



**MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, MARCH 28, 2011**

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

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

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

**ABSENT:** Councilmember Carol Suter

**Item 2. on the Agenda.      ROLL CALL**

Mayor Les Smith opened the Regular March 28, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Councilmember Carol Suter, who is on her way back from China this evening.

**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 MARCH 14, 2011,  
CITY COUNCIL MEETING MINUTES.**

Councilman Carol Rudi moved to approve the **Regular March 14, 2011, City Council Meeting Minutes** as presented. Mayor Pro Tem Barry McCullough seconded. The vote: All "aye" – Councilmember Jean Moore, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).

Mayor Smith stated that following on the Agenda are a series of Proclamations, which would be read by City Clerk Cathy Swenson. Mayor Smith said the Council is honored to

have those people present this evening who would be accepting the Proclamations, and asked that they join him and the City Council at the dais as their Proclamation is read.

**Item 5. on the Agenda.**      **PROCLAMATION:** designating April 10-16, 2011 as **NATIONAL CRIME VICTIMS' RIGHTS WEEK** and reaffirming our City's commitment to respect and enforce victims' rights and to address their needs throughout the year.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Angie Blumel, Director of Community Services for the Metropolitan Organization to Counter Sexual Assault (MOCSA).

Ms. Blumel explained that her organization works as advocates for children, adolescents and adults who have experienced sexual violence in their lives. Ms. Blumel said she so appreciated the City of Gladstone partnering with them, and offered a special thanks to Public Safety Director Michael Hasty for helping in organizing this presentation. Ms. Blumel thanked the Mayor and City Council for this acknowledgement, which is very important to MOCSA's efforts.

**Item 6. on the Agenda.**      **PROCLAMATION:** recognizing the accomplishments of eight Northland students who were the winners of the **F.I.R.S.T.** (For Inspiration and Recognition of Science and Technology) **LEGO LEAGUE CHAMPIONSHIP TOURNAMENT.**

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to the Up NeXT team, comprised of Cooper Lehr, Andrew Marshall, Peter Marshall, Aspen Speiser, Cale Speiser, Daniel Andrews, Zane Canon and Cullan Fritts.

Mayor Smith congratulated the team on their accomplishments.

**Item 7. on the Agenda.**      **PROCLAMATION:** recognizing the diverse cultural life of our metropolitan community and the traditional Chinese culture portrayed in the **2011 WORLD TOUR OF SHEN YUN PERFORMING ARTS** at the Music Hall in Kansas City, Missouri on April 13, 2011.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Barbara Gay, who thanked the Mayor and Council members. Ms. Gay handed out flyers for the Shen Yun performances, which will be held April 13, 2011, in the Kansas City Music Hall. Ms. Gay invited everyone to attend, and suggested if anyone had any questions to look at the website for more information. Ms. Gay thanked the City of Gladstone for the recognition.

**Item 8. on the Agenda.**      **PROCLAMATION:** designating April 1, 2011, as "**ARBOR DAY**" in Gladstone, Missouri, and urging residents to support efforts that focus on environmental betterment and the planting of trees.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Parks and Recreation Director Sheila Lillis, who thanked the Mayor and City Council.

Mayor Smith announced that the annual tree planting ceremony in celebration of Arbor Day would be held in cooperation with the Meadowbrook Elementary School First Grade students, on Friday, April 1, at 10:00 AM, in the south end of Meadowbrook Park, and invited all to attend.

Director Lillis stated a Linden tree would be planted this year, and said there were two Linden trees in the area. Director Lillis reported that this is the ninth year our City has earned the Tree City Award, which is important to our City.

**Item 9. on the Agenda.**      **PROCLAMATION:** recognizing April 10-16, 2011, as **GLADSTONE ANIMAL CONTROL OFFICER APPRECIATION WEEK** and encouraging the community to express their appreciation to these dedicated professionals for their many hours of outstanding and valuable service to our City.

Following the Clerk's reading, Mayor Smith and the City Council presented the Proclamation to Animal Control Officer Darcy Meadows, who thanked the Mayor and City Council for the recognition and also thanked the community for their support. Ms. Meadows announced the annual Walk N' Wag fundraiser, benefiting the Gladstone Shelter, would be held in April, and they are hoping for good support from the community at this event.

Mayor Smith stated that the Animal Control Department are the "unsung heroes" of the City, responding when called upon at all hours of the day and night. Mayor Smith said the City Council very much appreciates all the Animal Control Department does for the City, and there are some plans in the works to improve the Animal Control facility, which will improve the work environment for the employees.

Mayor Smith thanked City Clerk Swenson for reading the Proclamations and congratulated all the recipients, saying he and the City Council appreciate very much everyone being here this evening.

**Item 10. on the Agenda.**      **COMMUNICATIONS FROM THE AUDIENCE.**

Pam Cook, 6024 North Kansas, said she has lived in Gladstone about ten years, but has worked with the City of Gladstone for much longer; although, she is retired now. Ms. Cook said she wished to thank the City of Gladstone for the walking trail that has been installed around Happy Rock Park, and her question concerned a sign that says there will be a footbridge installed in the spring of 2011, and she was wondering when that would be completed. She and her friends currently ford the creek, which is a little cold.

Parks and Recreation Director Sheila Lillis stated that spring just began on March 20 (which was followed with laughter from the audience), and the final plans have been

reviewed. This is a joint project with Kansas City, and it is anticipated the bridge will be in place by July. A lot of people are excited about this project and are waiting with bated breath for the bridge to be completed. It has stimulated a lot of interest in the trails. Director Lillis said she would be happy to provide an update to Ms. Cook, if she would provide her phone number.

Ms. Cook asked if there was an interest in an off-leash dog park in the City.

Mayor Smith asked City Manager Davis to please put that on the list.

Councilman Rudi stated there is a Planning Commissioner who very much would like a dog park, and she is sure Director Lillis has been hearing from him.

Mayor Smith stated there is a Council goal setting session every fall, where the Council discusses various issues like this that come up throughout the year, and that could be a topic for discussion.

**Item 11. on the Agenda.      COMMUNICATIONS FROM THE CITY COUNCIL.**

**Councilmember Jean Moore** had no comments at this time.

**Councilman Carol Rudi** reminded everyone to vote on Tuesday, April 5, and that evening at 6:00 PM, at the Community Center, there would be another art exhibit reception from 6:00 PM to 8:00 PM. It is always a good time, with great artists, who talk about their work, and give insight that one would not hear otherwise.

Councilman Rudi said the Walk N' Wag event, benefiting the Gladstone Animal Shelter, would be April 23, 2011, at Happy Rock Park.

**Mayor Pro Tem Barry McCullough** said he wished he were thanking and congratulating Public Safety Director Hasty for something other than putting a fire out at his office building this weekend, but he appreciates the timely response and how efficient they were with the water, so that there was no water damage. The Fire Department did a fantastic job of clearing the scene, making it happen very fast, and taking good care of everyone involved. Mayor Pro Tem McCullough thanked Director Hasty and the Public Safety staff.

**Mayor Les Smith** said he would like to acknowledge a Resolution presented to the City and the Friends of Atkins-Johnson Farm this afternoon, in recognition of receiving the 2010 Missouri Preservation Office Preserve Missouri Award. Mayor Smith extended congratulations to the Friends of Atkins-Johnson Farm organization.

Mayor Smith invited everyone to watch the Imagine KC series that in part featured Gladstone. The episode will be aired on KCPT TV for generally 30 to 60 days. Mayor Smith encouraged everyone to check that out – it puts our community in a very good light. City Manager Davis, Councilmember Moore, and Economic Development Coordinator

Melinda Mehaffy all “shined”, and are super stars now. Mayor Smith thanked them for all the work they did on this project.

Councilmember Moore stated that the Mayor shined!

Mayor Smith asked City Counselor Randall Thompson to provide an update on the ongoing discussions with Clay County regarding the Road District.

City Counselor Randall Thompson began by saying, as the City Council is aware, Gladstone and all the public entities in Clay County have been in a disagreement with Clay County over funding of our roads and bridges. It seems that we have gone months, if not years, without any activity, and then all of a sudden in the last couple of days we have had a flurry of activity. City Manager Davis was contacted by the City of Kansas City last Friday, and they indicated that they were willing to go forward with litigation against Clay County concerning payment of the Road and Bridge Fund. They have asked us if we are willing to join them in that litigation. Today, we received an offer of settlement from Clay County to resolve all the issues. Counselor Thompson said we have yet to digest that offer, and have not had a chance to share it with the Council, but he wanted the Council to be aware of the events that have come in quick succession. Counselor Thompson said we will be asked next week to probably make a decision with respect to going forward with litigation or settling the potential litigation.

Mayor Smith stated that he appreciated Kansas City’s willingness to allow us to work through negotiations a bit longer. He and Mayor Pro Tem McCullough have been involved in those negotiations, along with City Manager Davis and Counselor Thompson. The fact of the matter is that this has been ongoing for quite some time, and it only seems reasonable that we put a drop-dead date on the negotiations. Mayor Smith said it would be his recommendation to the Council that, based on the conversation with Kansas City and based on making some progress, albeit only as of late with the County, who meets on Mondays, perhaps next Wednesday, April 6, would be a date that might be in order to authorize the City Attorney to either conclude negotiations in a meaningful and positive way or perhaps to seek legal remedy. Mayor Smith said he believed we do need to have a hard deadline at some point for us to make real progress.

**Mayor Pro Tem Barry McCullough moved that the City of Gladstone finalize an agreement with Clay County for the Road District by April 6, 2011, or that the City proceeds with moving things through legal channels. Councilman Carol Rudi seconded.**

Councilman Rudi said this gives our Counselor room to negotiate and take care of any odds and ends that may come up, and let the City Council know if there is something we have to clarify.

Counselor Thompson agreed that was correct. This provides a window for staff to get back to the Council, if there are meaningful settlement negotiations, so those can be affirmed or agreed to.

Mayor Smith said, in fairness to the County regarding their written offer today, it is within the parameters of what the Council has established, and it might also be important to note that the City Council of Liberty has agreed to, from a structural standpoint, the process of how the agreement going forward will be structured. It is just that our City Council does not feel that it meets the monetary requirements of that settlement. There is some negotiation going back and forth. To their credit, they have come to the plate with a written proposal. This will give the Council the opportunity to negotiate within those parameters, but we will set the April 6 deadline for us to move forward another way, if we cannot come to some agreement. Mayor Smith stated, for the edification of the audience, that the City Council has been trying to negotiate this for one, to one and one half or a couple of years, but it is time to force the issue a bit for the good of our residents.

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

Mayor Smith suggested that City Manager Kirk Davis might want to provide a report on the upcoming Green Home Show.

**Item 12. on the Agenda.      COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported the Home Show would be April 8 and 9, 2011. It will be at the Community Center, and it has a sustainability and environmental focus. It is sold out. A good crowd is expected. Last year, there were approximately 20 vendors, and it is estimated that 500 people came through. City Manager Davis said he was pleased that it has picked up a little momentum this year, and if anyone is doing home improvements this spring, they might want to visit the Home Show, because there will be a lot of folks who can offer ideas.

City Manager Davis reported that Public Works Director Tim Nebergall and his wife had a baby girl, Hannah, last week, and Mom, Dad, and baby are doing fine. City Manager Davis said he talked to Director Nebergall today and he has a big smile on his face!

Mayor Smith asked that the City Council’s congratulations be passed on to Director Nebergall.

**Item 13. on the Agenda.      AN UPDATE AND DISCUSSION REGARDING THE REQUEST FOR PROPOSALS (RFP) FOR SOLID WASTE AND CURBSIDE RECYCLING COLLECTION SERVICES.**

City Counselor Randall Thompson explained that he was filling in for Public Works Director Tim Nebergall, who, as City Manager Davis noted, is otherwise disposed this evening, and Director Nebergall’s right-hand person, Jennifer Stafford, was also present at this meeting. Counselor Thompson stated, as the Council knows, Jennifer, Tim, the EMAC (Environment Management Advisory Committee), and Lisa Danbury (who added a lot to an understanding of what is going on in our region with regard to solid waste

disposal and recycling) from MARC (Mid-America Regional Council) were present at two meetings, where members of Boards and Commissions from the City of Gladstone were invited to be in attendance and were invited to ask questions and find out more about the solid waste disposal issue, which is that Gladstone is considering going to a single solid waste hauler to handle both waste and recycling. Mr. Nebergall and Ms. Stafford put together an RFP (request for proposal), and that is what was presented last week. A lot of good ideas and comments were received from the people who attended, and staff has tried to incorporate a lot of those into the RFP. Counselor Thompson said he prepared a memo for the City Council, and he assumes the Council has read that memo, and he mentioned in the memo some of the suggestions that were included into the RFP.

Counselor Thompson said he would like to go over some ideas that were not included in the RFP, because he found them interesting. They were not topics or items that could be put in a RFP; they were more general discussion items. One person asked if smaller haulers would have a chance to bid or participate. Apparently, there was some concern that Platte Valley might be too small to compete, but Director Nebergall pointed out that because of the way the initial term is being structured, which is for ten years, it should allow smaller operators to participate in order to plan and finance enough trucks and service personnel to handle a city the size of Gladstone. Another gentleman asked how the replacement of containers would be handled, because eventually containers would have to be replaced. These are not small containers; they are anywhere from 35- to 65-gallon containers, with lids, so we have asked all the haulers who are going to bid to weigh in on how they would propose to replace the containers, and that they will replace containers that need to be replaced.

Counselor Thompson stated that a couple of people asked whether or not we should bill people who happen to not be home for a month or two or whether or not it is a service that should be billed regardless of use, and staff thought that was a meritorious question, so it was put in the RFP that the City may consider circumstances where a resident could choose not to use the service for a period of time. The question was asked as to what the City's administrative costs would be. We do not know the answer to that at this time, but Director Nebergall and his department have researched this, and right now it is believed the cost will be in the neighborhood of \$1.45 for administrative fees, but we will not know that until we actually get the RFPs back.

Counselor Thompson reported that the length of time has been shortened in which companies are asked to respond. The RFP originally asked for a response in 45 days, but because we are up to a pretty tight acceptance date in August, that response time has been shortened to 30 days. It was asked whether or not the City would offer this to commercial businesses, and at this time we are not. It was important among those people who attended the meetings that we put an emphasis on recycling, so they were assured that as part of the single source project, the City will advertise and try to do an information campaign with the public so they understand that we want them to fill up the container that has the recycling in it, and not fill up the container that has bags of trash. They are making it as easy as possible for us. We do not have to sort recycling anymore; one just takes it out and

throws it into the container. It is hoped that this project will eventually lead to less waste and more recycling. Staff is wanting to go forward with the RFP at this time.

Mayor Smith addressed City Counselor Thompson by saying as he is always concerned with gray areas, and the opportunity to opt out even for a period of time, especially if the City is given some discretion in making those decisions, do you not see that as fraught for conversation on many fronts? Mayor Smith said many of the other cities' proposals that he has seen state that folks have to participate. It is a billed service and you participate, unless we set some specific criteria that would allow perhaps a snowbird to opt out for two or three months during the winter. Mayor Smith said it would seem to him that it would need to be very specific, or else we are going to be asked for exemptions, possibly, across the board.

Counselor Thompson agreed with Mayor Smith and said staff shares that concern. At this point all staff is asking is that we send out the RFP, and what the RFP addresses on that topic is that the City may consider allowing residents to not use the service for a short period of time. Counselor Thompson said that whether or not we end up doing that in our contract, he did not know, but that was one of the questions citizens had, so staff thought they would explore that with haulers. Counselor Thompson said he was aware that Raymore, who recently started a single source solid waste process, allow people to opt out just like they do for any other utility; for example, if they do not want their water on for a month or two. Counselor Thompson said they have a form where one can ask to do the same with solid waste, so he thinks that there is a way to do it, much like we handle other utilities, but there would be an underlying service charge that we would want to maintain, even if someone did opt out for a short period of time.

Mayor Smith pointed out that as long as people are paying for the service, they are more apt to use it than to dispose of things in other ways.

**Item 14. on the Agenda. MOTION FROM THE CITY COUNCIL REGARDING THE REQUEST FOR PROPOSALS (RFP) PROCESS FOR SINGLE SOURCE SOLID WASTE DISPOSAL.**

**Councilmember Jean Moore made a motion that the City Council move ahead with the RFP process for single source solid waste disposal for the City. Councilman Carol Rudi seconded. The vote: All "aye" – Councilmember Jean Moore, Councilman Carol Rudi, Mayor Pro Tem Barry McCullough and Mayor Les Smith. (4-0).**

Mayor Smith said the motion had carried, and he would be remiss if he did not take a moment to thank both the staff and community members who participated in putting this together. Mayor Smith offered "job well done", and said we went down this path about ten years ago and it did not work out to the benefit of our residents, but there is a whole new ball game today. People appreciate the opportunity to recycle and to be part of a program, and what he hears more than anything is, "Why do I have to see three or four different companies driving the big trucks down our roads every day, and tearing up our streets"?



Mayor Smith said this is a benefit to the community in many ways, and hopefully, folks can be saved some money in the process.

**Item 15. on the Agenda.     Other Business.**

There was no other business.

**Item 16. on the Agenda.     Questions from the News Media.**

There were no News Media present.

**Item 17. on the Agenda.     Adjournment.**

There being no further business to come before the March 28, 2011, Gladstone Regular City Council Meeting, Mayor Les Smith adjourned the meeting.

Respectfully submitted:

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Cathy Swenson, City Clerk

Approved as submitted: \_\_\_\_  
Approved as corrected/amended: \_\_\_\_

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Mayor Les Smith