



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
FEBRUARY 27, 2023**

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

City Manager Scott Wingerson
Assistant City Manager Bob Baer
City Attorney Chris Williams
City Attorney John Mullane
City Clerk Kris Keller
Deputy City Clerk Becky Jarrett

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

Mayor Garnos opened the Regular City Council Meeting, Monday, February 27, 2023, at 7:31 pm.

Item No. 2. On the Agenda. Roll Call.

Mayor Garnos stated that all Councilmembers were present and there was a quorum.

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 for presenting the colors: Carla Gleaton and Gordon Harris.

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

The updated agenda was approved as published.

Item No. 5. On the Agenda. Approval of the February 13, 2023, Closed City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the February 13, 2023, Closed City Council Meeting as presented. **Councilmember Spallo** seconded. The Vote: "aye", Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Item No. 6. On the Agenda. Approval of the February 13, 2023, Regular City Council Meeting Minutes.

Councilman Mallams moved to approve the minutes of the February 13, 2023, Regular City Council meeting as presented. **Councilmember Spallo** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos.

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

Jim Oldebeken, 76th Terrace, addressed the Council and commended them for the hours and duties that are required to lead the City. He discussed past voter trends and the election on April 4, 2023. He shared that The Gladstone Citizen, a hyperlocal news source, was reporting from a Facebook page and would be publishing a Voter’s Guide. He reported the guide would devote a full page for each of the five Council candidates on the ballot. He announced a City Council candidate forum would be held on Thursday, March 23, 2023, from 6:30 to 8:00 pm at the Gladstone Community Center and encouraged citizens to attend. He indicated that members of the Oak Park High School’s Government Club would lead the candidate forum.

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

Mayor Pro Tem Moore thanked the individuals who live and work around the Broadway and Englewood area for their patience, understanding, and the extreme stress and inconvenience they have endured from the recent water main break. She also thanked the Public Works department staff.

Mayor Garnos thanked Mayor Pro Tem Moore for covering for him at the Board of Zoning Adjustment meeting. He discussed the Parks and Recreation Advisory Board meeting and stated that Jason Sharpsteen was elected as Chairman and Scott Hanover as Vice Chairman for the next year. He reported that they were briefed about the Summer events at the Atkins-Johnson Farm and Museum and the Summer programming for Linden Square that Council will be informed about at upcoming Council meetings. He recognized the death of Kansas City Canine Police Officer James Muhlbauer, who was killed in the line of duty and was laid to rest at White Chapel Cemetery in Gladstone. He expressed that it was a sad and solemn responsibility for our community. He thanked all our Police Officers who attended the funeral and escort and helped with the funeral procession.

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

City Manager Wingerson announced March 8, 2023 was the last date to register to vote and it could be done here at City Hall, the Mid-Continent Library, and the local Department of Motor Vehicles. He thanked the Council, City staff, and public for their patience during the re-location of a couple past Council meetings.

Item No. 10. On the Agenda. Consent Agenda.

Following the Clerks’ reading:

Councilman Smith moved to approve the Consent Agenda as published. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve the Special Event Permit, Flashlight Easter Egg Hunt, Happy Rock Park Sports Complex. Friday, March 31, 2023, 5:00 to 9:00 pm. Rain date is Saturday, April 1, 2023, 5:00 to 9:00 pm. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve the Special Event Permit, Touch A Truck, Happy Rock Park West, Saturday, May 6, 2023, 10:00 am to 12:00 pm. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve the Special Event Permit, Theatre in the Park, Oak Grove Park, Friday, June 30, 2023 through Sunday, July 2, 2023, and Friday, August 4, 2023 through Sunday, August 6, 2023 5:00 to 11:30 pm. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve the Special Event Permit, Independence Day Celebration, Oak Grove Park, Tuesday, July 4, 2023, 5:00 to 11:00 pm. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve the Special Event Permit, Friday Fright Night, Happy Rock Park East, Friday, October 20, 2023, 5:00 to 9:00 pm. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve **RESOLUTION R-23-04** A Resolution amending or revising the 2023 General Fund, Community Center and Parks Sales Tax Fund, Public Safety Sales Tax Fund, Capital Improvement Sales Tax Fund, Capital Equipment Replacement Fund, Combined Waterworks and Sewer System Fund, and Parks and Playground Fund for the City of Gladstone, Missouri, and authorizing expenditures of funds. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve **RESOLUTION R-23-05** A Resolution authorizing the City Manager to execute a contract with Insko Industries, Incorporated, in the total amount not to exceed \$79,365.00 for the Gladstone Municipal Pool Painting Project. CC2353. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Councilman Smith moved to approve **FINANCIAL REPORT FOR 7 MONTHS ENDING JANUARY 31, 2023**. **Councilman Mallams** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Regular Agenda

Item No. 11. On the Agenda. **FIRST READING BILL NO. 23-08*** An Ordinance authorizing the City Manager to execute a Memorandum of Agreement between the City of Gladstone, and the Mid-America Regional Council (MARC) to update Stormwater Engineering Standards and Planning Guidelines.

Councilman Mallams moved **BILL NO. 23-08*** be placed on its First Reading. **Councilman Smith** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of **BILL NO. 23-08***, waive the Rule and place the Bill on its Second and Final Reading. **Councilman Smith** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of **BILL NO. 23-08*** and enact the Bill as **Ordinance 4.627**. **Councilman Smith** seconded. Roll Call Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Mayor Garnos stated **Bill NO. 23-08*** stood enacted as **Ordinance Number 4.627**.

**The numbering of BILL NO. 23-05 for Ordinance 4.627 was corrected on February 28, 2023 to BILL NO. 23-08.*

Item No. 12. On the Agenda. FIRST READING BILL NO. 23-09* An Ordinance amending Title IX Building and Construction Ordinance of the City of Gladstone, Missouri, Code of Ordinances by repealing certain provisions contained therein and enacting in lieu thereof, new provisions designated as Title IX Building and Construction Ordinance relating to the Erosion and Sediment Control and Post-Construction Stormwater Regulations for the City of Gladstone, Missouri.

Councilmember Spallo moved **BILL NO. 23-09*** be placed on its First Reading. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilmember Spallo moved to accept the First Reading of **BILL NO. 23-09***, waive the Rule and place the Bill on its Second and Final Reading. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilmember Spallo moved to accept the Second and Final Reading of **BILL NO. 23-09*** and enact the Bill as **Ordinance 4.628**. **Mayor Pro Tem Moore** seconded. Roll Call Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Mayor Garnos stated **Bill NO. 23-09*** stood enacted as **Ordinance Number 4.628**.

**The numbering of BILL NO. 23-06 for Ordinance 4.628 was corrected on February 28, 2023 to BILL NO. 23-09.*

Item No. 13. On the Agenda. FIRST READING BILL NO. 23-10* An Ordinance amending Chapter 105 – Animal Regulations in Title II - Public Health, Safety, and Welfare in the Gladstone City Code relating to domesticated fowl and bees.

Mayor Garnos requested that Director Austin Greer give an updated status on the Bill.

Director Greer addressed the Council and reported that City Staff held an Open Study session at the last Planning Commission meeting to discuss the number of domesticated fowl that would be allowed for property less than three (3) acres. He stated there was a lot of conversation regarding the numbers, but ultimately the Commissioners voted fifteen (15) domesticated fowl, which was similar to Kansas City. The vote was 6 to 3, so City Staff felt there could be a compromise which was reflected in the

Ordinance before them, which allowed for ten (10) domesticated fowl and fifteen (15) with a medical exemption.

Councilman Mallams moved **BILL NO. 23-10*** be placed on its First Reading. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of **BILL NO. 23-10***, waive the Rule and place the Bill on its Second and Final Reading. **Mayor Pro Tem Moore** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of **BILL NO. 23-10*** and enact the Bill as **Ordinance 4.629**. **Mayor Pro Tem Moore** seconded.

Mayor Pro Tem Moore reported that she had attended the prior discussions regarding hens and bees and thanked all the residents who have been so dedicated to attend the meetings and who listened and gave advice. She expressed that it’s how things work in the City and Council did appreciate everyone’s input. She hopes the residents feel as though they have been listened to and that it is a good compromise for the amended Ordinance.

Roll call Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos.

Mayor Garnos stated **BILL NO. 23-10*** stood enacted as **Ordinance Number 4.629**.

**The numbering of BILL NO. 23-07 for Ordinance 4.629 was corrected on February 28, 2023 to BILL NO. 23-10.*

Item No. 14. On the Agenda. **FIRST READING BILL NO. 23-11*** An Ordinance amending Section 1.115.020 of the Code of Ordinances of the City of Gladstone, Missouri, pertaining to closed meetings and closed records in accordance with the Open Meetings and Records Law in Chapter 610 of the Revised Statutes of Missouri.

Mayor Garnos requested that City Attorney explain the Bill.

Attorney Chris Williams explained that the Missouri Sunshine Law had changed and the amended City Ordinance would be consistent with the State Law.

Mayor Pro Tem Moore moved **BILL NO. 23-11*** be placed on its First Reading. **Councilman Smith** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Mayor Pro Tem Moore moved to accept the First Reading of **BILL NO. 23-11***, waive the Rule and place the Bill on its Second and Final Reading. **Councilman Smith** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Mayor Pro Tem Moore moved to accept the Second and Final Reading of **BILL NO. 23-11*** and enact the Bill as **Ordinance 4.630**. **Councilman Smith** seconded. Roll call Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos.

Mayor Garnos stated **BILL NO. 23-11*** stood enacted as **Ordinance Number 4.630**

**The numbering of BILL NO. 23-08 for Ordinance 4.630 was corrected on February 28, 2023 to BILL NO. 23-11.*

Item No. 15. On the Agenda. **FIRST READING BILL NO. 23-12*** An Ordinance amending the Code of Ordinances, City of Gladstone, Missouri, Title III, Offenses, Chapter 130, Offenses against Public Peace and Safety, by amending certain sections and adding certain sections to conform with Article XIV of the Missouri Constitution.

Mayor Garnos requested the City Attorney explain the Bill.

City Attorney John Mullane explained that the new changes to the City Code were due to the legalization of adult use marijuana in November 2022 and will track with the new provisions of the Missouri Constitution.

Councilman Smith moved **BILL NO. 23-12*** be placed on its First Reading. **Councilmember Spallo** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Smith moved to accept the First Reading of **BILL NO. 23-12***, waive the Rule and place the Bill on its Second and Final Reading. **Councilmember Spallo** seconded. The Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0) The Clerk read the Bill.

Councilman Smith moved to accept the Second and Final Reading of **BILL NO. 23-12*** and enact the Bill as **Ordinance 4.631**. **Councilmember Spallo** seconded. Roll call Vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos.

Mayor Garnos stated **BILL NO. 23-12*** stands enacted as **Ordinance Number 4.631**

**The numbering of BILL NO. 23-09 for Ordinance 4.630 was corrected on February 28, 2023 to BILL NO. 23-12.*

Item No. 16. On the Agenda. **RESOLUTION R-23-06** A Resolution ratifying a time and materials contract with Kissick Construction Company in the total amount not to exceed \$500,000 for the emergency repair and replacement of the 20 inch Transmission Main at North Broadway and Northwest Englewood Road, Project WP2391.

Councilmember Spallo moved to approve **RESOLUTION R-23-06** A Resolution ratifying a time and materials contract with Kissick Construction Company in the total amount not to exceed \$500,000 for the emergency repair and replacement of the 20 inch Transmission Main at North Broadway and Northwest Englewood Road, Project WP2391. **Councilman Smith** seconded. The vote: “aye”, Councilman Smith, Councilmember Spallo, Councilman Mallams, Mayor Pro Tem Moore, and Mayor Garnos. (5-0)

Item No. 17. On the Agenda. Other Business.

There was no other Business.

Item No. 18. On the Agenda. Adjournment.


Mayor Garnos adjourned the February 27, 2023, Regular City Council meeting at 8:01 pm.

Respectfully submitted:



Kris Keller, City Clerk

Approved as presented: ✓
Approved as modified: _____



Bill Garnos, Mayor