



**CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 23, 2023**

The City Council will meet in Closed Executive Session at 7:00 pm, Monday, October 23, 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 and 610.021(2) Real Estate.

OPEN STUDY SESSION 7:15 PM

1. **2023 City Council Goals Update** - City Manager Baer will provide an update to the City Council's 2023 goals.

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 October 9, 2023, Closed City Council Meeting Minutes.
6. Approval of the October 9, 2023, Regular City Council Meeting Minutes.

- 7. PROCLAMATION: National American Indian Heritage Month**
- 8. 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.*
- 9. Communications from City Council.**
- 10. Communications from the City Manager.**
- 11. CONSENT AGENDA**

RESOLUTION R-23-69 A Resolution authorizing the City Manager to accept a proposal from Fitness First, Lenexa, Kansas, for the purchase of fitness equipment for the new Police Headquarters in the total amount of \$27,660.82.

RESOLUTION R-23-70 A Resolution authorizing the City Manager to execute a professional services agreement with Vireo, LLC in the total amount not to exceed \$43,500.00 for the planning and design of an off-leash dog park, Project CP2259.

RESOLUTION R-23-71 A Resolution authorizing the City Manager to enter into an agreement with Zoll Medical Corporation for the purchase of one Zoll X-Series Cardiac Monitor in the total amount of \$44,359.31.

RESOLUTION R-23-72 A Resolution authorizing the City Manager to execute a Master Services Agreement with ADP in the total amount of \$19,500.00 for the implementation of ADP Workforce Now Time and Attendance hardware and software, and \$46,482.00 in annual cost.

RESOLUTION R-23-73 A Resolution authorizing the City Manager to accept a proposal from Motorola Solutions for the purchase of Police In-Car and Body Worn Camera Systems, including all hardware, software upgrades, licensing fees and installation in the total amount of \$173,412.00.

RESOLUTION R-23-74 A Resolution authorizing the City Manager to accept a proposal from Spaces Inc. for the purchase of furniture and storage equipment, in the total amount of \$337,123.32 for use in the new Police Headquarters.

RESOLUTION R-23-75 A Resolution appointing Successor Directors to the Board of Directors of the Downtown Linden Community Improvement District.

RESOLUTION R-23-76 A Resolution appointing Successor Directors to the Board of Directors of the Linden Block 25 Community Improvement District.

CONSIDER FINANCIAL REPORT 6 MONTH ENDING JUNE 30, 2023.

REGULAR AGENDA

- 12. PUBLIC HEARING:** Marijuana Zoning Amendment.
- 13. FIRST READING BILL NO. 23-34** An Ordinance amending certain sections of the Code of Ordinances, City of Gladstone, Missouri regarding Zoning of Marijuana Facilities to conform with Article XIV of the Missouri Constitution.
- 14. FIRST READING BILL NO. 23-35** An Ordinance concerning residency and qualification for office requirements for Municipal Judges.
- 15. Other Business.**
- 16. Adjournment.**

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

City Clerk Kris Keller
City of Gladstone
7010 North Holmes
Gladstone, MO 64118
816-423-4096

Posted at 2:10 pm
October 19, 2023



Department of General Administration
Memorandum RMB 23-03

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

FROM: Robert M. Baer, City Manager

DATE: October 17, 2023

SUBJECT: 2023 City Council Goals Progress Report

Please find the following update on the 2023 City Council goals. This update attempts to highlight primary efforts toward each goal and serve as a starting point for the upcoming goal setting session.

Keep Gladstone as a safe place with a focus on crime reduction, traffic enforcement, and the recruitment and retention of high-quality police officers, firefighters, and EMS personnel.

Calls and interactions with a mental health component have continued to rise nationally and Gladstone is no exception. These types of calls often involve repeated interactions with individuals; often multiple times per day and per year. Unfortunately, Police and Fire/EMS personnel are often the first to respond or interact with these individuals and these situations can be very time-consuming with little, if any, long-term solution to the underlying mental health problem.

During the last year, the Police Department has cooperatively worked with representatives from Tri-County Mental Health to develop a plan to embed a mental health clinician within the department. The belief was that timely and focused intervention by someone specifically trained in mental illness and possessing the ability to access the correct resources could potentially decrease the number of calls for service by proactively addressing the underlying issue. The Police Department assigned an officer to coordinate the referrals and co-respond with the clinician if in-person visits were warranted. Additionally, Community Development assigned a Code Enforcement Officer to the internal team to help identify individuals they are often faced with who could also benefit from mental health services. The multi-department approach has proved to be extremely valuable as we learned that repeated code violations and property

maintenance issues are often a result of mental illness, which we now understand can present in a variety of different exhibited behaviors. The success of this team approach was almost immediate and resulted in many individuals obtaining the treatment and counseling they needed rather than being recycled through the Criminal Justice, EMS, and Emergency Room systems.

The immediate success of this approach gained the attention of executive-level staff at North Kansas City Hospital, who also have felt the impact of a rise in mental health patients as they struggle with finding solutions to their Emergency Room being overwhelmed with these calls, often by the same repeat patients being dealt with and transported by our officers and EMS personnel. Using the same framework and structure from our partnership with Tri-County, North Kansas City mental health professionals were incorporated into the plan and now provide social work/clinician services to the Police Department three (3) days per week as part of our response team. With the opening of the new police headquarters, office space has already been identified to locate our partners from TCMH and NKC Hospital to ensure they have secure and private space to conduct their business.

City leadership believes that the public/private partnerships we are building are key to handling the increase in mental health interactions. A major recommendation by the citizen-based group Gladstone: Shaping Our Future involved increasing our ability to address the growing mental health crisis within our community. To date, there are no other cities in our region that have established and formalized these partnerships through Memorandums of Understanding (MOU) and we believe Gladstone has created a model for others to follow.

Another major component to addressing crime reduction was the implementation of the Flock License Plate Reader (LPR) system. This new tool has allowed staff to utilize modern technology to help police our streets. The saying that “there is never a police officer around when you need them” is true in that we cannot be everywhere at one time; however, LPR readers strategically placed throughout the City are always on duty and this year alone have resulted in 67 arrests and the recovery of 32 stolen vehicles with an estimated total value of \$483,150. Our goal is to send the message “if you plan to commit crimes, stay out of Gladstone”.

Directly tied to our ability to proactively patrol our community and respond to Fire/EMS emergencies is the ability to recruit and retain staff. While we have had some separations from both Fire/EMS and the Police Department over the last year, we are in a significantly stronger position than we were a year ago. Last year at this time, the Police Department had approximately ten (10) open police officer positions compared to five (5) at this point, while the Fire/EMS Department now only has two (2) open positions. With cooperation from the Human Resources staff, the hiring process has been streamlined, allowing the hiring of employees to take weeks rather than months to complete.

The increased level of law enforcement staffing has resulted in an increase in officer productivity to include traffic enforcement. From January 1 to mid-September 2023, there has been a 53% increase in traffic stops, a 15% increase in citations written, and a 99% increase in warnings issued compared to all of 2022. In addition to traffic enforcement, other self-initiated arrests have increased 28% in that same period when compared to all of 2022, mainly due to the number

of Flock LPR alerts received. It is no coincidence that as officer activity goes up, crime goes down in many categories due to the increased visibility and criminal interdiction.

As an important factor to employee retention, the investment in Police and Fire/EMS equipment and facilities has been a priority this past year. All Fire / EMS vehicles have been replaced or are on-order (\$2.7M), Fire Station #2 has been expanded and remodeled (\$5.5M), the new Police headquarters will be completed by November 2023 (\$14.5M), and a new co-located dispatch center has been significantly upgraded and expanded (\$1M); this represents nearly a \$24 million-dollar investment in emergency services in the last two (2) years. Finally, to insure that all fire apparatus and ambulances are reliable and in premium condition moving forward, the 3% recreational marijuana sales tax that passed in April 2023 by overwhelming voter approval, will be used to fund a vehicle replacement schedule that refurbishes an ambulance every 2.5 years and replaces a fire engine every five (5) years.

Continue implementation of parks, cultural arts, facilities, streets, sidewalks, stormwater, distribution and production of water systems, and comprehensive master plans.

The new Comprehensive Plan has been completed, adopted by City Council, and has helped guide City Staff, Planning Commissioners, and City Council on recent development throughout the city.

Parks, Recreation, and Cultural Arts staff have been proactive in managing projects, including the Happy Rock Softball Complex playground equipment replacement as well as both shelters at Oak Grove Park, elevating the appearance of the City's parks. Permanent artwork continues to be expanded with an additional temporary piece in place this past year as well as the beginning stages of another permanent piece to be installed at Oak Grove Park in the Spring of 2024. Gladstone trails have been expanded and improved this past year with work accomplished at Happy Rock Park by widening the trail to accommodate cyclists and pedestrians and an additional ramp at Happy Rock Park East for bikes and wheelchairs at the request of Councilman Garnos.

This year, the City of Gladstone was awarded \$4.3 million in Federal grants through MARC to be used on improvements to the North Oak corridor, from approximately NE 69th Street to NE 72nd Street. Public Works staff continued to work with Confluence, helping establish a vision for integrating new pedestrian and multimodal facilities into the North Oak corridor and the Downtown Gladstone area. Confluence and members of City Staff spent a significant amount of time meeting with residents, business owners, and other stakeholders to get their support for the project. These stakeholder meetings have generally garnered both positive and negative opinions and comments; however, the Road District has confirmed that they will assist with the City's local match.

During 2023, the Public Works Department worked on the following projects in varying stages:

City Hall:

In connection with the Police HQ project, the inlet and stormwater pipe were replaced in the north parking lot by Public Works. Replacement of the sidewalks around City Hall and the repaving of the north parking lot were contracted through Public Works at approximately half the cost of the price quoted by Turner Construction.

Stormwater:

- Grant application to MoDNR, which resulted in the award of \$395,000 for the NE 68th Street and N. Bellefontaine Storm Drainage Project.
- The City of Gladstone recently hired Walter P. Moore and Habitat Architects to assist with the design of storm drainage and parking improvements on NE 76th Terrace. The primary goals of the project are to:
 - 1) Prevent stormwater from overtopping NE 76th Terrace in heavy rains
 - 2) Secure the entrance to the cave as necessary
 - 3) Provide additional parking for Hobby Hill Park
 - 4) Address storm drainage in the vicinity of 102 NE 76th Terrace
 - 5) Install a storm drainage structure directly east of 206 NE 76th Terrace where several pipes converge.

Several key milestones have been achieved to date including the acquisition of the cave property, the acquisition of 7 NE 76th Terrace to facilitate construction of the parking lot, and coordination with commercial businesses on North Oak Trafficway to replace a significant amount of privacy fence and enclose the area directly east of 207 NE 76th Terrace, where several pipes converge. Furthermore, signage has been installed in the vicinity of the cave property and some selective brush clearing and trash collection has been completed in the vicinity of 102 NE 76th Terrace.

The estimated cost of the full project is approximately \$1,000,000 and construction will need to be completed over multiple budget years. In addition, Habitat Architects will be assisting the City in exploring grant opportunities to complete the work.

Streets / Sidewalks:

- Completion of the NE 76th Street Reconstruction Project.
- MARC grant secured in the amount of \$1.4M for the completion of Old Antioch Road from NE 68th Terrace to NE 72nd Street.
- New traffic signal video detection cameras installed at NE 72nd Street and North Woodland and NW Englewood Road and North Broadway.

- The City completed 16-lane miles of mill and overlay in FY23 at a total estimated cost of \$2.6M. The project included the placement of approximately 13,000-tons of asphalt and the replacement of approximately 11,800-feet of curb and gutter, approximately 8,500-feet of sidewalk, and 150 wheelchair ramps.
- In FY24, which is ongoing, approximately 12-lane miles of mill and overlay have been completed to date at a total estimated cost of \$1.3M; this included the placement of 8000-tons of asphalt and the replacement of approximately 7,000-feet of curb and gutter, 3,800-feet of sidewalk, and approximately 55 wheelchair ramps.

Trails:

- Construction completed of the Rock Creek Greenway Trail – Phase 2 (\$700,000).
- Awarded a contract to CFS Engineers to complete the design of the Linden Connector Trail.
- Submitted grant applications to MARC and MoDOT resulting in the award of \$1.6M to date for the construction of the Vivion Road Trail.

Water Distribution and Production:

- The Water Treatment Master Plan Study was finalized and we are currently identifying funding options to implement the recommended upgrades.
- The construction project was awarded for the FY23 Water Main Replacement Program which included approximately 10,000-linear feet of water main replacement. Construction is expected to be completed this fall (\$1.5M).
- The construction project was awarded for the FY24 Water Main Replacement and Storm Drainage Project, which includes the replacement of approximately 5,000-linear feet of water main pipe and the repair and/or rehabilitation of another 600-linear feet of stormwater pipe (\$1.2M).
- The emergency repair and replacement of a 24” water main in the vicinity of NW Englewood Road and N. Broadway was a significant project (approximately \$500,000) that was complex and required the work to be out-sourced to a specialized contractor.
- The Water Service Line Material Inventory Project was awarded to Lamp-Rynearson (\$200,000).

Continue commitment to downtown and commercial corridors through effective and innovative development and redevelopment strategies.

Recently completed projects and projects in various stages of construction and planning include:

- Fairfield Inn & Suites by Marriott – Due to substantial success, the owners and City Staff are looking for a second hotel location in Gladstone.
- Parkside at Hobby Hill (Multifamily & Commercial Mixed-Use Project) – Phase 1 of this project is nearing completion and as of late September, approximately 20 tenants have already moved into sections of the project. Completion of the entire project isn't expected until the end of 2024.
- Eye Center of Gladstone – Owners/Doctors are still evaluating project feasibility given the current economic climate.
- Fire Station #2 – Completed.
- Police Headquarters – This project is expected to be completed in November 2023.
- Walmart Health – A 5,000 sq. ft. Urgent Care facility.
- Projects being discussed and pursued for 2023/24 include a second hotel, urban winery/distillery, and two (2) townhome projects in the area of downtown.

Prioritize proactive residential and commercial code enforcement.

Community Development continues to educate the public using code enforcement articles in the Gladstone Magazine. Additionally, educational flyers are sent to residential and commercial property owners that receive compliance notifications. Staff members have met with the established HOAs to educate them on the City's process for property maintenance and nuisance violations; however, there appears to be a trend over the last few years that these organizations are starting to lack leadership and a desire to meet as a group.

The City continues to place black and orange violation signs on both residential and commercial properties when violations are identified. Although this practice was initially met with some resistance from residents when first implemented, it has become an accepted and effective practice. For the first six (6) months in 2023, code enforcement has identified and addressed approximately 741 property maintenance and nuisance violations.

An average bill for abating a property that has tall grass/weeds can typically be \$350.

- \$200 for the contractor's work
- \$150 Administrative Fee from the Community Development Department

Historical trends of abatement costs for the City:

- 2023 – Abatement costs are over \$77,000 (as of mid-September)
- 2022 – Abatement costs were \$75,979

- 2021 – Abatement costs were \$39,252
- 2020 – Abatement costs were \$33,430
- 2019 – Abatement costs were \$9,460

Because of the Ordinance changes implemented in 2019, the City of Gladstone now recovers over 90% of these abatement costs. The Ordinance change allows the abatement costs to be added to the annual property taxes, which has greatly increased the amount of reimbursement recovered by the City.

Community Development continues to use code enforcement and the dangerous building process for the dilapidated vacant property located at 3000 NE 76th Street. The owner of this property lost his appeal in Circuit Court and has recently appealed the case to the District Court. The City's legal counsel is hopeful that there will be a final resolution by the Spring of 2024 that allows the demolition of the structure once and for all.

The City has continued to provide opportunities that support the residential and commercial code enforcement programs, including year-round operation of the regional yard waste recycling facility, hosting the annual spring beautification event, placement of localized dumpsters in selected neighborhoods, and participation in the MARC Household Hazardous Waste Program.

Create a long-term master plan for development and programming at the Atkins-Johnson Farm and Museum

Parks, Recreation, and Cultural Arts staff have engaged a consultant to conduct a feasibility study for an event/barn space that would meet the needs of programming at AJFM. With no shelter space available during inclement weather, it is currently a challenge to secure school groups for field trips and/or conduct larger programs for the general public. The consultant is finalizing the study and will submit recommendations in the coming weeks so that future options related to programming can be considered.

Prioritize infrastructure for neighborhood revitalization to meet the needs of our residents, encourage quality residential density and homeowner investment to preserve and increase housing values.

Unprecedented investment has been made in FY23 and FY24 (to date) to the infrastructure of our neighborhoods. Combined, the Public Works Department has constructed and repaired approximately 12,300 feet (2.3 miles) of sidewalk, installed 205 handicap accessible sidewalk ramps, and have replaced or is planning to replace 15,000 feet of water main lines. The increased investment over previous years in infrastructure was made possible from ARPA grant funding.

In the Community Development Department, staff continues to work with Northland Neighborhoods, Inc. (NNI) to assist our Home Owner Associations (HOA) and Neighborhood Home Organizations (NHO) to participate in “dumpster days”, neighborhood programs, and

semi-annual meetings. Rebuilding Together Kansas City (RTKC) and Gladstone Neighbors Helping Neighbors (GNHN) are organizations supported by the City to assist Gladstone residents with minor home repairs and accessibility issues.

Recently, two additional single-family homes were approved on NE 72nd Street on traditionally smaller lots than city code allows. The City also continues to market the property acquired across the street from the Community Center as an ideal location for row or pocket housing that can create a maintenance-free option for individuals who desire walkability in and around the downtown area. We consider these types of projects as promoting quality residential density, which was identified as a priority in the latest Comprehensive Plan.

Promote initiatives to beautify Gladstone.

Under the leadership of Mayor Moore, Parks, Recreation, and Cultural Arts staff have assisted in coordinating the “Glad Green Team”. This team meets two (2) times each month in select locations to remove litter from our public streets and parks. The impact of this initiative has been visually evident, especially in the major corridors such as M-1 Highway, North Oak, and NE 72nd Street in the general area of Walmart, QuikTrip, and Hy-Vee. To date, this initiative has led to the removal of literally hundreds of pounds of rubbish from our community. Coupled with the City-sponsored Spring Beautification and Hazardous Waste Disposal weekends, Gladstone has taken serious steps to promote a cleaner and visually appealing environment for our residents.

Promote diversity, equity, and inclusion in all that we do to continue to be a welcoming city to everyone.

The Parks, Recreation, and Cultural Arts staff continue to provide a variety of diverse programs and activities focusing on the needs of the community. Most recent discussions have centered around the possibility of renovating Flora Park and seeking funding to install an accessible playground, making our parks even more inclusive to all who wish to live, work and play here. Although many playgrounds in the northland claim to be accessible, the vision for the proposed Flora Park playground involves addressing serious mobility barriers by providing the necessary equipment and devices to ensure children of all disabilities have a place to play, socialize, and feel included.

For the first time, Mayor Pro Tem Spallo represented the City of Gladstone in the 2023 annual Kansas City Pride Community Alliance Parade in downtown Kansas City. This organization strives to celebrate and recognize the history and heritage of LGBTQ+ people in Kansas City and beyond. Mayor Pro Tem Spallo’s presence at the event helped reinforce the message that Gladstone continues to be a welcoming community to all.

In addition to our external efforts, the City has internally demonstrated that Gladstone is a welcoming and inclusive organization for our employees. During new hire orientation, employees watch a 23-minute video called, “In This Together”. This video covers harassment and respect with questions for individuals to work through.

MPR Online University continues to offer web-based programs designed specifically for public entities. More than fifty (50) of the courses offered qualify for Missouri POST certified law enforcement training credit. Courses are available anytime from any computer with internet access and are typically 1 or 2 hour programs. Topics include:

- Diversity in the Workplace
- Racial Profiling for Missouri
- Shaping an Ethical Workplace Culture
- Community Policing
- The LGBTQ Community

Over the past year, Streamery, a new provider, was added as another training structure which offers a comprehensive library of training videos on-demand. The platform houses hundreds of short 15 to 20-minute informational videos based on various topics such as:

- Diversity in the Workplace for Managers and Supervisors
- Preventing Workplace Discrimination for Employees
- Preventing Workplace Discrimination for Managers and Supervisors
- Preventing Harassment in the Workplace
- Creating a Positive Workplace (both for the office and industrial)

Overall, 2023 has been a productive year with a variety of challenges and leadership changes. Through the dedication of Council, staff, and engaged residents, Gladstone continues to move forward, while understanding we should never be satisfied with status quo. Successful organizations are proactive, seek new ideas, and continue to promote change when change is needed. The Leadership Team and supporting staff look forward to implementing the future vision of the City Council in 2024.



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
OCTOBER 9, 2023**

PRESENT: Mayor Jean Moore
Councilman Bill Garnos
Councilman R.D. Mallams
Councilman Les Smith

City Manager Bob Baer
Assistant City Manager Austin Greer
City Attorney Chris Williams
City Clerk Kris Keller

ABSENT: Mayor Pro Tem Tina Spallo

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

Mayor Moore opened the Regular City Council Meeting Monday, October 9, 2023, at 7:30 pm.

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

Mayor Moore stated that all Councilmembers were present except Mayor Pro Tem Spallo and there was a quorum.

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

Mayor Moore 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 the Agenda.

The agenda was approved as published.

Item No. 5. On the Agenda. Approval of the September 25, 2023, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the September 25, 2023 Closed City Council meeting as presented. **Councilman Smith** seconded. The Vote: "aye", Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

Item No. 6. On the Agenda. Approval of the September 25, 2023, Regular City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the September 25, 2023, Regular City Council meeting as presented. **Councilman Smith** seconded. The Vote: "aye", Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

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

There were no communications from the audience.

Item No. 8. On the Agenda. Communications from City Council.

Councilman Mallams announced a benefit breakfast sponsored by the Gladstone Elks Lodge on Saturday, October 21, 2023 from 7:30 am to 11:30 am. All breakfast and raffle proceeds will go toward the Gladstone Police Department's annual Shop with a Cop Program in December 2023, for families and students from the elementary schools in Gladstone.

Councilman Garnos expressed his appreciation to Director Nebergall and Director Merkey for the completion of a bicycle and ADA compliant access point from the parking lot to the trail at Happy Rock East near the softball complex.

Mayor Moore shared that she attended the Faith and Blue event last Thursday evening on the steps of the new Police Department. She reported that it's a National event that brings members of the law enforcement and the communities they serve together with the faith community. She thanked Chief Farris, the officers, and the individuals from the faith community that attended and led the event. She shared that the Glad Green team met Saturday, October 7, 2023 and thanked the individuals who attended. She thanked everyone who has participated in the Glad Green Team this year and expressed that it is making a difference in beautifying the City. She gave a special thank you to Director Merkey and his staff for the wonderful Whiskey Fest event held this past Saturday evening.

Item No. 9. On the Agenda. Communications from the City Manager.

City Manager Bob Baer reported that Board and Commissions applications are being accepted through Monday, October 30th at 5:00; residents interested in serving on an advisory board can find the applications on the City's website. He announced upcoming events: Friday Fright Night, October 20th from 6:00 to 7:30 pm and Big Shoal Pumpkin Days at the AJ Farm and Museum on Saturdays in October from 10:00 am to 4:00 pm, while pumpkins last.

Item No. 10 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, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

Councilman Smith moved to approve the **BUILDING PERMIT** for an AT&T Communications monopole communications tower and ground equipment located at 710A NE 76th Street. **Councilman Mallams** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

Councilman Smith moved to approve **RESOLUTION R-23-64**, A Resolution authorizing acceptance of work under contract with A.T. Switzer Painting Company, Incorporated, for the painting Competition Pool and Dive Well Project, and authorizing final payment in the amount of \$4,750.00 for Project CC2453. **Councilman Mallams** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

Councilman Smith moved to approve **RESOLUTION R-23-65**, A Resolution authorizing acceptance of work under contract with INSCO Industries, Incorporated, for the Gladstone Municipal

Pool Painting Project, and authorizing final payment in the amount of \$4,967.50 for Project CC2353. **Councilman Mallams** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

Councilman Smith moved to approve **RESOLUTION R-23-66**, A Resolution authorizing the City Manager to execute a contract with Everready Services, LLC for holiday lighting in the total amount not to exceed \$30,400.00 for 2023 and \$28,400.00 per year for 2024 and 2025. **Councilman Mallams** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

Councilman Smith moved to approve **RESOLUTION R-23-67**, A Resolution authorizing acceptance of work under contract with Zuercher Technologies, a Central Square Technologies Company, for the purchase of Computer-Aided Dispatching and Records Management Software, and authorizing final payment in the amount of \$42,444.20 for Project SB2081. **Councilman Mallams** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

REGULAR AGENDA

Item No. 11. On the Agenda. **RESOLUTION R-23-68**, A Resolution authorizing the City Manager to execute a Professional Engineering Services Agreement with Walter P. Moore and Associates, Incorporated, in the total amount not to exceed \$87,120.00 for the design of the NE 76th Terrace Storm Drainage and Parking Project CP2431.

Councilman Garnos moved to approve **RESOLUTION R-23-68**, A Resolution authorizing the City Manager to execute a Professional Engineering Services Agreement with Walter P. Moore and Associates, Incorporated, in the total amount not to exceed \$87,120.00 for the design of the NE 76th Terrace Storm Drainage and Parking Project CP2431. **Councilman Mallams** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, and Mayor Moore. (4-0)

Item No. 12. On the Agenda. Other Business.

There was no other business.

Item No. 13. On the Agenda. Adjournment.

Mayor Moore adjourned the October 9, 2023, Regular City Council meeting at 7:41 pm.

Respectfully submitted:

Kris Keller, City Clerk

Approved as presented: _____

Approved as modified: _____

Jean B. Moore, Mayor

PROCLAMATION

NATIONAL SOCIETY DAUGHTERS OF THE AMERICAN REVOLUTION AMERICAN INDIANS COMMITTEE

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational, and historical activities have been planned.

NOW, THEREFORE, I, Jean B. Moore, Mayor of the City of Gladstone, Missouri, on behalf of the City Council and residents of Gladstone, Missouri, do hereby proclaim November as:

NATIONAL AMERICAN INDIAN HERITAGE MONTH

And urge all our citizens to observe this month with appropriate programs, ceremonies, and activities.

Signed this 23rd Day of October 2023



Request for Council Action

RES ☒ # R-23-69

BILL ☐ # City Clerk Only

ORD ☐ # City Clerk Only

Date: 10/18/2023

Department: Police

Meeting Date Requested: 10/23/2023

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

Subject: Fitness Equipment Purchase for New Police Headquarters Building

Background: The new Police Headquarters building includes a workout room with the project scope and funds inclusive of fitness equipment to outfit the room. Three bids were obtained from Fitness First at \$28,710.82, Push Pedal Pull at \$30,405.56 and Central States Fitness Systems Inc. at \$38,058.00. Each bid included delivery, installation, and flooring for the fitness center.

Fitness First had the lowest bid price at \$28,710.82. Fitness First is a local company based out of Lenexa, KS. Fitness First has provided equipment to the Gladstone Community Center in the past. An adjustment was made to the equipment list bringing that bid to \$27,660.82.

Budget Discussion: Funds are budgeted in the amount of \$ 27,660.82 from the CIST Fund. Ongoing costs are estimated to be \$0 annually. Previous years' funding was \$0.

Public/Board/Staff Input: Staff recommends purchasing the fitness equipment from Fitness First, Lenexa, KS in the amount of \$27,660.82.

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

Fred Farris
Department Director/Administrator

JM
City Attorney

BB
City Manager

RESOLUTION NO. R-23-69

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL FROM FITNESS FIRST, LENEXA, KANSAS, FOR THE PURCHASE OF FITNESS EQUIPMENT FOR THE NEW POLICE HEADQUARTERS IN THE TOTAL AMOUNT OF \$27,660.82.

WHEREAS, three bids (3) were requested from Fitness First, Central States Fitness and Push-Pedal-Pull, and

WHEREAS, the lowest bid was received from Fitness First, Lenexa, KS, and

WHEREAS, funds from the Police Headquarters Building Project were budgeted for equipping a fitness room in the new building,

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to accept the proposal from Fitness First in the amount of \$27,660.82 for the purchase and installation of fitness equipment for the new Police Headquarters facility.

FURTHER, THAT, funds for such purpose are authorized from Police Headquarters Construction fund designated for this project.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☒ # **R-23-70**

BILL ☐ # City Clerk Only

ORD ☐ # City Clerk Only

Date: 10/16/2023

Department: Parks & Recreation

Meeting Date Requested: 10/23/2023

Public Hearing: Yes ☐ Date: Click here to enter a date.

Subject: Professional Services Agreement, Off-Leash Dog Park Planning and Design, Project CP2259

Background: The City has received numerous requests for an off-leash dog park over the past few years. A potential site for an off-leash dog park has been identified at the northeast corner of N. Antioch Road and NE 76th Street.

Budget Discussion: Funds are budgeted in the amount of \$ 43,500.00 from the CIST Fund.

Public/Board/Staff Input: An RFQ was advertised and five (5) proposals were received. The landscape architecture firm Vireo, LLC is recommended by staff as the most qualified to complete the work as they have designed many off-leash dog parks.

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

Justin Merkey
Department Director/Administrator

JM
City Attorney

BB
City Manager

RESOLUTION R-23-70

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH VIREO, LLC IN THE TOTAL AMOUNT NOT TO EXCEED \$43,500.00 FOR THE PLANNING AND DESIGN OF AN OFF-LEASH DOG PARK, PROJECT CP2259.

WHEREAS, the accomplishment of the work and services described in this agreement are necessary and essential to complete the design of an off-leash dog park; and

WHEREAS, the City desires to engage the landscape architecture firm Vireo, LLC to provide planning and design services for the project.

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to enter into a professional services agreement with Vireo, LLC for a total amount not to exceed \$43,500.00 for the planning and design of an off-leash dog park.

FURTHER, funds for such purpose are budgeted in the CIST Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☒ # R-23-71

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date 10/09/2023

Department: Fire

Meeting Date Requested: 10/23/2023

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

Subject: Zoll Medical Corporation Purchase of One Zoll X-Series Cardiac Monitor

Background: In 2022 the Fire Department applied for and received a matching Emergency Medical Service Providers Grant (EMSG), which is part of the American Rescue Plan Act (ARPA) fund for the purchase of a new cardiac monitor. The new Zoll X-Series cardiac monitor has the ability to connect to the Zoll AutoPulse compression devices utilized by the department to seamlessly integrate and record the entire event and more importantly, provide defibrillation during external cardiac compressions. Real CPR Help – provides real-time clinical feedback on compression depth and rate. Real BVM Help – provides real-time ventilation feedback on volume, breath rate, and quality of ventilation of manually delivered breaths. TBI Dashboard – provides the right information at the right time to help rescuers effectively manage traumatic brain injury (TBI) patients. In addition, the new monitor will utilize the same durable and expendable supplies as the currently fielded monitors.

Budget Discussion: Funds are budgeted in the amount of \$24,359.31 from the CERF Fund and a Federal match of \$20,000.00. Ongoing costs are estimated to be \$ 0 annually. Previous years' funding was \$0.

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

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

Mike Desautels
Department Director/Administrator

JM
City Attorney

BB
City Manager

RESOLUTION NO. 23-71

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH ZOLL MEDICAL CORPORATION FOR THE PURCHASE OF ONE ZOLL X-SERIES CARDIAC MONITOR IN THE TOTAL AMOUNT OF \$44,359.31.

WHEREAS, the Gladstone Fire Department applied for and received a matching Federal grant for the purchase of a new Zoll X-Series Cardiac Monitor; and

WHEREAS, the Fire Department is always striving to provide the best possible care through the application of the latest technological advances in advanced life support therapies; and

WHEREAS, the Fire Chief has determined that in keeping with currently fielded Zoll X-Series monitors and supply standardization, the new Zoll X-Series Cardiac Monitor is the best purchase option for the City of Gladstone; and

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

THAT, the City Manager is authorized to enter into a purchase agreement with Zoll Medical Corporation for the purchase of one (1) Zoll X-Series Cardiac Monitor in the amount of \$44,359.31.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☒ # R-23-72

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 10/17/2023

Department: Finance

Meeting Date Requested: 10/23/2023

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

Subject: ADP Time and Attendance – Scheduling and Timekeeping System

Background: Personnel costs for the City are the largest budgeted outflow yearly. After our prior timekeeping system failed in 2021, the City has been processing this ~\$19 million payroll expense using Microsoft Excel. Employees signed timesheets are transcribed by administrative assistants onto a department sheet. These department spreadsheets are again transcribed by HR into a master document which is uploaded into ADP. This process is labor intensive, prone to errors, and offers little to no useful analytic functionality. Staff have determined that the City would drastically benefit from an electronic timekeeping and scheduling solution. After conducting market and pricing research, ADP's WorkforceNow Time and Attendance Solution appears to best fit our procurement requirements. The City has a decade of experience with this vendor for our payroll processing and the vendor has intimate knowledge of our business processes. We can leverage the work already done on their database to reduce implementation costs and promote a smooth transition.

Budget Discussion: Funds for the project are budgeted in the General Fund. Implementation costs have been quoted at \$19,500.00. Ongoing yearly costs are expected to be approximately \$50,000.00. This does not consider any labor savings from data entry and error correction.

Public/Board/Staff Input:

- Staff have solicited quotes from competing vendors such as Synerion, Attendance-On- Demand, and Deputy.
 - The first two have declined to sign a worker's authorization affidavit as required by Missouri statute. The latter was determined to not match our procurement needs for the price.
- Community Center, which will be the heaviest user of the scheduling module, is currently using a legacy PHP application developed in-house. Finance has recognized this system as an internal control risk, and this system would be phased out with implementation.
- Per Police and Fire requests, the scheduling module will contain enhanced capabilities for operational safety and efficiency. These include items such as shift trades, online scheduling, grant tracking, and audited PTO accruals and requests.

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

Dominic Accurso
Department Director/Administrator

JM
City Attorney

BB
City Manager

RESOLUTION R-23-72

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MASTER SERVICES AGREEMENT WITH ADP IN THE TOTAL AMOUNT OF \$19,500.00 FOR THE IMPLEMENTATION OF ADP WORKFORCE NOW TIME AND ATTENDANCE HARDWARE AND SOFTWARE, AND \$46,482.00 IN ANNUAL COST.

WHEREAS, staff requested proposals for time and attendance solutions with ADP, being the best fit for the City needs.

WHEREAS, the City has used ADP for payroll and tax processing over the past several years; and

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to enter into a contract with ADP in the total amount of \$65,982.00 for time and attendance hardware and software.

FURTHER, THAT, funds for such purpose are budgeted in the General Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☒ # R-23-73

BILL ☐ # City Clerk Only

ORD ☐ # City Clerk Only

Date: 10/4/2023

Department: Police

Meeting Date Requested: 10/23/2023

Public Hearing: Yes ☐ Date: Click here to enter a date.

Subject: Police In-Car and Body Worn Camera System Replacement

Background: In 2015, the Police Department purchased the WatchGuard in-car and body worn camera systems. Such technology has proven to not only be an incredible evidentiary tool for law enforcement, but also risk mitigation, training, and litigation control tools. The life cycle for electronic equipment is typically five (5) years and we have exceeded that by three (3) years, leaving us with equipment that is in constant need of repair and/or replacement. WatchGuard was recently acquired by Motorola Solutions which would allow for a seamless replacement of our entire system with minimal upgrades needed for software and archived video. The 2021/2022 Police and Fire Department radio replacement funds allocated from PSST had a remaining balance that could be used to do a complete in-car and body worn camera replacement with Motorola being the same source for the radios. This replacement would include 13 in-car video systems, 50 body worn cameras, data migration, charging stations, wireless access points, all needed hardware, and the first three years of licensing/hardware fees at a substantially discounted cost of \$164,000.00. Quotes from two (2) authorized Motorola installers were received with the lowest bid coming from Comenco at \$9,412.00 bringing the total project cost to \$173,412.00

Budget Discussion: Funds are budgeted in the amount of \$173,412.00 from the PSST Fund. Ongoing costs are estimated to be \$0 annually. Previous years' funding was \$0.

Public/Board/Staff Input: Staff recommends the purchase of the Motorola Solutions system for \$173,412.00.

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

Fred Farris
Department Director/Administrator

JM
City Attorney

BB
City Manager

RESOLUTION NO. R-23-73

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL FROM MOTOROLA SOLUTIONS FOR THE PURCHASE OF POLICE IN-CAR AND BODY WORN CAMERA SYSTEMS, INCLUDING ALL HARDWARE, SOFTWARE UPGRADES, LICENSING FEES, AND INSTALLATION IN THE TOTAL AMOUNT OF \$173,412.00.

WHEREAS, in 2015 the Police Department purchased the WatchGuard in-car and body worn camera systems; and

WHEREAS, such technology has proven to not only be an incredible evidentiary tool for law enforcement, but also risk mitigation and training tools; and

WHEREAS, existing equipment has exceeded its lifespan and is in need of replacement; and

WHEREAS, the existing system, WatchGuard, has been acquired by Motorola Solutions allowing for seamless replacement of the existing equipment.

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

THAT, the City Manager of the City of Gladstone, Missouri is hereby authorized to accept the proposal by Motorola Solutions for the purchase and installation of police in-car and body worn camera systems in the amount of \$173,412.00.

FURTHER, THAT, funds for such purpose are authorized from the Public Safety Sales Tax Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☒ # **R-23-74**

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 10/17/2023

Department: Finance

Meeting Date Requested: 10/23/2023

Public Hearing: Yes ☐ Date: Click here to enter a date.

Subject: Purchase of Furniture and Storage Equipment for New Police Headquarters

Background: Hoefer Welker solicited proposals from three (3) potential providers for this equipment. After reviewing these proposals, they have recommended Spaces Inc. as the most qualified vendor to provide the Furniture and Storage Equipment for a total sum of \$337,123.32.

Budget Discussion: Funds are budgeted in the amount of \$ 337,123.32 from the CIST Fund. Ongoing costs are estimated to be \$ N/A annually. Previous years' funding was \$N/A.

Public/Board/Staff Input: N/A

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

Dominic Accurso
Department Director/Administrator

JM
City Attorney

BB
City Manager

RESOLUTION NO. R-23-74

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL FROM SPACES INC. FOR THE PURCHASE OF FURNITURE AND STORAGE EQUIPMENT IN THE TOTAL AMOUNT OF \$337,123.32 FOR USE IN THE NEW POLICE HEADQUARTERS.

WHEREAS, three (3) proposals were received for Furniture and Storage Equipment, and the proposal from Spaces Inc. at \$337,123.32 was determined to be the most qualified proposal; it is recommended that the City accept that proposal and purchase Furniture and Storage Equipment from Spaces Inc.

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

THAT, the City Manager of the City of Gladstone, Missouri, is hereby authorized to accept the proposal from Spaces Inc. in the amount of \$337,123.32 for the purchase of Furniture and Storage Equipment.

FURTHER, THAT, funds for such purpose are authorized from the Capital Improvements Sales Tax Fund and the 2021 Certificate of Participation Fund.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☒ # R-23-75 and R-23-76

BILL ☐ # City Clerk Only

ORD ☐ # City Clerk Only

Date: 10/16/2023

Department: General Administration

Meeting Date Requested: 10/23/2023

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

Subject: Two (2) Separate Resolutions Appointing Successor Directors to the Board of Directors of the Linden Block 25 and Downtown Linden Community Improvement Districts (Downtown Hotel Property)

Background: Currently, the Downtown Gladstone Hotel (Fairfield Inn by Marriott) has two (2) separate Community Improvement Districts (CID) attached to the property. The property and hotel owners have requested that the City Council approve Michael McFarland, Travis Maschino, and Julie Justus to a 4 – year term to serve on the two (2) separate CID Boards.

Budget Discussion: N/A

Public/Board/Staff Input: Staff: City Staff recommends approval.

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

Austin Greer
Department Director/Administrator

JM
City Attorney

BB
City Manager

RESOLUTION R-23-75

A RESOLUTION APPOINTING SUCCESSOR DIRECTORS TO THE BOARD OF DIRECTORS OF THE DOWNTOWN LINDEN COMMUNITY IMPROVEMENT DISTRICT.

WHEREAS, on July 29, 2019, the City Council approved a Petition for the Creation of the Downtown Linden Community Improvement District (the “**Petition**”); and

WHEREAS, Section 6.e. of the Petition provides that the successor Directors of the Board of Directors of the Downtown Linden Community Improvement District (the “**District**”) shall be appointed by the Mayor with the consent of the City Council upon the submission of a slate of successor Directors submitted by the Executive Director of the District; and

WHEREAS, the Mayor has appointed, and the City Council desires to approve successor Directors to the District Board of Directors as set forth herein.

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

THAT, Michael McFarland, Travis Maschino and Julie Justus are appointed by the Mayor and approved by the City Council as successor Directors to the Board of Directors of the Downtown Linden Community Improvement District:

Michael McFarland	4-year term
Travis Maschino	4-year term
Julie Justus	4-year term

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk

RESOLUTION R-23-76

A RESOLUTION APPOINTING SUCCESSOR DIRECTORS TO THE BOARD OF DIRECTORS OF THE LINDEN BLOCK 25 COMMUNITY IMPROVEMENT DISTRICT.

WHEREAS, on July 29, 2019, the City Council approved a Petition for the Creation of the Linden Block 25 Community Improvement District (the “**Petition**”); and

WHEREAS, Section 6.e. of the Petition provides that the successor Directors of the Board of Directors of the Linden Block 25 Community Improvement District (the “**District**”) shall be appointed by the Mayor with the consent of the City Council upon the submission of a slate of successor Directors submitted by the Executive Director of the District; and

WHEREAS, the Mayor has appointed, and the City Council desires to approve successor Directors to the District Board of Directors as set forth herein.

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

THAT, Michael McFarland, Travis Maschino and Julie Justus are appointed by the Mayor and approved by the City Council as successor directors to the Board of Directors of the Linden Block 25 Community Improvement District:

Michael McFarland	4-year term
Travis Maschino	4-year term
Julie Justus	4-year term

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk



Request for Council Action

RES ☐ # City Clerk Only

BILL ☐ # City Clerk Only

ORD # City Clerk Only

Date: 10/17/2023

Department: Finance

Meeting Date Requested: 10/23/2023

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

Subject: Semiannual Financial Statement

Background: Cities are required by the Missouri Revised Statutes to publish a semi-annual financial statement along with a schedule of indebtedness. The amounts in the financial statement are not audited, nor final, but a “snapshot” at a period of time when the information is pulled from the financial software.

Budget Discussion: N/A

Public/Board/Staff Input: The presentation of the financial statement is broken down into fund types, General Fund, Enterprise Funds (Water and Sewer Fund), and Special Revenue Funds (all other funds except General or Enterprise). Total expenditures exceed total receipts due to projects that have been funded by lease purchases in previous years (2020 COP and 2021 COP). The indebtedness of the City is listed by the type of financing. Staff is seeking the approval of the financial statement from the Council before the financial statement is published.

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

Dominic Accurso
Department Director/Administrator

JM
City Attorney

BB
City Manager

City of Gladstone, Missouri
Statement of Receipts and Expenditures
For the Twelve Months Ended June 30, 2023 (unaudited)

	General	Special	Enterprise
	<u>Fund</u>	<u>Revenue</u>	<u>Fund</u>
Receipts			
Taxes	\$ 15,060,537	\$ 7,028,077	\$ -
Licenses & Permits	641,096	-	-
Intergovernmental Revenue	1,700,259	2,811,437	5,973
Charges for Services	3,601,827	1,602,128	12,292,275
Fines & Forfeitures	294,544	4,588	-
Misc. Revenue	1,383,792	964,459	211,359
Debt Proceeds	-	-	-
Transfers	293,000	2,242,944	-
Total Receipts	\$ <u>50,138,294</u>		
Expenditures			
Personnel	\$ 14,363,823	\$ 1,742,487	\$ 1,297,481
Supplies	1,168,102	146,839	597,827
Services	3,601,762	1,949,963	8,339,552
Capital	1,208,522	13,728,828	1,881,951
Debt	291,550	4,859,876	1,602,331
Transfers	1,403,944	1,082,000	50,000
Total Expenditures	\$ <u>59,316,839</u>		

The Statement of Receipts and Expenditures does not take into account the use of lease purchase proceeds or fund balance from previous periods to fund expenditures. All funds continue to have a positive fund balance.

Indebtedness of the City

Certificates of Participation (COP)	\$ 32,165,000
Department of Natural Resources	41,267
Lease Purchase	<u>13,065,224</u>
	\$ <u>45,271,491</u>

This statement was prepared from recorded receipts and expenditures as shown on the books and records for the City of Gladstone, Missouri, and in compliance with Missouri Revised Statutes, Sec. 77.110. This statement is true and correct to the best of my knowledge.

Jean B. Moore, Mayor

Date



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 23-34

ORD ☒ # 4.653

Date: 10/16/2023

Department: Community Development

Meeting Date Requested: 10/23/2023

Public Hearing: Yes ☒ Date: 10/23/2023

Subject: An Ordinance Amending Zoning of Marijuana Facilities to Conform with the Missouri Constitution

Background: Cannabis in Missouri became legal for recreational use in November 2022. The first licensed recreational sales occurred in February 2023. The City of Gladstone needs to update Chapter 168. – Medical Marijuana Ordinance to include comprehensive language that is current with the State of Missouri in regard to recreational marijuana and marijuana facilities. In your packet, you will find two (2) copies of the Ordinance. One copy is red-lined to demonstrate the before and after changes. The other is a clean copy that reflects the updates that conform to the Missouri Constitution. John Mullane, City Attorney, will present and answer any questions regarding the updated changes to the Ordinance for the Planning Commission and City Council.

Budget Discussion: N/A

Public/Board/Staff Input:

Public: No comments from the public.

Board: The Commission voted 8-1 in favor of approving the amendments. One Planning Commissioner abstained from the vote because this person wanted to see a red-lined copy of the before and after changes. City staff has provided that red-lined copy to Planning Commissioners as of October 12, 2023.

Staff/Legal: City Staff and Legal Counsel recommend approval of these changes.

Austin Greer
Department Director/Administrator

JM
City Attorney

BB
City Manager

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODE OF ORDINANCES, CITY OF GLADSTONE, MISSOURI REGARDING ZONING OF MARIJUANA FACILITIES TO CONFORM WITH ARTICLE XIV OF THE MISSOURI CONSTITUTION.

WHEREAS, proposed amendments to Sections 7.100.010, 7.168.010, 7.140.010(8), 7.145.010(8), 7.150.010, of the Code of Ordinances, City of Gladstone, Missouri (“Gladstone City Code”) regarding regulation of marijuana facilities in accordance with Article XIV of the Missouri Constitution was submitted by City staff to the Planning and Zoning Commission for consideration; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning and Zoning Commission held a public hearing regarding the proposed amendments on October 2, 2023, and rendered a report to the City Council recommending that the proposed amendments be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the Council held a public hearing regarding the proposed amendments on October 23, 2023; and

WHEREAS, the City Council desires to approve the proposed amendments to Sections 7.100.010, 7.168.010, 7.140.010(8), 7.145.010(8), 7.150.010, of the Gladstone City Code.

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

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 of Health and Senior Services 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 of Health and Senior Services 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 of Health and Senior Services 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 of Health and Senior Services, 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 of Health and Senior Services as a microbusiness dispensary facility or microbusiness wholesale facility, as defined by law.

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

Medical Marijuana

Marijuana or Marihuana used for medical purposes as set forth in Article XIV, Section 1, of the Missouri Constitution and the rules promulgated by the Missouri Department of Health and Senior Services.

Medical Marijuana 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 of Health and Senior Services**—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 of Health and Senior Services**—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 of Health and Senior Services**—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 of Health and Senior Services**—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 of Health and Senior Services 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 of Health and Senior Services 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 certified licensed as such by the Missouri Department of Health and Senior Services to house operations involving the transport of marijuana product to or from a Marijuana Facility or Medical Marijuana Facility; or to a qualifying patient, primary caregiver, or consumer. ~~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 Marijuana Facilities and Medical Marijuana Facilities:

- (1) 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 marijuana 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 marijuana facility or** marijuana facility.
- (4) Hours of operation. All **medical marijuana 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~~ **marijuana 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 marijuana 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 marijuana 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 **medical marijuana facilities and** 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.

SECTION 6. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 7. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk

First Reading: October 23, 2023

Second Reading: October 23, 2023

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CODE OF ORDINANCES, CITY OF GLADSTONE, MISSOURI REGARDING ZONING OF MARIJUANA FACILITIES TO CONFORM WITH ARTICLE XIV OF THE MISSOURI CONSTITUTION.

WHEREAS, proposed amendments to Sections 7.100.010, 7.168.010, 7.140.010(8), 7.145.010(8), 7.150.010, of the Code of Ordinances, City of Gladstone, Missouri (“Gladstone City Code”) regarding regulation of marijuana facilities in accordance with Article XIV of the Missouri Constitution was submitted by City staff to the Planning and Zoning Commission for consideration; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning and Zoning Commission held a public hearing regarding the proposed amendments on October 2, 2023, and rendered a report to the City Council recommending that the proposed amendments be approved; and

WHEREAS, after due public notice in the manner prescribed by law, the Council held a public hearing regarding the proposed amendments on October 23, 2023; and

WHEREAS, the City Council desires to approve the proposed amendments to Sections 7.100.010, 7.168.010, 7.140.010(8), 7.145.010(8), 7.150.010, of the Gladstone City Code.

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

SECTION 1. That Section 7.100.010 is hereby amended to include the following terms and definitions, replacing existing terms and definitions where inconsistent, 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 of Health and Senior Services 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 of Health and Senior Services 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 of Health and Senior Services 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, 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 of Health and Senior Services, but shall not include a licensed medical facility.

Marijuana-infused products means products that are infused, 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 of Health and Senior Services as a microbusiness dispensary facility or microbusiness wholesale facility, as defined by law.

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

Medical Marijuana

Marijuana or Marihuana used for medical purposes as set forth in Article XIV, Section 1, of the Missouri Constitution and the rules promulgated by the Missouri Department of Health and Senior Services.

Medical Marijuana 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 of Health and Senior Services, 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 of Health and Senior Services 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 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 of Health and Senior Services, 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 marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

Marijuana testing facility means a facility certified by the Department of Health and Senior Services, 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 of Health and Senior Services 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 of Health and Senior Services 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 certified by the Missouri Department of Health and Senior Services to house operations involving the transport of marijuana product to or from a Marijuana Facility or Medical Marijuana Facility; or to a qualifying patient, primary caregiver, or consumer.

SECTION 2. That Title VII, Chapter 168 is hereby amended to read as follows:

Chapter 168. Medical marijuana and marijuana facilities

Sec. 7.168.010. Medical marijuana and marijuana facilities.

The following regulations apply to all Marijuana Facilities and Medical Marijuana Facilities:

- (1) No new 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.

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 marijuana 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 marijuana facility or marijuana facility.
 - (4) Hours of operation. All medical marijuana 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 facility or marijuana facility shall be located in a building that contains a residence.
 - (6) Ventilation required. All medical marijuana facilities and marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the 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.

- (7) Security requirements. All medical marijuana 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.
- (8) 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.
- (9) Occupancy inspection required. All new medical marijuana facilities and marijuana facilities shall obtain a certificate of occupancy prior to operation.
- (10) 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:

(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:

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) Marijuana transportation facility.

SECTION 6. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 7. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

BILL NO. 23-34

ORDINANCE NO. 4.653

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER 2023.

ATTEST:

Jean B. Moore, Mayor

Kris Keller, City Clerk

First Reading: October 23, 2023

Second Reading: October 23, 2023

PLANNING COMMISSION
GLADSTONE, MISSOURI
Gladstone City Hall
Monday, October 2nd, 2023
7:00 pm

Item 1 on the Agenda: Roll Call.

Present: Gary Markenson
Kate Middleton
Bill Turnage
Mike Ebenroth, Chair
Chase Cookson, Vice Chair
Jennifer McGee
Brenda Lowe, Secretary
Spencer Davis
Steve Beamer

Absent: James New
Cameron Nave
Kim Murch

Council & Staff Present:

John Mullane, City Attorney
Angie Daugherty, Admin. Assistant
Jean B. Moore, Mayor
Alan Napoli, Community Development Administrator/Building Official

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 September 5th, 2023 Minutes. Chair Ebenroth asked if there was a motion to approve the minutes from the September 5th meeting.

Mr. Turnage moved to approve the minutes; Mr. Davis seconded. The minutes were approved, 9-0.

Item 4 on the Agenda: Consideration: Marijuana Zoning Amendment. *City Council consideration for this project is scheduled for Monday, October 23, 2023.*

Mr. Mullane stated that cannabis in Missouri became legal for recreational use in November 2022. The first licensed recreational sales occurred in February 2023. The City of Gladstone needs to update Chapter 168. – Medical Marijuana Ordinance to include comprehensive language that is current with the State of Missouri Constitution in regard to recreational marijuana and marijuana facilities.

Mr. Markenson asked how many of these facilities are there in Gladstone.

Mr. Mullane stated that there is currently one facility in Gladstone.

Mr. Markenson asked if usage is prohibited in public.

Mr. Mullane stated that public usage is prohibited subject to the City Council granting a specific license.

Ms. Lowe asked if there was a reason that they didn't have a markup to show exactly what was changed and deleted.

Mr. Mullane stated that he drafted the language and updates that they are seeing now and will certainly include the red-line copy in the City Council packet at the upcoming meeting.

Ms. Lowe stated that it would be helpful. She said she went back to the Gladstone city code and she printed it out. She didn't have the time between when she received the information and this evening to do a comparison. She said it would be helpful to see what was changed if they are talking about amending regulations. She asked if they could get something like that in the future.

Mr. Mullane stated yes, we can provide a red-line copy.

Mr. Cookson asked if there was anything in there that was not directly from the Constitution. He stated that we really don't have a lot of flexibility on what the code will look like.

Mr. Mullane stated that in the Constitution there is a bit of language that says cities cannot expressly prohibit or unduly burden the operation of these facilities through the nature of regulations. He said basically, it is saying you have to permit these in some form or function and that this amendment is to bring our city code in line with the Constitution.

Ms. McGee stated that marijuana facilities are not permitted to be near daycares, schools and churches. She asked if the same restrictions could be applied to parks.

Mr. Mullane stated that they would be running into a legal gray area of what additional things you can rule out. He said they might be able to add it, but based on the Constitution, he is not sure how much you can regulate beyond daycares, schools, and churches.

Mr. Turnage asked how is it monitored or enforced, or if it is on your honor.

Mr. Mullane stated that would be a question for the police department.

Mr. Beamer stated that he works in the industry, and they have regulations that the Department of Health and Senior Services and the Division of State Regulations require that there is signage posted at every facility that prohibits consumption on site. It is the responsibility of the staff at that facility to make sure that no consumer or patient is consuming on site. If they are, then they have to stop it. If they don't stop, staff have to notify police and notify DCR of the violation.

Mr. Ebenroth asked if the rule of firearms not being allowed in a state building could be the same for marijuana facilities.

Mr. Mullane said yes, I believe so.

Ms. Lowe stated that in the future when they are changing regulations or codes, we should have something that is trackable so they know exactly what language is being changed.

Mr. Davis asked if there is anything that is red-lined that he sees that is dramatically different than what is already in the amendment.

Mr. Mullane stated that he didn't make any significant content changes. Simply cleaned up the language, deleted redundancies, and brought the current code into line with the Constitution since the passing of recreational marijuana.

Chair Ebenroth closed the public hearing.

MOTION: By Mr. Markenson, second by Mr. Cookson to approve the Medical Marijuana Amendment.

Vote: Mr. Markenson	Yes
Mr. Turnage	Yes
Ms. Middleton	Yes
Chair Ebenroth	Yes
Ms. McGee	Yes
Mr. Davis	Yes
Mr. Cookson	Yes
Ms. Lowe	Abstained
Mr. Beamer	Yes

The motion carried. (8-1)

Item 5 on the Agenda: Communications from the City Council

Mayor Jean Moore stated that the Site Plan Revision for the gas station and convenience store located at the corner of 72nd Street and Broadway failed at the City Council Meeting by a three-two vote. There are Board and Commission interviews the 13th and 14th of November and if they know of anyone, friends or neighbors, who would like to be on one of the Boards and Commissions, please have them contact Becky Jarrett. Whiskey Fest is taking place this Saturday at Linden Square and it is always a fun event in the City. Also, on November 17th there will be a ribbon cutting for the new Police Headquarters at 10:00 a.m. that morning and everyone is invited.

Ms. Middleton asked Mayor Moore why the vote failed for the Site Plan Revision.

Mayor Moore stated that there was a lot of discussion involved with this site plan and that the residents who spoke at the Planning Commission also spoke at the City Council meeting. I can't speak for all of the City Council people who voted against it, but I think traffic was a primary concern.

Item 6 on the Agenda: Communications from the City Staff

No communications from City Staff.

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

No communications from Planning Commission Members

Item 8 on the Agenda: Adjournment

Chair Ebenroth adjourned the meeting at 7:17 p.m.

Respectfully submitted:

Mike Ebenroth, Chair

Approved as submitted _____

Angie Daugherty, Recording Secretary

Approved as corrected _____



Request for Council Action

RES ☐ # City Clerk Only

BILL ☒ # 23-35

ORD ☒ # 4.654

Date: 10/16/2023

Department: General Administration

Meeting Date Requested: 10/23/2023

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

Subject: An Ordinance concerning residency and qualification for office requirements for Municipal Judges.

Background: The City consistently reviews employment practices to insure that requirements do not put the organization at a competitive disadvantage. Staff recently reviewed the Ordinance pertaining to municipal judges and believe it is in the best interest of the Community to adjust the residency requirements. Staff recommends that the City Code be amended to revise the residency requirements to only include City Councilmembers and the City Manager.

Budget Discussion: N/A

Public/Board/Staff Input: Staff recommends approval.

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

Bob Baer
Department Director/Administrator

JM
City Attorney

Additions of language are shown below with double underline; deletions of language are shown in ~~strikethrough~~:

Section 1.105.340- Residency and qualifications for office requirements.

All officers elected or appointed to offices under the city government shall be qualified voters under the laws and constitution of this state. City councilmembers elected to office or appointed to fill a vacancy in a city councilmember office, and the city manager, ~~and the municipal judges~~ shall be residents of the city, or with respect to the city manager ~~and municipal judges~~, shall establish residency within a reasonable time after appointment. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid city taxes, or forfeiture or defalcation in office.

Sec. 1.125.080. - Qualifications of municipal judge.

- (b) A municipal judge shall possess the following qualifications before such judge shall take office:
 - (5) A municipal judge must be a licensed attorney, admitted to practice law within the state.
 - (6) A municipal judge must be a resident of the state ~~and the city~~.
 - (7) A municipal judge must be between the ages of 21 and 75 years.
 - (8) A municipal judge may not hold any other office with the city government, but may serve as municipal judge for another municipality.
- (b) The municipal judge shall be considered to be holding a part-time position, and as such may accept (within the restrictions of the Code of Judicial Conduct, Missouri Supreme Court Rule 2) other employment.

**AN ORDINANCE CONCERNING RESIDENCY AND QUALIFICATION
FOR OFFICE REQUIREMENTS FOR MUNICIPAL JUDGES.**

WHEREAS, retaining and recruiting highly-qualified municipal judges is critical to the operation of the organization and the City's Municipal Court, and;

WHEREAS, residency requirements may impede the retention and acquisition of municipal judges, and;

WHEREAS, the City Council believes it is in the best interest of the Community to adjust residency requirements for municipal judges.

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

SECTION 1. That Section 1.105.340 Residency and qualifications for office requirements be amended to read as follows:

Section 1.105.340 - Residency and qualifications for office requirements.

All officers elected or appointed to offices under the City government shall be qualified voters under the laws and constitution of this state. City Councilmembers elected to office or appointed to fill a vacancy in a city councilmember office and the city manager shall be residents of the City, or with respect to the City Manager, shall establish residency within a reasonable time after appointment. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid city taxes, or forfeiture or defalcation in office.

SECTION 2. That Section 1.125.080 Qualifications of municipal judge be amended to read as follows:

Section 1.125.080. - Qualifications of municipal judge.

(a) A municipal judge shall possess the following qualifications before such judge shall take office:

(1) A municipal judge must be a licensed attorney, admitted to practice law within the state.

(2) A municipal judge must be a resident of the state.

(3) A municipal judge must be between the ages of 21 and 75 years.

(4) A municipal judge may not hold any other office with the city government, but may serve as municipal judge for another municipality.

- (b) The municipal judge shall be considered to be holding a part-time position, and as such may accept (within the restrictions of the Code of Judicial Conduct, Missouri Supreme Court Rule 2) other employment.

SECTION 3. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4. That all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

INTRODUCED, READ, PASSED, AND ADOPTED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, THIS 23RD DAY OF OCTOBER, 2023.

Jean B. Moore, Mayor

ATTEST:

Kris Keller, City Clerk

First Reading: October 23, 2023

Second Reading: October 23, 2023