



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
AUGUST 14, 2023**

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

City Manager Bob Baer
Assistant City Manager Austin Greer
City Attorney Chris Williams
City Clerk Kris Keller

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

Mayor Moore opened the Regular City Council Meeting Monday, August 14, 2023, at 7:38 pm.

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

Mayor Moore 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 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 the Agenda.

The agenda was approved as published.

Item No. 5. On the Agenda. Approval of the July 24, 2023, Closed City Council Meeting Minutes.

Mayor Pro Tem Spallo moved to approve the minutes of the July 24, 2023, Closed City Council Meeting as presented. **Councilman Garnos** seconded. The Vote: "Aye:" Councilman Smith, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. "Abstain:" **Councilman Mallams.** (4-1)

Item No. 6. On the Agenda. Approval of the July 24, 2023, Regular City Council Meeting Minutes.

Mayor Pro Tem Spallo moved to approve the minutes of the July 24, 2023, Closed City Council Meeting as presented. **Councilman Garnos** seconded. The Vote: "Aye:" Councilman Smith, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. "Abstain:" **Councilman Mallams.** (4-1)

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

Larry Newport, 108 NE 75th Street, inquired if the left turn lane on NE 72nd Street in front of Antioch Bible Baptist Church could be extended up to North Harrison Street.

Cody McElroy, 4 NW 72nd Street, Apartment D, shared that he would like a Commission created to find a solution to the bus situation in Gladstone. He reported that he would like to see a leadership group meet with Platte and Clay County, as well as other various cities in the Northland, to discuss bus transportation that is ending shortly in Gladstone.

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

Councilman Garnos reminded those in the audience that cyclists, runners, and walkers all need to share the trails.

Mayor Moore attended the promotion reception for five Gladstone Police Officers: Sergeant Paul Hanna, Sergeant Frank Bayless, Corporal Blair Parker, Corporal Jesus Perez, and Corporal Andrew Clary. She recognized their hard work and the importance of this achievement. She attended National Night out on August 4, 2023 and thanked Sergeant Consiglio and Captain Boydston for putting it together as well as Chief Farris for enabling this event to happen. She reported that it was a good turnout, a great evening, and there is continued growth each year. She encouraged everyone to come out next year and support our local Police Department. She announced that the Sunflower Festival was held this past Saturday and was a great success. She gave special thanks to farm manager, Eugene Suter, along with Parks, Recreation and Cultural Arts staff, vendors, and everyone that made it a great event.

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

City Manager Bob Baer announced that the City was awarded the Certificate of Achievement for Excellence in Financial Reporting for the City's 2022 Annual Comprehensive Financial Report (ACFR). It's the highest form of recognition in the area of governmental accounting and financial reporting. This is the City's 46th consecutive time to receive the award and he congratulated Director Accurso and his staff. He reported numerous calls were received after the multiple rounds of heavy rain over the weekend and expressed his gratitude to Director Nebergall and his staff. He stated there were a few flooding issues due to debris back up in the storm sewers and all had been cleaned up. He reported that Fire and EMS also had multiple calls for service during the torrential rain. He shared that the Fifth Annual Restoration Run is Saturday, August 19, 2023 and the 5K benefits the North Kansas City Schools Education Foundation and the AJ Farm and Museum. He expressed deepest sympathy to the family of Fairway Police Officer Jonah Oswald, who was killed in the line of duty Sunday morning. Several Gladstone Police Officers attended the funeral and he asked that we keep Officer Oswald's family, the Fairway Police Department, and our own Police Officers in their thoughts and prayers.

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

Following the Clerks' reading:

Councilman Mallams moved to approve the Consent Agenda as published. **Mayor Pro Tem Spallo** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-23-47** A Resolution authorizing the City Manager to enter into a Fourth Amendment to the Antenna Site Lease with T-Mobile Central, LLC, at

the Linden Water Tower. **Mayor Pro Tem Spallo** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-23-48** A Resolution authorizing acceptance of a proposal from Independent Salt Company for the purchase of snow removal salt. **Mayor Pro Tem Spallo** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0)

Councilman Mallams moved to approve **RESOLUTION R-23-49** A Resolution authorizing Change Order No. 1 in the amount of \$140,000.00 to the contract with Lan-Tel Communications Services Incorporated, for the FY23 Curb, Gutter and Sidewalk Program – Phase 2 Project TP2305. **Mayor Pro Tem Spallo** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0)

Councilman Mallams moved to approve **FINANCIAL REPORT FOR 12 MONTHS ENDING JUNE 30, 2023**. **Mayor Pro Tem Spallo** seconded. The Vote: All “Aye:” Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0)

REGULAR AGENDA

Item No. 11. On the Agenda. **PUBLIC HEARING:** Zoning Change for 2320 NE 72nd Street, Gladstone, Missouri.

Mayor Moore opened the Public Hearing at 7:49 pm.

Assistant City Manager Austin Greer addressed the Council and provided the Staff Report for the Zoning Change. He reported that the applicant is requesting the City to approve a replat of 2320 NE 72nd Street in order to build two single family homes on two separate lots. He stated that the piece of property is currently one large lot and the applicant is requesting a zoning change from R-1 to RP-1 to reduce the side yard setback to five (5) feet. He explained that a “planned district” allows for flexibility in city regulations regarding minimum lot standards and setbacks. He proceeded to explain the proposed size of the lots are approximately 61 feet wide by 125 feet long and that the average lot size in Gladstone is between 65-80 feet wide by 125 feet long. He reported that the proposed lot sizes do not meet City standards and minimum single-family lot standards are no less than 8,400 square feet with minimum side yard setback of nine (9) feet. Each replatted lot will be 7,631 square feet with a minimum side yard setback of five (5) feet. He shared that during the City’s most recent Comprehensive Plan update, there were many discussions about Gladstone’s ability to grow and the need for housing density. He stated that this project is an example of new quality housing that increases density, allowing flexibility with “planned zoning district” standards. He stated that Gladstone City staff recommends that the City Council approve the final plat and rezone as submitted by the Planning Commission. Nine of the planning Commissioners voted yes for both projects and one planning commissioner voted no.

Mayor Moore invited the applicant to approach the podium.

Devin Mirfasihi was present on behalf his father, Jonathan Mirfasihi, the owner of the property, who was unable to attend the meeting. The builder, Jim Jrolf, was also present. **Mayor Moore** inquired the following about the proposed houses if passed: square footage in comparison to the completed homes, the price, when the building would start and be completed, and if there were any other changes that the builder could share. Mr. Jrolf reported that the homes will be built about the same size; each will be a two story with a basement, and a two-car attached garage, unlike the completed

homes that are split level homes on a slab with a three-car garage. He reported that the homes would be built with the same standard of construction and look. He estimated the cost of the homes to be \$350,000-\$400,000 and that the driveways would be shared like the completed two (2) homes so that there are reduced exits onto NE 72nd Street.

Councilman Mallams inquired as to why they would build four (4) houses instead of three (3). Devin Mirfasihi reported that he believes it is a better use of space, it will create more of a community feel, and the four (4) houses should improve the property value around them. He stated that it would look awkward to have only one house on the one huge lot. Mr. Jrolf reported that the two (2) car garages on the proposed houses will be narrower, but will still look uniform with the others. **Councilman Mallams** asked if they could see any concerns or disadvantages that people would have with the change. Mr. Jrolf reported that he did not if this went through, because building an extra house provides more comparisons for the real estate market in that area and the proposed newly constructed houses should be desirable by the community. **Councilman Mallams** confirmed with Mr. Jrolf that a total of two (2) driveways would exit on NE 72nd Street, since each house shares a driveway.

Mayor Moore asked if there was anyone who desired to address the Council in favor of the application.

Cody McElroy, 4 NW 72nd Street, Apartment D, shared that he is in support of zoning reform that allows for denser building. He stated that people who are looking for houses in that higher price range then don't have to compete with individuals who are purchasing starter homes.

Mayor Moore asked if there was anyone who desired to address the Council in opposition of the application.

George Wages, 7201 North Park, distributed photos of the property to Council (see attached) and presented his concerns regarding a plat and zoning change which included; setbacks, traffic, installation of a new water line, closeness of the homes, and the large amount of concrete used for the driveways. He clarified the setbacks and differences between the R-1 and RP-1 with Assistant City Manager Austin Greer. Mr. Wages discussed the storm water run-off and that the only direction the storm water has to go is downhill to the east of the property and that it would have an impact on lot number four (4) and 2404 NE 72nd Street, the home next door to the undeveloped lot. He discussed the traffic in the area of the property and voiced his concerns of increased traffic with additional homes and potential future businesses in that area. He asked the Council to vote no for the zoning change from R1 to RP1.

Gary Woody, 2611 NE 72nd in Maple Lane, inquired about the exact location of the lots which was clarified.

Chad Hawkins, 2404 NE 72nd Street, lives next to the undeveloped lots and voiced his concerns about the water drainage and the impact it may have on his home.

Sandy Hudson, 2622 NE 74th Street, in Maple Lane, expressed her concerns about the current traffic and accidents in the small area of NE 72nd and M1 Highway. She shared that bringing more development will add additional traffic, which is a concern.

Councilman Mallams inquired about the cleared land at the church on the corner of NE 72nd and M1 and asked if there would be an access to NE 72nd Street. Assistant City Manager Greer reported that the church does have an access point to exit NE 72nd Street and he believes the church desires to use it, but the church site plans are preliminary. **Councilman Mallams** asked Public Works

Director Nebergall if the two proposed houses were approved, would storm water runoff be an issue. Director Nebergall expressed with proper grading and not overlooking the east property line, it would allow it to drain to the residential property. He thinks they could get it to drain off to NE 72nd Street as long as it's thought through before a foundation is poured.

Mayor Moore closed the Public Hearing at 8:15 pm.

Item No. 12. On the Agenda. FIRST READING BILL NO. 23-27 An Ordinance approving a zoning change for 2320 NE 72nd Street, Gladstone, Missouri.

Mayor Pro Tem Spallo moved **BILL NO. 23-27** be placed on its First Reading. **Councilman Garnos** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0) The Clerk read the Bill.

Mayor Pro Tem Spallo moved to accept the First Reading of **BILL NO. 23-27**, waive the rule and place the Bill on its Second and Final Reading. **Councilman Garnos** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0) The Clerk read the Bill.

Mayor Pro Tem Spallo moved to accept the Second and Final Reading of **BILL NO. 23-27** and enact the Bill as **Ordinance 4.646**. **Councilman Garnos** seconded.

Roll Call vote: "Aye:"- Councilman Smith, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore; "Nay:" Councilman Mallams. (4-1) Mayor Moore stated **BILL NO. 23-27** stands enacted as **Ordinance Number 4.646**.

Item No. 13. On the Agenda. FIRST READING BILL NO. 23-28 An Ordinance approving the plat for 2320 NE 72nd Street, a subdivision in Gladstone, Clay County, Missouri and directing the appropriate officials to affix their signatures to said plat for recording.

Councilman Garnos moved **BILL NO. 23-28** be placed on its First Reading. **Mayor Pro Tem Spallo** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0) The Clerk read the Bill.

Councilman Garnos moved to accept the First Reading of **BILL NO. 23-28**, waive the rule and place the Bill on its Second and Final Reading. **Mayor Pro Tem Spallo** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0) The Clerk read the Bill.

Councilman Garnos moved to accept the Second and Final Reading of **BILL NO. 23-28** and enact the Bill as **Ordinance 4.647**. **Mayor Pro Tem Spallo** seconded.

Councilman Smith reported that a majority of the time, he is in favor of more density and that it's a reasonable request; however, he stated that Mr. Wages and the others know the property and the neighborhood better than anyone and that the last Comprehensive Plan also discussed "greening" of our city. He stated that he didn't feel having two gigantic concrete pads against NE 72nd Street is appropriate at this time.

Councilman Garnos reported that there have always been arguments for or against density and its always been a struggle. He expressed his thoughts about the replatting of the property and he doesn't believe it is going to significantly hurt the traffic in the area, the storm water can be dealt with, and believes there are other pressures on that area for traffic that will be considerable, but doesn't think

building an extra home will have an impact on traffic issues. He reported that he believes he will support it because he likes to see new homes in Gladstone.

Roll Call vote: "Aye:" Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore, "Nay", Councilman Smith and Councilman Mallams. (3-2) Mayor Moore stated **BILL NO. 23-28** stands enacted as **Ordinance Number 4.647**.

Item No. 14. On the Agenda. **FIRST READING BILL NO. 23-29** An Ordinance approving a Sixth Amendment to the Cooperative Agreement for Sewer Service between the City of Kansas City, Missouri, and Gladstone, Missouri, revising the fee schedule associated with the disposal of lime sludge, and authorizing the City Manager to execute the agreement on behalf of the City.

Councilman Mallams moved **BILL NO. 23-29** be placed on its First Reading. **Councilman Smith** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the First Reading of **BILL NO. 23-29**, waive the rule and place the Bill on its Second and Final Reading. **Councilman Smith** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0) The Clerk read the Bill.

Councilman Mallams moved to accept the Second and Final Reading of **BILL NO. 23-29** and enact the Bill as **Ordinance 4.648**. **Councilman Smith** seconded.

Roll Call vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0) Mayor Moore stated **BILL NO. 23-29** stands enacted as **Ordinance Number 4.648**.

Item No. 15. On the Agenda. **RESOLUTION R-23-50** A Resolution authorizing the City Manager to execute a contract with Infrastructure Solutions, LLC, in the total amount not to exceed \$968,040.00 for the FY24 Water Main Replacements and Storm Drainage, Project WP2487.

Councilman Smith moved to approve **RESOLUTION R-23-50** A Resolution authorizing the City Manager to execute a contract with Infrastructure Solutions, LLC, in the total amount not to exceed \$968,040.00 for the FY24 Water Main Replacements and Storm Drainage, Project WP2487. **Councilman Mallams** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0)

Item No. 16. On the Agenda. **RESOLUTION R-23-51** A Resolution authorizing acceptance of a Sourcewell proposal from Red Equipment, LLC for the purchase of a RAVO 5 iSeries Street Sweeper in the total amount of \$293,523.00.

Mayor Pro Tem Spallo moved to approve **RESOLUTION R-23-51** A Resolution authorizing acceptance of a Sourcewell proposal from Red Equipment, LLC for the purchase of a RAVO 5 iSeries Street Sweeper in the total amount of \$293,523.00. **Councilman Smith** seconded. The Vote: All "Aye:" Councilman Smith, Councilman Mallams, Councilman Garnos, Mayor Pro Tem Spallo, and Mayor Moore. (5-0)


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

There was no other business.

Item No. 18. On the Agenda. Adjournment.

Mayor Moore adjourned the August 14, 2023, Regular City Council meeting at 8:27 pm.

Respectfully submitted:



Kris Keller, City Clerk

Approved as presented:  _____

Approved as modified: _____



Jean B. Moore, Mayor



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