



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JANUARY 24, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:00 PM**

Mayor Les Smith opened the City Council Meeting to adjourn to a Closed Executive Session on January 24, 2011, at 6:00 PM. Mayor Pro Tem Barry McCullough made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemption 610.021(1) for Litigation and Confidential or Privileged Communications with Legal Counsel, and 610.021(2) for Real Estate Acquisition Discussion, and 610.21(3) for Personnel Discussion. Councilman Carol Rudi seconded.

Roll Call Vote: All “aye” – Councilman Carol Rudi and Mayor Pro Tem Barry McCullough, Mayor Les Smith. (3-0)

Councilmember Carol Suter was present at the Closed Executive Session.

Mayor Les Smith adjourned the Closed Executive Session.

**REGULAR CITY COUNCIL MEETING
7:30 PM**

PRESENT: Mayor Les Smith
Mayor Pro Tem Barry McCullough
Councilman Carol Rudi
Councilmember Carol Suter

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
Deputy City Clerk Pam Smitka

ABSENT: City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular January 24, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. **PLEDGE OF ALLEGIANCE.**

Mayor Les Smith led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. Approval of the Regular January 10, 2011, City Council Meeting Minutes convening a Closed Executive Session.

Mayor Pro Tem Barry McCullough moved to approve the Regular January 10, 2011, City Council Meeting Minutes convening a Closed Executive Session. Councilmember Carol Suter seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 5. on the Agenda. Presentation of Boards and Commission appreciation plaque to David Peironnet, member of the Neighborhood Commission November 2007 – December 2010.

Mayor Smith invited Mr. David Peironnet, a member of the Neighborhood Commission, from November 2007 to December 2010, to please join him at the Council dais. Mayor Smith read and presented a Certificate of Service plaque to Mr. Peironnet.

Mr. Peironnet jokingly thanked Mayor Smith for melting the snow in front of his house, saying the Mayor of Gladstone came to his house with a hair dryer, and as the flakes came down, he ran up and down and melted them before they even got on his street. Mr. Peironnet jokingly asked how he could express appreciation for that.

Mayor Smith jokingly responded by saying he has to have some use for a hair dryer in the morning, and they had a deal while Mr. Peironnet was on the Commission, with Public Works Director Tim Nebergall, that he would actually catch the snow before it hit the streets.

Mr. Peironnet said Mr. Nebergall did well. Mr. Peironnet said he appreciated the opportunity to serve the people of Gladstone, and he believes one of the main reasons that Gladstone has been so extraordinarily efficient in use of public resources and good stewards of taxpayers dollars is because there is so much public involvement, so getting to serve was a way of doing what he believes in. Mr. Peironnet said he had to drop off this year, as he serves on his Church Board, and there is so much coming up this year, that he could not continue to serve on the Neighborhood Commission. Mr. Peironnet said he would drop off the Church Board the end of 2011, so if the Council needs him next year, he is available.

Mayor Smith said he sits on the Neighborhood Commission, and not only has Mr. Peironnet been active in Gladstone, but also in Clay County and in other regions of the world. Mr. Peironnet did a great job on the Neighborhood Commission, and the Council appreciates his good work.

Mr. Peironnet thanked the Mayor and Council, which was followed by applause from the audience.

Item 6. on the Agenda. Presentation of Mayor's Christmas Tree Lighting checks to Ikey Harris for the Northland Christmas Store for \$10,564.78 and Sheila Lillis and Tina Spallo for the Get Kids Connected Scholarship Fund for \$3,539.78.

Mayor Smith invited Northland Christmas Store Co-Chairmen Ikey Harris, and Bob Hill to join him at the dais, for the presentation of the Mayor's Christmas Tree Lighting Fund check in the amount of \$10,564.78. Mayor Smith said one of his favorite things each year is to invite Ms. Harris to say a few words, as she is always so gracious.

Ms. Harris said everyone has been so wonderful and have helped the Northland Christmas Store so much. This year has been a difficult year, but they were able to serve 800 families.

Mayor Smith said a lot of people in the community participated in the donations, and the City appreciates the good work of the Northland Christmas Store.

Mayor Smith invited Parks and Recreation Director Sheila Lillis and Recreation Supervisor Tina Spallo, who were representing the Get Kids Connected Scholarship Fund program, to join him at the dais for the presentation of the Mayor's Christmas Tree Lighting Fund check in the amount of \$3,539.78.

Mayor Smith invited Director Lillis to talk about this program.

Director Lillis stated the past proceeds from Mayor Smith's campaign that he donated to the City were used for a scholarship fund. This scholarship fund provides children the opportunity to participate in recreation programs. That can be anything from Theatre in the Park, to youth soccer, to swim lessons and even working with families for outdoor swim passes. As the socioeconomic structure of our community has changed, and unemployment has risen, staff has seen an increase in scholarship needs. About seven months ago, staff realized that there was a need to formalize this process, and not only let Mayor Smith and a few friends know about it, but staff wants everyone in the community to know about the Get Kids Connected program. Parks and Recreation staff asks patrons, with each of their transactions, both at City Hall and the Community Center, if they would like to donate to the Get Kids Connected program. This past year, about 15 scholarships were issued. Director Lillis said staff does ask for buy-in from the scholarship recipients; they are allowed to go on a payment plan. If the fee is \$15, they are allowed to pay over the eight or nine week program. There has been great success with this. Director Lillis said in her tenure no child has been turned away; there have always been resources found for them to participate in a program.

Mayor Smith said the program was funded with extra campaign funds, and Commerce Bank also contributed one year, but what Director Lillis is not saying is that sometimes

those resources were out of staff's own pockets. That is another one of those special things in Gladstone to have folks participate like that. Mayor Smith thanked Director Lillis and staff, and said this is a great program, and he hopes it continues to do well.

Director Lillis thanked the Mayor and Council, which was followed with applause from the audience.

Mayor Smith thanked Director Lillis, Recreation Supervisor Spallo and others for their help with the Mayor's Christmas Tree Lighting Fund this year. It was kicked off with the tree lighting ceremony, which was a great event, with the help of First Bank of Missouri and the Gladstone Area Chamber of Commerce, which was appreciated this year. It was a difficult year to raise money, but we kept plugging along.

PRESENTATION OF COMMEMORATIVE FLAG to Mr. Stu Revenaugh and family honoring late Councilman Mark Revenaugh.

This item was not addressed at this meeting.

REGULAR AGENDA.

Item 7. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no communications from the audience.

Item 8. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Mayor Les Smith began by saying that Councilman Mark Revenaugh passed away two weeks ago tonight. His father and mother had hoped to attend this evening to receive the framed City flag and the picture of Mark, but his father called this morning and said they were not up to it emotionally, and we certainly respect that. We all knew Mark as a friend, and we will miss him. He was a good Councilman, and he had the best interests of Gladstone at heart, and those in the audience who worked with him know he cared deeply for the employees of this City, and realized that they are in a large part, if not the most part, why this is absolutely the best place to live and raise a family. Mark always spoke highly of the employees, and always wished we could do a little bit more to take care of the employees. Everyone needs to know that he appreciated them.

Mayor Smith said the Council has established a process by which a member of the community will be appointed to fill Councilman Revenaugh's unexpired term. The term will run through a year from April, which is coincidentally when Mark's term would have expired. The process is that Council is asking interested residents to submit a letter of interest along with a civic resume. The deadline for those resumes is February 4, at 5:00 PM. The Council may interview interested members of the community on February 10, with an appointment to be made on February 14. To this point, one letter of interest has been received, and it is from Jeanie Moore.

Mayor Smith said the City hosted a reception for Councilman Revenaugh last Thursday evening. His family was incredibly appreciative of the efforts. Mayor Smith said he would be remiss if he did not thank those members of the City staff who organized that and pulled it all together. Mayor Smith said he did not generally do this, but he did want to point out that Executive Assistant Pam Smitka did a fabulous job in coordinating all that. Mayor Smith said he believed that many in the room would agree that Pam did a fabulous job in pulling this off. Mayor Smith addressed Ms. Smitka by saying the he and the Council thanks her and the family thanks her.

Councilmember Carol Suter thanked Mayor Smith for taking the lead in planning for this unusual event for a City – the remembrance for Councilman Revenaugh. It was appreciated by everyone, including the Council and his family. Councilmember Suter said she, too, appreciated the work of the staff. January has been an unusual month for a number of reasons for all of us here, between health emergencies, and deaths on Council, and City Clerk Cathy Swenson’s father. There have just been a number of things this month. This time has demonstrated the great spirit that exists among the staff and elected officials and volunteers of the City. There is such a good family feel and team support all the time. We tend to see it the most in bad times, and maybe appreciate it the most, but it exists in the good times as well.

Councilman Carol Rudi said Thursday’s event was an excellent event and she is glad that Mayor Smith thought of it, and she really does appreciate it, as did many people. Councilman Rudi thanked Ms. Smitka for all her work.

Councilman Rudi stated that on Tuesday, February 1, there would be the next art exhibit opening at the Community Center. This will be art and music, not just art as usual. It will be presented by the educators and students of the North Kansas City School District. The date again is Tuesday, February 1, from 6:00 PM to 8:00 PM, at the Community Center. Councilman Rudi invited all to attend, and said it would be a great event, and said she believed this would provide an introduction to what is being planned for this summer. In June, on Tuesday evenings, we have music at the amphitheatre, and we are adding to that an art component, so there will be a few artists at each of those Tuesday evenings’ presentations. The process is still being worked on, but it is very exciting. Councilman Rudi said she hoped to see everyone on February 1, and she hopes to see everyone also in June.

Mayor Pro Tem Barry McCullough said he, too, wished to thank Ms. Smitka, City staff, and Mayor Smith for all of their efforts and care and thoughtfulness that went into preparations for Mark’s memorial on Thursday.

Mayor Smith stated that Cathy Swenson’s father passed away, and his services will be tomorrow, at White Chapel Funeral Home. The visitation is at 10:00 AM, and the funeral services will be held at 11:00 AM.

Mayor Smith asked Parks and Recreation Director Sheila Lillis to extend his and the Council's appreciation to the Community Center staff for what they did for Thursday evening's reception.

Item 9. on the Agenda. **COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis announced that the 76th Street Project public meeting is scheduled for Thursday, January 27, here in City Hall, from 5:00 PM to 7:00 PM, for people interested in that bond project.

Item 10. on the Agenda. **BUILDING PERMIT:** for the Linden West Elementary School classroom addition located at 7333 N. Wyandotte Street. Applicant: Hollis + Miller Architects Owner: North Kansas City School District.

Councilman Carol Rudi moved to approve the **BUILDING PERMIT:** for the Linden West Elementary School classroom addition located at 7333 N. Wyandotte Street. Applicant: Hollis + Miller Architects Owner: North Kansas City School District. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 11. on the Agenda. **APPROVAL OF DECEMBER 2010 FINANCIALS.**

Councilmember Carol Suter moved to approve the **DECEMBER 2010 FINANCIAL REPORT.** Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 12. on the Agenda. **PUBLIC HEARING:** on a request for a site plan revision at 6300 N. Oak Trafficway. Applicant: Ozark Civil Engineering, Inc. Owner: McDonalds USA, LLC. File #1353. (This hearing will be opened and immediately continued.)

Mayor Smith opened the Public Hearing and continued the Public Hearing to a later date, following a recommendation from the Planning Commission.

Item 12a. on the Agenda. **FIRST READING BILL 11-02,** for consideration of a site plan revision at 6300 N. Oak Trafficway.

Mayor Smith said this agenda item would be considered on the same date as the Public Hearing.

Item 13. on the Agenda. **FIRST READING BILL 11-03,** amending ordinance number 4.121 by adding a new chapter concerning "Sump Pumps and Ground Water Standards" to the "Building and Construction Ordinance" of the City of Gladstone, Missouri.

Mayor Pro Tem Barry McCullough moved to place **Bill 11-03** on its First Reading. Councilmember Carol Suter seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-03**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-03** and to enact the Bill as **Ordinance 4.175**. Councilmember Carol Suter seconded.

Roll call vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 14. on the Agenda. **FIRST READING BILL 11-04**, allowing the “Show Me Green Sales Tax Holiday” to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2011.

Councilmember Carol Suter moved to place **Bill 11-04** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the First Reading of **Bill 11-04**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 11-04** and to enact the Bill as **Ordinance 4.176**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0)

Item 15. on the Agenda. **FIRST READING BILL 11-05**, approving an ordinance to opt out of the State imposed Sales Tax Holiday between August 5th and 7th, 2011.

Councilman Carol Rudi moved to place **Bill 11-05** on its First Reading. Councilmember Carol Suter seconded.

Councilman Rudi stated she had a procedural question in regard to this Bill, and said this Bill would allow us to opt out of the sales tax holiday, which means if we want to

participate in the sales tax holiday, we should vote “no”; Councilman Rudi said her question was does the Council need to do three full readings to do that or may Council vote “no” at this time and drop the Bill or would it need to come back next time?

City Counselor Randall Thompson replied that if all of the Council voted “no”, that would drop the Bill.

Mayor Smith asked if Counselor Thompson agreed it would be permissible to all vote “no” on the first reading.

Counselor Thompson agreed that would be permissible.

The vote: All “nay” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (0-4).

Mayor Smith stated that Bill 11-05 has been defeated, so, therefore, the City is not opting out of the sales tax holiday in August 2011.

Item 16. on the Agenda. **RESOLUTION R-11-07**, a resolution amending the 2011 Mid-Year Budget.

Councilman Carol Rudi moved to approve **RESOLUTION R-11-07**, a resolution amending the 2011 Mid-Year Budget. Mayor Pro Tem Barry McCullough seconded.

Mayor Smith offered Kudos to City Manager Davis, Finance Director Debra Daily, the Finance Department and the budget team for putting together a good mid-year budget. For all intents and purposes our city has pretty much weathered the storm. We have weathered the storm in large part because members of this community have come forward to help us to keep our house in order, but more substantially, because of City Manager Davis, the leadership team, and members of the staff of the City of Gladstone, whom the Council appreciates. Mayor Smith said there is a 1.5 percent pay increase across the board for employees to take effect immediately, and he appreciates seeing that in the budget as well.

The vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 17. on the Agenda. **RESOLUTION R-11-08**, a resolution adopting the findings of fact and conclusions of law set forth herein and denying the application for a special use permit by Darren and Alecia Jones to operate a child day care.

Mayor Pro Tem Barry McCullough moved to approve **RESOLUTION R-11-08**, a resolution adopting the findings of fact and conclusions of law set forth herein and denying the application for a special use permit by Darren and Alecia Jones to operate a child day care. Councilmember Carol Suter seconded. The vote: All “aye” – Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Item 18. on the Agenda. Other Business.

There was no other business.

Item 19. on the Agenda. Questions from the News Media.

There were no News Media present.

Item 20. on the Agenda. Adjournment.

There being no further business to come before the January 24, 2011, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:

Cathy Swenson, City Clerk

Approved as submitted: ____
Approved as corrected/amended: ____

Mayor Les Smith