



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 9, 2020**

PRESENT: Mayor Jean Moore
Mayor Pro Tem R.D. Mallams
Councilman Bill Garnos-*via Zoom*
Councilman Tom Frisby
Councilmember Tina Spallo

City Manager Scott Wingerson
Assistant City Manager Bob Baer
City Clerk Ruth Bocchino
City Attorney John Mullane

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

Mayor Moore opened the Regular City Council Meeting Monday, November 9, 2020, at 7:30 pm.

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

City Clerk Ruth Bocchino called Roll. All Councilmembers were present; Councilman Garnos attended via Zoom.

Item No. 3. On the Agenda. Pledge of Allegiance to the Flag of the United States of America.

Mayor Moore 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 October 26, 2020, Closed City Council Meeting Minutes.

Mayor Pro Tem Mallams moved to approve the minutes of the October 26, 2020, Closed City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye",

Councilmember Tina Spallo, Councilman Tom Frisby, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (4-0)

Item No. 6. On the Agenda. Approval of the October 26, 2020, Regular City Council Meeting Minutes.

Mayor Pro Tem Mallams moved to approve the minutes of the October 26, 2020, Regular City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (4-0)

Item No. 7. On the Agenda. **PROCLAMATION:** National American Indian Heritage Month

Mayor Moore read and presented the Proclamation to Maggie Henderson, the Regent of the William Boydston Chapter of the Daughters of the American Revolution, and Jim and Judy Chronister.

Item No. 8. On the Agenda. **CONSENT AGENDA.**

Following the Clerk's reading:

Mayor Pro Tem Mallams moved to approve the Consent Agenda as published. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0)

Mayor Pro Tem Mallams moved to approve **RESOLUTION R-20-51** A Resolution authorizing acceptance of a proposal from Olathe Ford for the acquisition of a 4X4 Dual Rear Wheel (DRW) Crew Cab Truck with spreader and snowplow in the total amount of \$71,467.00. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0)

Mayor Pro Tem Mallams moved to approve **FINANCIAL MONTH END SEPTEMBER 2020.** **Councilman Frisby** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0)

REGULAR AGENDA.

Item No. 9. On the Agenda. Communications from the audience.

Jim Oldebeken approached Council and stated: *"Thank you, Mayor. My name is Jim Oldebeken. My address is 7402 North Highland in Gladstone. I'm proud to be a re-enactor of an American Patriot by the name of William Boydston. I'm here to just make some comments regarding the process that our County just went through with our new Constitution. The voters have voted; we have a new Constitution; that's behind us. There are some things that I believe are opportunities and a great learning experience for our County, and that has to do with how business was*

conducted by this group and are still some issues; they aren't going to affect the outcome of the election, but still must be looked at because this is central to how we govern; it's central to our principles; it's central, just to recap, I'm not going to go over details, but there were multiple, there was evidence through public records of multiple violations of the Sunshine Regulation, and one aspect that is concerning is those records show that no records were released prior to their last business meeting on August 20th. Then, that same day, after the fact, they declared that they no longer have any authority and are unresponsive to Sunshine Requests. Another matter has to do with the public records that they created their documents, there are variances within public documents, even the Constitution itself, shows two different names for this entity. The name that I verified with the Court is 'The Clay County Constitutional Charter Commission.' But then there is a version, or alias, I don't know what to call it, alias, DBA, #1, #2, #3, #4; I'll provide that to the city, to Gladstone. And then another matter that came up late in the game had to do with something central; it has to do with democracy; it has to do with Oath of Office, and before we had any laws as a nation, we had a decision by the United States Senate, well, actually, their first law, was there will be an Oath of Office for the federal government, all three branches, and all the state legislatures; and that the reasons for that were articulated in the Federalist 44 by James Madison; and anyway, this is for the city. That is a work in process, but it shows that none of the members of this body completed, subscribed, means you take the Oath and then you subscribe to it with a signature and they didn't see fit to complete that until three days before they had their last meeting. And, I'd like to learn from that. I'd like to challenge our city and other cities to look at the Oath, what it means, why do we do it, how we can make it something that is a strength for us. So, I would love to chat and cooperate in any way that I can to contribute to that process. And I think the same is true with the Sunshine Regulation, there is an opportunity, just in short, it is not hard to understand it, it's pretty basic, and in this room, this building, is right, from my experience, but that is not true and there is an educational process that I have learned about which I think for Gladstone would be more of educating the community about how that works which appears seamless but at least the basics. The Director of Sunshine Compliance, Casey Lawrence, does a seminar to assist anyone affected or responsible under Sunshine, to understand and comply with it, etc. I think that might be a good idea. In conclusion, this was a low-water mark, I hope, for Clay County, let us go on from here. Thank you."

Item No. 10. On the Agenda. Communications from the City Council.

There were none.

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

City Manager Scott Wingerson stated: "That's a lot of pressure. Thank you, Mayor. I do have a few comments and they are all related to COVID, unfortunately. As of today, Clay County Public Health Center reports 6,203 active cases with, since March, over 90 deaths. This is a key statistic we've been tracking since March and it is just continuing to get additional definition around it. It has to do with hospital capacity, which is the reason we started all of this to begin with, was to make sure our healthcare system didn't collapse around us as we are all dealing with the virus. Regionally speaking, 318 of 471 beds are occupied by COVID patients. When those fill up, care rationing will begin in the region, meaning people who have less serious illnesses, could be cancer, could be heart, could be stroke, could be any of those things, will

receive treatment as a second priority to someone who needs a ventilator. So, it's a very critical time. The good news is that COVID is not spreading within the hospital, what that means is that virus protocols are working; people that wash their hands frequently, people that wear their masks consistently, and people that social distance when at all possible, are not spreading the virus; so we have renewed our social media campaign this week for the public and our businesses to make sure that people know that all the things we are asking them to do actually work and can help preserve our healthcare system. Just wanted to share that with you. There will be more coming out on our social media channels over the next week or 10 days; on a daily basis, something to let people know that what we do works, when we follow the virus protocols, and when we don't, then it doesn't work, obviously, as well. I just wanted to throw that out there; we are kind of at the worst stage right now that we have experienced so far, both as an organization, a community, and a region, so I can't overstate the fact that we need to do our part individually to get through this together. That's all I have, Mayor, thank you."

Mayor Moore stated: *"I appreciate your participating in the call last week with the regional and local officials to learn all this information about the hospitals and about where we are with the pandemic. I just want to say, I'm grateful for the participation of the people of Gladstone; everybody is experiencing this fatigue. Everybody is sick of wearing a mask; everybody is sick of all these restrictions, but we know that these protocols work; I just can't encourage enough everybody to keep with it, keep the faith, we will get through this eventually."*

Item No. 12. On the Agenda. RESOLUTION R-20-52 A Resolution authorizing the City Manager to execute professional services contracts with Turner Construction in the amount of 1.95% of the mutually agreed guaranteed maximum price (GMP) proposal for the construction projects and a fixed fee of \$12,500.00 for pre-construction phase services for the expansion and renovation of Public Safety Department Fire Station #2, 6569 North Prospect, and the construction of a new Public Safety Headquarters Police Facility.

Councilmember Spallo moved to approve **RESOLUTION R-20-52** A Resolution authorizing the City Manager to execute professional services contracts with Turner Construction in the amount of 1.95% of the mutually agreed guaranteed maximum price (GMP) proposal for the construction projects and a fixed fee of \$12,500.00 for pre-construction phase services for the expansion and renovation of Public Safety Department Fire Station #2, 6569 North Prospect, and the construction of a new Public Safety Headquarters Police Facility. **Mayor Pro Tem Mallams** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0)

Item No. 13. On the Agenda. RESOLUTION R-20-53 A Resolution adopting a Mission Statement, Vision Statement, and Goals for the City of Gladstone, Missouri, for 2020-2021.

Mayor Pro Tem Mallams moved to approve **RESOLUTION R-20-53** A Resolution adopting a Mission Statement, Vision Statement, and Goals for the City of Gladstone, Missouri, for 2020-2021. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0)

Item No. 14. On the Agenda. FIRST READING BILL NO. 20-35 An Ordinance authorizing the City Manager to execute an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the 2021 Regional Household Hazardous Waste Collection Program in the amount of \$29,229.19.

Councilman Frisby moved **Bill No. 20-35** be placed on its First Reading. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Frisby moved to accept the First Reading of **Bill No. 20-35**, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Councilman Frisby moved to accept the Second and Final Reading of **Bill No. 20-35**, and enact the Bill as **Ordinance 4.535**. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilman Bill Garnos, Mayor Pro Tem R.D. Mallams, and Mayor Jean Moore. (5-0)


Item No. 16. On the Agenda. Other Business.

There was none.

Item No. 17. On the Agenda. Adjournment.

Mayor Moore adjourned the November 9, 2020, Regular City Council meeting at 7:51 pm.

Respectfully submitted:


Ruth E. Bocchino, City Clerk

Approved as presented: 

Approved as modified: _____


Jean B. Moore, Mayor