



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 11, 2018**

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

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

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

Mayor Garnos opened the Regular City Council Meeting Monday, June 11, 2018, at 7:32 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 Garnos asked all to join in the Pledge of Allegiance to the Flag of the United States of America.

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

The agenda was approved as published.

Item No. 5. On the Agenda. Approval of the May 29, 2018, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the May 29, 2018, Closed City Council meeting as presented. **Mayor Pro Tem Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Item No. 6. On the Agenda. Approval of the May 29, 2018, Regular City Council Meeting Minutes.

Councilmember Moore moved to approve the minutes of the May 29, 2018, Regular City Council meeting as presented. **Councilman Yarber** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

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

Following the Clerk’s reading, **Mayor Pro Tem Suter** moved to approve the Consent Agenda as printed. **Councilman Mallams** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Mayor Pro Tem Suter moved to approve **RESOLUTION R-18-43** A Resolution adopting the 2019 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services. **Councilman Mallams** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

Mayor Pro Tem Suter moved to accept the ballot results and recognize West Central Missouri Regional Lodge #50 of the Fraternal Order of Police as the exclusive bargaining representative for two public safety employee groups – Police Officers and Corporal’s Unit and Sergeant’s Unit. **Councilman Mallams** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Bill Garnos. (5-0)

REGULAR AGENDA.

Item No. 8. On the Agenda. **Communications from the Audience.**

Mike Chambers, representative from AT&T, approached Council and stated: *(see attached narrative)

At this point in the City Council meeting: 7:41 pm, the power failed.

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

No actions taken.

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

No actions taken.

Item No. 11. On the Agenda. PUBLIC HEARING: CONTINUATION FROM APRIL 23, 2018: Site Plan Revision 6309 Northeast Antioch Road.

Mayor Garnos opened the Public Hearing at 8:06 pm. The Public Hearing was continued to June 14, 2018, 7:30 pm, at the rescheduled City Council meeting.

Item No. 12. On the Agenda. FIRST READING BILL NO. 18-16 An Ordinance approving a Site Plan Revision for property at 6309 Northeast Antioch Road.

No action taken.

Item No. 13. On the Agenda. PUBLIC HEARING: The Reserves at Rock Creek (Woodbine) 2900 Kendallwood Parkway, Gladstone, Missouri. *(this hearing has been cancelled)*

No action taken.

Item No. 14. On the Agenda. PUBLIC HEARING: Proposed Sewer Rate Charges.

Mayor Garnos opened the Public Hearing at 8:07 pm. The Public Hearing was continued to June 14, 2018, 7:30 pm, at the rescheduled City Council meeting.

Item No. 15. On the Agenda. FIRST READING BILL NO. 18-25 An Ordinance amending Section 6.110.570 of the Code of Ordinances of the City of Gladstone, Missouri, levying Sewer Services Charges and Commodity Rate Charges in the city.

No action taken.

Item No. 16. On the Agenda. FIRST READING BILL NO. 18-26 An Ordinance amending Section 6.110.100 of the Code of Ordinances of the City of Gladstone, Missouri, regarding Water Service Rates in the city.

No action taken.

Item No. 17. On the Agenda. FIRST READING BILL NO. 18-27 An Ordinance amending Chapter 100 of the Code of Ordinances of the City of Gladstone, Missouri, to enact provisions relating to Self-Preemption and Enforcement of the City Code.

No action taken.

Item No. 18. On the Agenda. FIRST READING BILL NO. 18-28 An Ordinance amending Chapter 115 of the Code of Ordinances of the City of Gladstone, Missouri, to update its regulations relating to managing the City Rights-of-Way.

No action taken.

Item No. 19. On the Agenda. FIRST READING BILL NO. 18-29 An Ordinance amending Chapter 200 of the Code of Ordinances of the City of Gladstone, Missouri, to enact Safety and Building Regulations for towers.

No action taken.


Item No. 20. On the Agenda. Other Business.

There was no other business to come before the Council.

Item No. 21. On the Agenda. Adjournment.

Mayor Garnos stated the items not covered on the June 11, 2018, agenda would be heard on Thursday, June 14, 2018, 7:30 pm due to the power outage. **Mayor Garnos** adjourned the June 11, 2018, Regular City Council meeting at 8:08 pm.

Respectfully submitted:



Ruth E. Bocchino, City Clerk

Approved as presented: ____

Approved as modified: ____



Mayor Bill Garnos

My name is Mike Chambers, I'm the AT&T Regional Director of External Affairs for Northwest Missouri. My AT&T territory includes 29 counties and is roughly everything west of Kirksville, north to the Iowa line and south to Lake of the Ozarks area. I serve on the Gladstone Economic Betterment Council and the Gladstone Chamber Boards.

I wanted to note some concerns I have with bill 18-28 you will first and second read this evening. In my talks with the City Manager last Friday, I noted that Friday afternoon was the first time I had seen or heard of bills 27 through 29 on tonight's agenda.

I read them quickly and there are some violations of the new state legislation regarding small cells that was passed this 2018 session. In my opinion, the city should take the time to address these potential violations before passing bill 18-28.

I understand that bill 18-27 (self-preemption and enforcement of ordinances) is designed to remove any risk to the city. I understand that state and federal laws are always changing and that is difficult to keep up with (much like the state and federal tax codes). Also, I understand why the city would want to state that city ordinances are automatically preempted by state and federal law and not have to immediately remove or revise the ordinance.

However, this would be a case of the city passing an ordinance that it knew was already in violation of legislation that has passed the Missouri legislature. I would respectfully request that the council consider tabling bill 18-28 so that legal can present you with a clean ordinance.

AT&T is in the process of reviewing 18-28 and will share our concerns with city staff when our legal review is complete. I have talked to the city manager and hope to be involved in future ordinance work regarding small cell technology so the city can be efficient with its time and resources. I want the city to produce the best possible ordinances for its citizens and our customers.

I'm happy to work with the city and to make the city of Gladstone be the best that it can be and hope you will allow me to be part of that process.

Thank you for your time and consideration and I look forward to a continuing to work with you and city staff in the future.