



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

PRESENT: Mayor R. D. Mallams
Mayor Pro Tem Bill Garnos
Councilmember Carol Suter
Councilmember Jean Moore
Councilman Kyle Yarber

City Manager Scott Wingerson
Assistant City Manager Bob Baer
City Counselor Chris Williams
City Clerk Ruth Bocchino

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

Mayor Mallams opened the Regular City Council Meeting Monday, November 13, 2017, at 7:36 pm in the Gladstone City Council Chambers.

Item No. 2. On the Agenda. ROLL CALL.

All Councilmembers were present.

Item No. 3. On the Agenda. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

Mayor Mallams asked all to join in the Pledge of Allegiance to the Flag of the United States of America.

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

The agenda was approved as presented.

Item No. 5. On the Agenda. Approval of the Closed October 23, 2017, City Council Meeting Minutes.

Councilmember Moore moved to approve the minutes of the Closed October 23, 2017, City Council meeting as presented. **Councilmember Suter** seconded. The Vote: "aye", Councilman

Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (5-0)

Item No. 6. On the Agenda. Approval of Regular October 23, 2017, City Council Meeting Minutes.

Councilman Yarber moved to approve the minutes of the October 23, 2017, Regular City Council meeting as presented. **Mayor Pro Tem Garnos** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (5-0)

REGULAR AGENDA.

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

John Spottswood approached Council and stated: *"My vision is not what it used to be but, I received a letter in the mail, my name is John Spottswood, I live at 5410 North Broadway via Old Pike. There are going to be some improvements on Old Pike and I have some concerns about it. That's about it, when you get down to it. I would be glad to talk about it. I received, I don't know, Kyle do you all have this?"*

No Councilman had seen what Mr. Spottswood was referring to.

Mr. Spottswood: *"They sent a map and a letter and said that there is going to be some improvements. Our property is right here. Old Pike, this is Broadway running into Old Pike. There is a narrow bridge there where, if anyone is familiar with Broadway and Old Pike, the bridge is kind of an optical illusion. You can get two semi-trucks past it but for people that are driving every day you will see them slam their brakes on, they skid. I'm surprised that people haven't been killed there. I'll be in my front yard working or getting in and out of cars and all you do is turn your head and you've got cars sliding all over the place. When I first bought the property, approximately ten years ago, we were told that that bridge was in the process of being replaced; there was Federal money and Home Depot went in, there were all these improvements being made and it stopped right there at my property don't you know. And, we had new sidewalks that were put in and I got this letter saying that there is going to be improvements made and the letter says that there, a schematic of the road project is attached in the vicinity of your property and the improvements will include a new driveway approach to your south driveway sidewalk and street resurfacing. Well I spent about an hour this afternoon walking around and taking pictures. Because the improvements that were made then, if they were anybody's property in this room, you would be a little disappointed. I've got sidewalks that have sunk five, six inches; there is a drainage ditch right by the south driveway that they are talking about that has been broken since they put it in. And the company that did it, I was told, I came up here and talked to some people in the codes office and they said, oh, they sent a whole bunch of people over, I mean a whole bunch. And the one thing that they came up with, 'yeah we remember this but you know I think this was a gas company deal and you will have to contact them.' And I went, OK. Never got a response, right? And I said well, and I came back down and I talked to them again, and I said, guys, somebody's going to get hurt walking on this property"*

and since these sidewalks are on my property I'd hate to be the person who is getting sued. There are sidewalks that have dropped, they are at an angle from west to east, probably dropped three to six inches, and I took some pictures. You all don't have time to look at these pictures, you have bigger things on your plate. But what you do is you make notes and somebody ought to take a look at it because it is worse than when I made that and what is happening is that the people that made that improvement, I guess there was the hill there and it used to be real high and kids would jump it with their cars and stuff. You all might have been some doing that. I would have. But, they lowered the hill, they put in new drainage, and where the drainage is the, I don't know what you call it, that you pour in there and the gravel and all that stuff to keep the land from settling, well it keeps settling. Over ten years, I've probably put five yards of dirt in this spot right in front of my yard and it's this wide, twenty feet long, and it just keeps disappearing. You can see under the sidewalk and I can't help but think that somebody is going to get hurt at some point. I've called contractors out to come take a look at it and see what they want to repair it and it's more than I care to talk about. You know, you've got a driveway, you're talking \$8,000.00. I've got two driveways and the fair city when they first did all this construction, they poured a nice circle driveway and that is exactly how it was given to me. 'We poured a nice circle driveway.' And I asked the guy, because I don't remember their names, I just know Darren Parsons because he drives by and sends me a letter once in a while. And I said, 'Darren, when you do construction work do you do work like this?' And he went, 'no, I'd never get another call.' So, the very same thing, and in this letter, and I called Kyle, and talked to Kyle, I said, what is going to be included here? I'm real interested because I've asked the City, you did this, fix it. If it was in one of the more exclusive neighborhoods instead of this well established neighborhood this driveway would have never been left like that. I suffer from a little bit of asthma type stuff, you got a driveway, you've got winds blowing, you've got dust blowing, I took a blower with a mask and I blew as much dirt and sand out of there and then washed it away down the street because I could, but I still have that ugly driveway there that I don't think is included in this because, you know what, you want to do some improvements, I'm all for it; but if you want to do improvements with the same company, I want them fired before they start. And that is a fact."

Mayor Mallams stated: "John, what is your address?"

Mr. Spottswood replied: "5410 North Broadway. And it's where Old Pike turns into Broadway right before that bridge and my property from the north going south meets that bridge."

City Manager Scott Wingerson stated: "Mr. Spottswood thanks for being here tonight and bringing the issue up. I think what Mr. Spottswood is referring to is the very first letter that goes out on the reconstruction of Old Pike Road. The scope of that project is from Vivion Road to Englewood Road, so I'm sure, without knowing any of the specifics that he speaks about, we are in the process of addressing 99.9% of those. The next step for Mr. Spottswood to get additional information, and it is probably in that letter, is to talk to Director Nebergall who is in the back. I'm sure they can make an appointment to talk and work through all the details that exist. So, I appreciate you raising the issues but I think we are on the way to getting them fixed for you."

Mr. Spottswood stated: "Great. Thank you."

Mayor Mallams stated: *"Thank you, John, and I have a question just for our own information. Director Nebergall will there probably be public meetings to discuss the improvements in regard to Old Pike?"*

Director Nebergall approached the Council and stated: *"Yes there will. They are actually, the first one will probably be right after the first of the year. In fact, we met with the consultant just this past week to talk about what our schedule will be for public involvement. What Mr. Spottswood received is the first, basically easement acquisition letter, and what we are hoping is that, you are more than welcome to reach out to me with any of your issues, and we will work through them. That is really the purpose of the first letter. We are not expecting them to sign any easements or anything, I mean, it would be great, but we also understand that there are issues that need to be worked through and I would be happy to work through with Mr. Spottswood."*

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

Councilman Yarber stated: *"We are very excited in that neck of the woods that the Old Pike improvements are beginning to take place. I've been, as you know, I've been to your house John, I've walked that corner many times and I think the issue is going to be addressed because the bridge, of course, which is right on the edge of your property, is obviously going to be widened. I just got a nod. So that part of your yard down there that has remained a problem, when the job wasn't done all the way when they did it earlier, then this will address that and then of course certainly make that corner a lot safer which is what is my daily fear. Every day I drive through there and see kids riding their bikes through there, there are people walking through there, out in the middle of the street. It will, we have been waiting for this, we are happy that it's coming along, and it will be a better street."*

Councilmember Suter stated: *"I wanted to comment on a couple of things that caught my eye in our weekly newsletter this last week. Two things I was happy to see happening in Gladstone. One, of course, is the scholarship program which is now called Recreation Connection; I like that. We have had scholarships for swimming programs and other things in the past and I think it is so important that every child in Gladstone has access to our recreation programming. I hope people will investigate that if you have a need. The other was, I was delighted that KCATA has us as one of the first communities that is going to get the Responsive App so that people can get individualized transportation just like calling Uber. You get a phone app and you get KCATA and individually they will come and pick you up and take you where you want to go. It's, unfortunately, only going to be west of M1 so those of us who live in the 64119 territories are not going to have access to it in the first place, but it's technology that most folks are familiar with already but public transportation has been, like usual public sources, has been a little bit slow to get on to how they can make it all work. This is a great pilot program and I hope Gladstone residents take advantage of it so that we can make it successful and make it accessible to the entire community over time."*

Mayor Pro Tem Garnos stated: *"Thank you, Mayor. I just can't believe that it is already holiday season; a week from tomorrow we have the Mayor's Christmas Tree Lighting ceremony which is always a nice start to the holiday season and I am looking forward to that. I may even*

have my mother here for that. No stories from any city staff or anything if my mother does make it here."

Mayor Mallams stated: *"Just a couple of comments this evening. I would like to encourage our on-line listeners, our city staff, and members of this evening's audience to consider contributing to the Mayor's Christmas Tree Fund. For your information, each year the Mayor gets to designate, or choose, the organization that will receive the donations. This year, the three organizations are Feed Northland Children; a program working in conjunction with the Harvesters Back-Snack Program in the schools of Clay and Platte Counties on Friday afternoons. Children check in with their school counselors. They receive a back-pack that is filled with nutritious food items to be eaten over the weekend. It's a wonderful program and impacts over 1200 children each week. As a former elementary principal, I know the kids really look forward to receiving those back-packs. The second organization is the Northland Christmas Store. It is a wonderful program. During the first week in the month of December, income eligible parents and adults are able to receive food items, hygiene and cleaning products, and age appropriate gifts for their children. Thanks to the efforts of many community organizations, churches, businesses and schools, we work to ensure that over 1500 family members have a memorable holiday season. The last organization to receive donated funds will be our own Animal Shelter here in Gladstone. These funds will help offset the expenses related to medical treatment for cats, dogs, and other animals in ensuring the soon to be adopted pets have had their vaccinations. The funds will also go to maintain the facility and staffing. How can you donate? Go on-line. Myevent.com/gladstonemayorschristmastreefund. And you can use either a debit card or a credit card, or stop by City Hall or the Community Center and you can leave a check with one of the staff members. Finally, just as our Mayor Pro Tem said, the Mayor's Christmas Tree lighting is next Tuesday, November 21, 6:00 pm at Linden Square. In addition to meeting Santa and Mrs. Claus, choirs from Chapel Hill and Antioch Middle School will be performing holiday songs. There is going to be hot chocolate and cookies donated to us by Gladstone's own Hy Vee. The ice skating rink will open that evening. Please come out and watch the City Council members as they compete in speed-skating competitions."*

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

City Manager Wingerson stated: *"Thank you, Mayor, and thank you for not inviting staff to participate in your contest. I appreciate that. Just two things tonight. The fall edition of the Gladstone magazine is out. It was in your packets last week and beginning to hit mail boxes. The publisher called, Guy Townsend, last week and he believed it was the best edition of the magazine that has ever been produced over about five or six years. We thank him for the compliment. My thanks to everybody that contributed to the magazine or had a part in making it happen, but specifically a shout out to Austin Greer who kind of manages that project and our new editor, Alexia Lange, who gives a new voice to the magazine which is a little bit softer and very well coordinated. Thank them very much. City Hall will be closed Thursday the 23rd and Friday the 24th for Thanksgiving. Enjoy your holiday."*

Item No. 10. On the Agenda. **FIRST READING BILL NO. 17-25** An Ordinance revising certain fees and charges for services and activities provided by the City of Gladstone, Clay County, Missouri, and amending Ordinance No. 3.948.

Councilmember Suter moved Bill No. 17-25 be placed on its First Reading. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilmember Suter moved to accept the First Reading of Bill No. 17-25, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilmember Suter moved to accept the Second and Final Reading of Bill No. 17-25, and enact the Bill as **Ordinance 4.400**. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 11. On the Agenda. FIRST READING BILL NO. 17-26 An Ordinance amending Title IX of the City of Gladstone, Clay County, Missouri, Code of Ordinances by amending certain provisions of Title IX relating to the construction and maintenance of structures and property within the City and designated as the “Building and Construction Ordinance” for the City of Gladstone, Clay County, Missouri.

Councilman Yarber moved Bill No. 17-26 be placed on its First Reading. **Mayor Pro Tem Garnos** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilman Yarber moved to accept the First Reading of Bill No. 17-26, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Garnos** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilman Yarber moved to accept the Second and Final Reading of Bill No. 17-26, and enact the Bill as **Ordinance 4.401**. **Mayor Pro Tem Garnos** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 12. On the Agenda. FIRST READING BILL NO. 17-27 An Ordinance approving the Re-Plat of Shoal Brook Addition Lot 2, Block 3, Gladstone, Clay County, Missouri, commonly known as 7630 North Bales Avenue, and directing the appropriate officials to affix their signatures to said plat for recording.

Mayor Pro Tem Bill Garnos moved Bill No. 17-27 be placed on its First Reading. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Mayor Pro Tem Bill Garnos moved to accept the First Reading of Bill No. 17-27, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Mayor Pro Tem Bill Garnos moved to accept the Second and Final Reading of Bill No. 17-27, and enact the Bill as **Ordinance 4.402**. **Councilmember Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 13. On the Agenda. **FIRST READING BILL NO. 17-28** An Ordinance directing the City Manager and Director of Public Safety to execute a Cooperative Agreement with the Missouri Highways and Transportation Commission for obtaining a Breath Alcohol Instrument to be used by Gladstone Police Officers to obtain Breath Alcohol samples in Driving While Intoxicated cases.

Councilmember Moore moved Bill No. 17-28 be placed on its First Reading. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilmember Moore moved to accept the First Reading of Bill No. 17-28, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilmember Moore moved to accept the Second and Final Reading of Bill No. 17-28, and enact the Bill as **Ordinance 4.403**. **Councilman Yarber** seconded.

Mayor Pro Tem Garnos stated: *"Mayor Mallams, earlier today I sent out a couple of questions when I was reviewing this in the packet. I very much support the Bill. I applaud Public Safety and the City Manager for seeking grant funding for some of these equipment needs. I don't want anybody to mistake my questions as not being very supportive of this because I am. I did have a couple of questions. This is for a stationary unit down in the booking unit, is that right?"*

Director Mike Hasty approached Council and stated: *"Mayor Pro Tem that is correct. It can be used as a mobile unit but it is going to stay at our booking area. We are looking for the appropriate cabinet to mount it in so it will stay secure there. We have no plans to take it on the road."*

Mayor Pro Tem Garnos stated: *"Our new remodeled booking area?"*

Director Hasty replied: *"Yes."*

Mayor Pro Tem Garnos stated: *"Do our officers use the preliminary breath testers in the field?"*

Director Hasty replied: *"Yes, we actually have three portable breath testing devices that are deployed."*

Mayor Pro Tem Garnos stated: *"OK, I was interested if we were using those. I remember back in the 1980's I was involved with distributing some federal funding to get those units out. We were testing them, calibrating the green light, yellow light, red light ones vs. the digital ones and it was a long time ago. I'm sure the technology has improved significantly since then. I'm hoping that was something our officers had."*

Director Hasty replied: *"Yes, they are very useful to us."*

The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 14. On the Agenda. Other Business.

There was no other business to come before the Council. Mayor Mallams thanked the residents for being at the meeting.

Item No. 15. On the Agenda. Questions from the news media.

There were no questions from the news media.

Item No. 16. On the Agenda. Adjournment.

Mayor Mallams adjourned the Regular City Council meeting at 8:08 pm.

Respectfully submitted:


Ruth E. Bocchino, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


R.D. Mallams, Mayor

I would like to encourage our online listeners, city staff, and members of this evenings audience to consider donating to the Mayors Christmas Tree Fund.

Each year, the Mayor designates / chooses organizations that will receive the donations.

This year, I have designated the following:

1) Feed Northland Children which is a Harvesters backpack snack program. In the schools in Clay and Platte Counties, on Friday students check in with their school counselors and they receive a backpack filled with nutritious food items to be eaten over the weekend. This is a wonderful program that impacts over ¹²⁰⁰~~3,000~~ children *each week*.

2) The second organization is the Northland Christmas Store. During the first week in December, income eligible parents and adults are able to receive food items, hygiene and cleaning products, and age appropriate gifts for their children. Thanks to the efforts of many community organizations, churches, businesses and schools – we work to insure over 1500 family members have a memorable holiday season.

3) The last organization to receive donated funds will be the Animal Shelter in Gladstone – these funds help to offset expenses related to medical treatment for cats and dogs and other animals, insuring the *on* soon to be ⁴adopted pets have their vaccinations, and providing funds for maintaining the facility and staffing.

How can you donate – go online at: myevent.com/Gladstone mayors Christmas tree fund – donations can be made using a debit or credit card; or stop by City Hall or the Community Center – to leave a check with a city staff members.

Finally – the Mayor' Christmas Tree Lighting will be Tuesday, November 21, 6:00 at Linden Square. In addition to meeting Santa and Mrs. Claus, choirs from Chapel Hill and Antioch Middle School will be performing holiday songs, hot chocolate and cookies are being donated by Gladstone's own HyVee, and the city's ice skating rink open on this evening. Tuesday, November 21, 6:00 at Linden Square and come watch the city council members ^{as they} compete in speed skating.