services. We are able to offer a shopping atmosphere for families and individuals to attain clothes for all circumstances (casual wear, professional/work/interview clothes, special occasions attire) as well as shoes, coats, accessories, undergarments, and more. Another component of our Wardrobe program is our "Uniform Assistance" where a client can apply for assistance for specific pieces of a uniform needed for either retaining or attaining employment; ATP will purchase the needed items based on their employer's recommendation/requirements. Our Wardrobe serves between 500-600 people monthly through our three open days a month: First Saturdays 9:00-11:00, Third Tuesdays 5:00-6:30, and Fourth Thursdays 1:30-2:30. Just as with the Food Pantry, a same-day reservation system provides the structure needed to control crowding, wait time, and traffic.

One of our most unique programs is our Academy. This is an opportunity for motivated adults to earn their high-school diploma rather than taking the GED/HiSET. With the GED/HiSET process being cumbersome, expensive, and having a high failure rate, many folks find themselves with no other option of moving forward in their job, in their education, in their life...this program is the answer for them. We provide the hands-on curriculum, the tutoring/mentoring, the supplies, all the resources needed for these adult students to earn the missing credits from their high school transcripts to meet MO state requirements for graduation. We are always eager to celebrate with them when they finish the coursework with a full-blown graduation ceremony. To date, we have 162 graduates from this program with over 300 currently enrolled. The diploma they earn from this program equips and empowers the graduates to become employed, advance in current job positions, go on to further educational and job training programs....all of which are things that have occurred with our graduates. We have four open sessions a week in our Academy: Tuesday & Wednesday evenings 5:00-7:00 and Wednesday & Thursdays 10:00-2:00. While there are many enrolled in the program, our typical sessions have between 5-15 students in attendance at any one time; therefore, traffic flow is very minimal for this program. In early 2021, the Platte County Detention Center approached us about working with their inmates and in June 2021, our Academy began serving in the Detention Center and have already graduated 20 men and women with their diploma.

Later in 2017, partnering with Hillcrest Platte County's Blessings program, A Turning Point began to offer rent and utility assistance to those in need who had income within their household with the goal of preventing eviction. We are a screening and referral agency for the Blessing program which allows us to select the clients that present with a need to refer on for potential assistance. This program of ours is essentially a service that does not take up a footprint of space as it's most typically done via phone interviews. To date, we have assisted over 50 families in avoiding eviction to remain in their homes so as to prevent a crisis of homelessness for their household.

In 2018, Community Meals came to life. While still located in the Northmoor area, our Community Meals program offered hot meals to the families or community at large two nights a month during the open Food Pantry and Wardrobe sessions. COVID-19 came along however, and our Community Meals program was put on an extended pause until summer of 2021 when we were able to re-envision its purpose and bring Free Hot Soup of the Northland under our umbrella. Our new re-vamped version of

Community Meals operates as a street outreach program meeting folks where they are. On Sunday afternoons, a team of volunteers load vehicles with hot meals, food packs, hygiene items, clothes and shoes, tents, propane tanks, tarps, batteries, and more to have a "picnic" with people experiencing homelessness in our immediate area. Landing at Chaumiere Park first, there follows a specific route by which deliveries of these essential items are made. The numbers served via Community Meals continues to grow, typically serving over 600 individuals monthly. Because this program is more community-based, the traffic at our facility for this is very minimal, usually involving less than 5 cars a couple of days a week.

Also in 2018, Englewood Baptist Church began to support A Turning Point by coming on as one of our local sponsoring churches. Working collaboratively with them, we were able to begin to consider ways in which we could expand the programs we are able to offer in space they were not utilizing on a regular basis. Because A Turning Point's vision and mission is compatible with Englewood Baptist Church's basic faith tenets, collaborating for the greater good seemed to make the most sense. At that time, we begin to make plans for the Guesthouse program. Renovations to the Guesthouse building's space occurred through 2020 and the Guesthouse program began functioning as a Day Center for families and individuals in crisis in February 2021. Most generally these folks are experiencing houselessness and through our Guesthouse they can access food, clothing, showering and laundering facilities, computer/internet and Case Management services. The Guesthouse is open Monday, Tuesday, Wednesday, and Friday from 10:00am-2:00pm. On any given day, there are between 2-25 guests utilizing this program. During this first year of operation we have had success in assisting these guests with finding more permanent housing, attaining identification needed, getting a job, meeting basic needs, helping to walk through the disability process and more. This program is essential as there is no other Day Center services such as what the Guesthouse offers in the Northland of KC.

In addition, our facility is utilized by community groups as a safe place to conduct meetings. We sponsor two Narcotics Anonymous groups that hold their meetings in the fellowship hall of the sanctuary building on site. We have group meetings on Monday, Wednesday and Friday evenings and Saturday mornings. These meetings most typically host between 10-30 folks on the road to recovery and healing. Different Girl Scout troops and leaders have meetings here throughout the year as well as other community and civic groups needing a space to meet. These are most frequently scheduled when our regular programming is not in session so as to not interfere with parking and traffic flow issues.

Additional ongoing programs that are more seasonal or event based in nature include: Community Garden (community members grow fresh foods for consumption and Food Pantry use); Back-to-School Blessings event (provides backpacks, supplies/materials, haircuts, sports physicals, dental screenings for school-age children/youth); Christmas Store (shopping opportunity for clients and their families) and Community Outreach classes (e.g., one-on-one budget counseling; nutrition and food prep seminars provided by MU Extension Center and Harvesters Project Strength crew; basic and advanced sewing classes instructed by professional seamstresses; etc.). These special events involve a flow of traffic and space use that is different for each event. Typically, this is managed in much the same way our regular programming is – through use of a pre-made reservation/appointment.

FUTURE GROWTH:

In the Fall of 2021, Englewood Baptist Church and A Turning Point created an even deeper and stronger partnership and A Turning Point was invited to utilize space within all 5 buildings on the campus at 1900

NE Englewood Rd. Very recently, Englewood Baptist Church gifted the buildings and property to A Turning Point making ATP the sole owner of this property. This campus has truly transformed the potential we have to see our mission fully realized; to impact the community in a more significant way.

Future plans for programming within these buildings potentially could include the following:

*ATP has envisioned for many years initiating a job training program that we would call the Institute. This program would provide a route for clients to earn certifications that would immediately enhance their marketability for employment. Courses and training may be in the areas of carpentry/construction; landscaping; seamstress/sewing; basic electricity; CNA; Computers/IT; and more. These courses and sessions would be facilitated by professionals in the respective fields who can also bring networking connections for potential employment upon completion. This type of program would fast forward our clients toward self-sufficiency.

*In the former Creative Arts Academy gymnasium building, we would like to create opportunities that could benefit everyone from the community at large to our client base to A Turning Point. Possible uses that are being considered are: utilizing gymnasium for youth sports leagues' practices and tournaments – basketball, volleyball, soccer, etc.; creating a fine arts theatre performance space for community use; hosting community educational/recreational activities – art classes, yoga/Zumba sessions, etc; consignment specialty shopping events (thrift store like or bin sales); having community event space available. Our plan is to be intentional about utilizing this building on the campus for the greater good of the larger community. The potential flow of traffic for use of this building is easily controlled by scheduling events/activities around the programs' schedules so as not to overcrowd the two parking lots.

*Building a storage shed (following the permit process required by the city) on campus to enhance our community garden/farm and to augment our Wardrobe program space is something we'd like to do on the property as well.

The above-mentioned, bullet-pointed items are all futuristic, potential plans that ATP has considered to enhance the property/facilities, to serve the community, and to implement our mission.

ORGANIZATIONAL STRUCTURE AND DEMOGRAPHICS:

One of the key successes to A Turning Point's rapid growth since its inception just 6 years ago is the intentional partnerships we have created with other social agencies, with corporations/businesses, and the faith community. We have worked closely with other non-profits – Hillcrest Platte County, Rebuilding Together KC, Hillcrest Hope, Metro Lutheran Ministry, Harvesters, Feed the Children, and Connections to Success – in a number of ways to best serve the at-risk, marginalized population of folks we serve. This network of agencies has proven essential for all of us in doing what we do! There are some companies that have embraced our work and support in a variety of ways by making donations, sponsoring fundraising events and more. These include local Hy-Vees & Price Choppers, J Jill Clothing, Eileen's Cookies, M & M Textiles, Community America Bank, Blue Cross Blue Shield, Gaustello Freight Recoupment, and others. The faith community is vital in our efforts as well as they provide financial support, volunteers, and donations of goods that we couldn't survive without. While A Turning Point was birthed out of Good Shepherd United Methodist Church, our current sponsoring/partnering churches are much wider now including churches across many denominations – Good Shepherd UMC, Englewood Baptist Church, Discover Church, North Cross UMC, Bread of Life, Gashland UMC, Faubion UMC, Center for Universal Oneness, Parkville Family Church of the Nazarene and New Hope Church of the Nazarene. Obviously these church sponsors are important to the work we do, but we also offer

these churches, as well as the community in general, a place to volunteer and give back to the community in which they live.

The ATP client base is economically, ethnicity/racially, and geographically diverse. All clients are at-risk and have a self-proclaimed need for any one of the offered services, with the majority identifying as being income challenged/working poor, coming from a single adult family, homeless, or are disabled/handicapped. The ethnicity/race demographic varies across the spectrum and is comprised primarily of Caucasian, African American, Latin/Hispanic, Asian, Native American, and Pacific Islanders. Because of the location of the ATP facility, the greatest percentage of the guests we serve are located in the Northland (80% Clay & Platte counties); however, our data base system indicates that we have served households in 17 counties in some capacity within at least one program.

Organizationally, A Turning Point has two full-time employees, with the leadership team being comprised of an Executive Director and a Program Manager. We also employ two part-time employees as our Case Manager who provides direct guidance with our Guesthouse clients. Governance of our organization is provided by our Board of Directors that is currently comprised of 14 individuals across a wide spectrum of professional, faith, and experiential backgrounds. The Board of Directors meets monthly for policy-making, financial/fiduciary guidance, strategic planning, new program vetting, evaluation, and other important decisions. ATP's greatest resource is its highly active and strongly committed volunteer base of 500+ individuals, with over 250 who donate a minimum of one hour per week on an annual basis. Each program has volunteer directors who oversee day-to-day operations; volunteer recruitment, training, and scheduling; budget oversight; and more. The voluntary program directors meet regularly with the paid staff for future planning, problem solving, and operational reporting purposes.

We believe that the services A Turning Point is able to offer meet critical needs within not just the city of Gladstone, but Clay County and the greater KC area as well. We are committed to working in full collaboration with the city of Gladstone, community agencies, the faith community and beyond to make the widest and deepest impact possible for those in our midst who are struggling, who are going without, who need assistance. Our ultimate dream is that our services would no longer be needed because we've been so successful in our fulfilling our mission!



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CITY OF GLADSTONE
PLANNING COMMISSION

HELD ON
MONDAY, DECEMBER 5, 2022
7:00 P.M.

GLADSTONE CITY HALL COUNCIL CHAMBERS
7010 NORTH HOLMES STREET
GLADSTONE, MISSOURI 64118



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| <p style="text-align: right;">2</p> <p>1 CITY OF GLADSTONE 2 PLANNING COMMISSION 3 HELD ON 4 MONDAY, DECEMBER 5, 2022 5 7:00 P.M. 6 7 CHAIR EBENROTH: The meeting is called to 8 order on Monday, December 5, 2022, 7 p.m. Can I get 9 a roll call, please? 10 MS. DAUGHERTY: Mr. Cookson? Chair 11 Ebenroth? 12 CHAIR EBENROTH: Here. 13 MS. DAUGHERTY: Mr. Davis? 14 MR. DAVIS: Here. 15 MS. DAUGHERTY: Ms. Lowe? 16 MS. LOWE: Here. 17 MS. DAUGHERTY: Mr. Markenson? 18 MR. MARKENSON: Here. 19 MS. DAUGHERTY: Ms. Middleton? 20 MS. MIDDLETON: Here. 21 MS. DAUGHERTY: Mr. Murch? 22 MR. MURCH: Present. 23 MS. DAUGHERTY: Mr. New? Mr. Turnage? 24 MR. TURNAGE: Here. 25 MS. DAUGHERTY: Mr. Whitton? Ms. McGee?</p> | <p style="text-align: right;">4</p> <p>1 MR. GREER: Thank you. Good evening, 2 everyone. The applicant is requesting a seven-year 3 special use permit to operate a social services 4 organization at 1900 and 1904 Northeast Englewood 5 Road. The need for a special use permit at this 6 location is because A Turning Point is operating a 7 social services organization in a zoning district 8 that is currently zoned R-1 single family. 9 Historically, city staff proposes a one- 10 year special use permit to start. Given the 11 investment by the A Turning Point of hundreds of 12 thousands into both properties, city staff believes 13 that an initial special use permit of seven years is 14 a reasonable request. 15 In summary, A Turning Point provides the 16 following services: Food pantry, wardrobe clothes 17 closet, education academy, community meals, day 18 center services, community meetings, support groups, 19 job training programs, and a gymnasium for 20 recreation opportunities. 21 Cathy McIntire, executive director of A 22 Turning Point, has submitted a detailed narrative 23 further explaining the organization and the services 24 they provide. That document can be found in the 25 planning commission packet given to you all last</p> |
| <p style="text-align: right;">3</p> <p>1 MS. MCGEE: Here. 2 CHAIR EBENROTH: We have a quorum. Item 3 No. 2 is Pledge of Allegiance to the United States 4 of America. Please rise. 5 (Pledge of Allegiance was recited.) 6 CHAIR EBENROTH: Item No. 3 is approval of 7 the previous meeting minutes. Anybody have a chance 8 to look over them? I'll entertain a motion. 9 MR. TURNAGE: Mr. Chair, I move they 10 approve. 11 MS. MCGEE: Second. 12 CHAIR EBENROTH: Perfect. All those in 13 favor say aye. 14 (All indicated aye.) 15 CHAIR EBENROTH: Opposed, same sign. 16 Item No. 4 is a public hearing on a 17 special use permit for property located at 1900 and 18 1904 Northeast Englewood Road. The applicants -- 19 applicant -- sorry -- is Cathy McIntire, executive 20 director of A Turning Point, the owner of A Turning 21 Point. The city council hearing is scheduled for 22 Monday, January 9, 2023, at 7:30 p.m. here at city 23 hall. 24 Open the public meeting and I'll ask you 25 for a little briefing, Mr. Austin.</p> | <p style="text-align: right;">5</p> <p>1 week. 2 City staff recommends the following 3 conditions be considered if the planning commission 4 and city council approve the seven-year special use 5 permit: No. 1, the special use permit is to be 6 issued to A Turning Point and to be used at this 7 location only. If A Turning Point relocates or 8 sells, or leases this location to another tenant, 9 either A Turning Point or the other tenant must 10 reapply for a new permit. This special use permit 11 is nontransferable to another tenant occupying space 12 at this location. 13 No. 2, A Turning Point shall apply for and 14 maintain all applicable state, county, and city 15 business and occupational licenses. Copy of such 16 business and occupational licenses shall be provided 17 to the community development department. 18 No. 3, hours of operation for this 19 location shall be limited to 7 a.m. to ten o'clock 20 p.m. Monday through Saturday, six days a week. 21 No. 4, this special use permit allows for 22 the following uses at 1900 Northeast Englewood Road: 23 A food pantry; wardrobe clothes closet; education 24 academy; site to store, prepare, and load vehicles 25 for the community meals outreach program; day center</p> |

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| <p style="text-align: right;">6</p> <p>1 services. Services provided shall be shower and 2 laundry facilities, hot meals, computer/internet 3 access, and case management. Hours of operation for 4 these services shall be limited to Monday through 5 Friday 10 a.m. to two o'clock p.m. 6 Community meetings; support groups; a 7 community garden within, one community garden not 8 exceeding 3,600 square feet; the institute job 9 training program; and a gymnasium for youth sports 10 leagues, practices, tournaments, performances, 11 recreation, and other educational activities. 12 No. 5, all building and fire safety 13 requirements shall be complied with and maintained 14 as required. 15 No. 6, the six-foot privacy fence, as well 16 as the property located north and south of the 17 privacy fence, residential homes to commercial use, 18 shall be maintained in perpetuity by the applicant. 19 No. 7, signage shall follow all rules and 20 regulations associated with all City of Gladstone 21 sign ordinances. Landscaping approved by the 22 community development department shall be installed 23 and maintained around the monument sign located 24 adjacent to Northeast Englewood Road. 25 No. 8, all mechanical equipment located on</p> | <p style="text-align: right;">8</p> <p>1 manager position and his or her immediate family who 2 reside on campus. 3 No. 13, any false statements in the 4 application or violation of these conditions or 5 other city code requirements may result in the 6 cancellation of this special use permit. 7 The leadership of A Turning Point and city 8 staff are in agreement on all the conditions. City 9 staff recommends that the request be approved 10 contingent upon the conditions listed above. 11 Ms. McIntire has actually provided a video 12 for everyone tonight, and I would invite Ms. 13 McIntire to the podium to introduce herself. 14 MS. MCINTIRE: Good evening. My name is 15 Cathy McIntire, like Austin said, and it is my 16 privilege to be here tonight representing A Turning 17 Point, and I thank you for this time together and 18 any questions you might have and just learning a 19 little bit more about us and us learning about you. 20 Are we ready? 21 MR. GREER: Yes, ma'am. 22 MS. MCINTIRE: Okay. I think the video 23 will kind of give you -- 24 (Videotape was played.) 25 MS. MCINTIRE: That was made for Good</p> |
| <p style="text-align: right;">7</p> <p>1 the roof and the ground shall be screened from 2 public view similar in design to the rest of the 3 structure. All screening shall be approved by the 4 community development department. 5 No. 9, trash service and commercial 6 deliveries shall occur between the hours of seven 7 o'clock a.m. to ten o'clock p.m. 8 No. 10, dumpster enclosures shall be 9 constructed with materials consistent with the 10 primary building. Specific colors and materials 11 shall be approved by the community development 12 department. 13 No. 11, tractor-trailers, storage 14 containers, RVs, campers, and commercial vehicles 15 other than A Turning Point box truck shall not be 16 parked overnight on the premises. Storage 17 containers shall not be stored on-site unless as 18 part of a valid building permit. 19 No. 12, overnight accommodations of any 20 kind on the property are prohibited; however, this 21 prohibition does not include temporary overnight 22 stays not to exceed five nights at a time of six 23 occasions per year by organizations performing 24 mission work in and around the greater Kansas City 25 area. This condition does not include the on-site</p> | <p style="text-align: right;">9</p> <p>1 Shepherd Christmas. So I believe, like Austin said, 2 he said he submitted to you a narrative of 3 everything that's happening at A Turning Point and 4 the numbers that we serve, so I don't need to 5 necessarily go over that again because you guys can 6 read as well as I can read, but I'm happy to answer 7 any questions about that. 8 We launched in 2016 as a result of Good 9 Shepherd's efforts to build the community services 10 that were offered, and all that we offer are 11 services that fill the gaps of other community 12 services so that we're creating programs and 13 resources and ways forward that aren't being done by 14 other agencies in the community. Of note that I 15 don't believe is in the narrative that was submitted 16 is I just kind of wanted to give you a better 17 perspective. We serve over 17 counties. Because we 18 are a low-barrier entry point program or 19 organization altogether, and over those 17 counties, 20 of course, 64118, 64119 ZIP Codes are Gladstone's 21 primary ZIP Codes, and within those two ZIP Codes, 22 we have over 1,200 households that we're serving, so 23 it kind of give you a perspective of the touch that 24 we're having here in the Gladstone community itself. 25 Our revenue sources are vast. That's</p> |

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| <p style="text-align: right;">10</p> <p>1 often a question I get asked about how do we support 2 what we do. It's heavily supported by just 3 individual philanthropist donors and people that 4 have a big heart for their community. 5 We also write grants. We have church 6 sponsors across all different kinds of faiths and 7 beliefs, and we do a big fund-raiser every year, so 8 those are our ongoing, regular sources of revenue. 9 We have two full-time staff and two part- 10 time staff. The rest of what we do is covered by 11 volunteers, which is a pretty amazing concept 12 because we utilize over 500 volunteers a year in 13 some capacity. Most of them show up multiple times 14 a year. 15 I mean, I just want to say real quick, if 16 you're here to just support, not speak but just to 17 support A Turning Point and all that we do, if 18 you'll just stand so that we can see the magnitude. 19 Yeah, they're out there in the hallway. 20 (Laughter) 21 MS. MCINTIRE: Thank you, guys. Thank you 22 for being here. 23 All of the folks that you see here are 24 donors, are supporters, are volunteers. Volunteers 25 are the heartbeat of our organization. That's what</p> | <p style="text-align: right;">12</p> <p>1 that only he could do. 2 For most people, not all, but most people 3 who come and serve at A Turning Point, it is an 4 extension of their faith. They are practicing what 5 they believe in and putting it to work, not 6 everybody, which is fine, too, but the way we've 7 been able to grow, the way we've been able to 8 sustain that growth, the way that we've been able to 9 incorporate the amount of volunteers that we do has 10 just -- it's truly been a God thing, and the 11 volunteers we have being faithful to serving. 12 MR. TURNAGE: Thank you. 13 CHAIR EBENROTH: Anybody else down here? 14 On the end. 15 MR. MARKENSON: All the way. First of 16 all, welcome to Gladstone. 17 MS. MCINTIRE: Thank you. 18 MR. MARKENSON: We certainly are in need 19 of social services north of the river. We don't 20 have quite the extents that they do south of the 21 river. What troubles me is the seven-year 22 conditional permit. That's not the way. We give 23 one year and then you come back. 24 CHAIR EBENROTH: They can't hear you. Are 25 you on?</p> |
| <p style="text-align: right;">11</p> <p>1 makes us who we are and how we're able to operate, 2 so that's -- again, I'm happy to answer questions, 3 but I know that I submitted something that was 4 fairly thorough, so if you have questions, I'm happy 5 to answer at this point. 6 CHAIR EBENROTH: I'll open it up to the 7 committee here, start down on this end (indicating). 8 Do you have any questions? 9 MR. TURNAGE: Yeah. Ms. McIntire, I know 10 you started A Turning Point in 2015. How have you 11 been able to achieve that kind of growth in seven 12 years? 13 MS. MCINTIRE: That's a great question. 14 MR. TURNAGE: I've been thinking about it 15 all day. 16 MS. MCINTIRE: Have you? 17 MR. TURNAGE: No. 18 MS. MCINTIRE: I've often said to many 19 people, you know, we're just doing what God -- going 20 where God's leading us and doing what God asking us 21 to do. Often his vision is way bigger than ours, 22 and we just -- I say we try to hang onto his 23 coattail and go where he's going as fast as he's 24 going. I do believe that there's been divine 25 intervention and inspiration and things happening</p> | <p style="text-align: right;">13</p> <p>1 MR. MARKENSON: Welcome to Gladstone. 2 (Laughter) 3 MR. MARKENSON: We certainly do need 4 social services. Have I said that before? I'm 5 troubled by the seven-year conditional use permit. 6 Traditionally, we give a one-year or a two-year 7 permit, and then you come back and get a five-year 8 permit, assuming you meet all the conditions. 9 MS. MCINTIRE: Correct. 10 CHAIR EBENROTH: This, I think, would be a 11 terrible precedent to set a seven-year conditional 12 permit because everybody's going to ask for them. 13 MS. MCINTIRE: Actually, I would defer 14 that question to Austin rather than myself because 15 when we started this process, I wasn't aware of how 16 the process worked, so I assumed it would be a one- 17 year, and then Mike Pospisil, our board of directors 18 president, and myself, have been meeting with Scott 19 Wingerson and Austin for a good year to figure all 20 these pieces out, and they're the ones that 21 suggested a longer term and suggested it because of 22 the amount of -- I think you even mentioned this in 23 your report, Austin -- the amount of investment 24 we've done to the property and what we've brought to 25 the community warrants a little bit more longer term</p> |

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| <p style="text-align: right;">14</p> <p>1 usage, the special use permit usage.</p> <p>2 Austin, I think you might be better able</p> <p>3 to answer that.</p> <p>4 MR. GREER: I think you summed it up</p> <p>5 pretty well. There was a lot of conversation</p> <p>6 amongst staff. It was out understanding that A</p> <p>7 Turning Point had invested north of half a million</p> <p>8 dollars into both properties or the main property,</p> <p>9 and we thought it was reasonable to grant them a</p> <p>10 longer term than what generally applied for, in</p> <p>11 short.</p> <p>12 MR. MARKENSON: They invested that prior</p> <p>13 to the granting of a conditional use permit?</p> <p>14 MR. GREER: Yes, sir.</p> <p>15 MR. MARKENSON: That's very kind. So, you</p> <p>16 know, in the future if somebody invests money in</p> <p>17 their property and asks for a seven-year, are we</p> <p>18 going to grant it? We're setting precedent here.</p> <p>19 MR. GREER: It's not staff decision on how</p> <p>20 much we're granting. It's a recommendation.</p> <p>21 MR. MARKENSON: Let me just ask you, if we</p> <p>22 lowered this to a two-year conditional use permit</p> <p>23 with the understanding you come back with a five-</p> <p>24 year one --</p> <p>25 MS. MCINTIRE: Uh-huh.</p> | <p style="text-align: right;">16</p> <p>1 --</p> <p>2 MR. GREER: We would probably work with A</p> <p>3 Turning Point to bring them into compliance, if we</p> <p>4 could.</p> <p>5 CHAIR EBENROTH: Any further questions</p> <p>6 down that way (indicating)?</p> <p>7 MR. MURCH: I'd like to say I've had the</p> <p>8 privilege of going to the open house and going</p> <p>9 through your facility, and it's amazing what you're</p> <p>10 doing, and you do great work there.</p> <p>11 MS. MCINTIRE: Thank you.</p> <p>12 MR. MURCH: I read that both parties and</p> <p>13 the staff and you have agreed to these terms and</p> <p>14 conditions. Personally, I find them somewhat</p> <p>15 restrictive. I'd like to hear, in your words, that</p> <p>16 you feel comfortable with the way that this</p> <p>17 (indicating) is written.</p> <p>18 MS. MCINTIRE: Uh-huh. We do. We do. We</p> <p>19 would have hoped for maybe some other things.</p> <p>20 MR. MURCH: Okay. That was my next</p> <p>21 question. What are those other things you would</p> <p>22 have hoped for?</p> <p>23 MS. MCINTIRE: So other things we would</p> <p>24 have hoped for are in a different setting now, so</p> <p>25 one of the things that Austin and Scott and Mike and</p> |
| <p style="text-align: right;">15</p> <p>1 MR. MARKENSON: -- would that give you</p> <p>2 heartburn?</p> <p>3 (Laughter)</p> <p>4 MS. MCINTIRE: There's not a lot that</p> <p>5 gives me heartburn. No, I mean, we don't -- we are</p> <p>6 planning to live within the guidelines we've</p> <p>7 established and follow all the stuff. We've been</p> <p>8 working a long time on establishing the guidelines</p> <p>9 that Austin and Scott and the city staff all felt</p> <p>10 really good about and us as well, so I'm in complete</p> <p>11 agreement. We're planning on abiding by that.</p> <p>12 MR. MARKENSON: After investing all that</p> <p>13 money, yeah.</p> <p>14 MS. MCINTIRE: Yeah.</p> <p>15 MR. MARKENSON: We do welcome you in the</p> <p>16 community. To me, this sets a precedent that how do</p> <p>17 you tell the next person that you can't get a seven-</p> <p>18 year permit?</p> <p>19 MS. MIDDLETON: If, at any time during</p> <p>20 those seven years, something happens to fall out of</p> <p>21 compliance, I mean, you would revoke the special use</p> <p>22 permit and go back to Step 1 with the process?</p> <p>23 MR. GREER: Revoking the special use</p> <p>24 permit is an option, yes.</p> <p>25 MS. MIDDLETON: I mean, if it's, you know</p> | <p style="text-align: right;">17</p> <p>1 I have worked through over the past year is the</p> <p>2 possibility of overnight housing for folks</p> <p>3 experiencing homelessness, and that seemed to be a</p> <p>4 bit of a stickler, and so we've agreed to take that</p> <p>5 out of the picture, and knowing that potentially for</p> <p>6 that seven years that that's off the table, if you</p> <p>7 will, and because of that, we are pursuing an</p> <p>8 overnight emergency housing, you know, situation on</p> <p>9 the Kansas City side of the city limits in order to</p> <p>10 try to meet that need because it is a large need in</p> <p>11 the Northland.</p> <p>12 MR. MURCH: I'm glad that you don't get</p> <p>13 heartburn because I do --</p> <p>14 (Laughter)</p> <p>15 MR. MURCH: -- because one of the concerns</p> <p>16 I have -- and maybe Austin would weigh in on this as</p> <p>17 well -- is you're going to serve some people that</p> <p>18 are down on their luck or, you know, whatever, and,</p> <p>19 at two o'clock, you're going to kick them out of</p> <p>20 your facility. Where do they go?</p> <p>21 MS. MCINTIRE: We've been doing that --</p> <p>22 MR. MURCH: They're in our district or</p> <p>23 residential area. Where do these people go, and</p> <p>24 which would lead me to ask, where is the nearest bus</p> <p>25 stop to your facility?</p> |

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| <p style="text-align: right;">18</p> <p>1 MS. MCINTIRE: Yeah, the bus used to stop, 2 pre-COVID, right outside our doors there. 3 MR. MURCH: Okay. 4 MS. MCINTIRE: Now, it's right down the 5 hill on Antioch from Englewood from where we are 6 located at 1900, not even half a mile, quarter of a 7 mile maybe. 8 MR. MURCH: Anybody that's homeless walks 9 that quarter mile to get on Metro transit? 10 MS. MCINTIRE: They do that. 11 MR. MURCH: What's your thoughts as to 12 where these people do at on two o'clock? 13 MS. MCINTIRE: There's lots of people of 14 in our Guesthouse that actually have vehicles, and 15 they get in their vehicle and go somewhere and park 16 their vehicle overnight and sleep. That's probably 17 more than half of the people that we serve in the 18 Guesthouse, and then there are folks who, like 19 you're speaking about, go down, get on a bus, and go 20 somewhere. Some of them I don't know where. 21 Some of them are in camps around 22 Gladstone, on the Kansas City side. Some — you 23 know, they just go where they're not forced to move 24 on from law enforcement or from, you know, a private 25 owner who owns that property that they're trying to</p> | <p style="text-align: right;">20</p> <p>1 MS. MCINTIRE: Uh-huh. 2 MR. MURCH: Can you elaborate on that? 3 MS. MCINTIRE: We have a working 4 relationship with the Kansas City Police Department 5 and Gladstone, and it's -- they have brought 6 individuals to us who are in need, whether that is 7 because they're experiencing homelessness or whether 8 they just need our other services, food pantry, 9 wardrobe, academy, whatever it might be, and they'll 10 -- they come, and they interact with us. They ask if 11 we could, you know, help this individual or not. 12 Almost always they leave that person with us because 13 we have resources to help them. 14 That's happened two or three times. We 15 work closely with the crisis intervention team in 16 order to try to build relationships with people in 17 the community and specifically with the homeless 18 camps in the community to try to offer them 19 resources and to try to move them forward in some 20 capacity. 21 MR. MURCH: Okay. This maybe goes more to 22 the community or whatever. In the past I've seen in 23 our packets where we have comments or approvals or 24 whatever from various departments in the city, and I 25 don't find one from the police chief in this one.</p> |
| <p style="text-align: right;">19</p> <p>1 pitch a tent or sleep on or whatever, so there's a 2 variety of places they go. 3 MR. MURCH: Okay. How big is the total 4 square footage or acreage or whatever of these two 5 parcels? 6 MS. MCINTIRE: I believe it's like 6.2 7 acres total. 8 Do you know exactly? 9 MR. GREER: I don't know exactly, but I 10 know it's quite a few acres. 11 MS. MCINTIRE: I think 6.2. 12 MR. MURCH: Because you've got a pretty 13 sizable garden in square footage is why I ask that 14 question -- 15 MS. MCINTIRE: Yeah. 16 MR. MURCH: -- and I assume that that's 17 being used in your food pantry. 18 MS. MCINTIRE: What's harvested is used in 19 a variety of ways. They can make use of the garden 20 on their own, and some is brought into the pantry, 21 yes. 22 MR. MURCH: My last question is when you 23 and I had a opportunity to visit and you were kind 24 enough to show me around, you had said the police 25 department are already dropping off people.</p> | <p style="text-align: right;">21</p> <p>1 Is there a reason for that? 2 MR. GREER: Yeah, we asked all directors 3 for comments for pretty much every project that we 4 do. We didn't receive much of a comment from the 5 police on this matter. 6 MR. MURCH: Okay. Can you speculate as to 7 any reason why? 8 MR. GREER: I try not to speculate. 9 (Laughter) 10 MR. MURCH: It concerns me, if Kansas City 11 police is bringing a lot of people over here because 12 ultimately Gladstone Police Department is going to 13 have to deal with a lot of them, and I'd be really 14 curious to hear from Chief Farris as to his response 15 to the facility. 16 I think that's all my questions for the 17 time being. 18 MR. DAVIS: I do have some questions, some 19 comments. I can speak loudly, but we'll record it 20 as well. I do want to thank you for bringing your 21 services to the Northland. 22 I think it's needed; I think it's 23 appreciated; and I think doing God's work is a good 24 thing. With that, I have concerns. 25 MS. MCINTIRE: Uh-huh.</p> |

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| <p style="text-align: right;">22</p> <p>1 MR. DAVIS: I have concerns, but I would 2 think it's more than that, but one of which is 3 nothing to do with the type of business you're in 4 but the way the business was brought to us. It's 5 concerning to me that you guys put enough money into 6 this prior to getting any type of permit. 7 MS. MCINTIRE: Uh-huh. 8 MR. DAVIS: I've got personal history of 9 helping, and I've never done that, so I'd like a 10 little bit of an explanation of why you guys did 11 that to such a magnitude -- maybe it wasn't your 12 decision -- but for seven times the normal amount of 13 year's permit and what was the reasoning behind 14 that? 15 MS. MCINTIRE: Yeah, so we originally came 16 into even really knowing about that property at all 17 by building -- A Turning Point has multiple church 18 partnerships in the community all over the 19 Northland, and one of those partners is the 20 Englewood Baptist Church, and we began building a 21 partnership with them in 2017, maybe 2018, right in 22 that time frame, and we began doing things together, 23 you know, doing some outreach programming, talking 24 and collaborating what could be done on their 25 property. They had extra building space they</p> | <p style="text-align: right;">24</p> <p>1 MR. DAVIS: -- especially knowing that we 2 are shutting down the facility and kicking people 3 out, for lack of a better term, and I understand 4 that's not your goal. 5 You don't want to do that, but at the same 6 time, that's staff's way around this or at least a 7 foot in the door for you all, but my concern is 8 seven years of kicking people out at 2 p.m. and 9 expecting them to go across the state line or city 10 line or wherever that might be and seeing where you 11 were in Northmoor and seeing the spike of crime 12 right about the time you guys came about. That is 13 my concern. 14 Is there any -- correlation is not 15 causation. I will agree with that, right, so it 16 could be completely different and irrelevant, but 17 it's something to be aware of, and I think that is 18 -- I think seven to two years was something that is 19 actually intriguing more than not, but that's my 20 concern is where is crime? You can't speculate to 21 why the crime rose where you guys were, but -- 22 MS. MCINTIRE: I wasn't even aware that it 23 did, so -- 24 MR. DAVIS: Dramatically and that would -- 25 per Google, so I don't know. Maybe I'm wrong.</p> |
| <p style="text-align: right;">23</p> <p>1 weren't utilizing because their congregation was 2 shrinking. 3 There were multiple factors as to how we 4 came into partnership in partnership with Englewood 5 Baptist Church, so because they had extra space, we 6 were able to begin to do some programming that we 7 couldn't do at our old facility because we didn't 8 have space there, and because we were not a church 9 but a faith-based nonprofit organization, I think 10 there was some assumptions on our part; that they're 11 a church; we're doing faith ministry work; and so we 12 began to invest some money to get the space ready 13 how we needed it to be able to provide the 14 programming that we were partnering with them to do. 15 Does that make sense? 16 MR. DAVIS: It does. Was that money spent 17 by your team, or was it by the Baptist church? 18 MS. MCINTIRE: By our team, basically. 19 MR. DAVIS: Thank you for commenting on 20 that. 21 MS. MCINTIRE: Uh-huh. 22 MR. DAVIS: The big concern, I think, for 23 some of my peers here believe is, you know, 24 obviously, safety and the concern of that -- 25 MS. MCINTIRE: Uh-huh.</p> | <p style="text-align: right;">25</p> <p>1 (Laughter) 2 MR. DAVIS: That would be my 3 understanding, and honestly, we want to help 4 everybody. I think everybody does, but at the same 5 time, we want safety to be a primary issue as well. 6 MS. MCINTIRE: I do think it's important 7 to realize the folks that we are serving -- and I 8 honestly can't remember if I included this in the 9 narrative -- probably 10 percent of our -- the 10 people that we serve, which are thousands and 11 thousands and thousands of folks, are -- would be 12 classified as experiencing homelessness. They're -- 13 more than half of are what we would call the working 14 poor. People in that household have two or three 15 jobs who just can't make ends meet on a minimum wage 16 job. 17 Then we have a large population who are on 18 a fixed income, whether that's disability, whether 19 that is retirement, whatever the case might be, and 20 they just can't make ends meet on that fixed income, 21 so while we're talking a lot about the homeless 22 population -- and we should be; I'm not saying that 23 -- the largest, 90 percent of the folks that we're 24 serving at A Turning Point through our regular 25 ongoing programs, are not those folks.</p> |

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| <p style="text-align: right;">26</p> <p>1 MR. DAVIS: Sure.</p> <p>2 MS. MCINTIRE: Right.</p> <p>3 MR. DAVIS: Good to know. I had a last</p> <p>4 comment. What was it now? I forgot so that's all.</p> <p>5 (Laughter)</p> <p>6 MR. MURCH: We can come back to it.</p> <p>7 MR. DAVIS: We can come back to it, maybe,</p> <p>8 maybe.</p> <p>9 CHAIR EBENROTH: Next?</p> <p>10 MS. LOWE: Good evening.</p> <p>11 MS. MCINTIRE: Hi.</p> <p>12 MS. LOWE: I'd just like to say thank you</p> <p>13 for the great work.</p> <p>14 MS. MCINTIRE: Thank you.</p> <p>15 MS. LOWE: And I have a heart for the kind</p> <p>16 of services that you're doing. My only -- I guess</p> <p>17 my only thought on this is the seven years because I</p> <p>18 do think it sets a bad precedent, you know, for</p> <p>19 other people coming in asking for special exemptions</p> <p>20 and things, so the suggestion about the two-year and</p> <p>21 coming back for a five-year, I see that as being</p> <p>22 more reasonable, and it gives the commission and the</p> <p>23 City of Gladstone, in my opinion, time to kind of</p> <p>24 measure what's going on without it being the stress</p> <p>25 of this, you know, we're going to have to put up</p> | <p style="text-align: right;">28</p> <p>1 CHAIR EBENROTH: It does, and then to</p> <p>2 follow up on that is what type of security do you</p> <p>3 have on the premises?</p> <p>4 MS. MCINTIRE: Uh-huh, so we have cameras</p> <p>5 that record around all the buildings on campus. We</p> <p>6 do have the on-site manager that Austin mentioned</p> <p>7 that will continue to be there just to unlock</p> <p>8 buildings, to put out fires, if there are any,</p> <p>9 haven't had to do that, but just for extra security,</p> <p>10 and that's what we have at this point.</p> <p>11 CHAIR EBENROTH: Okay.</p> <p>12 MS. MCINTIRE: She (indicating) has a</p> <p>13 question, I think.</p> <p>14 CHAIR EBENROTH: Yes.</p> <p>15 MS. MIDDLETON: I appreciate the number of</p> <p>16 people that come out to show support. That's</p> <p>17 awesome. My two questions are mainly for staff</p> <p>18 (indicating).</p> <p>19 Can you remind me what the City decided on</p> <p>20 the short-term housing when we had talked about</p> <p>21 that?</p> <p>22 MR. GREER: I -- she asked what we had</p> <p>23 determined on the short-term housing, which was</p> <p>24 earlier in the year. That only addressed hotels,</p> <p>25 motels, and then extended-stay motels.</p> |
| <p style="text-align: right;">27</p> <p>1 with something for seven years, so that's my only</p> <p>2 comment. I don't agree with the seven-year.</p> <p>3 CHAIR EBENROTH: I, again, would like to</p> <p>4 thank you and all the folks coming today to comment.</p> <p>5 We'll get to that in just a minute here, but I</p> <p>6 myself feel the same way. When I first looked at</p> <p>7 this, I thought seven years was kind of an excess</p> <p>8 since we haven't done that in the past, so I kind of</p> <p>9 tend to agree that the two-year with the five-year</p> <p>10 renewal would probably be the best way to go.</p> <p>11 The other thing, how many people do you</p> <p>12 serve on an ongoing basis on a daily basis, would</p> <p>13 you say?</p> <p>14 MS. MCINTIRE: That's -- so we're not --</p> <p>15 certain programs are open certain days, so on a</p> <p>16 daily basis, you're going to have a high influx of</p> <p>17 peoples on the days that our food pantry and our</p> <p>18 wardrobe and our academy are open, and that's</p> <p>19 usually Tuesday, Thursday, Saturday. On a monthly</p> <p>20 basis we serve 1,100 households through the food</p> <p>21 pantry and about 200 a month on the wardrobe, and</p> <p>22 the academy is come and go, but we have about 200</p> <p>23 something students enrolled, but probably 50 or 60</p> <p>24 are really active, so I don't know if that puts it</p> <p>25 in good perspective for you.</p> | <p style="text-align: right;">29</p> <p>1 MS. MIDDLETON: So it doesn't apply?</p> <p>2 MR. GREER: No, ma'am.</p> <p>3 MS. MIDDLETON: Okay. My other question,</p> <p>4 how does the state ruling on local control affect</p> <p>5 this?</p> <p>6 MR. GREER: I wouldn't want to mislead</p> <p>7 you. Lawyers throughout the state are still trying</p> <p>8 to figure that out. I don't believe it's definitive</p> <p>9 one way or the other since it just happened a couple</p> <p>10 of months ago, so I really don't know the answer to</p> <p>11 that, to be honest with you.</p> <p>12 MS. MIDDLETON: Thank you.</p> <p>13 MR. GREER: Thank you.</p> <p>14 MR. MURCH: 1662, I have home-based</p> <p>15 businesses, and it addresses an issue in a term in</p> <p>16 here, and this has been passed in the state of</p> <p>17 Missouri that prohibits the city from light sensing,</p> <p>18 setting hours for, you know, basically the city has</p> <p>19 no control over a business anymore. That is low</p> <p>20 impact, and that's the key words. There are low</p> <p>21 impact, and that's what the attorneys are trying to</p> <p>22 decipher out is what low impact means, so my peers</p> <p>23 here think this is not low impact.</p> <p>24 I'm not an attorney, so I would hate to</p> <p>25 guess at that, which leads me to ask a question that</p> |

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| <p style="text-align: right;">30</p> <p>1 I've asked before, and that is why are we addressing 2 special use permit from an R-1 or for an R-1 when 3 this -- we should be addressing this as a total 4 zoning change? 5 MR. GREER: Well, I think the answer to 6 that question is a special use permit was requested, 7 not a zoning change. I think, even from a 8 comprehensive planning standpoint, if you look 9 around the Englewood Road corridor, it's single 10 family residential. I can't recall, off the top of 11 my head, at least on the Gladstone side, what is 12 actually zoned commercial, you know, between North 13 Oak Trafficway and Antioch Road. 14 It's -- if I remember correctly, it's 15 almost all single family residential, so a zoning 16 change to commercial to whatever it would be that 17 would fit this type of use would be a little bit out 18 of the blue, but I think, in short, a special use 19 permit was -- considering we've done this 20 negotiation for a little over a year now, that was 21 probably the correct option to go to start. 22 MR. MURCH: For you folks that are here 23 that maybe don't know, a few weeks ago, the planning 24 commission was tasked over the last few years of 25 coming up with a new comprehensive plan to move</p> | <p style="text-align: right;">32</p> <p>1 basically, civic is a church, a 501, which you guys 2 are, and to me, it still begs the question; this is 3 far from being an R-1. 4 Why aren't we addressing this as being 5 something other than an R-1, mixed use or something 6 else? 7 MR. GREER: Is that a question for me? 8 MR. MURCH: That's a question for you. 9 MR. GREER: I don't have an answer for 10 you, Mr. Murch. 11 MR. MURCH: Can I address -- is Alan still 12 here? Alan, are you familiar with that? Do you 13 have input. 14 MR. GREER: Mr. Murch, please address your 15 questions to me. 16 MR. MURCH: I'm sorry. 17 MR. GREER: We don't have any further 18 comment. 19 MS. MCGEE: I had a couple questions. 20 First of all, thank you for coming. 21 MS. MCINTIRE: Uh-huh. 22 MS. MCGEE: So my first question is about 23 the six-foot privacy fence. The six-foot privacy 24 fence, so that I know that -- here, I can do this. 25 I know there has been a history with that fence and</p> |
| <p style="text-align: right;">31</p> <p>1 forward. It's called a comprehensive plan of 2022 2 (indicating). There's some community goals in 3 there. The first one is provide the highest quality 4 of life to everyone in our community, and it reads 5 on to some other ones. 6 This is on the city's website, so you can 7 reference that if you would like. In here is also a 8 map of future zoning or future land use, and there's 9 -- and in the future, as well as currently, maybe 10 there's some term definition changes in this new 11 plan than the old plan. It lists civics or civic 12 organization, and it lists low-impact housing, and 13 both of those are -- I can't quite tell, when I look 14 at the map, you know, in this small version because 15 there's a red and a blue, but there's a real big 16 blue, and that is civic. 17 Now, I don't think there's a civic zoning, 18 but if you look at low impact, it does refer to low- 19 impact residential, R-1, which is what this whole 20 area is low impact, yellow color. It references 21 civics as being a potential to be in that low -- or 22 low-impact residential area, so either way, whether 23 it's red or blue, again, I can't tell on the map, 24 it's categorized as low impact, and there's 25 definitions in here for low impact and civics, and</p> | <p style="text-align: right;">33</p> <p>1 past tenants, so I was very happy that it specifies 2 keeping up the property on both sides. I wondered 3 if you had started doing that and how it was going. 4 MS. MCINTIRE: Are you talking about the 5 white privacy fence? 6 MS. MCGEE: That faces the residential? 7 MS. MCINTIRE: Yes, yes. 8 MS. MCGEE: Yes. 9 MS. MCINTIRE: Yes, so that's still up 10 from when we came onto the property in relationship 11 with Englewood, so the previous tenant that put that 12 up, that's still there. We've been trying to 13 maintain the property around because it was not very 14 well maintained, so we've been clearing the back 15 side and doing some improvements to it. 16 There's still some improvements on the 17 fence. That's on our list that we've got to fix. 18 MS. MCGEE: But if those are planned to be 19 done? 20 MS. MCINTIRE: Absolutely, and the fencing 21 around our dumpster isn't done yet because we were 22 doing renovation work in a building, and there was 23 big equipment there that didn't need to be, so those 24 are the projects listed in that special use permit 25 that are on our -- on task to get done, and I think</p> |

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| <p style="text-align: right;">34</p> <p>1 in that special use permit, one of the guidelines 2 was that has to be done within a year, if I remember 3 correctly. 4 MR. GREER: I don't know if it was 5 specific to a year. 6 MS. MCINTIRE: We talked about it. Maybe 7 that was it, so -- 8 MS. MCGEE: Thank you, and so I've heard a 9 couple people mention the seven-year permit versus 10 the two-year plus the five-year permit, and then I 11 also heard you mention an agreement, and I don't 12 know if this is written anywhere but an agreement to 13 not pursue onsite housing for seven years -- 14 MS. MCINTIRE: Correct. 15 MS. MCGEE: -- but my question is if the 16 commission decides to go with a two-year permit with 17 a five-year permit in two years from now, does that 18 take that seven-year agreement back down to two 19 years? 20 MR. GREER: I'm not sure I understand your 21 question. The special use permit for, you know, 22 first off, city staff doesn't have an issue with the 23 two-year special use permit that you guys proposed 24 and Ms. McIntire agreed to, no problems on my side 25 with that. The special use permit tonight, the</p> | <p style="text-align: right;">36</p> <p>1 MS. MCINTIRE: Uh-huh. 2 MR. DAVIS: -- would you still want to be 3 in this facility; right? 4 MS. MCINTIRE: Absolutely. 5 MR. DAVIS: Okay. So it would be a 6 question, right, seven years from now, you're still 7 not able to do that ten years, you're still not able 8 to do that -- 9 MS. MCINTIRE: Well, that's why we're 10 pursuing it on the Kansas City side instead. That's 11 why -- 12 MR. DAVIS: Is that the Northmoor? 13 MS. MCINTIRE: No, it's not the Northmoor. 14 MR. DAVIS: Okay. Cool. Good to know. 15 CHAIR EBENROTH: Seeing no more questions, 16 I'm going to open the public meeting here for those 17 that are in favor of this. We need you to step up 18 to the podium, state your name and address, and 19 please keep your comments brief because there's 20 quite a few people that want to talk tonight. 21 MR. HICKMAN: I'll go first. All right. 22 Distinguished committee, commissioners -- 23 CHAIR EBENROTH: Name and address? 24 UNIDENTIFIED VOICE: Sorry. Better? Dave 25 Hickman, 7307 North Euclid Avenue, Gladstone,</p> |
| <p style="text-align: right;">35</p> <p>1 conditions that are listed there, that would lock 2 them in for two years. 3 Once that expires and then they're up for 4 three or five or seven years or whatever's decided 5 on next, that would be a negotiation that starts 6 between city staff and Ms. McIntire for the second 7 special use permit that would be potentially 8 granted. 9 MS. MCGEE: So it would lock it in for two 10 years, and after that there's just uncertainty? 11 MR. GREER: Yes. 12 MS. MCGEE: Okay. Thank you. That's all 13 I had. 14 CHAIR EBENROTH: Okay. Any further 15 questions? 16 MR. DAVIS: I do have one. 17 CHAIR EBENROTH: Thank you. 18 MR. DAVIS: It's just a piggyback off of 19 -- and it's just a piggyback off her question is if 20 this moves to a two-year, which it sounds like it's 21 going to, and your intent is to have people to stay 22 the night, if desired or needed -- 23 MS. MCINTIRE: Uh-huh. 24 MR. DAVIS: -- and let's say they don't 25 agree with that --</p> | <p style="text-align: right;">37</p> <p>1 Missouri, just down the street here, a short four- 2 minute drive. I just have a couple comments I 3 wanted to add. 4 I'm a lifelong Northland resident and 5 proud Gladstone citizen. I've been honored to raise 6 my four children in this community and actively seek 7 out ways to show them the significance of kind 8 gestures. Every week for the last five years, my 9 family and I have been providing meals, clothing, 10 and kindness to those in the area. 11 I was raised it is our moral 12 responsibility to help the vulnerable members of our 13 society. In 2012 Shaun Donovan, secretary of the 14 U.S. Housing and Urban Development, stated between 15 shelter and emergency rooms and jails, it costs 16 about \$40,000 a year for a homeless person to be on 17 the streets. A 2017 study by the RAND Corporation 18 examined the examined the effect of houseless focus 19 nonprofits on the Los Angeles County. 20 The results were staggering. Across all 21 services examined, the cost for public services for 22 individuals who received aid previous year had 23 declined by nearly 60 percent. Helping those less 24 fortunate not only makes moral sense, it makes 25 financial sense.</p> |

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| <p style="text-align: right;">38</p> <p>1 A couple years ago myself and a small 2 group of like-minded citizens had the good fortune 3 to join forces with Attorney Boyd, and I've been 4 amazed by the incredible work they do to help the 5 community. ATP not only provides basic human needs 6 like food and clothing, but they also provide a 7 sense of purpose and inclusion. Through the 8 academy, they empower teenagers and adults to 9 improve themselves and find employment. Through 10 back-to-school events, they prepare kids for the 11 school year by gifting them backpacks and necessary 12 school supplies.</p> <p>13 With the Guesthouse they offer a safe, 14 warm place during the day for those lacking 15 consistent shelter. What these all have in common 16 is the opportunity to be loved and to feel welcomed. 17 I, for one, am honored to have this group in our 18 hometown and believe they represent the best of 19 Gladstone.</p> <p>20 On the city's website under the city 21 government page, there are ten goals listed as 22 Gladstone vision. The very first one at the top of 23 the list reads, "Invested in becoming an even more 24 welcoming and inclusive community." By showing your 25 support for A Turning Point, you honor that goal.</p> | <p style="text-align: right;">40</p> <p>1 Turning Point is doing -- I don't want to go down 2 because it's religious.</p> <p>3 A Turning Point is doing the very best to 4 keep the problem from getting worse. The problem's 5 not going to go away. The problem is only going to 6 get worse as things go on.</p> <p>7 A Turning Point is working to keep more 8 families from going hungry, to keep more children 9 from being cold in the winter. That is the purpose 10 of A Turning Point. I think that's very consistent 11 with Gladstone's goal of being a good place, being 12 known as a nice place, and if you want to be known 13 as a nice place, forgive me, but actions speak 14 louder than words.</p> <p>15 Also, I spent a long time on the board of 16 zoning appeals, and with regard to the seven-year 17 issue -- and I'm not interfering with anyone's 18 agreement here tonight -- I point out that the 19 conditions on the zoning variance are amazingly 20 unusual, amazingly restrictive. We don't have to 21 worry about setting a bad precedent because, first 22 off, the variance is nontransferable. The variance 23 leaves when A Turning Point leaves.</p> <p>24 We're not going to have to deal with a 25 commercial entity coming in. Similarly, with the</p> |
| <p style="text-align: right;">39</p> <p>1 I, for one, am proud of Gladstone to see 2 the significance of this mission and hope to work 3 towards that with you. Thank you.</p> <p>4 CHAIR EBENROTH: Thank you. Anyone else 5 in favor?</p> <p>6 MR. YOUNG: Hello. I'm Dan Young. I live 7 at 4200 Northeast 63 Terrace. Sorry about my voice. 8 I know some of -- I know some of you. I 9 served the city for about 20 years in various 10 capacities. During that whole time the city was 11 searching for an identity.</p> <p>12 What's our selling point as a city? If 13 you recall, we went through Gladstone on the move, a 14 long time ago. We tried an arts center.</p> <p>15 The fact is we had it all along. We're a 16 city of really nice people, goodhearted people. We 17 have excellent city services.</p> <p>18 We take care of our people. That is the 19 selling point of Gladstone. It is a good, kind 20 community.</p> <p>21 The problem is here. The problem of 22 homelessness, the problem of poverty. It isn't 23 Gladstone.</p> <p>24 Please make no mistake about that. A 25 Turning Point isn't attracting the problem. A</p> | <p style="text-align: right;">41</p> <p>1 zoning, R-1 has always included church. R-1 has 2 always included schools. This is an extension of a 3 ministry. It may not be formally a church, but it's 4 definitely an extension of a ministry, so that's all 5 I have to say.</p> <p>6 Again, I've been here for a long time, and 7 I think this will help our community.</p> <p>8 CHAIR EBENROTH: Thank you.</p> <p>9 MR. WEBB: Good evening. My name is 10 Michael Webb. I live at 6232 North Normandy in 11 Gladstone. My wife, Stephanie, and I have been here 12 for 23 years.</p> <p>13 We raised both our children in Gladstone. 14 We're very proud Gladstone residents and love our 15 city. We've also been members of Englewood Baptist 16 Church for 23 years, and as a part of the leadership 17 team for that church, I was one of the folks that 18 helped plan and negotiate the transfer of ownership 19 to A Turning Point, mainly because the folks at 20 Englewood believe so strongly in the mission and 21 vision of ATP that we thought it was critical that 22 they have the space to grow.</p> <p>23 Most of what ATP is doing on the campus, 24 Englewood has done on that campus for more than 60 25 years. There's not a whole lot new going on. Food</p> |

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| <p style="text-align: right;">42</p> <p>1 pantry services, clothing services, social service 2 referrals, helping people find a place to stay, 3 those are all things that Englewood has done since 4 the 1960s, so the new part that we might think about 5 is the Guesthouse services and the educational 6 program, and I am having technical difficulties with 7 my tablet, so I've lost my script. 8 (Laughter) 9 MR. WEBB: Ultimately, the most ironic 10 thing is I'm an IT guy, so I'm the guy you call. 11 Bear with me. 12 MR. MARKENSON: Any kids here? 13 MR. WEBB: Anybody under 15? I'll wing 14 it. My interest, my belief in the services that ATP 15 offers comes from my religious background. My 16 passion for the services they offer comes from my 17 personal experience. 18 When I was a young man, a teenager, my 19 father's persistent illness caused my mother and my 20 sister and I to be houseless on a number of 21 occasions. We were very fortunate that we had 22 friends in our community, in our church, and in the 23 Kirkwood, if you're familiar with Kirkwood, 24 Missouri, very much like Gladstone, that would allow 25 us to couch surf so that we didn't end up on the</p> | <p style="text-align: right;">44</p> <p>1 Mahatma Gandhi once said that you can 2 measure the value of the community by how it treats 3 its most vulnerable members. ATP is treating the 4 most vulnerable members of our community with the 5 most dignity and help and support that they can. 6 I think it's in the best interest of the 7 Gladstone community, for the Northland community as 8 a whole, for all of us to recognize that poverty and 9 need has no boundary and that it's in our best 10 interest to help those that are most vulnerable. 11 Thank you. 12 CHAIR EBENROTH: Thank you. 13 MR. WEBB: And my tablet came back on. 14 (Laughter) 15 MS. PARSON: My name is Rachel Parsons. I 16 live at 4200 North 63 Terrace, Gladstone. We've 17 lived in Gladstone for over 26 years. 18 When the tornado hit our house was 19 demolished, mostly. Gladstone stepped in and 20 helped. There were people there. 21 We feel like that's important as community 22 members to give back. A number of people raised 23 safety issues. I'm a volunteer and a board member 24 at A Turning Point. 25 I've been there all hours virtually every</p> |
| <p style="text-align: right;">43</p> <p>1 streets. We knew every food pantry in town. 2 We got help for school supplies and 3 activities. I got scholarships to go to summer 4 camp. There were an awful lot of people giving in 5 our community that made that happen. 6 Frequently, when we think about 7 homelessness or houselessness or people that need 8 help because of poverty, we think about folks that 9 are drug addicted, alcohol addicted, have criminal 10 backgrounds, things of that nature. That is simply 11 not the complete picture of poverty and 12 homelessness. The real picture of poverty and 13 homelessness include single parents who struggling 14 to raise their children, grandparents who are 15 raising their children's children, people on fixed 16 income that can't pay their bills and stop by our 17 food pantry, so those are the folks that ATP are 18 helping the most. 19 Many of us believe that the poor will 20 always be with us. I fundamentally reject that. 21 These are problems that can be solved, and in the 45 22 years I've been engaged in volunteer activities to 23 help people in poverty and people that are 24 houseless, I've never seen an organization that does 25 this as well as ATP does it.</p> | <p style="text-align: right;">45</p> <p>1 day. I've never felt unsafe. I've never felt 2 threatened by anyone that was getting services. 3 I'm not aware of anyone who's felt unsafe 4 or threatened. You can ask any of the volunteers 5 here, and they would have the same position. 6 I'd also like to raise an issue that you 7 can confirm with the North Kansas City School 8 District. I volunteered at various schools when my 9 kids were in grade school, excuse me, middle school, 10 Chapel Hill, Antioch, and Winnetonka. Now we're 11 back in Oak Park, but at all of those schools, there 12 were children in need. 13 Even my children, now in their 20s and 14 30s, even back then, there were children in severe 15 need, but there wasn't A Turning Point. There were 16 smaller organizations that tried their best to help. 17 A Turning Point in Gladstone gives an opportunity 18 for those children to get even more help. 19 They're not easily identified. Schools 20 direct them to A Turning Point. I think Cathy could 21 tell you. 22 She gets referrals from counselors for 23 children in need, families in need, food, clothing. 24 It's very important that Gladstone continue and 25 allow this essential service. Thank you.</p> |

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| <p style="text-align: right;">46</p> <p>1 CHAIR EBENROTH: Thank you.</p> <p>2 MS. KYLE: Good evening. My name is Myra</p> <p>3 Kyle. I live at 2651 Northwest Barry Road, Kansas</p> <p>4 City, Missouri, and what I want to share with you</p> <p>5 tonight is how -- if I can do it -- how incredibly</p> <p>6 proud I am to be a part of this organization. I've</p> <p>7 been a part of the organization since its inception</p> <p>8 when we were down in Riverside in Northmoor, and</p> <p>9 I've done various tasks for them in an attempt to</p> <p>10 find my niche.</p> <p>11 I feel like I've now found my niche after</p> <p>12 six years or so, and I'm a primary sorter of the</p> <p>13 clothing that comes in for the wardrobe.</p> <p>14 (Applause)</p> <p>15 MS. KYLE: Sometimes I think I need to</p> <p>16 wear gloves, but sometimes I just have a lot of hand</p> <p>17 sanitizer, but I do a lot of work there with the</p> <p>18 clothing, the sorting, the shuffling, and sorting</p> <p>19 what comes in. I love that. I love to work by</p> <p>20 myself.</p> <p>21 I might say I sometimes work better with</p> <p>22 two brains, but I like to work by myself, and this</p> <p>23 works for me. I've been there on the campus all</p> <p>24 kinds of hours on all kinds of days, and I feel</p> <p>25 safe.</p> | <p style="text-align: right;">48</p> <p>1 my simple skills. It just pleases me no end, and to</p> <p>2 have that facility available, for me, who doesn't</p> <p>3 have a life, to be able to go to.</p> <p>4 (Laughter)</p> <p>5 MS. KYLE: I can be at A Turning Point</p> <p>6 seven days a week, let me tell you. It was all</p> <p>7 kinds of things. I was sorting clothes today, but</p> <p>8 it's a unique opportunity in a place that needs a</p> <p>9 unique opportunity, and I just want to say thank you</p> <p>10 to the organization and to you people for</p> <p>11 considering us as a part of your community. I value</p> <p>12 you that. Thank you.</p> <p>13 CHAIR EBENROTH: Thank you.</p> <p>14 MR. POSPISIL: Good evening. Thank you.</p> <p>15 My name's Mike Pospisil. I live in Kansas City,</p> <p>16 Missouri, north, but I'm president of the board for</p> <p>17 A Turning Point, and I spend a lot of time in</p> <p>18 Gladstone.</p> <p>19 I felt kind of bad when Cathy was up here</p> <p>20 answering questions that were directed at her with</p> <p>21 issues that kind of I dealt with Austin on. I just</p> <p>22 want to kind of come clean about the seven year</p> <p>23 deal, how we arrived at that, and a good question</p> <p>24 about why'd you spend so much money before you had</p> <p>25 the zoning.</p> |
| <p style="text-align: right;">47</p> <p>1 The other thing that I do -- and I'm so</p> <p>2 proud of the fact that they offer this service --</p> <p>3 the academy is unique. Anyone I have shared that</p> <p>4 program with over the city, over the last five</p> <p>5 years, has never heard of a program like the</p> <p>6 academy, in which you can acquire your high school</p> <p>7 diploma, not a GED, your high school diploma, and</p> <p>8 there is a difference in the big, wide world whether</p> <p>9 you have a GED or a high school diploma, I guarantee</p> <p>10 it, so that's a unique program, and I am privileged</p> <p>11 to teach in that program because students frequently</p> <p>12 need an elective class.</p> <p>13 We provide all the academics that they</p> <p>14 need, but they need an elective. I provide an</p> <p>15 elective by teaching a landscaping class and by</p> <p>16 teaching sewing classes, and I cannot tell you how</p> <p>17 incredibly proud I am to see the self-esteem of</p> <p>18 these students as they come out of my little, tiny</p> <p>19 class of six hours of something. They have</p> <p>20 accomplished something, and their self-esteem is</p> <p>21 just sky-high.</p> <p>22 Sometimes I can get them a sewing machine,</p> <p>23 and they can make that a business. I did it as a</p> <p>24 business for ten years. It's a life skill, and they</p> <p>25 are so proud of the little thing that they did with</p> | <p style="text-align: right;">49</p> <p>1 The seven years, the reason we thought for</p> <p>2 seven years, I know get pigs get fat and hogs get</p> <p>3 slaughtered, we're not trying to do something</p> <p>4 that's, you know, outrageous here, but we have spent</p> <p>5 hundreds of thousands of dollars on the facility,</p> <p>6 and more importantly, money we spent, it's not like</p> <p>7 we're a restaurant where we open our doors, and if</p> <p>8 somebody comes, they like the burgers, they'll come</p> <p>9 back; if not, they'll leave; years later, you wrap</p> <p>10 up, and you go home.</p> <p>11 We've got partnerships with Harvesters.</p> <p>12 We've got partnerships with churches all across the</p> <p>13 Kansas City area, even Johnson County. We've got</p> <p>14 corporate sponsors for our fund-raising events, like</p> <p>15 Blue Cross & Blue Shield.</p> <p>16 Quite frankly, it's hard to raise money</p> <p>17 and keep going if you're looking at a one year and</p> <p>18 another one year and another whatever it would be,</p> <p>19 so that's kind of how we arrived at the let's see if</p> <p>20 we can do seven years. Now, again, we'll gladly</p> <p>21 take whatever you give us, but that's kind of how we</p> <p>22 arrived at it.</p> <p>23 The second point, the very good issue is</p> <p>24 why did you spend so much money before you got the</p> <p>25 zoning. We've heard a lot about Englewood Baptist</p> |

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| <p style="text-align: right;">50</p> <p>1 Church. They were here first, and like Mike said, 2 being, we're doing nothing that they weren't already 3 doing, with the exception of the Guesthouse and the 4 diploma program, so we're just kind of picking up 5 where they left off. 6 When we started communicating with them 7 about partnering together, COVID came. It was just 8 a mess. Everything was a mess for many years. 9 The money we spent on the property though 10 is going to need to be spent one way or the other 11 because if we don't provide these services, somebody 12 else like Englewood's going to, so the money we put 13 into it was for a new parking lot. It was 14 absolutely trashed. We put new lighting in. 15 We've redone -- we've gutted an entire 16 building and redid the building inside where our 17 food pantry's at. We have a gymnasium there. The 18 gymnasium had a tree fall on it, and so you can't 19 just leave it there. 20 Whoever's going to have this property 21 later on, it's got to be fixed, right, so we put all 22 this money into it to keep this as a going concern, 23 knowing that we're working with Gladstone to try to 24 go forward as A Turning Point, but Englewood was 25 always our partner in this as well.</p> | <p style="text-align: right;">52</p> <p>1 I think, and I don't think there's been any crime 2 that's been reported. 3 We have all new lighting. We have 4 security a system. We'll do whatever it is to keep 5 everybody safe, and that's our utmost goal, but I 6 don't see safety being an issue. 7 Like Rachel said, she's been there all 8 hours of the night. I've had my daughters volunteer 9 there. My wife volunteers there. 10 I've had my niece, who's in high school, 11 volunteer there. We've had a bunch of high school 12 kids across the metropolitan area that will 13 volunteer on Saturdays to get credits or points for 14 whatever, and everybody feels safe. I can't tell 15 you enough that I don't think that's going to be an 16 issue. 17 Finally, the last thing is I invite all of 18 you, if you haven't already -- I know some people 19 have -- come by and take a look and see what we're 20 doing. Come by this Saturday with the food pantry; 21 it's amazing. I was just there a few weeks ago. 22 The feeling you get when some people -- 23 some people are happy. They're crying; they're sad. 24 It's the worst times of their life. 25 It's the best times of their life, but</p> |
| <p style="text-align: right;">51</p> <p>1 Last question, somebody asked about why 2 are we not doing a complete rezoning as opposed to a 3 special permit. I'm not sure, Austin, but I think 4 part of the property that is now part of the campus 5 has operated as a special use permit for quite some 6 time. Where the gymnasium is used to be a dance 7 studio. 8 I think it was called Creative Arts 9 Academy. It's my understanding that they operated 10 under a special use permit for years, and they did a 11 good service, and there was no problem with the 12 community. I don't think anybody ever had a problem 13 with it, got along great, so I expect the same here. 14 Last thing I want to talk about is safety. 15 I was shocked to hear there was increased crime in 16 Northmoor. I've been at A Turning Point for many 17 years. 18 I never heard that. I'm going to look 19 that up, but I will say we've got no complaints 20 since we started working with Englewood Baptist 21 Church. I think Englewood Baptist Church will 22 probably tell you, too, that the entire time that 23 that they've been providing the services with the 24 community garden, with the food pantry, with 25 clothing, the citizens of Gladstone appreciate that,</p> | <p style="text-align: right;">53</p> <p>1 everybody appreciates what we're doing for 2 Gladstone. We want to help Gladstone, and I think 3 it's a great thing if you could come take a look. I 4 think it would open your eyes a lot, so thank you. 5 CHAIR EBENROTH: Thank you. 6 I'm going to take a few more, and then 7 we'll move on. 8 MR. MCELROY: My name is Cody McElroy. I 9 live at 4 Northwest 72 Street, Apartment D. I'm 10 actually here for a different matter later this 11 evening, but hearing this, I think it's important to 12 remember the humanities that there are people who 13 are food insecure. 14 There are children who are living in 15 houses where they may not be getting full meals, men 16 and women, children who may not have heating, as we 17 are all in a nice, warm room, probably going to go 18 home to a nice, warm bed. I think it's important to 19 allow something like this to be enacted. I think 20 it's, to Mr. Murch's point, we do need to look at 21 maybe changing up zoning to allow more mixed use so 22 that we don't have to always sit here and figure out 23 give a two-year, five-year seven-year special use 24 permit. 25 So that -- and to the concern of crime, I</p> |

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| <p style="text-align: right;">54</p> <p>1 grew up in a rural area. I just know that people, 2 when they see people they don't know, will call a 3 little bit more, and so that usually is picked up as 4 an uptick in crime, so there probably will be an 5 uptick of Gladstone being responded, so we just need 6 to be able to make sure that they are well versed 7 and well interacting with this -- with A Turning 8 Point, but I think the access to food, to clothing, 9 and especially education services due to, you know 10 -- it was necessary, but COVID definitely did set 11 back a lot of schoolchildren in their education, and 12 I think this will be very important for them, going 13 forward, to achieve jobs that are going to be well 14 paying and allow them to step up, and furthermore, 15 that this is a starting point and that the city 16 should investigate ways to allow people to graduate 17 from food insecurity, from homeless insecurity -- 18 from home insecurity and to ways to achieve better 19 housing situation and to give back to the community 20 as they are able to improve and get better. Thank 21 you and have a good evening. 22 CHAIR EBENROTH: Anybody else? If not, 23 I'll ask for comments. Anybody who's opposed to 24 this? 25 Seeing none, we'll close the public</p> | <p style="text-align: right;">56</p> <p>1 stipulated conditions. 2 MS. LOWE: I second the motion. 3 MR. MURCH: Point of order, Chairman. 4 Austin, you refer to 1900 repeatedly in 5 here (indicating), opposed to 1900 and 1904. Is 6 that just an oversight? 7 MR. GREER: Yes, sir. 8 MR. MURCH: Thank you. Sorry. 9 MS. MCGEE: Mr. Chair? 10 CHAIR EBENROTH: I got a motion and 11 second. Now I'll ask for comments. 12 MS. MCGEE: I move to amend the motion 13 from two years to seven years, and if my motion is 14 seconded, then I would like a roll call on the 15 years. 16 MS. MIDDLETON: Second. 17 MR. DAVIS: Seconded. 18 CHAIR EBENROTH: We've got a motion and a 19 second to the original motion. Any comments on 20 that? If not, I think we'll do a roll call on that 21 one. 22 MR. GREER: Just to clarify, can you 23 clarify for us what exactly what you guys are voting 24 on, just for Angie and my sake and, I think, the 25 court reporter?</p> |
| <p style="text-align: right;">55</p> <p>1 hearing. 2 And have a roll call, please. Wait a 3 minute. I need the motion first. 4 (Sotto voce discussion was held.) 5 MS. MIDDLETON: Can I say something before 6 we make a motion or whatever? Personally, myself, 7 I'm not opposed to -- 8 CHAIR EBENROTH: They can't hear you. 9 MS. MIDDLETON: Personally, I am not 10 opposed to a seven-year deal. 11 CHAIR EBENROTH: Thank you. 12 (Audience: Good. Yay.) 13 (Applause) 14 MR. MURCH: Katie, I concur. I'm not 15 opposed to seven years either. 16 (Applause) 17 MR. MARKENSON: I'm opposed to seven 18 years. 19 (Laughter) 20 CHAIR EBENROTH: Would somebody like to 21 make a motion? 22 MR. MARKENSON: Mr. President, let's just 23 see how it flies. I move that we recommend approval 24 of a two-year special use permit, conditional use 25 permit for 1900 and 1904 Englewood with the</p> | <p style="text-align: right;">57</p> <p>1 CHAIR EBENROTH: I sure can. This is an 2 amendment to change the motion to seven years as 3 opposed to two years with the same stipulations. 4 It's an amendment to the original motion, so we have 5 to approve that first, and then we'll go back to the 6 original motion. Did I say that right? 7 MR. GREER: I'm so confused. I apologize. 8 So the original is seven years or -- 9 MR. MARKENSON: No, the original was two 10 years. 11 CHAIR EBENROTH: The amendment is for 12 seven years. 13 MR. GREER: So you are voting on a seven- 14 year special use permit? 15 CHAIR EBENROTH: Correct. Any comments? 16 All those in favor, we'll do a roll call, please. 17 MS. LOWE: Would you state the motion 18 again? 19 CHAIR EBENROTH: Sure. 20 MS. LOWE: That would be nice. 21 CHAIR EBENROTH: This is an amendment to 22 change the original motion from two-year permit to a 23 seven-year permit. 24 MS. LOWE: And that second one, it was 25 seconded?</p> |

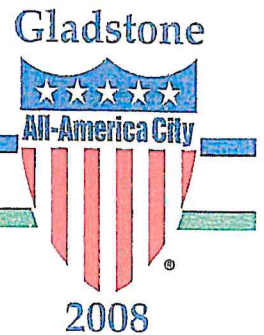
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| <p style="text-align: right;">58</p> <p>1 CHAIR EBENROTH: Yes. 2 (Sotto voce discussion was held.) 3 CHAIR EBENROTH: Roll call. 4 MS. DAUGHERTY: Chair Ebenroth? 5 CHAIR EBENROTH: Yes. 6 MS. DAUGHERTY: Mr. Davis? 7 MR. DAVIS: No. 8 MS. DAUGHERTY: Ms. Lowe? 9 MS. LOWE: No. 10 MS. DAUGHERTY: Mr. Markenson? 11 MR. MARKENSON: No. 12 MS. DAUGHERTY: Ms. Middleton? 13 MS. MIDDLETON: Yes. 14 MS. DAUGHERTY: Mr. Murch? 15 MR. MURCH: Yes. 16 MS. DAUGHERTY: Mr. Turnage? 17 MR. TURNAGE: Yes. 18 MS. DAUGHERTY: Ms. McGee? 19 MS. MCGEE: Yes. 20 MS. DAUGHERTY: How many -- so it's five 21 for and three no, so it passed. 22 CHAIR EBENROTH: So motion approved, so 23 the original motion will be amended to seven years, 24 so I need a roll call on that. 25 MS. DAUGHERTY: Chair Ebenroth?</p> | <p style="text-align: right;">60</p> <p>1 on the agenda is communications from the public that 2 are not part of tonight's agenda. 3 Yeah, give them a chance to clear out a 4 little bit. 5 MR. MCELROY: All right. Once again, my 6 name is Cody McElroy. I live at 4 Northwest 72 7 Street, Apartment D. 8 The other matter I was going to bring up 9 tonight is I know that your all's last session and 10 last city council meeting they were discussing the 11 hens and bees measure. I think the community raised 12 concerns of the limit of hens allowed to be kept and 13 that the chickens were not allowed to be free range 14 as in free range of the back yard as long as they 15 were fenced in appropriately, and I know some people 16 also brought up the fact that it was only for hens 17 and bees and didn't allow for other domesticated 18 fowl, so I didn't know if you had any thoughts or 19 the city council had brought it back to you on the 20 discussion for the hens and bees yet. 21 MR. GREER: I'll try to chime in here. 22 This is actually the first opportunity for us all to 23 get together since that city council meeting, so we 24 haven't been able to provide an update for yet that, 25 but we will do that.</p> |
| <p style="text-align: right;">59</p> <p>1 CHAIR EBENROTH: Yes. 2 MS. DAUGHERTY: Mr. Davis? 3 MR. DAVIS: Yes. 4 MS. DAUGHERTY: Ms. Lowe? 5 MS. LOWE: Yes. 6 MS. DAUGHERTY: Mr. Markenson? 7 MR. MARKENSON: No. 8 MS. DAUGHERTY: Ms. Middleton? 9 MS. MIDDLETON: Yes. 10 MS. DAUGHERTY: Mr. Murch? 11 MR. MURCH: Yes. 12 MS. DAUGHERTY: Mr. Turnage? 13 MR. TURNAGE: Yes. 14 MS. DAUGHERTY: Ms. McGee? 15 MS. MCGEE: Yes. 16 MS. DAUGHERTY: Seven yes, one no. 17 CHAIR EBENROTH: So the motion is 18 approved. Now I guess I'll close the public 19 hearing. 20 (Laughter) 21 (Applause). 22 CHAIR EBENROTH: If you didn't hear me, I 23 want to thank you all for coming. 24 (Laughter). 25 CHAIR EBENROTH: Thank you. Okay. Item 5</p> | <p style="text-align: right;">61</p> <p>1 MR. MCELROY: All right. Thank you. 2 CHAIR EBENROTH: Anybody else? If not, 3 we'll move on to Item 6, communications from the 4 city council. 5 UNIDENTIFIED VOICE: (Indiscernible.) 6 STENOGRAPHIC REPORTER: I can't hear you. 7 UNIDENTIFIED VOICE: We took the hen and 8 chicken or the hen, the bees. We did not take a 9 vote on that. There was lots of conversation that 10 evening regarding the number of chickens allowed, 11 and -- and whether or not ducks were included and, 12 as Cody mentioned, if they could be free range, free 13 range in the backyard, so there was enough 14 conversation and controversy about it that we did 15 not take a vote on it, so my guess is it will come 16 back to you. 17 Right? 18 MR. GREER: (Nodded) 19 MR. MARKENSON: The foremost expert on 20 bees. 21 UNIDENTIFIED VOICE: Austin has become the 22 foremost expert. 23 (Laughter) 24 MR. MARKENSON: He's renowned. 25 MR. GREER: As Police Chief Farris says,</p> |

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| <p style="text-align: right;">62</p> <p>1 I'm the chicken king.</p> <p>2 UNIDENTIFIED VOICE: I just wanted to</p> <p>3 thank all of you being here tonight and for your</p> <p>4 patience, and no other specific news councilwise</p> <p>5 except about the action we did not take that you all</p> <p>6 had given to us on the hens and the bees, but don't</p> <p>7 forget the mayor's Christmas tree. I know the</p> <p>8 mayor's still raising funds for three great</p> <p>9 organizations in the Northland, so don't forget</p> <p>10 digging into your pockets for that, and thank you</p> <p>11 again for your patience and all of your thoughts on</p> <p>12 this issue.</p> <p>13 CHAIR EBENROTH: Communications from the</p> <p>14 city staff?</p> <p>15 MR. GREER: I will just add one quick</p> <p>16 thing regarding the chickens and the hens. Given</p> <p>17 that conversation that happened at city council, it</p> <p>18 was great public input. It was awesome. Those</p> <p>19 people are a lot better at what they do than what I</p> <p>20 learned. That was quite obvious.</p> <p>21 I think city staff -- there were about</p> <p>22 four items that were really discussed, and after</p> <p>23 that meeting, we discussed it the next day, and</p> <p>24 three of those four items, city staff was okay with,</p> <p>25 not issues, so I would say for you guys just to be</p> | <p style="text-align: right;">64</p> <p>1 appreciate their participation. We served more</p> <p>2 people this year than last year.</p> <p>3 MS. MCGEE: I attended the city council</p> <p>4 meeting where the chicken and hen ordinance was</p> <p>5 discussed, and before I saw the crowd this night, I</p> <p>6 thought there were a lot of citizens that were</p> <p>7 engaged. I was overwhelmed by how many citizens</p> <p>8 came to this meeting tonight, and one thing that the</p> <p>9 mayor and the city council members said over and</p> <p>10 over was how good it is to have city -- to have</p> <p>11 citizen engagement in our processes, and so I just</p> <p>12 want to thank everybody who came tonight whether you</p> <p>13 talked or not. Citizen engagement is very important</p> <p>14 and we appreciate it.</p> <p>15 MS. MIDDLETON: I have two questions, so</p> <p>16 Les Smith was at one of our meetings. Can you</p> <p>17 remind me who he replaced?</p> <p>18 UNIDENTIFIED VOICE: Tom Crispen.</p> <p>19 MS. MIDDLETON: And my other question on</p> <p>20 the chickens, are we wanting more than six chickens;</p> <p>21 is that what the issue is or --</p> <p>22 MR. GREER: I think the city council was</p> <p>23 willing to allow more conversation on the topic, and</p> <p>24 I think they're open-minded to more than.</p> <p>25 MS. MIDDLETON: But it was a higher</p> |
| <p style="text-align: right;">63</p> <p>1 thinking about the number of hens above six that may</p> <p>2 be acceptable to you guys and if you have a really</p> <p>3 good idea what would that be. I think I'm going to</p> <p>4 discuss it at the December 19 meeting, but</p> <p>5 ultimately, three of the four things don't have to</p> <p>6 be an issue, but the number of hens will be the</p> <p>7 primary issue, or water fowl. I would say the</p> <p>8 combination of chicken, ducks.</p> <p>9 And one other thing, of photos with Santa</p> <p>10 and cookies, they'll be happening at the Atkins-</p> <p>11 Johnson Farm Museum on Saturday the 10th. I will be</p> <p>12 taking my son, so if you're ahead of me in line, it</p> <p>13 will be cool if you'll let me cut. That's all I</p> <p>14 have.</p> <p>15 (Laughter)</p> <p>16 CHAIR EBENROTH: Communications from the</p> <p>17 planning commission members, let's start on the end.</p> <p>18 MR. TURNAGE: Yeah, Mr. President, I'd</p> <p>19 like to say or express my appreciation. Today is</p> <p>20 the first day Northland Christmas store. We will be</p> <p>21 in operation Tuesday and Wednesday, and that will be</p> <p>22 it this week, but there were several, in fact, many</p> <p>23 employees of City of Gladstone, even members of the</p> <p>24 PC who were there working today, and I expect to see</p> <p>25 some more either Tuesday or Wednesday so greatly</p> | <p style="text-align: right;">65</p> <p>1 limitations not lower?</p> <p>2 MR. GREER: That's correct.</p> <p>3 MS. MIDDLETON: Okay. Thank you.</p> <p>4 CHAIR EBENROTH: I broke it.</p> <p>5 MR. MARKENSON: (Indiscernible.)</p> <p>6 MR. GREER: I don't think it technically</p> <p>7 has to, but I think city council would like to.</p> <p>8 MR. DAVIS: Why does it have to?</p> <p>9 MR. GREER: And one more thing to add to</p> <p>10 that, it has 6, but Kansas City allows 15, so there</p> <p>11 might be a number in between that satisfies</p> <p>12 everyone.</p> <p>13 MR. MURCH: The only comment I would have</p> <p>14 is directed at the folks tonight. Remember that we</p> <p>15 have, as a planning commission, have a more limited</p> <p>16 scope than the city council does in terms of making</p> <p>17 a decision, and the city council is actually the</p> <p>18 ones that have the final say on this, so you need to</p> <p>19 make sure that your audience is at that meeting as</p> <p>20 well.</p> <p>21 CHAIR EBENROTH: They need twice as many</p> <p>22 people.</p> <p>23 (Laughter)</p> <p>24 MS. MCINTIRE: Who are we going to put?</p> <p>25 UNIDENTIFIED VOICE: Go get them.</p> |

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| <p style="text-align: right;">66</p> <p>1 MR. MURCH: Mayor Pro Tem.</p> <p>2 MS. LOWE: I would just like to thank</p> <p>3 everybody for coming tonight. It is; it's a great</p> <p>4 democratic experience to have so much community</p> <p>5 input, and my second comment is concerning the</p> <p>6 poultry, and I really think it's very serious, and</p> <p>7 I'll be totally candid on this. I just believe it</p> <p>8 should be more than us haggling over 6 chickens or</p> <p>9 15 chickens.</p> <p>10 I think the ordinance itself should have</p> <p>11 more of a progressive tilt to it. What are other</p> <p>12 communities, not just Johnson County or some — the</p> <p>13 Missouri Conservation Department, they have</p> <p>14 recommendations. I could have done a deep dive, but</p> <p>15 they have recommendations on these sorts of things,</p> <p>16 and so I would just like to see more research.</p> <p>17 I'd like to see what somebody else is</p> <p>18 doing, what some of the scientific stuff is. I'm</p> <p>19 not asking you to rewrite the world, and I will take</p> <p>20 on the honors myself to do a little bit more</p> <p>21 research, but I believe it's just a bigger topic</p> <p>22 than 6 chickens or 15 chickens, or can people have</p> <p>23 ducks. I think it's a matter of lifestyle in the</p> <p>24 community and different neighborhoods and things, so</p> <p>25 that's my point. I'm going to do more research and</p> | <p style="text-align: right;">68</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 I, Melanie Engle, do hereby certify that I</p> <p>4 reported all proceedings adduced in the foregoing</p> <p>5 matter and that the foregoing transcript pages</p> <p>6 constitutes a full, true and accurate record of said</p> <p>7 proceedings to the best of my ability.</p> <p>8</p> <p>9 I further certify that I am neither related</p> <p>10 to counsel or any party to the proceedings nor have any</p> <p>11 interest in the outcome of the proceedings.</p> <p>12</p> <p>13 IN WITNESS HEREOF, I have hereunto set my hand this</p> <p>14 19th day of December, 2022.</p> <p>15</p> <p>16</p> <p>17</p> <p>18 /S/ Melanie Engle</p> <p>19 Certified Shorthand Reporter</p> <p>20 Kansas License No. 1699</p> <p>21 Expiration Date: June 30, 2023</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |
| <p style="text-align: right;">67</p> <p>1 bring it to the table at our next discussion also.</p> <p>2 CHAIR EBENROTH: Once again, I'd like to</p> <p>3 thank everybody for coming tonight. It was a large</p> <p>4 crowd, probably the largest we've had, but that is</p> <p>5 great.</p> <p>6 That's what it's all about. The one thing</p> <p>7 that hit me the most is the love and passion you all</p> <p>8 have for our community.</p> <p>9 MS. MCINTIRE: We do, so thank you for</p> <p>10 hearing that and seeing that. We appreciate you.</p> <p>11 CHAIR EBENROTH: If there's nothing else,</p> <p>12 I will adjourn the meeting.</p> <p>13 (TIME NOTED: 8:24 P.M.)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | |



All-America City



TO: Property Owners Within 185' & Other Interested Parties
FROM: Community Development Department
DATE: November 11th, 2022
SUBJECT: A Turning Point - 1900 & 1904 NE Englewood Rd.

PUBLIC HEARING

All persons are hereby notified that the Gladstone Planning Commission will conduct a public hearing on December 5th, 2022 at 7:00 PM in the Council Chamber of Gladstone City Hall on a request for a Special Use Permit at 1900 & 1904 NE Englewood Rd. legally described as 001900 NE ENGLEWOOD RD ENGLEWOOD BAPTIST CHURCH ADDIT ION REPLAT LT 2 LT 2A & 001904 NE ENGLEWOOD RD ENGLEWOOD BAPTIST CHURCH ADDIT ION REPLAT LT 2 LT 2B

Applicant: Cathy McIntire, Executive Director

Owner: A Turning Point

Subsequently, at its regular meeting of January 9th, 2023, at 7:30 PM, the City Council will conduct a public hearing on the same request.

In summary:

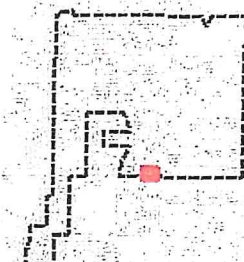
The organization A Turning Point provides the following services:

- Food Pantry
- Wardrobe Clothes Closet
- Education Academy
- Community Meals
- Day Center Services
- Community Meetings
- Support Groups
- Job Training Programs
- Gymnasium for recreation

If you have any questions or concerns, please contact Austin Greer, Community Development Director & Assistant To the City Manager at austing@gladstone.mo.us and/or 816-423-4102.



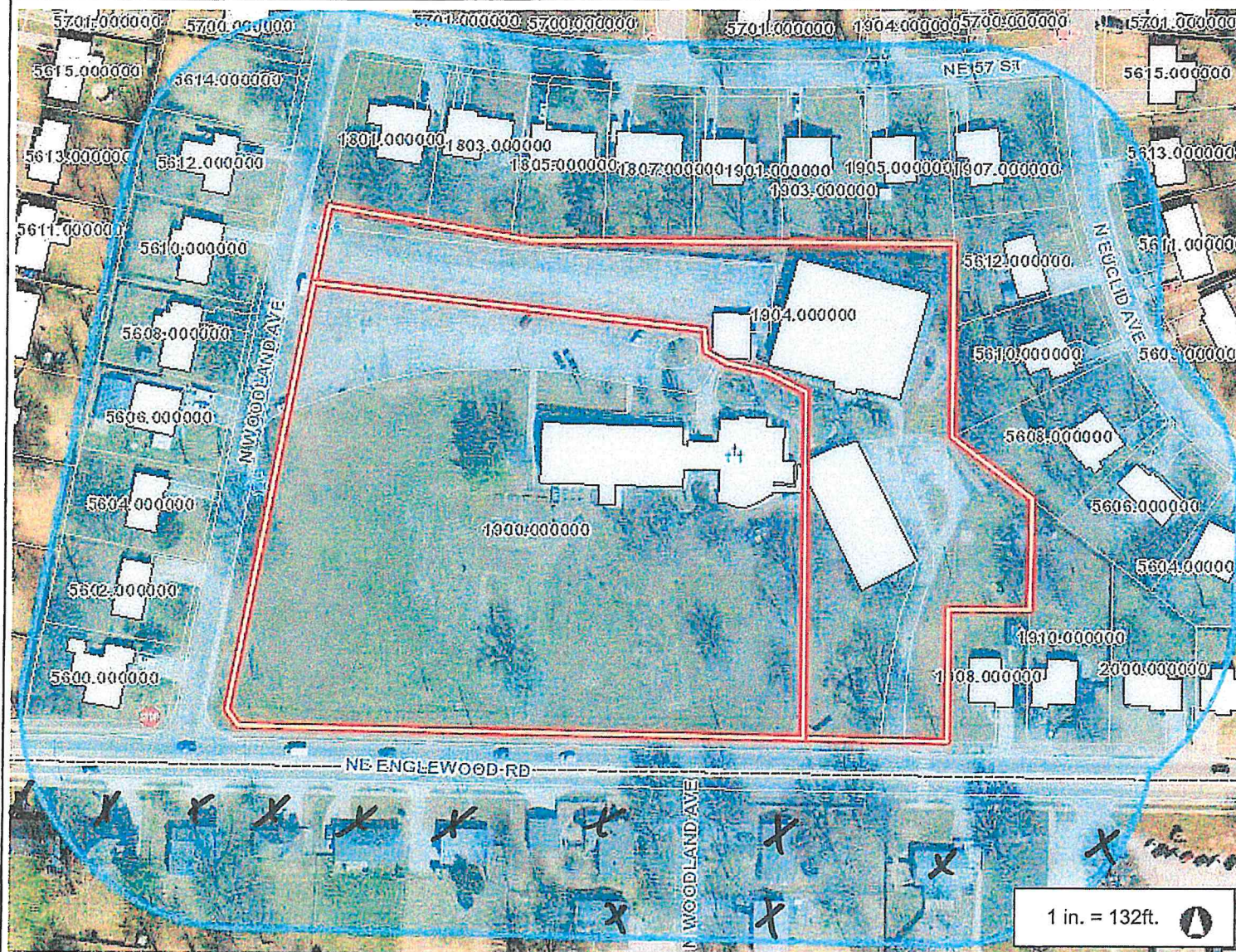
Gladstone, MO



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
- Building Footprint
- School Polygon
- City Park
- Villages
- Apartment Polygon

Notes



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

BILL NO. 23-

ORDINANCE NO.

AN ORDINANCE GRANTING A SPECIAL USE PERMIT SUBJECT TO CERTAIN CONDITIONS TO A TURNING POINT FOR THE PURPOSES OF OPERATING A SOCIAL SERVICES ORGANIZATION IN AN R-1 ZONING DISTRICT AT 1900 AND 1904 NE ENGLEWOOD ROAD.

WHEREAS, pursuant to Section 32-39 of Ordinance No. 2.292, being the Gladstone Zoning Ordinance, public notice was made of a request to grant a Special Use Permit on property located at 1900 and 1904 NE Englewood Road, and

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

WHEREAS, the Planning Commission of the City of Gladstone did submit its recommendation to the City Council for approval of such Special Use Permit requesting certain conditions as incorporated herein;

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

SECTION 1. SPECIAL USE PERMIT:

THAT, A Turning Point is hereby granted a Special Use Permit for operation of a social services organization on property located at 1900 and 1904 NE Englewood Road, the effective date of which shall be the enactment date of this Ordinance and expiring seven (7) years from this date, all subject to the terms and conditions set forth herein:

1. This Special Use Permit is to be issued to A Turning Point and to be used at this location only. If A Turning Point relocates, sells, or leases this location to another tenant, either A Turning Point or the other tenant(s) must reapply for a new permit. This Special Use Permit is non-transferable to another tenant occupying space at this location.
2. A Turning Point shall apply for and maintain all applicable State, County, and City business and occupational licenses; copy of such business and occupational licenses shall be provided to the Community Development Department.
3. Hours of operation for this location shall be limited to 7:00 am to 10:00 pm, Monday – Saturday; six days a week.
4. This Special Use Permit allows for the following uses at 1900 NE Englewood Road:
 - Food Pantry
 - Wardrobe Clothes Closet
 - Education Academy
 - Site to store, prepare, and load vehicles for the Community Meals outreach program
 - Day Center Services (Guesthouse)

BILL NO. 23-**ORDINANCE NO.**

- Services provided shall be shower and laundry facilities, hot meals, computer/internet access, and case management.
 - Hours of operation for these services shall be limited to Monday-Friday from 10:00 am to 2:00 pm.
 - Community Meetings
 - Support Groups
 - Community Garden
 - One (1) community garden not exceeding 3,600 sq. ft.
 - The Institute job training program
 - Gymnasium for youth sports leagues, practices, tournaments, performances, recreation, and educational activities.
5. All building and fire safety requirements shall be complied with and maintained as required.
 6. The six (6) foot privacy fence, as well as the property located north and south of the privacy fence (residential homes to commercial use), shall be maintained in perpetuity by the applicant.
 7. Signage shall follow all rules and regulations associated with all City of Gladstone sign ordinances. Landscaping approved by the Community Development Department shall be installed and maintained around the monument sign located adjacent to NE Englewood Road.
 8. 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 shall be approved by the Community Development Department.
 9. Trash service and commercial deliveries shall occur between the hours of 7:00 am to 10:00 pm.
 10. Dumpster enclosures shall be constructed with materials consistent with the primary building. Specific colors and materials shall be approved by the Community Development Department.
 11. Tractor-trailers, storage containers, RVs, campers, and commercial vehicles other than one (1) A Turning Point box truck shall not be parked or stored overnight on the premises. Storage containers shall not be stored on-site unless as part of a valid building permit.
 12. Overnight accommodations of any kind on the property are prohibited. However, this prohibition does not include temporary overnight stays not to exceed five (5) nights at a time of six (6) occasions per year by organizations performing mission work in and around the greater Kansas City area. This condition does not include the on-site manager position and his/her immediate family who reside on campus.
 13. Any false statements in the application or violation of these conditions or other City Code requirements may result in the cancellation of this Special Use Permit.

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 this ordinance.

BILL NO. 23-

ORDINANCE NO.

**INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE
CITY OF GLADSTONE, MISSOURI, this _____ day of _____, 2023.**

Bill Garnos, Mayor

ATTEST:

Kris Keller, City Clerk

1st Reading:

2nd Reading:

File #



Request for Council Action

RES ☐# City Clerk Only

BILL ☒# 23-02

ORD ☒# 4.620

Date: 1/4/2023

Department: General Administration

Meeting Date Requested: 1/9/2023

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

Subject: This ordinance declares that a municipal election for the City of Gladstone, Missouri will take place on Tuesday, April 4, 2023. Five individuals have filed for two available positions: Les Smith (incumbent), Tina Spallo (incumbent), Mike Ebenroth, Dr. Sarita Graham, and Cody McElroy. After adoption of this ordinance, the City Clerk will certify the names attached with the Clay County Board of Election Commissioners by the final certification date of January 24, 2023.

Background: N/A

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:

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

Scott Wingerson
City Manager

JM
City Attorney

AN ORDINANCE CALLING A GENERAL ELECTION FOR THE ELECTION OF TWO POSITIONS TO THE GLADSTONE CITY COUNCIL ON TUESDAY, APRIL 4, 2023; DESCRIBING THE FORM OF THE BALLOT AND DIRECTING THE CITY CLERK TO SUBMIT CERTIFICATION OF SUCH ELECTION TO THE CLAY COUNTY BOARD OF ELECTION COMMISSIONERS PURSUANT TO RSMo. 115.125.

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

Section 1. General Election Called.

A General Councilmanic Election shall be, and the same is hereby ordered to be held in the City of Gladstone, Missouri, on Tuesday, April 4, 2023, and the following candidate names shall be printed on the ballot in the order of the filing as the nominee for two Gladstone City Council positions as indicated:

FOR COUNCILMEMBER

Three Year Term

(Vote for Two)

Les Smith
Tina Spallo
Mike Ebenroth
Dr. Sarita Graham
Cody McElroy

Section 2. Notification.

The City Clerk is hereby directed to notify the Board of Election Commissioners of Clay County, Missouri, of the enactment of this Ordinance pursuant to RSMo 115.125.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 9TH DAY OF JANUARY, 2023.

Bill Garnos, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 22-03

ORD ☒ # 4.621

Date: 1/4/2023

Department: Parks & Recreation

Meeting Date Requested: 1/9/2023

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

Subject: North Kansas City Schools Operations Use Fee of the Gladstone Community Center

Background: The operations and use fee is to be reviewed and adjusted as necessary every five years pursuant the initial 2005 contract.

Budget Discussion: Upon analyzing current costs associated with the operations of the Natatorium, it has been determined by the Joint Board that a \$25,000 increase to the use fee is necessary to adequately maintain the facility.

Public/Board/Staff Input: The Gladstone Community Center/North Kansas City School Natatorium Joint Board reviewed and discussed the past five years of operations cost of the natatorium and came to an agreement that the annual operations user fee paid by North Kansas City Schools should be increased from \$175,000 to \$200,000. This adjustment is due to increased cost to operate the natatorium related to staffing, utilities, and repairs to the associated equipment and supplies to maintain the center.

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

Justin Merkey
Department Director/Administrator

JM
City Attorney

SW
City Manager

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADDENDUM TO THE COOPERATION AND USE AGREEMENT BETWEEN THE NORTH KANSAS CITY SCHOOL DISTRICT AND THE CITY OF GLADSTONE, MISSOURI, PROVIDING OPERATIONS FOR THE NATATORIUM COMPONENT OF THE GLADSTONE COMMUNITY CENTER.

WHEREAS, the City and the North Kansas City Board of Education entered into the Cooperation and Use Agreement for the Natatorium that was approved by the Board of Education on September 27, 2005; and

WHEREAS, that Agreement provided, among other terms, for the parties to provide operations of the Natatorium and to enter into an addendum to the Agreement of September 27, 2005, for that purpose; and

WHEREAS, the City and the North Kansas City Board of Education have concluded negotiations for the content of the Addendum to provide for the continued operations of the natatorium, which has been prepared in writing and is attached to this Ordinance in its final form; and

WHEREAS, the City Council finds that approval of the Addendum to the Cooperation and Use Agreement with the North Kansas City School District is in the best interests of the citizens of the City of Gladstone, Missouri.

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to enter into the Addendum to the Cooperation and Use Agreement between the City of Gladstone and the North Kansas City School District No. 74, in the form attached hereto, on behalf of the City.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 9TH DAY OF JANUARY, 2023.

Bill Garnos, Mayor

ATTEST:

Kris Keller, City Clerk

FOURTH ADDENDUM TO
COOPERATION AND USE AGREEMENT
BETWEEN

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

THIS ADDENDUM is entered into this ____th day of _____ 2023, and pursuant to Section 14 of the Cooperation and Use Agreement (the "Agreement"), the City of Gladstone (the "City") and the North Kansas City School District No. 74 (the "School District") mutually agree to amend the Agreement and pursuant to Section 16 of the Agreement hereby renew the Agreement for a consecutive five (5) year term upon the following additional terms and conditions.

1. Additional User Fee. The Joint Operations and Administration Board (the "JOAB") re-evaluated the Additional User Fees as set forth in Section 5. (b) of the Agreement and have determined that the One Hundred Seventy-Five Thousand Dollars (\$175,000) per calendar year paid by the School District according to the Second Addendum to the Agreement and during the second five (5) term is inadequate for the next five (5) year term. By mutual agreement of the parties hereto, the Additional User Fee is adjusted and increased to the amount of Two Hundred Thousand Dollars (\$200,000) per year for the third five (5) year term beginning on the execution date of this Addendum.

IN WITNESS WHEREOF, and pursuant to the authority granted them in Section 6.(g) of the Agreement, the Gladstone City Manager and the Superintendent of the North Kansas City School District No. 74 have caused this Addendum to be executed as of the date first written above.

[***signature page to follow***]

CITY OF GLADSTONE, MISSOURI

By _____

Scott Wingerson, City Manager

(SEAL)

Attest:

By _____

Kris Keller, City Clerk

NORTH KANSAS CITY SCHOOL DISTRICT NO. 74

By _____
President of Board of Education

(SEAL)

Attest:

By _____
Secretary of the Board of Education