



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, AUGUST 23, 2021**

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

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

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

Mayor Mallams opened the Regular City Council Meeting Monday, August 23, 2021, at 7:30 pm.

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

City Clerk Ruth Bocchino called Roll. All Councilmembers were present.

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

Mayor Mallams asked all to join in the Pledge of Allegiance to the Flag of the United States of America and thanked VFW Post 10906: Joe Liles, Stan Stoner, Dennis Perkins, Jim Cox, Jim Zimmerman for posting 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 August 9, 2021, Closed City Council Meeting Minutes.

Mayor Pro Tem Garnos moved to approve the minutes of the August 9, 2021, Closed City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye",

Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 6. On the Agenda. Approval of the August 9, 2021, Regular City Council Meeting Minutes.

Mayor Pro Tem Garnos moved to approve the minutes of the August 9, 2021, Regular City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 7. On the Agenda. Proclamation for Constitution Week. Members of the local Daughters of the American Revolution group were present to receive the proclamation from Mayor Mallams.

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

Following the Clerk’s reading:

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

Councilmember Moore moved to approve **RESOLUTION R-21-40** A Resolution authorizing acceptance of work under contract with Epoxy Coating Specialists, Incorporated, for the Coating of the Indoor Pool Deck Project, and authorizing final payment in the amount of \$1,803.00 for Project CO2057. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Councilmember Moore moved to approve **RESOLUTION R-21-41** A Resolution authorizing acceptance of a proposal from Hutchinson Salt Company for the purchase of snow removal salt. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Councilmember Moore moved to approve the **SPECIAL EVENT PERMIT:** Gladfest: 7010 N. Holmes Street, Gladstone City Hall grounds, 602 NE 70th Street, Linden Square, Friday, October 1, 5:00 pm-10:00 pm; Saturday, October 2, 10:00 am-10:00 pm; Sunday, October 3, 12:00 pm-4:00 pm, 2021. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Councilmember Moore moved to approve the **FINANCIAL REPORT MONTH END JULY 2021.** **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo,

Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

REGULAR AGENDA.

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

There were no communications from the audience.

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

Councilmember Moore stated: *"Thank you, Mayor. Last Friday evening, I had the opportunity to be with Councilmember Spallo and Councilman Frisby for a reception for the AJ Farm Race that was the following day. It was a great event, and at that event, our former City Manager Kirk Davis, who is very much involved with the organization, announced that they had raised \$21,000.00 to date for that; so they had a bunch of runners and it was great day for the run the next day. It was a fun event and I'm please for the good work that they are doing out there."*

Councilmember Spallo stated: *"Well, also a congratulations regarding the Restoration Run, it was a fun reception to attend and just to see the passion of the folks that are involved with the Friends at the AJ Farm and how much they care about that property and that they will work hard in raising funds to keep it a viable historic site. Don't forget, we've also got the crops that are still out there; we are looking forward to the pumpkins that are coming up and thank you, again, to Eugene Suter with all of his hard work with corn and sunflowers; it's just an amazing thing that he is doing out there and he is also working with young people to harvest all of those crops and so it has been a really good learning experience for some young people. It's really exciting; I live very close to the Rock Creek trails and the expansion that is going on right now; it's exciting to see that because I'm going to be a big user of that. In talking with City Manager Wingerson, he mentioned that we are looking at a Fall completion date on that and it will be just in time for the heat to go away and get us back on our bikes and walking. Looking forward to that. Thank you."*

Mayor Pro Tem Garnos stated: *"I just wanted to thank all of city staff that were involved with the Household Hazardous Waste a couple of Saturdays ago. Again, one of Gladstone's more popular events and then last week we had a Parks and Rec Advisory Board meeting and got updated on some of the projects, including the Bathhouse renovations and the Rock Creek trail expansion. Good meeting. Also, some of the other things that have been done with the Community Center pool maintenance; had a good meeting last week."*

Mayor Mallams stated: *"I'm a little curious where you all were about 7:30 on Saturday morning at the Restoration Walk; not a run, it was a walk. It was a wonderful event and nice morning. I asked our former City Manager for oxygen up the hill."*

Mayor Mallams asked City Clerk Ruth Bocchino to join him at the front where he presented her with a proclamation in honor of her retirement from the City of Gladstone.

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

City Manager Scott Wingerson stated: *"I also wanted to thank Ruth for her years of service and dedication to the Mayor and City Council. A lot of what city clerks do is behind the scenes, supporting your activities and it wouldn't make the City Council as effective and efficient without a good, solid city clerk. So, Ruth, thank you very much for your service."*

Today is the first day of school, so everybody be careful. Superintendent Clemmons says almost every year at this time that it's a good day of school when all the kids get there and all the kids make it home. So hopefully that happened for everybody today. We are excited to have in-person classes here in Clay County. Thank you."

Item No. 12. On the Agenda. **RESOLUTION R-21-42** A Resolution authorizing the City Manager to execute a contract with Royal Construction Services, LLC, in the total amount not exceed \$446,000.00 for the Municipal Pool Bathhouse Renovation Project CO2053.

Mayor Pro Tem Garnos moved to approve **RESOLUTION R-21-42** A Resolution authorizing the City Manager to execute a contract with Royal Construction Services, LLC, in the total amount not exceed \$446,000.00 for the Municipal Pool Bathhouse Renovation Project CO2053. **Councilmember Spallo** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 13. On the Agenda. **RESOLUTION R-21-43** A Resolution authorizing the City Manager to enter into a contract with Shockey Consulting Services for the purpose of conducting a Comprehensive Plan Update in the amount of \$120,000.00.

Councilmember Moore moved to approve **RESOLUTION R-21-43** A Resolution authorizing the City Manager to enter into a contract with Shockey Consulting Services for the purpose of conducting a Comprehensive Plan Update in the amount of \$120,000.00. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 14. On the Agenda. **FIRST READING BILL NO. 21-27** An Ordinance approving the delivery of Schedule 3 to an existing master equipment lease purchase agreement for the purpose of providing financing for the acquisition and installation of certain equipment for the City and authorizing and approving certain documents and actions in connection therewith; and authorizing the City Manager to sign related documents.

Councilmember Spallo moved **Bill No. 21-27** be placed on its First Reading. **Councilman Frisby** seconded. The Vote: "aye", Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilmember Spallo moved to accept the First Reading of **Bill No. 21-27**, waive the rule, and place the Bill on its Second and Final Reading. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0). The Clerk read the Bill.

Councilmember Spallo moved to accept the Second and Final Reading of **Bill No. 21-27**, and enact the Bill as **Ordinance 4.565**. **Councilman Frisby** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0)

Item No. 15. On the Agenda. RESOLUTION R-21-44 A Resolution authorizing the City Manager to execute an agreement with Motorola Solutions for the purchase of radio equipment and accessories in the amount of \$657,243.94.

Councilmember Moore moved to approve A Resolution authorizing the City Manager to execute an agreement with Motorola Solutions for the purchase of radio equipment and accessories in the amount of \$657,243.94. **Mayor Pro Tem Garnos** seconded. The Vote: “aye”, Councilmember Tina Spallo, Councilman Tom Frisby, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. (5-0).

Item No. 16. On the Agenda. PUBLIC HEARING: Zoning and Final Development Plan for 2610 Northeast 60th Street.

Mayor Mallams opened the public hearing.

Interim Community Development Director, Austin Greer addressed the City Council and stated: *“Good evening Mayor and members of the City Council. The applicant is requesting a zoning change from CP-3, Planned District Commercial, to CP-4, Planned District Small Warehouse and Storage District, to build a brand new indoor climate controlled storage facility called “Storage 1 KC.” Previously, this property was a dilapidated car wash that was recently demolished. Currently this property is vacant. This facility will be fully fenced, gated, have secure access, and 24-hour video surveillance. Storage access hours will be from 6:00 am to 10:00 pm, seven days a week. An underground stormwater retention system will be installed on the north side of the property to accommodate the property and site improvements. Ellen Todd, President of Curry Real Estate, submitted a letter to the Community Development Department stating their support for this project. Steven Potter, Library Director and CEO, sent a letter to City Staff stating their support for this project as well. The developers have agreed to the following details on the proposed project: changing the external EIFS color from white to gray, changing the external red lettering and font color to white, removing the phone number from the building EIFS, adding a brick monument sign that will display the business phone number, address, and the name of the business, and make the lettering and font on the building thirty-six inches tall. City Staff recommends that the following conditions be considered if the City Council chooses to approve this project request:*

1. *Keep an active Gladstone business license in perpetuity.*
2. *The facility and individual storage units shall not be used for temporary or permanent human occupancy.*
3. *All development signage shall comply with approved City standards.*
4. *All manicured grass and landscaped areas shall be irrigated and maintained in perpetuity.*
5. *Tractor trailers shall not be parked or stored overnight. Storage containers shall not be stored on site unless as part of a valid building permit.*
6. *Disabled or unlicensed vehicles shall not be stored on site.*
7. *Entry points of the facility shall be secured twenty-four hours/seven days of the week year round.*
8. *Dumpster and storage areas shall be enclosed on four (4) sides with materials consistent with the primary building and adequately screened from public view. Trash service shall be scheduled between the hours of 7:00 a.m. to 10:00 p.m.*
9. *All exterior fencing shall be aluminum.*
10. *Any and all exterior windows attached to a storage unit must be faux windows.*
11. *Hours of operation and access to the facility shall be between the hours of 6:00 a.m. and 10:00 p.m.*
12. *All mechanical equipment located on the roof and the ground shall be screened from public view similar in design to the rest of the structure. All screening will be reviewed via the building permit process.*
13. *Tractor trailers, storage containers, and other commercial vehicles shall not be parked or stored overnight on the premises.*
14. *Tenants of the storage facility shall not conduct a private business from their individual storage unit(s).*
15. *Enhance landscaping on the north and east sides of the property and submit the revised landscaping plan as part of the building permit.*
16. *A brick monument sign shall serve the development in accordance with city code.*

The developers of this project have agreed to all conditions. City Staff recommends that the request be approved contingent upon the conditions listed above. On August 2, 2021, the Planning Commission voted in favor of this project: 9-yes, 0-no. Matthew Danner, Andrew Danner, and Shane Danner, who are the developers of this proposed project, are in the audience tonight. They would like the opportunity to speak and introduce themselves and answer any questions you may have. Thank you, Mayor and that's all."

Mayor Mallams asked the developers to come forward.

Matthew Danner, 5775 NW 64th Terrace, Suite 203, Kansas City, Missouri, 64151, addressed the City Council. *"Members of the City Council, Mr. Mayor, thank you for allowing us to come up and discuss our proposed development with you today. This is personally my first City Council meeting. I answered some questions at Planning Commission. I appreciate the opportunity to come up here and speak in front of you guys today. With that, I'd like to thank Austin, Alan, and the rest of the City staff for their comments and guidance throughout the process. We worked diligently with them to revise what we had initially submitted to come to a better color scheme*

and signage solution to help with some of the concerns at Council level. This is the end product they have come up with and hopefully it's amenable to what you all had in mind for a facility like this. Again, we do agree with all the development conditions. Most of those are good business practices anyhow, so that wasn't a big issue for us. With that, I guess I'll open it up to questions you might have of us."

Councilmember Moore asked: *"I have a question about the fencing. Can you talk about material for the fencing?"*

Matthew Danner answered: *"Sure. So we'll be using aluminum style fence. A black, aluminum, six-foot fence."*

Councilmember Moore asked: *"Can you remind us again, for the help of those who weren't at the Planning Commission, how many particular units would be involved?"*

Matthew Danner answered: *"So, subject to our final unit design we have a preliminary design that we've done to match the square footage of the building. We're looking to do some larger footprint units which obviously changes the number of units. Currently, we have about 320 units that we have designed in. A mixture of 5X5's all the way up to 10X30's, predominately being 10X10's and up."*

Councilmember Moore stated: *"The conditions speak to landscaping on the east and the north, but not the west?"*

Matthew Danner answered: *"There will be landscaping on all four sides. Initially, when we submitted, I think we might have missed a little bit of additional landscaping on the north, which we certainly intended to...(pointing to site plan projection) we will screen some more down here. We have a revised landscape plan that we will submit to Austin as part of the building permit."*

Councilmember Moore asked: *"What about that space that backs up to Burger King?"*

Matthew Danner answered: *"That will also be screened."*

Councilmember Moore stated: *"Okay, because that is not in the conditions. It just says east and north. If I heard you correctly."*

Interim Community Development Director, Austin Greer stated: *"That is correct. When we spoke with them we only discussed the north and east side to have more landscaping for screening. If the developers are open to it, we'll certainly include the west side as well."*

Matthew Danner stated: *"Members of the City Council, absolutely."*

Mayor Mallams thanked Mr. Danner. He asked if there was anyone in favor of the application. There was no response. He then asked for comments from the City Council.

Councilmember Spallo: *"Matthew and the other gentleman, thank you so much for your hard work with this project. We appreciate you changing some of your colors and things like that per our request. But I've got to be truthful, I'm just not seeing this building in that area. It just doesn't go with the character of that neighborhood area and all of the other developments and businesses that are there...it just doesn't match it. It is an open green space right now. I'm fine with that right now and I'm just not real happy with the design and how big it is and it just doesn't fit for me. I've just got some heartburn with that."*

Councilmember Moore stated: *"I too, am troubled about the land use in this area. First of all, we know that this storage facility requires a change in zoning from Planned Commercial to Warehouse. To piggyback a bit on what Councilmember Spallo said, I just don't believe a storage facility is consistent with other businesses in the area. You have a bank, you have the Assistance League, you have Senior Housing, you have professional office buildings in the area, and this is an office park. It adds an industrial look, like a storage facility brings, and is just simply not consistent, in my opinion, with the area. I just don't feel like, at this point in time, I can support the zoning change and the development plan. It's just not, in my opinion, the highest and best use of this vacant parcel of land."*

Councilman Frisby stated: *"I agree with the comments made. I'm looking at the zoning of the entire area and if we change this little piece of land in this more vast area, I fear there's a precedent that if someone would come in and request the same thing, where the pet store and Kendallwood area is, and have them torn down, that we would have the issue of turning this office park area into an industrial area and I'm just not sure I'm ready to make that commitment."*

Mayor Pro Tem Garnos stated: *"Thank you, Mayor. I don't have, really, as much heartburn with the final development plan. With all due respect, I know it's hard to get excited about a storage facility when we have grand plans for the City, but I'm not sure that's our place to comment on. The business, if they've jumped through all the hoops and regulations of the City, I don't know if it's right to comment on what's going on there. It reminds me of when they put in Family Video. I don't think there was anyone in town that thought we needed another video store or strip mall there, but I didn't think it was our business to pass judgement on. I'm sensitive to the fact that the site is a block off Antioch, so it's kind of a tricky retail and commercial site. I think something appropriate could go there, I'm just not sure what. Absent anything else, I guess I don't have a problem with what's being proposed including the sixteen terms and conditions or more that have been put on it from City staff and Planning Commission and that the developers have agreed to. I think the questions I've got are more on the zoning issue and they're probably more for staff than they are for the developers. When I was reading the Planning Commission minutes, there seemed to be a lot of discussion about the site and the Site Development Plan and the business and business model, but there didn't seem to be a lot of discussion about the zoning change, at least as far as I could tell, in the Planning Commission minutes. I know that some of you were there and maybe you could comment on that. That didn't really seem to get a lot of discussion at the Planning Commission and I wish it would have. I'm also a little concerned when I came across the language in one of the staff reports that 'all the properties around it are CP-3.' This is going to create an island of a different zoning. I think when we were trained on what's involved with zoning ten years ago, that was something we were told to be careful of not*

doing- changing zoning for particular businesses or to try to prevent particular businesses. I was frankly surprised that the project required a zoning change. I was very surprised at that. I thought if it could be zoned adequate for a car wash, it would be adequate for a storage facility: so I was very surprised to see that it was going to require a zoning change. It just seemed like the distinction in land use was not so great as to require a zoning change. So those are my concerns, but they're really more with the zoning than with the facility. Thank you."

Mayor Mallams stated: *"Well, you can tell that we each have individual beliefs that we value. We work together as a team here and we try to see what's in the best interest of the City. I'm going to share my feelings in support of the storage facility. Procedurally, the rezoning was approved by the Planning Commission. We've heard that there may be a need for more office space; however, currently along Antioch there appears to be available office space. In the near future we'll have the Scola property, which will be adding additional office space with their new construction. We've had concerns in regards to the appearance and I give you a pat on the back for working with Austin. You've changed the exterior colors from a white to gray. The red lettering has been removed and now it's white. The removal of the phone number on the exterior sign. The agreement to build a monument sign. I know one of the concerns is the height of the lettering, but as I drove here this evening I looked at Walmart. On the south side, I would venture to say that Walmart is not thirty-six inches. Also Hy-Vee and then CVS, which is closer to your property. Rezoning...looking at the existing green space that is around Kendallwood and Brooktree Lane...for years this land has not attracted any business. Why add more to unoccupied land? If rezoning it to a district warehouse, the rezoning only impacts the property that's going to be occupied by the former carwash. Finally, is there a need for a climate controlled storage facility in this area? I believe there is. We have a storage facility on North Oak and North Broadway. I look at the Grand Royale, which is basically care for senior adults and I look at Kendallwood Apartments, both of which storage is very limited for personal items and furniture. I believe they would use your facility to help out the residents. For the above reasons, I would support the rezoning and then the building plan. In conclusion, it's obvious that we as the City Council, need additional information and we need additional time. We each have our own personal beliefs and what's best for the City. It's okay to disagree. We'll do that. I'd like to ask the City staff and City Manager to work with the developer and then, if possible, to come back to the City Council at our next meeting and maybe we can continue then to look at the rezoning and the building plan."*

City Counselor Chris Williams stated: *"Just a clarification, Mayor, if you do that you're leaving the public hearing open, correct?"*

Mayor Mallams stated: *"I was going to leave it open. It will be continued to the Monday, September 13, 2021, City Council meeting."*

Item No. 17. On the Agenda. FIRST READING BILL NO. 21-28 An Ordinance amending Ordinance No. 3.973 related to Zoning Ordinance Regulations and the establishment of use districts within the City of Gladstone, Missouri, for property located at 2610 Northeast 60th Street, Gladstone, Missouri.

No action was taken on this agenda item.

Item No. 18. On the Agenda. FIRST READING BILL NO. 21.29 An Ordinance approving a Final Development Plan for property located at 2610 Northeast 60th Street, Gladstone, Missouri.

No action was taken on this agenda item.

Item No. 19. On the Agenda. Other Business.

There was no other business to come before the City Council.

Item No. 20. On the Agenda. Adjournment.

Mayor Mallams adjourned the August 23, 2021, Regular City Council meeting at 8:13 pm.

Respectfully submitted:


Becky Jarrett, Deputy City Clerk

Approved as presented: ☒

Approved as modified: ☐


Mayor R.D. Mallams