



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, MARCH 14, 2011**

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

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

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

Item 2. on the Agenda. ROLL CALL

Mayor Les Smith opened the Regular March 14, 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 FEBRUARY 28, 2011, CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Barry McCullough moved to approve the **Regular February 28, 2011, City Council Meeting Minutes** as presented. Councilmember Carol Suter seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Item 5. on the Agenda. SPECIAL PRESENTATION TO THE CITY OF GLADSTONE FROM THE NATIONAL DAUGHTERS OF THE AMERICAN REVOLUTION (DAR), PRESENTED BY WILLIAM BOYDSTON DAR.

Mayor Smith invited Freddie Nichols to join the entire City Council in front of the dais.

Ms. Nichols asked that City Manager Kirk Davis join the City Council.

Ms. Nichols said that she and members of the William Boydston Daughters of the American Revolution were in attendance this evening to make a presentation to the City of Gladstone. One of the primary goals of the National Society of the Daughters of the American Revolution is historic preservation, and many of her chapter's members, who were present this evening, are involved with the Atkins-Johnson Farm. While they provided a marker for the building, they did not do anything for those who "stuck their necks out" to get this done. Ms. Nichols said she is currently serving as Historic Preservation Chairman for her chapter, and in going through the packet that is provided every year, she found a NSDAR (National Society Daughters of the American Revolution) Historic Preservation Medal Application.

Ms. Nichols said she completed the form and attained the necessary letters. Ms. Nichols said this award is special because it is not for an individual who has always done historic preservation; this is special. Ms. Nichols stated when the final award notice was received, the lady who wrote her definitely felt the Atkins-Johnson Farm project was worthwhile, and she said, "It gives me great pleasure to notify you of the approval of the Missouri William Boydston Chapter's nomination of Kirk Davis and the Gladstone City Council for the Historic Preservation Recognition Award". Ms. Nichols read and presented the National Society of the Daughters of the American Revolution Historic Preservation Recognition Award to the City Council and City Manager Kirk Davis, for excellent work in Historic Preservation – 2005-2010.

Ms. Nichols stated that there probably is not another City Council in this Nation, who when landlocked like Gladstone, would dare to take land off the tax rolls to preserve a farmhouse and a log cabin. Ms. Nichols said they are so grateful, and the Daughters of the American Revolution say "thank you", with all their hearts. Ms. Nichols said she had letters from Chris Cox, who is a descendent and serving on the Friends of Atkins-Johnson Farm Committee; Linda Smith, who is the President of the Friends of the Atkins-Johnson Farm Committee; and Suzanne Botts, DAR Regent; and her own letter of recommendation.

Mayor Smith said, on behalf of the City Council and all the staff, they are very appreciative of this special honor, and what made this all worthwhile are the volunteers – people like the Friends of the Atkins-Johnson Farm Committee. These folks have really taken the "bull by the horn", and made this project a very special place in our community. Just like everything else we do in Gladstone, it is all about the people. Mayor Smith thanked Ms. Nichols.

City Manager Davis said, on behalf of the City staff, he wished to say thank you so much to Ms. Nichols, and said he could not express his appreciation as well as the Mayor, but would like to say the Atkins-Johnson Farm is a neat place, and if folks have not had the opportunity to visit, he invited them to please participate, and to go out and go through the facility. This year, the City will be building a parking lot, and bringing in some restrooms,

and water and sewer to the site, and then it can be opened up for public events. A museum is planned for the site, and the history of Missouri farms will be presented. The home was built in 1826, and was one of the first homesteads in Clay County. City Manager Davis thanked Ms. Nichols again for the recognition.

Ms. Nichols thanked City Manager Davis and the City Council and the former City Council members who were involved with this project.

Item 6. on the Agenda. CONSENT AGENDA.

Councilmember Carol Suter moved to accept the Consent Agenda as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-19**, accepting Temporary Construction Easements from certain property owners in conjunction with the Northeast 70th Terrace and North Walnut Street Improvements. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-20**, accepting Permanent and Temporary Construction Easements from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-21**, authorizing the City Manager to execute a Mutual Aid Agreement with the County of Platte County, Missouri, for Intergovernmental Police Service and Assistance. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-22**, authorizing execution of a contract with Rand Construction Company, in the total amount not to exceed \$155,390.00 for the Water Plant Efficiency Upgrades. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-11-23**, authorizing execution of a contract with the Kansas City North Umpires Association to provide umpire services for the City of Gladstone for one year and three optional terms of one year each at

the cost of \$23.00 per league game and \$23.00 per tournament game. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

Councilmember Carol Suter moved to approve a **NEW SIX-DAY RESTAURANT BAR (A-R) LIQUOR BY THE DRINK LICENSE, WITH A SIX-MONTH PROBATIONARY PERIOD** for RNB, LLC dba MOJO, 316 Northeast 72nd Street. Managing Officer: Roy Newman. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0).

REGULAR AGENDA.

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

Stephanie Theis, began by saying that she is a teacher at Antioch Middle School, 2100 NE 65th Street, and said her school works very diligently to do their best for their students and that includes working with their stakeholders, who are community members and the parents of the students. As part of that, she had the honor last year of working with the school’s leadership team on a project entitled “Miss School-Miss Out”. Ms. Theis stated she noticed there was a “Miss School-Miss Out” high school poster hanging in the lobby of City Hall – she works with the middle school portion of this project, and they are hoping to have more community and parent involvement in the upcoming “Miss School-Miss Out” parent event.

Ms. Theis provided flyers to the City Council, and said they are working with Synergy Services, Maplewoods Community College, Clay County Prosecuting Attorney’s office, and Community America Credit Union, and staff and students from the building will also be presenting sessions that evening. Ms. Theis said they are also working with Tommy’s Restaurant, Hy-Vee, and Smokehouse Barbeque, and hopefully, Starbucks in providing food that evening in a “taste of Gladstone” type event, where they will be providing individual samples of a dish of their choice. The hope is to have in attendance community members and parents, and that will help their students’ achievement, the student attendance, and the graduation rate, as well as helping parents begin that navigation into the high school level.

Ms. Theis said she would like for the City Council and private citizens to attend and to invite a friend to attend also. Ms. Theis said her phone number is on the flyer for any questions, and Antioch Middle School Principal Bob Russell would also be happy to answer any questions.

Mayor Smith asked what the Council could do to support this project.

Ms. Theis replied word of mouth, and anything that the Council thinks would be great. In the fall, the City offered space on the community channel, announcing the event, and she

believes that may be in the process this time, as well. Ms. Theis said she appreciated the opportunity to extend the invitation to the City Council this evening, and she would appreciate it if folks would talk to any other parents they know and their neighborhoods, and encourage everyone to attend this event. Ms. Theis said it is planned to have this a bi-annual event, in the fall and the spring.

Mayor Smith said he believed there would be a Gladstone Area Chamber of Commerce luncheon that day, and perhaps this could be announced at the luncheon.

Ms. Theis said that would be fabulous.

Mayor Smith asked City Manager Davis to give consideration to unique ways to get this information out on our website and so forth for the school district.

City Manager Davis replied, yes, there are a couple of opportunities there. City Manager Davis asked if staff should just use the information on the flyer.

Ms. Theis replied yes, and said she had e-mailed Public Information Officer Richard King this information, so he has that in e-mail format.

Mayor Smith said he would be happy to attend, and jokingly added, if he is not sent to the Principal's office.

Ms. Theis said she would also like to give recognition to an 8th grade student of Antioch Middle School, who did the art work that is on the flyer. Starbucks on North Prospect is displaying this piece of art.

Councilman Rudi asked if there was an e-mail address where Ms. Theis could be reached for questions.

Ms. Theis said her e-mail is stheis@nkcsd.k12.mo.us.

Councilman Rudi said she sends out a calendar of events to a number of people, and she will include this information.

Ms. Theis thanked Councilman Rudi and the Mayor and City Council members.

Note: This "Miss School-Miss Out" school event is at Antioch Middle School, on March 24, from 6:00 PM to 8:00 PM. The 8th grade artist's name is Rachel Oatney.

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

Councilmember Jean Moore said she would like to remind the City Council and the audience about two important meetings coming up – one is tomorrow evening and one is on Wednesday evening, from 6:00 PM to 7:30 PM. Tomorrow's meeting is here, in City Hall, and Wednesday's meeting is in the Community Center. The Environmental

Management Advisory Committee, better known as EMAC, is seeking input from Board and Commission members about our new idea of a single source solid waste collection for the City. These are very important meetings, and it would be great to see folks there.

Councilmember Carol Suter expressed her appreciation to the Friends of Atkins-Johnson Farm, and said she really enjoyed the program they had recently, with the re-enactor whose great-grandfather had been a slave on a Platte County farm. It was really interesting and motivating for people to get even more involved with the Atkins-Johnson Farm.

Councilman Carol Rudi began by saying at the last meeting, she was negligent to congratulate two employees, Chris Helmer and Becky Jarrett, who worked on a program with Oakhill Day School about the process of government, and they had been nominated for a Star Partner Award. Councilman Rudi said there was a recognition luncheon held, and she feels we owe them a big “thank you” for all the work they did on this. The teacher was thrilled with it.

Councilman Rudi stated she received a phone call today from a member of the Assistance League of Kansas City, Mary Cross, and she wished to express her appreciation to the Public Safety Department, because the Assistance League’s flags had become tangled around their flag pole, and no one in the organization could get high enough to get them down. Ms. Cross called Public Safety Director Mike Hasty, and he got someone there within a day to get the flags down for them. Councilman Rudi said they really appreciated Public Safety’s help, and were quite impressed, as they did not know if anyone could do anything, but we did, as usual. Councilman Rudi said thank you very much, and asked Director Hasty to please share her remarks with his staff.

Mayor Pro Tem Barry McCullough had no comments at this time.

Mayor Les Smith thanked Freddie Nichols and the DAR for the honor; it was fabulous, and offered congratulations not only to the volunteers in the audience, but to members of the staff who have worked so hard on this, way beyond the call of duty. They have the same passion for it as do the rest of the folks.

Mayor Smith welcomed Chris Jackson from Rockhurst High School, who is studying in a government class.

Mayor Smith stated that many might have heard this past week of a radio personality who passed away by the name of Mike Murphy. One might wonder what is the connection to Gladstone; the connection to Gladstone sits on a pedestal right on the other side of the window in the Council Chambers. Mr. Murphy brought back from Ireland in 1970, the official Happy Rock, and it is duly inscribed on the rock as a gift from the citizens of Kilkenny, Ireland to the citizens of Gladstone, Missouri. Forty-one years ago, Mike Murphy brought that rock to dedicate and to give to the citizens of Gladstone, so if you hear that name, there is a Gladstone connection, and there (Mayor Smith indicated the location of the Happy Rock) is the official Happy Rock of Gladstone.

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

City Manager Kirk Davis stated that he talked to Mike Murphy about seven years ago, and he asked him if the rock was still on display, and he wanted to come to see it, and in fact, he believes Mr. Murphy came into our lobby to be sure that it was still on display.

Item 10. on the Agenda. RESOLUTION R-11-24, authorizing execution of a contract with the Gladstone Rotary Club to provide concession services at certain events in Oak Grove Park for the City of Gladstone for one year and three optional terms of one year each wherein the Gladstone Rotary will pay the City of Gladstone 15 percent of gross receipts.

Councilman Carol Rudi moved to adopt **RESOLUTION R-11-24**, authorizing execution of a contract with the Gladstone Rotary Club to provide concession services at certain events in Oak Grove Park for the City of Gladstone for one year and three optional terms of one year each wherein the Gladstone Rotary will pay the City of Gladstone 15 percent of gross receipts. Councilmember Carol Suter seconded. The vote: “Aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, and Mayor Les Smith. “Abstain” – Mayor Pro Tem Barry McCullough. (4-0-1).

Note: Mayor Pro Tem Barry McCullough abstained from the vote as he is a member of the Gladstone Rotary Club.

Item 11. on the Agenda. RESOLUTION NO. R-11-25, accepting a public road Right-of-Way Easement from Gladstone Commons, L.L.C. to the City of Gladstone, Missouri.

Councilmember Carol Suter moved to adopt **RESOLUTION NO. R-11-25**, accepting a public road Right-of-Way Easement from Gladstone Commons, L.L.C. to the City of Gladstone, Missouri. Councilman Carol Rudi seconded.

Mayor Smith asked Assistant City Manager Scott Wingerson to describe the purpose of this Resolution.

Assistant City Manager Wingerson replied during a Public Hearing concerning the McDonald’s development project two weeks ago, there was a discussion about the ability in the future to provide a center turn lane on North Oak Trafficway to serve the development should it be warranted in the future. The future owners of the “out parcel”, McDonald’s Corporation, had agreed to donate the five feet of right-of-way. Since the City Council’s last meeting, staff has been able to successfully work with the property owner adjacent, where Smokehouse and DAV is located, to obtain the right-of-way easement necessary to fully implement the turn lane if it is warranted. Resolution No. R-11-25 does that. A graphic depiction is in the Council’s packet. Mr. Wingerson stated he

is very pleased to say that the turn lane could be constructed should the Council accept the right-of-way.

Councilmember Suter said she was pleased to see progress with this project, and expressed her appreciation for staff's good work.

Mayor Smith said this issue has taken a lot of time over the last couple of weeks, and he commended Mr. Wingerson on his diligence on this matter. For something that seemed to be so simple, there was a whole lot that went into it in the meantime. Mayor Smith offered "good work" to Mr. Wingerson.

The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 12. on the Agenda. **SECOND READING BILL 11-02**, approving a Site Plan revision for property legally described as Oak Meadows South, Lot 1, commonly known as 6300 North Oak Trafficway. Applicant: McDonald's USA, LLC. Owner: Paul Licausi (property owner), LS Commercial Real Estate. File #1353.

Councilmember Carol Suter moved to place **Bill 11-02** on its Second Reading. Councilman Carol Rudi seconded.

The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilmember Carol Suter moved to accept the Second and Final Reading of **Bill 11-02** and to enact the Bill as **Ordinance 4.182**. Councilman Carol Rudi seconded.

Roll call vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 13. on the Agenda. **FIRST READING BILL 11-07**, approving the Final Plat of Oak Meadows South, Lot 1, Gladstone, Clay County, Missouri, commonly known as 6300 North Oak Trafficway, and directing the appropriate officials to affix their signatures to said Plat for recording.

Mayor Pro Tem Barry McCullough moved to place **Bill 11-07** on its First Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-07**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-07** and to enact the Bill as **Ordinance 4.183**. Councilman Carol Rudi seconded.

Roll call vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 14. on the Agenda. **PUBLIC HEARING:** for consideration of a Site Plan Revision for property located at 100 NW Vivion Road. Applicant: JRMA Architects. Owner: Brian Schaffer/Van Chevrolet Cadillac, Inc. File No. 1355.

Mayor Smith explained that the process for the Public Hearing would be that once opened, the Council would first hear from the City staff, then from the applicant or representative thereof, if they wished to speak, and then anyone in the audience would be invited to speak in favor or in opposition to this proposal, and then conclude with any comments from staff.

Mayor Smith opened the Public Hearing.

Staff Report

Planning Specialist Chris Helmer began by saying that tonight’s Site Plan Revision is a request for an additional building at the current location. The proposed new building is to be located where an existing truck sales building is in current operation. The applicant is also requesting in addition to the development of the new building, two additional car service bays, which would be to the north of the proposed building, bringing the requested development at approximately 10,000 square feet. Along with the conditions that have been presented with the Site Plan revision Ordinance, there is a letter submitted by a certified engineer on the issue of stormwater conveyance. The building, itself, will be larger; however, the current system that has been implemented will handle the future stormwater that would fall into that system. The Planning Commission did unanimously vote in favor of this application, and the staff is also requesting that the Council consider approval of the Site Plan revision.

There were no comments from the Applicant.

There were no comments from anyone in Favor or in Opposition to the application.

Mayor Smith closed the Public Hearing.

Item 14a. on the Agenda. **FIRST READING BILL 11-12**, approving a Site Plan Revision for property located at 100 NW Vivion Road. Applicant: JRMA Architects. Owner: Brian Schaffer/Van Chevrolet Cadillac, Inc. File No. 1355.

Mayor Pro Tem Barry McCullough moved to place **Bill 11-12** on its First Reading. Councilmember Carol Suter seconded. The vote: All “aye” – Councilmember Jean Moore,

Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the First Reading of **Bill 11-12**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Mayor Pro Tem Barry McCullough moved to accept the Second and Final Reading of **Bill 11-12** and to enact the Bill as **Ordinance 4.184**. Councilmember Carol Suter seconded.

Roll call vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 15. on the Agenda. **FIRST READING BILL 11-13**, amending Ordinance Number 3.947 by modifying a section of “Chapter 1700, Dangerous Building Insurance Proceeds” and amending Ordinance 4.121 by adding a new chapter concerning “Abatement of Dangerous Buildings” to the “Building and Construction Ordinance” of the City of Gladstone, Missouri

Councilman Carol Rudi moved to place **Bill 11-13** on its First Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the First Reading of **Bill 11-13**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Barry McCullough seconded. The vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0). The Clerk read the Bill.

Councilman Carol Rudi moved to accept the Second and Final Reading of **Bill 11-13**, and to enact the Bill as **Ordinance 4.185**. Mayor Pro Tem Barry McCullough seconded.

Roll call vote: All “aye” – Councilmember Jean Moore, Councilmember Carol Suter, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (5-0)

Item 16. on the Agenda. **Other Business.**

Councilmember Suter stated she would like to recommend, suggest and inquire as to whether the City is planning on the website and maybe in the Dispatch to provide public notice of the upcoming election. Historically, we have relied on the media coming to us, but since there is no media at this time, perhaps we should remind people that there is an election. This time of the year is so confusing to people with all the different election dates, and no one knows what jurisdiction they live in, so it would be good to remind

people that live in Gladstone that there is an election; even though, it's not contested, we do need people to show up to vote.

City Manager Davis stated that staff could post the information on the City's cable channel and on the City's website.

Item 17. on the Agenda. Questions from the News Media.

There were no News Media present.

Item 18. on the Agenda. Adjournment.

There being no further business to come before the March 14, 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