



**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, FEBRUARY 13, 2017**

**PRESENT:** Mayor Jean B. Moore  
Mayor Pro Tem R.D. Mallams  
Councilman J. Brian Hill  
Councilman Bill Garnos

**ABSENT:** Councilmember Carol Suter  
  
City Manager Scott Wingerson  
Assistant City Manager Bob Baer  
City Counselor Chris Williams  
City Clerk Ruth Bocchino

**Item 2. On the Agenda.      ROLL CALL.**

**Mayor Moore** opened the Regular City Council Meeting Monday, February 13, 2017, at 7:50 PM in the Gladstone City Council Chambers. Mayor Moore welcomed all present and those participating on-line. All Councilmembers were present with the exception of Councilmember Carol Suter.

**Item 3. On the Agenda.      PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.**

**Mayor Moore** asked everyone to please rise and join in the Pledge of Allegiance to the Flag of the United States of America. The Colors were presented by the City of Gladstone Captain David McGee and Firefighter/Paramedic Travis Wessel.

**Item 4. On the Agenda. Approval of Agenda.**

The agenda was approved as presented.

**Item 5. On the Agenda. Approval of Closed January 23, 2017, City Council meeting minutes.**

**Mayor Pro Tem Mallams** moved to approve the minutes of the January 23, 2017, Closed City Council meeting as presented. **Councilman Hill** seconded. The Vote: "aye", Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Item No. 6. On the Agenda.** Approval of Regular January 23, 2017, City Council meeting minutes.

**Councilman Hill** moved to approve the minutes of the January 23, 2017, Regular City Council meeting as presented. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Item No. 7. On the Agenda. CONSENT AGENDA.**

Following the Clerk’s reading, **Mayor Pro Tem Mallams** moved to approve the Consent Agenda as published. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Mayor Pro Tem Mallams** moved approval of **RESOLUTION R-17-03** A Resolution amending or revising the 2017 General Fund, Capital Improvement Sales Tax Fund, Transportation Improvement Sales Tax Fund, and Combined Water and Sewerage System Fund, for the City of Gladstone, Missouri, and authorizing expenditures of funds. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Mayor Pro Tem Mallams** moved approval of **RESOLUTION R-17-04** A Resolution authorizing the City Manager to execute an agreement with TracFone Wireless, Incorporated, that assigns five-percent of a proposed Class Action Settlement to the Missouri Municipal League. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Mayor Pro Tem Mallams** moved approval of **RESOLUTION R-17-05** A Resolution authorizing the City Manager to execute a contract with Centric Projects in the total amount not to exceed \$60,774.00 for the Public Safety Booking Area Improvements, Project CP1755. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Mayor Pro Tem Mallams** moved approval of **RESOLUTION R-17-06** A Resolution authorizing Change Order No. 4 in the amount of \$103,268.00 to the contract with Lan-Tel Communications Services, Incorporated, for the 2016 Curb, Gutter and Sidewalk Project TP1604. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Mayor Pro Tem Mallams** moved approval of **RESOLUTION R-17-07** A Resolution authorizing the City Manager to execute a contract with Waste Corporation of Missouri, LLC, DBA Town and Country Disposal of Western Missouri, LLC, for the purpose of facilitating the City’s Annual Spring Beautification Event. **Councilman Garnos** seconded. The Vote: “aye”, Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Mayor Pro Tem Mallams** moved approval of **RESOLUTION R-17-08** A Resolution authorizing the City Manager to execute a contract with Waste Management of Missouri, Incorporated, for the purpose of providing solid waste and recycling collection from city facilities. **Councilman Garnos** seconded. The Vote: "aye", Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

## **REGULAR AGENDA.**

### **Item No. 8. On the Agenda.** Communications from the audience.

Mr. Simon Abela approached the City Council and stated: *"I am here for the first time, not really to make a big scene about it, but a little complaint. Mr. Tim here has been very helpful. Your contractor that is laying out the water line needs to do a better job in many aspects. I'm speaking, not just myself, but at least a half-dozen of our residents on the Gladstone 60<sup>th</sup> Terrace area. A couple of things which, again, Tim has facilitated right away, two of my concerns happened in the last five days and has to do with safety. As you now, there is Meadowbrook School in there. Today at about 1600 hours, 4:00, a dozer didn't even stop, it just kept going. The other concern has to do with the dust suppression. I think that your contractor should use some water. Unfortunately sometimes I have to do it myself, dusting all over the place, because my wife refuses to do it, but, the fact is dust all over the place, I know that the city is paying top dollar for this, with all respect I know you guys are all busy. I think it should be upon the contractor to do a better job, from my personal experience. Again, if you want the names, I would be more than happy to give you the names, but there are six families complaining. Again, Tim has been very helpful doing this but last week a Dodge truck with a trailer just backed up not paying attention. My biggest dilemma is I know the weather has been cold, especially during Christmas time, but I think, if it was me, I would have finished that road next to the school where the traffic is going on. From a project management perspective, and the construction, I think it would have been handled a little bit better from the contractor, not from the city.*

**Mayor Moore** asked for Mr. Abela's address for the record.

Mr. Abela responded: *"1803 NE 60<sup>th</sup> Terrace, 64118-4914."*

**Mayor Moore** confirmed with Director Tim Nebergall that Mr. Abela's concerns are addressed.

### **Item No. 9. On the Agenda.** Communications from the City Council.

**Mayor Moore** stated: *"First of all, we have not met as a body since Councilmember Suter was elected to Chair of the Mid America Regional Council. Although I wish she were here tonight, as I am making these comments, this is indeed a huge honor for Carol as well as an amazing opportunity for the City of Gladstone to have this position with MARC. Councilmember Suter has spent countless hours and energy working in her position with MARC since she has taken over that part of her duties here. Now she has the lead. I think it is just a real honor for us and a real honor for Carol, and I just wanted to say KUDOS to her for all of her hard work. She certainly deserves this great honor. The other comment I want to make tonight is for either the third or fourth year, I had the opportunity on Friday night with my husband, to volunteer at the*

*Daddy-Daughter Dance. Not to put down any other programs that we do in the city, this is about the most fun thing possible. It was an amazing experience as it always is. It's delightful to see the success of this program and it was sold out for both nights. To see these darling girls and their daddies or grand-dads having such a great time in our community center. It is truly an amazing event. I wanted to extend my thanks, as I do yearly, to Director Merkey and his staff. This is not an event that just takes a minute to put together. It takes a lot of hard work decorating and making all the logistics happen. It's a very successful event for the city. KUDOS Director Merkey and I think the smiles on everybody's faces and the cupcake stains on everybody's dresses told me that they had a great time. Now I have another great honor tonight. There is someone in the audience that I would like to recognize. That would be Mr. Orvie Wright. I will make a couple of comments Orvie and then I want you to come to the front. Orvie Wright is going to be retiring from the City on February 15. Orvie has spent 21 years working for the City of Gladstone, and my understanding is that he has not, in his 24 years of employment with Hi Gene's Janitorial, has never, never, missed a day of work. Whether it's snow, hail, sleet, Orvie just walks to work if he can't drive to work. I have seen Orvie and said hi to him since I've been on the Council and I know that he has worked diligently, tirelessly, effectively and efficiently for the City of Gladstone and done a miraculous job. I know that you will be greatly, greatly, missed. We extend our deepest thanks for all that you have done for the employees, the buildings that we have and all the citizens for the City of Gladstone. We are deeply indebted to you."*

**Mayor Moore** invited Mr. Wright to come forward and presented the recognition to Mr. Wright.

Mr. Wright introduced his sister, his brother-in-law Bret Atkins, and his niece; and stated: "I wanted to thank everybody here in City Hall, Public Safety, and Public Works. I've met a lot very, very nice people in all these years. Some of them are a little messy, but you know...but it goes with the job. I'm going to miss a lot of you people, but I'll be around. I only live a couple of blocks away."

**Mayor Moore** thanked Mr. Wright.

**Item No. 10. On the Agenda.** Communications from the City Manager.

City Manager Scott Wingerson stated: "Mayor, thank you. Very quickly, I'd like to congratulate Anthony Sands. He graduated from the Doniphan Leadership Institute at William Jewel in a nice ceremony last Wednesday. We are excited for him to apply those new leadership skills in our Public Works Department and teach us all a thing or two. Future Leaders Academy starts on February 23. There are 14 people in that session of the Leadership Academy. There have been some changes to the format that I think are going to be really successful. Finally, City Hall will be closed on the 20<sup>th</sup> for President's Day. Thank you."

**Item No. 11. On the Agenda.** **PUBLIC HEARING:** Site Plan Revision for property at 7604 North Oak Trafficway.

**Mayor Moore** opened the Public Hearing at 8:05 pm.

Nick Pappas, Community Development Director, approached the Council and stated: "Good evening, Mayor and members of the Council. Nice to see you this evening. Before you tonight we have a Site Plan Revision for 7604 North Oak Trafficway, Aldi's. This property is currently zoned CP1, which is a Planned Local Business District. We have residential uses to the North and the West and Commercial uses to the South and the East. Aldi's comprises about 2.5 acres worth of land. What they are basically wanting to do is expand their current structure about 3,300 square feet to the South of the existing façade, southern façade, and that is basically the only notable change. There is going to be some movement of on-site curbing that will occur at the main entrance to the property and they are working with the Fire Marshal to identify appropriate fire lanes for that. The expansion will encroach into its existing parking lot but not so much as to require more parking than what is already there. They have extensive parking as it is. Basically we are seeing no impervious surface increase. The Planning Commission and staff have about 10 recommended conditions for the Council to consider tonight if you would like to approve the Site Plan. The first is all curbs along the southern entrances as well as along the eastern side of the building and the middle landscaped island be denoted as fire lanes. No. 2, all exterior existing lighting shall be converted to LED. No. 3, a dumpster enclosure shall be located at the Northwest corner of the building. No. 4, the dumpster enclosure shall be constructed with materials and color consistent with the primary building. No. 5, trash service shall be scheduled between the hours of 7:00 am and 10:00 pm. No. 6, all disturbed grassed area shall be sodded. No. 7, additional landscaping shall be planted as follows: at least six coniferous trees, pine trees, or large shrubs along the northern property line. That is where we have our residential neighbors; at least four deciduous trees decorative, like red buds, and five smaller bushes along the eastern property line which is North Oak Trafficway, and that is just to break up the monotony of North Oak Trafficway and the sea of parking. No. 8, all cultivated, manicured grass and landscaped area shall be irrigated and maintained in perpetuity. No. 9, all mechanical equipment on the roof shall be screened by a parapet wall, a minimum of 12 inches above the tallest piece of mechanical equipment. No. 10, tractor-trailers and other commercial vehicles shall not be parked or be stored overnight on the premises. I have spoken with Aldi's and they have agreed to all 10 conditions, even though they couldn't be here tonight, unfortunately. I do want to point out, as you can see on the staff report, at the Planning Commission hearing, stormwater issues along 76<sup>th</sup> Terrace were brought up for discussion. Staff has since discussed possible solutions with Director Nebergall with Public Works, and larger pipes might soon be installed along that area. I went ahead and reviewed the original stormwater report when Aldi's was first built, and it is attached to your agenda packet. It was noted that on-site detention would actually harm upstream properties and that tying directly in to the city's stormwater infrastructure was actually preferable. An analysis of the draining of the property shows that surface stormwater run-off from Aldi's is not significant enough to actually impact the stormwater issues along 76<sup>th</sup> Terrace and actually there has been a tremendous amount of development along North Oak, in Kansas City, actually Kansas City is the likely culprit that is feeding into this issue but we are working with the property owners to identify a solution. Ultimately Aldi's is not responsible for the current stormwater concerns and the total impervious surface as I noted will not increase as a result of this store expansion you are considering tonight. Both the Planning Commission and staff recommend this request be approved contingent upon compliance with the 10 recommended conditions. At their January 12 meeting, the Planning Commission unanimously voted to recommend approval to the Council, 11-0. I'm happy to stand for any questions you may have."

There were no questions for Mr. Pappas.

**Mayor Moore** asked if there was anyone in the audience who wished to speak in favor of the applicant.

There were none.

**Mayor Moore** asked if there was anyone in the audience who wished to speak in opposition of the applicant.

There were none.

**Mayor Moore** closed the Public Hearing at 8:09 pm.

**Item No. 12. On the Agenda. FIRST READING BILL NO. 17-06** An Ordinance approving a Site Plan Revision for property at 7604 North Oak Trafficway.

**Councilman Hill** moved Bill No. 17-06 be placed on its First Reading. **Mayor Pro Tem Mallams** seconded. The Vote: All “aye” – Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0). The Clerk read the Bill.

**Councilman Hill** moved to accept the First Reading of Bill No. 17-06, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Mallams** seconded. The Vote: All “aye” – Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0). The Clerk read the Bill.

**Councilman Hill** moved to accept the Second and Final Reading of Bill No. 17-06, and enact the Bill as **Ordinance 4.382**. **Mayor Pro Tem Mallams** seconded.

**Mayor Moore** stated: *“I would just like to say I think it is exciting to see that we have a business like Aldi’s adding to their stock in the City of Gladstone. This is going to be a great improvement for the commercial area and I am really pleased to see that they have taken the opportunity to expand their services in the City of Gladstone. It is a great opportunity for the city.”*

**Councilman Hill** stated: *“Mayor Moore, I would echo your comments. It’s always good to see reinvestment and additional investment. It shows that our resident businesses are doing well when they choose to reinvest and so the reinvestment is much appreciated.”*

The Vote: All “aye” – Councilman Bill Garnos, Councilman J. Brian Hill, Mayor Pro Tem R.D. Mallams, Mayor Jean Moore. (4-0).

**Item No. 13. Other Business.**

There was no other business to be brought before the Council.

**Item No. 14. On the Agenda.** Questions from the news media.

There were no questions from the news media.

**Item No. 15. On the Agenda.** Adjournment. The Mayor adjourned the Regular City Council meeting at 8:13 pm.

Respectfully submitted:

Ruth E. Bocchino  
Ruth E. Bocchino, City Clerk

Approved as submitted: ✓

Approved as corrected/amended: \_\_\_\_\_

Jean B. Moore  
Jean B. Moore, Mayor