



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 10, 2019**

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

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

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

Mayor Suter opened the Regular City Council Meeting Monday, June 10, 2019, at 7:34 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 Suter 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 13, 2019, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the May 13, 2019, Closed City Council meeting as presented. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 6. On the Agenda. Approval of the May 13, 2019, Regular City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the May 13, 2019, Regular City Council meeting as presented. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 7. On the Agenda. Approval of the May 23, 2019, Closed City County Meeting Minutes.

Mayor Pro Tem Moore moved to approve the minutes of the May 23, 2019, Closed City Council meeting as presented. **Councilman Yarber** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 8. On the Agenda. Approval of the May 23, 2019, Regular City Council Meeting Minutes.

Mayor Pro Tem Moore moved to approve the minutes of the May 23, 2019, Regular City Council meeting as presented. **Councilman Yarber** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

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

Following the Clerk’s reading:

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

Councilman Mallams moved to approve **RESOLUTION R-19-19** A Resolution declaring certain city property surplus and authorizing the sale of such property held by the city to the highest bidder via online auction and/or sealed bid. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-20** A Resolution authorizing acceptance of a proposal from Key Equipment for the acquisition of a trailer vacuum excavator in the total amount of \$48,041.00. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-21** A Resolution authorizing the City Manager to execute a contract with Blue Nile Contractors, Incorporated, in the total

amount not to exceed \$1,018,913.49 for the 2019 and 2020 Water and Sewer Main Replacement for Projects WP1986. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-22** A Resolution authorizing the City Manager to execute a contract with Metro Asphalt, Incorporated, in the total amount not to exceed \$877,189.90 for the 2019 Mill and Overlay Program for Project TP2006. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-23** A Resolution authorizing acceptance of work under contract with AB Creative, Incorporated, for the Hobby Hill Park Playground Equipment, Park Shelters and Restroom project, and authorizing final payment in the amount of \$4,664.11 for Project CO1656AM. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-24** A Resolution authorizing acceptance of work under contract with AB Creative, Incorporated, for the Hobby Hill Park Adult Challenge and Fitness Area Project, and authorizing final payment in the amount of \$391.59 for Project CO1656AM2. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-25** A Resolution authorizing acceptance of work under contract with Genesis Environmental Solutions, Incorporated, for the painting outdoor swimming pool project, and authorizing final payment in the amount of \$2,615.95 for Project OP1957. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-19-26** A Resolution authorizing the City Manager to enter into a Third Amendment to the Antenna Site Lease with Rural Cellular Corporation D/B/A Verizon Wireless, at the Water Treatment Plant. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Mallams moved to approve the FINANCIAL REPORT FOR MONTH END APRIL 2019. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

REGULAR AGENDA.

Item No. 10. On the Agenda. Communications from the Audience.

There were no communications from the audience.

Item No. 11. On the Agenda. Communications from the City Council.

Councilman Yarber stated: *"A lot of things happening, but I will focus on one that is coming up in the next couple of weeks. On June 23, the Gladstone Classic Car Concourse is taking place, for the second year, on Cherry Street in front of Oak Hill Day School. In fact, all the funds raised by it will go to Oak Hill Day School. Last year, our oldest vehicle was 99 years old. We are going to exceed that, we have a 1910 Stanley Steamer that is owned by a local Gladstone resident who is going to drive it there for this event. Again, we will have youth judging, we will have it programmed because it gives the kids a better perspective of history. It is free to the public."*

Mayor Pro Tem Moore stated: *"Thank you, Mayor. Just a couple of things. It was an honor for me to represent the Mayor at a Community for all Ages event at Hobby Hill Park. This was a group through MARC, the Mid America Regional Council, and the most exciting thing was to have the opportunity to show off the newest jewel in our amazing parks system. That was a really fun event. I also had the opportunity to present a proclamation in the Mayor's absence to Brent Friday on his retirement."*

Mayor Suter stated: *"Thank you for standing in for me while I was on vacation. I had the opportunity to present a proclamation to Darren Rodman who retired after more than 30 years with the city. It was a meaningful ceremony because it occurred to me that someone can, who came to the city without a high school diploma even, that you can make a lifetime career out of working for the City of Gladstone, during which time he received his GED and was able to move from a part time worker to a seasonal, to full time, to move from one department to another and actually advance in his career of over 30 years. It's always heartwarming to hear people's comments about how much he mattered to everyone. I want to encourage people to take a look at the temporary art installation that is in the median here in front of Summit Grill. I wanted to thank all the folks who participated, all the volunteers, because it takes so many volunteers to put on a successful Bluesfest this past weekend. The weather was great; the crowd was good. I wasn't there on Friday night, but on Saturday, and I understand that Friday night they went way into the night time and were still there at 11:30. That was really great. I wanted to remind folks that this Friday the Mid America Regional Council is having its Annual Regional Assembly at which the MARC Board awards Regional Leadership Awards and one of our Gladstone friends, the Mayor of Pleasant Valley, David Slater, is receiving the award this year. I understand he has quite an entourage that has booked tickets so that is really exciting. Also, Friday is the first concert for Sounds on the Square at Linden Square, so there is a concert on Friday night. Next weekend is Friday and Saturday night with the Food, Art, Drink event. We will be holding a special reception that evening for business and community leaders as well to come and learn a little bit more about Gladstone, and especially our downtown and take advantage of the concert next weekend."*

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

City Manager Wingerson stated: *"Thank you, Mayor. The Council has hit all of the items on my list with the exception of one and that is the official information related to our retirement system and a possible change. The Mayor and City Council have received cost information for a possible change in LAGERS in accordance with Section 105.675 RSMo., the cost information will be made available for at least 45 days prior to any change being made. The City Clerk has that information and it is available for public review during business hours in her office. Thank you."*

Item No. 13. On the Agenda. PUBLIC HEARING Special Use Permit-Creative Arts Academy.

Mayor Suter opened the Public Hearing at 7:44 pm.

City Manager Wingerson stated: *"Mayor, we ask that you continue this Public Hearing at the applicant's request to the July 8th meeting to work out some neighborhood issues."*

Mayor Suter stated: *"Thank you. As I said earlier, we try to work strongly on collaboration and it seems like there are some issues to be worked out. This Public Hearing will be continued until our Regular Session on July 8th, 2019."*

Item No. 14. On the Agenda. FIRST READING BILL NO. 19-21 An Ordinance granting a Special Use Permit subject to certain conditions to Creative Arts Academy for purposes of operating a Gymnastics Center in an R-1 Zone at 1904 Northeast Englewood Road.

Mayor Suter stated: *"This will also be continued as it is, of course, connected to the Public Hearing. Bill No. 19-21 is continued until July 8th, 2019."*

Item No. 15. On the Agenda. PUBLIC HEARING Special Use Permit-Tailor Operation.

Mayor Pro Tem opened the Public Hearing at 7:45 pm.

Assistant to the City Manager Austin Greer approached Council and stated: *"Good evening, Mayor and City Council. The applicant tonight is Mr. Jon Kim who seeks approval of a Special Use Permit for five years for the operation of a home-based alteration and tailor business located at 2404 NE 72nd Street. The location of this single family residence is near a busy commercial intersection which alleviates any concern that a home-based business with visiting customers would have a negative impact on adjacent residential uses. One sign shall be permitted and displayed on the premises in compliance with the current city sign code and shall not exceed six square feet. Given last year's Planning Commission discussion in regard to this Special Use Permit, a strong argument was articulated that the applicant should be allowed one sign. This Special Use Permit was approved unanimously in 2018. Over the past year, the applicant has been sent two separate notices in regard to sign violations. The applicant and city staff have met and the issue of signage is resolved as of May 2019. City staff recommends that the following conditions be considered if the City Council chooses to approve this project request. 1. This Special Use Permit is issued to Jon H. Kim to be used at the above noted address. 2. This Special Use Permit shall be non-transferable to any other person or company,*

or to any other location. 3. Any changes in operation of the business by Jon H. Kim or change in ownership shall render this Special Use Permit null and void. 4. No person other than Jon H. Kim shall be employed at this location or any other address in association with the alteration shop by Jon H. Kim. 5. Hours of operation shall be limited to 6:00 am to 7:00 pm. 6. Jon H. Kim must reside at this residence for this permit to be valid. 7. Jon H. Kim shall apply for and maintain all applicable State and City business and occupational licenses; copy of such business and occupational licenses shall be supplied to the Community Development Department of the City of Gladstone. 8. One sign shall be permitted and displayed on the premises in compliance with the current sign code and shall not exceed six square feet. Thank you, and that is all, Mayor."

There was no further testimony.

Mayor Suter closed the Public Hearing at 7:47.

Item No. 16. On the Agenda. FIRST READING BILL NO. 19-22 An Ordinance granting continuance of a Special Use Permit subject to certain conditions to Jon H. Kim for operation of a Tailor Operation in an R-1 Zoning on property at 2404 Northeast 72nd Street.

Councilman Mallams moved Bill No. 19-22 be placed on its First Reading. **Councilman Garnos** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 19-22, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Garnos** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 19-22, and enact the Bill as **Ordinance 4.472**. **Councilman Garnos** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 17. On the Agenda. RESOLUTION R-19-27 A Resolution amending or revising the 2019 General Fund for the City of Gladstone, Missouri, and authorizing expenditures of funds.

Mayor Pro Tem Moore moved to approve **RESOLUTION R-19-27** A Resolution amending or revising the 2019 General Fund for the City of Gladstone, Missouri, and authorizing expenditures of funds. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 18. On the Agenda. PUBLIC HEARING FY2020 BUDGET.

Mayor Suter opened the Public Hearing at 7:50 pm.

Finance Director Dominic Accurso approached Council and stated: *"Good evening Mayor and City Council. Hopefully tonight will be the culmination of the last six month process we have been going through for FY2020. We advertised the Public Hearing on May 9th in the Gladstone Dispatch for the presentation tonight. Tonight's presentation will include all budgeted funds, so we will go over the General Fund, Special Revenue Funds, which consist of the Community Center, Public Safety Sales Tax, and the Special Parks and Playground Funds, Capital Project Funds, which comprise of the Capital Improvement Sales Tax Fund, the Transportation Sales Tax Fund, and Capital Equipment Replacement Fund, and also the Enterprise Fund which is Combined Water Works and Sewerage Fund. All this information is basically the same thing, it may have changed a little bit for the presentation but as far as the totals and everything go, they are the same as what was presented earlier in the Study Session."*

Please see attached FY2020 Budget Public Hearing Document for detail information.

Mayor Suter stated: *"Again, I think we had really excellent Study Sessions on the budget and again always well done. When I see the headlines that the City of Independence is \$3.5 million short in their budget and they have to now take back benefits and stuff from their employees; we are always so appreciative of the great job the city does in managing its resources. It's so comfortable to do this process because staff always manages to work out the issues and so we always end up with something that is comfortable and we are able to have our 20% reserve. It's a rare thing. We have never used it. Maybe someday we will, who knows, maybe we won't. It's a good fiscal practice to have it there in case something does happen that is unaccounted for in the budget. In this era of increasing natural disasters, it seems like there may come a day when we have to have it for something. Again, great job to all of you."*

There was no further testimony.

Mayor Suter closed the Public Hearing at 8:09 pm.

Item No. 19. On the Agenda. RESOLUTION R-19-28 A Resolution adopting the 2020 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services.

Councilman Mallams moved to approve **RESOLUTION R-19-28** A Resolution adopting the 2020 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services. Mayor Pro Tem Moore seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 20. On the Agenda. PUBLIC HEARING SEWER RATE CHARGES.

Mayor Suter opened the Public Hearing at 8:10.

Finance Director Dominic Accurso approached Council and stated: *"Good evening again, Mayor and City Council. Also on May 9th, we published a Public Hearing notice in the Gladstone Dispatch for the meeting for tonight. We will discuss the Sewer Rate Public Hearing. This is a*

chart of historical information from water usage. You probably remember the conversation that we have had every year that you know it is declining, we think it has stopped, fingers crossed. It seems to have leveled out this year, the past couple of years, actually, but in all, from 2005 to now, usage has declined 20%. That is significant, especially when you are trying to pay, charge services to pay to provide those services. That is a very difficult thing to do. As discussed in the previous section, we did get notice from Kansas City that sewer rates are being increased this year. First the good news, we are not increasing water rates. Currently the water rate is \$4.75 per thousand gallons, service charge \$9.27 a month, no change. Sewer rates, on the other hand, current rate is \$9.37 per thousand gallons, service charge is \$13.60 a month. The proposed change is to increase the usage of the per thousand gallon amount to \$9.92. That is an increase of \$.55 per thousand gallons. The service charge will increase to \$14.40, or an increase of \$.80 per month. Not as big of a jump as we have seen in the previous years. This is the chart that we looked at a couple of months ago. This is a difficult time because other cities are also adopting their budget and doing the same thing. We don't know exactly when all these numbers are being adopted from other cities. As you can see, Gladstone is still relatively in the middle. This is for usage of 5,000 gallons of water and 4,000 gallons of sewer per month which we found that to be our average customer. All together that comes up to \$87.11 per month for both water and sewer. Previous years was \$84.10 so there is an increase of \$3.01 per month."

There was no further testimony.

Mayor Suter closed the Public Hearing at 8:12 pm.

Item No. 21. On the Agenda. FIRST READING BILL NO. 19-23 An Ordinance amending Section 6.110.570 of the Code of Ordinances of the City of Gladstone, Missouri, levying sewer service charges and commodity rate charges in the city.

Councilman Mallams moved Bill No. 19-23 be placed on its First Reading. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of Bill No. 19-23, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of Bill No. 19-23, and enact the Bill as **Ordinance 4.473**. **Councilman Yarber** seconded.

Mayor Pro Tem Moore stated: "Mayor Suter, this is just one of those votes that we have to take that none of us want to take. Our hands are really tied by the fact that we have Kansas City handling our sewer charges. I think I probably speak for everybody to say nobody wants to vote for this but we don't really have a choice."

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

Item No. 22. On the Agenda. **FIRST READING BILL NO. 19-24** An Ordinance directing the City Manager to execute a Mutual Aid Agreement with the Platte County Sheriff's Department for Intergovernmental Law Enforcement Service and Assistance.

Councilman Garnos moved Bill No. 19-24 be placed on its First Reading. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Garnos moved to accept the First Reading of Bill No. 19-24, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Garnos moved to accept the Second and Final Reading of Bill No. 19-24, and enact the Bill as **Ordinance 4.474**. **Mayor Pro Tem Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilman R.D. Mallams, Councilman Bill Garnos, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Item No. 23. On the Agenda. Other Business.


There was no other business to come before the Council.

Item No. 24. On the Agenda. Adjournment.


Mayor Suter adjourned the June 10, 2019, Regular City Council meeting at 8:17 pm.

Respectfully submitted:


Ruth E. Bocchino, City Clerk

Approved as presented: 

Approved as modified:


Mayor Carol J. Suter