



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 28, 2019**

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 Clerk Ruth Bocchino
Attorney Padraic Corcoran

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

Mayor Garnos opened the Regular City Council Meeting Monday, January 28, 2019, at 7:35 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 and thanked VFW Post 10906 Carla Gleaton, Joe Liles, Bill Softka and Stan Stoner for posting the colors.

Mayor Garnos introduced four Scouts in attendance at the City Council meeting for Citizenship Merit Badges and Communications Merit Badges. Those present: James Croley, William Draper, Drew Zadnys, and Teegan Hunold. Students from Oak Park High School were in attendance to observe, as a part of the Youth City Council Program: Morgan J. Kendall, Malisa M. Bartlow, Lindsey J. Wood, Tiana S. Smith, Annie Aganga, Samantha C. Thomas, Hannah I. Frazier, Sarah R. Ealey, Anthony Tellez, Jackson Galetti, Joseph M. Shaver, Amari Marks, Hudson T. Leach, Bently Taulbert, and Catherine Petet.

Mayor Garnos stated: *"Welcome all of you for being here this evening and your interest in City Government. My daughter, Elizabeth, graduated from Oak Park in 2011. As you are probably all*

aware, all of us here on City Council; we serve three year terms. We are strictly non-partisan here so we do not run or get elected as Republicans or Democrats. We all serve at-large, which means we all work for the best interest of the entire city so we don't each represent different districts or wards and end up having to fight over who gets what. Each year we also select a Mayor from within our group. We use a trial by combat format, sort of like from the Game of Thrones. The winner gets to run the City Council meetings for the year. I give you fair warning that not everything that we do in City Council is super exciting. Some of the day-to-day business of running the City is not as glamorous as you may think it would be, but it is all important. Thank you for being here and thank you for your interest in Gladstone City Government."

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

The agenda was approved as published.

Item No. 5. On the Agenda. Approval of the January 14, 2019, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the January 14, 2019, Closed 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. 6. On the Agenda. Approval of the January 14, 2019, Regular City Council Meeting Minutes.

Councilmember Moore moved to approve the minutes of the January 14, 2019, Regular City Council meeting as presented. **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)

Item No. 7. On the Agenda. Approval of the January 17, 2019, Closed City Council Meeting Minutes.

Mayor Pro Tem Suter moved to approve the minutes of the January 17, 2019, Closed City Council meeting as presented. **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)

Item No. 8. On the Agenda. Approval of the January 17, 2019, Special City Council Meeting Minutes.

Councilman Yarber moved to approve the minutes of the January 17, 2019, Special 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. 9. On the Agenda. MAYOR'S CHRISTMAS TREE FUND CHECK PRESENTATION

Mayor Garnos stated: *"This is always one of my favorite things of the year. As you may recall, back in November we had the lighting ceremony for the Mayor's Christmas Tree. That is the kick-off to a fundraiser. I picked three northland organizations to be the recipients of the Mayor's Christmas Tree fundraising this year. One of them is Feed Northland Kids. This organization, in partnership with Harvesters, the Community Food Network, provides Northland kids with back packs of food to address weekend nutrition and hunger by providing healthy foods and snacks for children. I also picked the Gladstone Animal Shelter which provides care and support for over 1,000 of our four-legged friends every year and donations help with adoption and care of the shelter pets. We also this year picked Gladstone Neighbors Helping Neighbors which is a program that provides funding and assistance for a variety of neighborhood programs for needy homeowners to help with minor home maintenance repairs and weatherization projects. I chose these three programs because they all support good causes that help people and pets right here in Gladstone. They do a terrific job of leveraging the donations they get for maximum benefit. Tonight we have representatives here from each of these three organizations: Chris Evans from Feed Northland Kids; Art Hammen from Gladstone Neighbors Helping Neighbors; and Officer Beth Gillespie from the Gladstone Animal Shelter. On behalf of the Mayor's Christmas Tree Fund, I have a check for each of you here in the amount of \$3,000.00 for each of your organizations. Please come forward, get a quick photo, and we would certainly be interested in hearing anything you wanted to say about your organization or how the donations will be used."*

Mayor Garnos presented the checks.

Mayor Garnos stated: *"This year at the Mayor's Christmas Tree Lighting Ceremony we did something a little different; we also took advantage of everyone's generosity that evening and we had the Boy Scouts pass the hat, or pass the bucket, to also do some fundraising for the Gladstone Shop with a Cop program. I also wanted to thank Art Hammen for all he has done to help make that program such a success. I wanted to thank all the people and the organizations who made contributions to the Mayor's Christmas Tree Fund. I particularly wanted to thank Antioch Bible Baptist Church, Dr. Pollina and Dentistry for Children, and Security Bank for their generous contributions and for all they do to help make Gladstone a great place to live."*

Item No. 10. On the Agenda. CONSENT AGENDA.

Following the Clerk's reading:

Mayor Pro Tem Suter moved to approve the Consent Agenda as amended. **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)

Mayor Pro Tem Suter moved to approve **RESOLUTION R-19-04** A Resolution adopting a Mission Statement, Vision Statement, and Goals for the City of Gladstone, Missouri, for 2019. **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)

Mayor Pro Tem Suter moved to approve **RESOLUTION R-19-05** A Resolution authorizing the City Manager to execute a contract with Orr Wyatt Streetscapes in the total amount not to exceed \$845,086.70 for the construction of the Shoal Creek Greenway Trail Phase 4 from Happy Rock Park to North Brighton Avenue; City Project #TP1871; Federal Project #TAP-3323(409). **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)

Mayor Pro Tem Suter moved to approve **RESOLUTION R-19-06** A Resolution authorizing acceptance of work under contract with Blue Nile Contractors, Incorporated, for the 2018 Water and Sewer Mains Replacement, and authorizing final payment in the amount of \$33,268.78 for Project WE1886. **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)

Mayor Pro Tem Suter moved to approve **RESOLUTION R-19-07** A Resolution authorizing the City Manager to execute a contract with Mid-West Associated Contractors Corporation in the total amount not to exceed \$166,756.00 for the Public Works Building Improvements Project CP1754. **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)

Mayor Pro Tem Suter moved to approve the **FINANCIAL REPORT FOR DECEMBER 2018 AND APPROVE THE SEMI-ANNUAL FINANCIAL STATEMENT AND SCHEDULE OF INVESTMENTS**. **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)

REGULAR AGENDA.

Item No. 11. On the Agenda. Communications from the Audience.

Michael Chambers, 320 North 10th Street, St. Joseph, Missouri, approached Council and stated: *"My name is Michael Chambers and I am the Regional Director of External Affairs for AT&T. This item was kind of in your Special Work Session but I just wanted to compliment your legal counsel, he did an excellent job. I know my industry is complicated. It moves very fast and it does change quickly. I did like the two that were good examples down around the Plaza area. I can openly say that AT&T, what we are doing, is even less obtrusive than that, it's really unrecognizable. I have pictures of what we have done in Independence. I just encourage the Councilmembers as we move forward, and city staff, and Scott knows this, to call me anytime. I'm happy to explain what is going on in the industry. I'm certainly happy to address any AT&T issues that come up. I'm actually very excited about it. I have five kids, I can guarantee you, the way they use the technology, it's not the way I use the technology, but it will be very important to*

them as far as where they live and what they do in the future and how well it is available. I know this Council understands that. I know I've talked to all of you about the issues in the past so, I just wanted to thank you for that opportunity and I'll work to make sure everything gets done right and I know I'll be the conscience of AT&T and if you see anything wrong, just call me. Thank you."

Item No. 12. On the Agenda. Communications from the City Council.

Councilman Yarber stated: *"Sure, just one thing. We have some very frigid weather coming up so I hope everyone bundles up. Also remember our animal friends outside; If possible bring them in or provide something to help them survive this. This will be a great hardship for them."*

Mayor Pro Tem Suter stated: *"Just a word from last week. I passed the gavel and ended my two year term as the Chair of the Board of the Mid America Regional Council which was really quite an honor and a privilege to do. I continue to serve on the Executive Committee and will as long as I serve on the MARC Board; past Chairs are a permanent member of the Executive Committee and we are able to stay on the MARC Board for as long as we are an elected official. My capacity there is that I represent all the cities of Clay County, that is the seat that I hold. In this crazy divided, hostile, acrimonious environment in which we all live, that Board gives me a lot of hope. That is because around that table of 33 people, are representatives from 119 cities, 9 counties, and two states. We represent the entire spectrum of political philosophy in thinking from right to left; ultra-left, ultra-right, it's all there. And yet, we are able to discuss, debate, and make decisions with civility and respect. We take on big issues that affect the lives of millions of people in the region and sometimes just little housekeeping things as well. We are able to do it because it's a group that does, as you suggested earlier, Mayor, set aside political partisanship and we focus on what is in the best interest of the communities that we serve. In a democracy, that is the way that government is supposed to work. I really feel privileged to be a part of that group and I think that we really are a lucky region to have such an effective regional planning organization."*

Mayor Garnos stated: *"Thank you. The MARC Board was fortunate to have you serve as their Chairman. I think you brought great distinction both to the MARC Board, the Northland, and the City of Gladstone. Thank you so much for your service there. I was able to attend a Board of Zoning Adjustment meeting last week. We did not have any zoning issues, it was just organizational with the election of officers. We do have work plans for the Board and introduction of new Board members. I was surprised to find out the Board of Zoning Adjustment apparently didn't meet last year, and so in fact, one of the new Board members was one we had appointed last year and this was his first meeting. I think one of the reasons that we haven't been meeting as often on BZA, and Mr. Napoli can correct me if I'm wrong here, but we have fixed some of the things in the codes and ordinances that ultimately previously led to a lot of Board of Zoning Adjustment hearings. We have had issues in the past with people that have wanted to build decks onto their house, or wheelchair ramps onto their house that weren't compliant with city building codes or ordinances and ultimately would have to go to the Board of Zoning Adjustment. I think we have gotten a lot of that fixed and it allows us to be a little bit more permissive. I also had the privilege of attending the Gladstone Chamber of Commerce lunch at Summit Grill with other members of the City Council and that was great as always."*

Item No. 13. On the Agenda. Communications from the City Manager.

City Manager Wingerson stated: *"Thank you. Quite a few items tonight so give me just a couple of seconds. First, a shout out to the students from Oak Park High School. Thank you for being here. A special recognition of Bryan Edinger, he is in the back there, he is a teacher at Oak Park and runs the leadership program for the high school and it is always great to see him. Pot hole update: as you know the recent weather has had an impact on our roads. We are very good at clearing them but it causes pot holes. Just to let everyone know, Tim Nebergall, Director of Public Works, and his staff, will be working diligently filling pot holes in residential areas and primary collector streets and will also have the help this year of a contractor to sort of fill in. We are putting a little extra emphasis on the arterials and main roadways of the city to try and get that knocked out. Unfortunately, with pot holes, they come back so we may have to do it several times before spring comes and the weather clears up. Recognition of City Clerk Ruth Bocchino, sworn in as Secretary to the Missouri City Clerks and Finance Officers Association for 2019, City Clerk Bocchino's second term as Secretary of the Division so congratulations to her. The 11th Annual Daddy-Daughter Dance is February 15 and 16, there are just a couple of spots available. It's one of the best events of the year in the community so don't miss that. Brush disposal is free to Gladstone residents during normal business hours until February 15, that is a little bit of an extension due to the weather being so cold and bad, people have not had a chance to get out in their yards and do that sort of thing, so we are extending that period during normal business hours to Gladstone residents to February 15. Last but not least, to Mayor Pro Tem Suter, thank you for your service on the MARC Board. As staff, we certainly understand the time and energy and pressure that comes as the Chair of MARC. You did it wonderfully and always kept Gladstone in mind and represented all of us just at the highest level, so thank you. Thank you, Mayor."*

Item No. 14. On the Agenda. FIRST READING BILL NO. 19-07 An Ordinance authorizing the City Manager to execute a Development Agreement between the City of Gladstone, Missouri, and Glad Hotel Developers, LLC.

Councilman Mallams moved Bill No. 19-07 be placed on its First Reading. **Councilmember Moore** 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). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 19-07, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Moore** 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). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 19-07, and enact the Bill as **Ordinance 4.458**. **Councilmember Moore** seconded.

Mayor Pro Tem Suter stated: *"In light of our audience, I might just ask if the City Manager would just give a little explanation of what a development agreement is, or isn't."*

City Manager Wingerson stated: *"Thank you, Mayor Pro Tem Suter. A development agreement provides the context for a possible development project that outlines the key terms related to development of land in the city. In this particular case, it's land that the city owns at the corner of 69th and North Oak and it's for a proposed hotel development. There is not a lot of details around it, it is just sort of a conceptual agreement that the parties enter into now, between the city and the developer who happens to be from Omaha, Nebraska, and it allows us to move forward and continue conversations. It's really the first step in the development process and we hope over the next eighteen months or so it becomes a reality."*

Mayor Pro Tem Suter stated: *"Thank you, City Manager. This has been on our wish list for a very long time in the city so it's really quite exciting to have the opportunity to approve this and I certainly support the approval of this development agreement."*

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. 15. On the Agenda. FIRST READING BILL NO. 19-08 An Ordinance allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2019.

Councilman Yarber moved Bill No. 19-08 be placed on its First Reading. **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). The Clerk read the Bill.

Councilman Yarber moved to accept the First Reading of Bill No. 19-08, waive the rule, and place the Bill on its Second and Final Reading. **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). The Clerk read the Bill.

Councilman Yarber moved to accept the Second and Final Reading of Bill No. 19-08, and enact the Bill as **Ordinance 4.459**. **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. 16. On the Agenda. Other Business.

There was no other business to come before the Council.

Item No. 17. On the Agenda. Adjournment.

Mayor Garnos adjourned the January 28, 2019, Regular City Council meeting at 8:03 pm.

Respectfully submitted:

Ruth E. Bocchino
Ruth E. Bocchino, City Clerk

Approved as presented: ✓

Approved as modified:

Bill Garnos
Mayor Bill Garnos