



**MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, JUNE 13, 2011**

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

**PRESENT:** Mayor Barry McCullough  
Mayor Pro Tem Carol Suter  
Councilman Les Smith  
Councilmember Jean Moore  
Councilman Brian Hill

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 Barry McCullough opened the Regular June 13, 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 Barry McCullough led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda.      APPROVAL OF THE REGULAR MAY 23, 2011, CITY COUNCIL MEETING MINUTES.**

Councilman Les Smith moved to approve the **REGULAR MAY 23, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilman Brian Hill seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

**Item 5. on the Agenda.      PROCLAMATION:** recognizing the efforts of City of Gladstone personnel in assisting the City of Joplin following the recent tornado disaster.

Mayor McCullough invited Emergency Management Director/Fire Inspector Chuck Duddy to discuss a Power Point presentation he had prepared showing the efforts of City of Gladstone personnel in assisting in the aftermath of the deadly tornado, which struck Joplin, Missouri on May 22, 2011.

Emergency Management Director Chuck Duddy began by saying that Gladstone was asked to assist in Joplin with the disaster relief efforts. Mr. Duddy reported that the first day he arrived, he began prepping for our City's crews to arrive. Mr. Duddy said he was not prepared for what he saw. Our City has been through two tornados, and he thought that would prepare him, but what he saw in Joplin was not even close to the aftermath of our tornados. Mr. Duddy said he took over 1,100 pictures while in Joplin, and he compiled some of them that gave a good overview of the disaster, and added music ("Shine Your Light", by Robbie Robertson) that he felt signified the City of Joplin and the work done by our crews.

Mr. Duddy said he heard in Joplin, from the Public Works people to the Emergency Operations people, that our crews gave the highest representation of our City, and the Joplin people were so proud of having our people there. We were requested at numerous scenes, because of our crews' professionalism and the way they worked and did their jobs. Mr. Duddy said he was very proud to be there with them and to assist them in any way he could. Mr. Duddy began the PowerPoint presentation.

Following the PowerPoint presentation, Mr. Duddy stated the presentation included just a few of the pictures he had taken. While in Joplin, a number of people shared their stories with him of what they were doing at the time the tornado hit. One of the things that amazed him was seeing things left that were not touched. There were things still sitting on a kitchen counter, yet, the entire house was gone. The crews that assisted in Joplin stepped forward, no matter what was asked of them. They were doing debris removal when they were asked to do search and rescue. Mr. Duddy said he asked the crews if they were up to it, and without hesitation, they jumped in and did the job. It is sad to say that they did find a victim. The cat in one of the photos was saved. There were stories everywhere they went. The crew did an awesome job. Mr. Duddy said he was very proud to call them his fellow workers, and they were awesome representatives for our City.

Mayor McCullough invited the City employees present at the meeting, who worked in Joplin, to join the City Council members in front of the dais, where Mayor McCullough read and presented the proclamation to: Chuck Duddy, Danny Shinneman, Ryan Collins, Kieth Gardner, Justin O'Rear and Nick Schulz.

This presentation was followed by a standing ovation by the audience.

## **REGULAR AGENDA**

**Item 6. on the Agenda.      Communications from the Audience.**

**John Garner, 111 North Heatherton Court**, thanked the Mayor and City Council for the work done on 64<sup>th</sup> Street. It looks great and is a big improvement to his neighborhood. Mr. Garner said his sympathy goes to the City Council for the Tuesday night meeting regarding single source trash disposal. It was a good meeting, and he is sure everyone learned a lot, and he congratulated staff on putting together a good program. Mr. Garner said he noticed on the television that the upcoming agenda for the City Council meeting has not been displayed, and he wondered if it could be on the cable channel in a more timely manner. It is not getting updated, and a couple of weeks ago he watched it and it was still showing the agenda from the previous Council meeting. Mr. Garner suggested that the hearings on the agendas be highlighted, because he has been telling people in his neighborhood to watch this channel to learn what is coming up at the City Council meetings, so they may voice their opinions.

City Manager Kirk Davis thanked Mr. Garner for his kind words about the Tuesday meeting, and said the City Council agendas are discussed by staff on the Mondays when there are no Council meetings. Those agendas should be finalized on Thursday, both Study Session and Regular Agenda, before they go out in the City Council packet. They should be on the cable television station either Thursday afternoon or early Friday morning, depending on when staff gets done with the packets. Unfortunately, that means they are on the channel for a period of time after the City Council actually holds their meetings, but they should be available on the channel either Thursday night or Friday morning prior to the Council meeting.

Mayor McCullough asked City Manager Davis if we have missed timing in some instances.

City Manager Davis said he would have to talk to Mr. Garner to be sure we did not miss something from this schedule.

**Bill Ploth, 2610 NE 69 Terrace**, said he wished to talk about Gladstone's proposal for trash collection, which he knows is a hot issue given what he saw on Thursday and Tuesday. A lot of his neighbors are concerned about this, as is he. It seems like they are all trying to catch up to what is going on, and he would like to know what the agenda is from here on, before the City Council meets on the point of approval of the proposal. Mr. Ploth said he would also request that if there is enough opposition to this issue, would the Council entertain putting this to a public referendum, before an approval is made. Mr. Ploth asked when the next City Council meeting would be.

Mayor McCullough said the next City Council meeting would be June 27, 2011.

Mr. Ploth asked if he and others would be allowed to participate in the meeting, his intention is to present to the City Council a written statement of his and perhaps his neighbors views, and he would implore the Council to give him more than just a minute, because there are so many issues that have so much "indepthness" to them that more than a minute is required to express himself.

Mayor McCullough thanked Mr. Ploth and said the City is still working on the process, and gathering facts. There is a committee meeting tomorrow, as well as an Environmental Management Advisory Committee (EMAC) meeting on Wednesday. Surveys are still being received, and the Council is trying to learn from additional citizen input. Mayor McCullough stated that Assistant City Manager Scott Wingerson may be able to help with the best way to provide written documentation at the June 27, 2011, meeting.

**Dennis Daily, 2309 NE 59 Street**, began by saying he promised his wife he would come up here and keep his mouth shut tonight, but he wants to give the City Council, in a peaceful setting, his thoughts on the trash collection. His trash removal now costs \$15.50 per month; that includes the \$10.00 per quarter senior discount. He is billed \$46.50 quarterly, and \$186.00 per year, which does not include recycling – he does his own recycling. Under the proposed rates, the lowest rate would give him a savings of \$63.00 per year, and the highest rate plan would give him an added cost of \$9.84 per year, which would save him three times that amount to avoid driving to the various recycling places to do his recycling.

Mr. Daily said anything that is going to save him money, he is all for it. He is trusting in the City Council to make a wise decision, and he is not going to mention a certain trash removal company. The proposed rate increase over the ten-year period of the contract will allow a 44 percent increase over the ten-year period, which he thinks is excessive, and the Council should take a long close look at allowing that much of a percentage for cost of living, when the government says there is no cost of living increase right now. There was talk at the last meeting about the City Council going after a MARC (Mid-America Regional Council) grant, because of the recycling the City did as part of a City-wide recycling effort, and if the City is going after a grant, good for you. Why not? Mr. Daily said his only concern about this trash issue is for the City to keep an eye on the ten-year contract, because he is not going to get a 44 percent increase in anything over the next ten years, unless it is medical costs.

**Tammy Witmer, 2508 NE 66 Street**, said she was present at the meeting to ask the Council to look into a pet containment system, an in-ground containment system. Her dogs have been successful with this for eight years. It just came to her understanding the last couple of months that this is not a viable means of containment by the City of Gladstone, and she wants to know what she needs to bring forward to make changes.

Mayor McCullough inquired into clarification of what is a pet containment system.

Ms. Witmer replied that is an in-ground fencing system. The City does not acknowledge that this is a viable means of containment because the dogs are not on a leash.

Councilman Les Smith said he would be interested in hearing from Public Safety Director Mike Hasty, because this was reviewed a lot in the past. Councilman Smith said as he recalled in previous discussions, and he subscribes to the theory, this is very effective as a pet containment system; it may keep the dogs in, but it does not keep children and others out, and that was a big issue with the Council the last time this was discussed.

Ms. Witmer said many people and breeders who have fences have dogs that have been attacked by other dogs jumping fences.

Councilman Smith said a child sees the barrier and generally does not go past the barrier.

Public Safety Director Mike Hasty agreed with Councilman Smith and said this issue has been looked at on prior occasions, but he did get Ms. Witmer's information late this afternoon, and was planning on having someone call her tomorrow. Director Hasty said staff is not opposed to re-examining this issue and see if there are additional things to come forward, but he does want to explain fully to Ms. Witmer why this issue in the past came about.

**Item 7. on the Agenda.      Communications from the City Council.**

**Councilman Brian Hill** began by saying he wished to express some concerns from the meetings that occurred last week. It appears that the process of gathering information from the public is being tainted by outside influences, and that is a concern of his, and he believes because of that taint, we have a lot of residents and non-residents attending these meetings expressing opinions that are not based on the true facts and circumstances. Councilman Hill said he believes City staff has done an admirable job at both of the meetings. It seems to him that people he spoke to after the meetings, who were opposed to the single hauler system, if approached one on one and the true facts were explained to those persons, their response was why did you not tell me this before? All of a sudden they are in favor of it. Councilman Hill said he has the feeling that there are a lot of people being fed erroneous information, and it is a concern, and he does not know how to address it.

**Councilmember Jean Moore** said she wished to express deepest thanks to the employees of Public Safety, Public Works and Parks and Recreation. We are so proud of their efforts, and she wants all the Gladstone residents to know how proud we are of their service, which is exemplary, and everyone needs to know about this, because they responded to not only Joplin, but to Parkville and to Riverside.

**Councilman Les Smith** asked that the City Clerk include in the minutes "ditto" for him next to Councilmember Moore's comments regarding our folks. Councilman Smith said he also wished to commend our folks on Bluesfest this weekend. It is no small task when one is charged with keeping a crowd that size safe and comfortable, and our people did a great job with that. Councilman Smith said he was looking in a magazine and noticed that our very own Linda Borders received one of the awards from the Snake Saturday Committee this past year – the Shamrock Award. Many of us probably do not know that Linda Borders is involved in that capacity. We appreciate her. Councilman Smith said he is going to lean heavily on his 25 to 30 years of experience and just look at Councilman Hill and say that he probably agrees with him and would like to add a lot to that, but will not.

**Mayor Pro Tem Carol Suter** said she wished to thank the citizens that came this evening to share their opinions in a professional, sane and rational way. Citizen input is really appreciated always. People are always welcome to come to the microphone to provide their input, which is appreciated by the City Council. Mayor Pro Tem Suter said she shares Councilman Hill's concerns about the public meetings that happened this last week. It was very disappointing to see some citizens and non-citizens resort to yelling and shouting and intimidating and threatening. So much so, that some persons were concerned about their physical safety. It is so outside the bounds of what we are accustomed to in Gladstone for the last number of years, that it took us quite aback. Mayor Pro Tem Suter said she appreciated the courage it took for staff and especially the volunteers, who have been working on the selection committee and the EMAC committee, to stay and participate and to not give up.

Mayor Pro Tem Suter said this took her back, as she grew up an ethnic outsider in a very small community, and her family was subjected to all kinds of harassment, discrimination, intimidation, and threats. Her family's home was vandalized, and their cars were vandalized for years. They would have family meetings from time to time to talk about whether they should move, but her parents were adamant that it was an important lesson for them to learn how to deal with the unruly, the mean and the bullies in the world. To stand their ground with dignity and to continue to do good in the community and participate, which they did for a very long time.

Mayor Pro Tem Suter said her father died a few weeks ago and at his funeral, the minister in his eulogy was reflecting on those years in the community and how terrible it must have been for their family, but he said their staying was so good for the community. He attributed their staying for so many years to actually helping the community to becoming more open and tolerant of differences and things they did not understand. Mayor Pro Tem Suter said she has always appreciated this and it has stood her well all of her life to stand up to bullies, when need be, and she hopes that it will stand her in good stead as we go through this experience as well, and she hopes this can be shared with all of us to not allow rude and obnoxious and uncivil and threatening behavior to intimidate us from doing our work for the City. That is what we are here for and she still intends to do it.

**Mayor Barry McCullough** stated there were a lot of good comments and he wished to "ditto" on most of them, and he did want to add we did have a fair amount of volunteers, who worked in Parkville, and Jerry Richardson, the Mayor of Parkville, called him last week to say thank you and say how much he appreciated our volunteers helping in their city, and how efficient we were in what we were doing. We got so much work done in such a short period of time, they felt they really had things in hand.

**Item 8. on the Agenda.      Communications from the City Manager.**

City Manager Kirk Davis said he, too, is very proud of the Public Works employees for the job they did in Joplin and Parkville, and the Public Safety employees for the job they did in Riverside, as we assisted that community with the loss of their officer.

City Manager Davis reported that next week, the City would host the Corporate Challenge, June 20 through June 24, from 5:00 PM on. This event brings in several thousand competitors to our swimming facility in our Community Center. June Tunes is being held, and tomorrow night and June 28, we have someone performing jazz and blues at the Oak Grove Amphitheatre. City Manager Davis said our City was a winner of the All America City Award in 2008, and the All America City event is in Kansas City this week. There are 30 or so contenders from across the country participating in that. The Farmers' Market is held on Wednesdays, if you haven't been there, show up early, as they are selling out. The Farmers' Market opens at 2:00 PM. The Movie in the Park will be shown at Oak Grove Park. This movie is "Shrek – Forever After". Those events are becoming more and more popular, and we are pleased to put them on in Oak Grove Park.

Mayor Pro Tem Suter said the diving well in the pool is out of commission and asked when it would be back for use.

City Manager Davis replied that there was an accident where an employee was carrying some glass and it broke and went into the pool, and in order to clean it out, it had to be emptied.

Mayor Pro Tem Suter asked if it would be available for the competition?

City Manager Davis replied yes.

**Item 9. on the Agenda.** RESOLUTION R-11-46, authorizing execution of a contract with R. F. Fisher Electric Company, LLC, in the total amount not to exceed \$84,115.00 for the Building Energy Efficiency Upgrades Project.

Councilman Les Smith moved to adopt RESOLUTION R-11-46, authorizing execution of a contract with R. F. Fisher Electric Company, LLC, in the total amount not to exceed \$84,115.00 for the Building Energy Efficiency Upgrades Project. Mayor Pro Tem Carol Suter seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

**Item 10. on the Agenda.** RESOLUTION R-11-47, authorizing acceptance of a proposal from Mid-America Coach for the purchase of a 40-passenger bus at the net purchase price of \$117,137.00.

Councilman Brian Hill moved to adopt RESOLUTION R-11-47, authorizing acceptance of a proposal from Mid-America Coach for the purchase of a 40-passenger bus at the net purchase price of \$117,137.00. Councilmember Jean Moore seconded.

Councilman Les Smith said it must be time for him to leave because this is the third bus that we have bought, and he still cannot ride on it!

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

**Item 11. on the Agenda.**     **BUILDING PERMIT:** for exterior renovation of the Seagull Environment business property located at 121 NE 72<sup>nd</sup> Street. Applicant: Arc Studio, LLC. Owner: Hieu Q. Vu.

Mayor Pro Tem Carol Suter moved to approve the **BUILDING PERMIT** for exterior renovation of the Seagull Environment business property located at 121 NE 72<sup>nd</sup> Street. Applicant: Arc Studio, LLC. Owner: Hieu Q. Vu. Councilman Les Smith seconded.

Mayor Pro Tem Suter said this is already a nice property, but looking at the site, they are doing wonderful things, and she hopes it catches on to other people around the area.

Mayor McCullough agreed that this would be a nice addition.

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

**Item 12. on the Agenda.**     **RESOLUTION R-11-48,** a Resolution adopting the 2012 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services.

Councilmember Jean Moore moved to approve **RESOLUTION R-11-48**, a Resolution adopting the 2012 annual operating budget for the City of Gladstone, Missouri, and authorizing the expenditures of funds for municipal services. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0).

**Item 13. on the Agenda.**     **FIRST READING BILL 11-17,** an annual Ordinance establishing a procedure for certain Gladstone municipal officials to disclose potential conflicts of interest and comply with the personal financial disclosure requirements pursuant to the State of Missouri “Ethics Law”.

Councilman Les Smith moved to place **Bill 11-17** on its First Reading. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Les Smith moved to accept the First Reading of **Bill 11-17**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Councilman Les Smith, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Les Smith moved to accept the Second and Final Reading of **Bill 11-17** and to enact the Bill as **Ordinance 4.189**. Mayor Pro Tem Carol Suter seconded.

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

**Item 14. on the Agenda. Other Business.**

There was no other business.

**Item 15. on the Agenda. Questions from the News Media.**

There were no News Media present.

**Item 16. on the Agenda. Adjournment.**

There being no further business to come before the June 13, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough 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 Barry McCullough