



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 25, 2019**

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

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

ABSENT: City Manager Scott Wingerson

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

Mayor Suter opened the Regular City Council Meeting Monday, November 25, 2019, at 7:42 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 and thanked VFW Post 10906 for presenting the Colors.

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

The Agenda was approved as published.

Item No. 5. On the Agenda. Approval of the November 11, 2019, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the November 11, 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 November 11, 2019, Regular City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the November 11, 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)

REGULAR AGENDA.

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

Mr. Bob Bateman approached Council and stated: *"Bob Bateman, 209 Northwest 73rd Street, Gladstone. Gladstone has a history of abusing property owners. Like for example, this case here, it was decided in the Missouri Supreme Court, Clay County Realty and Edith Investment Company vs. the City of Gladstone; Gladstone tried to take over the Gladstone Plaza and not pay the owners a dime. It turned out to be a very, very costly mistake. They had to pay hundreds of thousands of dollars besides their own attorney's fees. It goes on. Here is pictures of, may I approach? Here's pictures of homeowners on 76th Terrace who have been forgotten by the City of Gladstone. These huge pipes were delivered in the backyard of one of the owners along 76th Terrace and he was told, 'here are the pipes, you install them.' Now this problem has been going on for a long time and Gladstone has shied away from it and people that have businesses have no type of storm water detention and all the water, the City of Gladstone has collected those and piped them over there to the detriment of the people that live on 76th Terrace and to the detriment of the cave that I own. This volume of water is high velocity and it smells and it stinks and these people have had to live with this day after day. It's ridiculous, while other people up and down North Oak can benefit and enrich themselves by not having storm water detention and have all this water, its fast water, it's not ground water that can be sifted through and slow it down and those people have benefited from that and grown their businesses like the trailer park along there, that's ridiculous and 7711 they have, with the city, has tried to hide these huge culverts that are now in the ground and the ALDI's there is pumping all their water down in there. I have a map that shows about a hundred properties that is draining into my cave. It's just ridiculous. These people have had to put up with this and that's not what the law allows. That's all I have to say."*

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

Councilman Yarber stated: *"Thank you. A lot of different Chamber meetings; I've met with a lot of different Chambers over the last couple of weeks. The KC Chamber had a special meeting down at Union Station that I was happy to be invited to. The Northland Regional Chamber of Commerce met last Tuesday and then of course we had the annual holiday meeting of the Gladstone Area Chamber which we always enjoy because we have entertainment from Oak Hill Day School. Tomorrow, I am meeting with the Briarcliff Business Partners Association so, many*

such meetings. I also wanted to mention, this came out of the last Atkins-Johnson Farm meeting, the Restoration Run that happens every year in August; starting next year, the partner of the run will be the North Kansas City School District. They feel this will be a great partnership and hopefully bring even more people to be involved with this event. Thank you."

Councilman Mallams stated: *"Thank you, Mayor. For each member of our city staff, please communicate this to the people within each one of your divisions, to each one of the members here and the City Council, I would like to wish for each one of you a happy holiday season coming up with Thanksgiving. Enjoy the time with the family and we will see you back on Monday."*

Councilman Garnos stated: *"Thank you, Mayor. Two things I wanted to point out quickly and I think I have discussed both of them with you already. One of them is the increase in trash collection bills I just received. Personally, my trash collection for the next year is going up 35% plus an additional \$11.00 a month if you want to recycle; which is a massive increase. I can't believe the numbers and I hate what it does to the efforts that have been done to try to promote recycling in town, but I guess that I have to look around and see how it compares with our many other carriers serving Gladstone. The other thing I wanted to mention is that I appreciated, Mayor, your response to the email we all got on reducing the number of lanes on North Oak. We all got an email strongly worded, semi-threatening email about reducing the lanes of traffic on North Oak. Your response was far more diplomatic than I would have been able to come up with so I appreciate that. I don't know where the source of the information is because I have been approached about that also by people that are angry that we are considering reducing lanes of traffic on North Oak when we never have. We have not even seriously discussed the concept, let alone endorsed it, supported it, funded it, anything. I know there are people out there upset about it. I appreciate your response, far more than I could have done."*

Mayor Suter stated: *"There were some public meetings in this study, the Complete Streets Study, that's being done on North Oak and that was one of the options that was in there and so some folks have reacted quite strongly to it. I think, out and about, it told people it was a done deal or something. It's just an option that was in that study."*

Councilman Garnos stated: *"Did you want to say something, Mayor, about Public Safety and Oak Hill? I want to thank Public Safety for all of the work. I'm not really sure what the right sentiments are, but we set a goal for this next year of crime prevention and I think we have knocked that goal out of the park so far, so thank you, to all of your colleagues, everybody in the Department, everybody that worked so hard to make sure the ball did not get dropped on this one. Congratulations just doesn't seem like the right sentiment, whatever is, I extend it fully. Thank you."*

Mayor Suter stated: *"A good lesson learned from Public Safety is that whenever things seem not quite right in your family, neighborhood, or your work place or at school, please let somebody know. It makes a big difference, and I see Johnson County just had exactly the same incident again. Someone who made a threat and it was thwarted, so that was great. I appreciate your sentiments Councilman Garnos. I had the opportunity to do some speaking of late at the 4H Club which was a fun group of kids who have learned some things about city government and*

they had a lot of interesting questions. A week ago was the GEBC quarterly meeting and we had a routine agenda. We did have a little bit of conversation about contracts that need to be developed now between GEBC, the city, and the Atkins-Johnson Farm Friends, the Friends of the Farm because they have created a separate 501C3 organization so now we need to have some kind of different arrangements. There are funds that are being held in GEBC that some of them are blended funds, so we have to get that worked out as we go forward; so that's great. I had the opportunity to represent Gladstone at the National League of Cities in San Antonio this past weekend until yesterday. I had some great opportunities to share Gladstone's story. We were on the agenda for a report on the housing summit that we did in the summer with the First Suburbs, but the real kickers were when NLC staff came for that, they saw our downtown and heard our downtown story, so they invited us to present, with a panel, on downtown development. That was a packed room. Standing room only. It was great and our story is so impressive. When you look at the before pictures and then flash to after pictures in just 10 years of this downtown area, people were just stunned. It was really a fun time to get to represent Gladstone. I had the opportunity on Saturday to share what I call our signature Gladstone civic leadership style; which is all about engendering trust, community trust, because people want to know how do you get this stuff done and I think for us that's what it's really all about. I had a great opportunity to share the story again and also to show the pictures of downtown to lots of 'oohs' and 'ahhs'. It was a great opportunity to get Gladstone some coverage. The video that was done for the Summit was shown to the entire assembly so literally thousands of people were exposed to Gladstone in the last few days and that is an exciting thing for us. That's it for me."

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

Assistant City Manager Bob Baer stated: "I want to add to what the Mayor just talked about because I had the privilege and the honor of attending those sessions in San Antonio as well. During her Saturday session, there were three rounds of applause during her presentation and a lot of 'wows' and 'holy cows' as I sat in the audience. She represented us extremely well. Really happy that she put us on the national stage and as I walked through the crowd of people they would see Gladstone on my name tag and they'd say, 'hey, what a good job', it was really an honor. She is being modest, but she did rock the house on that. Parking stripes were added on North Locust and North Cherry. We are trying to alleviate some of the parking problems that we are having and making it a little easier for people to park down there. We took the Pryor lot away with the hotel and I want to give a big thanks to Director Nebergall because we talked about it and within a week the stripes were painted. Good job to him. The Future Leadership Academy has been finalized. People will be able to sign up online. The first session will take place on Wednesday, February 12 with GA and Community Development, right here at City Hall. City Hall will be closed Thursday for Thanksgiving and Friday, the 29th. I want to remind everybody about tomorrow night, I'll let the Mayor go ahead and acknowledge that because that is her event."

Mayor Suter stated: *"Tomorrow night is the Mayor's Christmas Tree event where we turn on the lights for downtown and really kick off the holiday season so we encourage everybody to come. We will have some good music. If the news cycle of the universe is not hugely disrupted, we are going to be broadcasting live on Channel 4; Joe Lauria is the meteorologist, he will actually be doing his weather broadcast from here and the lighting will go live on Channel 4*

during the 6:00 news hour. We have had to juggle some things and streamline the whole event because they can't wait on us, when the camera turns toward us we have got to be flipping the switch. It's made for a few adjustments for tomorrow night but hopefully the weather will hold and we will have a good event. Thank you."

Item No. 10. On the Agenda. RESOLUTION R-19-65 A Resolution appointing members of the initial Board of Directors of the Downtown Linden Community Improvement District.

Mayor Pro Tem Moore moved to approve **RESOLUTION R-19-65** A Resolution appointing members of the initial Board of Directors of the Downtown Linden Community Improvement District. **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. 11. On the Agenda. RESOLUTION R-19-66 A Resolution appointing members of the initial Board of Directors of the Linden Block 25 Community Improvement District.

Councilman Mallams moved to approve **RESOLUTION R-19-66** A Resolution appointing members of the initial Board of Directors of the Linden Block 25 Community Improvement District. **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. 12. On the Agenda. APPROVE FINANCIAL REPORT MONTH ENDING OCTOBER 31, 2019.

Mayor Pro Tem Moore moved to **APPROVE FINANCIAL REPORT MONTH ENDING OCTOBER 31, 2019**. **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. 13. On the Agenda. FIRST READING BILL NO. 19-49 An Ordinance amending various sections of the Code of City Ordinances concerning Boards and Commissions.

Councilman Garnos moved Bill No. 19-49 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 Garnos moved to accept the First Reading of Bill No. 19-49, 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 Garnos moved to accept the Second and Final Reading of Bill No. 19-49, and enact the Bill as **Ordinance 4.499**. **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. 14. On the Agenda. PUBLIC HEARING: Special Use Permit: Sara & Kenny Boyer for operation of a Bio-Energetic Testing and Health & Wellness consulting business at 101 Northeast 62nd Terrace.

Mayor Suter opened the Public Hearing at 8:03 pm.

Assistant to the City Manager Austin Greer approached Council and stated: *"I will give a brief presentation this evening and although Mrs. Boyer does not plan to present anything tonight she is available in the audience to answer any questions you may have. The applicant seeks approval of a Special Use Permit Continuance for the operation of a Bio-Energetic Testing and Health & Wellness consulting business located at 101 NE 62nd Terrace. The location of this Two-Family Dwelling District is not located near any major commercial intersection and is completely surrounded by residential homes. This Special Use Permit was unanimously approved by the Planning Commission in 2018 and 2019. City Staff has not received any calls or complaints regarding Mrs. Boyer's Health & Wellness consulting business since approving the application last year.*

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 Kenny & Sara Boyer 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 Kenny & Sara Boyer or change in ownership shall render this Special Use Permit null and void.*
- 4. No person other than Kenny & Sara Boyer shall be employed at this location or any other address in association with the Bio-Energetic Testing and Health & Wellness Consulting business by Kenny & Sara Boyer.*
- 5. Hours of operation shall be limited to Mondays from 1:00 p.m. to 7:00 p.m., Thursdays, and Fridays from 9:30 a.m. to 3:30 p.m.*
- 6. Kenny & Sara Boyer must reside at this residence for this permit to be valid.*
- 7. Kenny & Sara Boyer 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. No outdoor storage of products/materials.*
- 9. No parking of commercial vehicles or commercial deliveries.*
- 10. No more than 2 customers per hour during the allowed hours of operation.*
- 11. No signage of the business shall be displayed on the premises.*

The applicant has agreed to all conditions. City Staff recommends that the request be approved for five years contingent upon the conditions listed above.

Councilman Garnos stated: *"Are these the same conditions as was on the previous Special Use Permit?"*

Assistant to the City Manager Greet stated: *"Not exactly. The Monday nights have changed. That was in the minutes and it was recommended by the Planning Commission that Monday nights, we have a little bit more flexible time. City staff was OK with that and the Planning Commission as well so we went ahead and made that change and that is what you will see reflected here tonight."*

Mayor Suter asked the applicant to identify herself.

Mayor Suter asked if there was anyone in the audience who wanted to speak in favor of the application.

There were none.

Mayor Suter asked if there was anyone in the audience who would like to speak in opposition to the application.

There were none.

Mayor Suter closed the Public Hearing at 8:06 pm.

Item No. 15. On the Agenda. **FIRST READING BILL NO. 19-50** An Ordinance granting a Special Use Permit subject to certain conditions to Sara & Kenny Boyer for operation of a Bio-Energetic Testing and Health & Wellness consulting business at 101 Northeast 62nd Terrace.

Councilman Yarber moved Bill No. 19-50 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 Yarber moved to accept the First Reading of Bill No. 19-50, 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 Yarber moved to accept the Second and Final Reading of Bill No. 19-50, and enact the Bill as **Ordinance 4.500**. **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. 16. On the Agenda. Other Business.

There was no other business to come before the Council.

Item No. 17. On the Agenda. Adjournment.

Mayor Suter adjourned the November 25, 2019, Regular City Council meeting at 8:09 pm.

Respectfully submitted:

Ruth E. Bocchino
Ruth E. Bocchino, City Clerk

Approved as presented: ✓

Approved as modified:

Carol J. Suter
Mayor Carol J. Suter

