



**MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, JULY 11, 2011**

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

**PRESENT:** Mayor Pro Tem Carol Suter  
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 Pro Tem Carol Suter opened the Regular July 11, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present, except for Mayor Barry McCullough who was on vacation. Mayor Pro Tem Suter explained to the audience that due to Councilman Smith's resignation, there is one unfilled seat on the City Council.

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

Mayor Pro Tem Carol Suter led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda.      APPROVAL OF THE REGULAR JUNE 27, 2011, CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **REGULAR JUNE 27, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded. The vote: All "aye" – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

**Item 5. on the Agenda.**      **PROCLAMATION:** recognizing the month of July 2011, as “**NATIONAL PARKS AND RECREATION MONTH**”.

Mayor Pro Tem Suter read and presented the Proclamation to Parks and Recreation Director Sheila Lillis, who thanked the Mayor and Council. Director Lillis introduced Carl Tramon, the co-author of the book, Flyer, and his sister, Diana Belkowski, who was the co-author of the music and lyrics of the musical, Flyer. The musical, Flyer, was presented at the Gladstone Amphitheatre in Oak Grove Park, July 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup>.

Ms. Belkowski said they were honored that Gladstone presented their production and they have had a great time in Gladstone. Mr. Tramon agreed, and said Gladstone is a wonderful city and they had a wonderful experience while visiting.

**Item 6. on the Agenda.**      **CONSENT AGENDA**

Following the Clerk’s reading, Councilmember Jean Moore moved to approve the Consent Agenda as presented. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-55**, authorizing the City Manager to enter into a purchasing agreement with Precision Fire Apparatus of Camdenton, Missouri, for one 2012 Precision Fire Engine, with an Alternative Power Unit, and Specified Firefighting Equipment, for a total cost of \$541,907.00. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-56**, authorizing execution of a contract with Mega Industries Corporation, in the total amount not to exceed \$961,429.58 for the Shoal Creek Trail Segment 5, Project TP1071, pending concurrence from the Missouri Department of Transportation. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-57**, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$144,108.60 for the Shady Lane at Wayne Storm Drainage Project. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-58**, authorizing execution of a contract with Linaweaver Construction, Incorporated, in the total amount not to exceed \$310,100.00 for the Atkins-Johnson Farm Infrastructure Project.

Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to approve a **BUILDING PERMIT**: for the interior and exterior remodeling of the Gladstone Dodge property located at 5610 North Oak Trafficway. Applicant: WSKF Architects, Inc. Owner: Thomas Doherty/Michelle Stouffer. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

Councilmember Jean Moore moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS**:

- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.
- CVS Pharmacy, 6129 Northeast Antioch Road; Seven-Day Package Liquor License and Wine Tasting.
- CVS Pharmacy, 7107 North Oak Trafficway; Seven-Day Package Liquor License.
- Archa, LLC, 7020 North Oak Trafficway; Seven-Day Package Liquor License.
- Trex Mart #7, 5810 Northeast Antioch Road; Seven-Day Package Liquor License.
- Gladstone Bowl, Inc., 300 NW 72<sup>nd</sup> Street; Class AA&B Liquor by the Drink License.
- Applebee’s Neighborhood Grill & Bar, 6069 Northeast Antioch Road; Class AR&B Liquor by the Drink License.
- Tommy’s, 6221 North Chestnut; Class AR&B Liquor by the Drink License.
- El Patio, dba Senor Tequila, 6502 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- The Hide Out Blues Club, LLC, 6948 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Mark & Michelle’s Bar & Grill, 7102 North Oak Trafficway; Class AR Liquor by the Drink License.
- Northland Elks, 7010 North Cherry; Class AF&B Liquor by the Drink License.

Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

## **REGULAR AGENDA**

### **Item 7. on the Agenda.      Communications from the Audience.**

**Dr. Erica Perryn, 5817 North Euclid Avenue**, thanked the Council and the Mayor Pro Tem for allowing her to speak this evening. Dr. Perryn said she has been a resident of Gladstone for the last eight years, and she is a founding Board member of the Board of Directors of Northridge Neighborhood Group, which was established in 2008, with the help of this Council and Carolyn Vellar. Dr. Perryn said she loves living in Gladstone, and has enjoyed good working relationships with City employees and looks forward to new great relationships in the future.

Dr. Perryn said she would like to say a few things about the single source trash collection issue that is before this Council. Dr. Perryn said she is not 100 percent against this idea; in fact, she believes this idea has been founded in good faith, and she supports efforts that encourage green communities and initiatives; however, at this time, she believes that the City Council should vote to table the issue. She believes this because she objects to the method by which this has been presented to the citizens of Gladstone. She believes that what we need is to educate the citizens about the issues, and to start a grass roots campaign to work towards this goal in small group sets, rather than the “force it down your throat” approach, which is how many Gladstone residents feel at this time.

Dr. Perryn said that currently, emotions are running high on both sides of the issue, and neither side appears to want to appease the other. Dr. Perryn said she honestly believes that if the Council works with the citizens of Gladstone there will be the support, and along with working with the neighborhood groups, the Council could really get this going. It would be a large benefit to our residents and to the city; just in the way our neighborhood group can help reinvest and take pride in our neighborhood. Dr. Perryn said the goal of becoming “green” with trash and recyclables is attainable in a very short time, even as quickly as in a one- or two-year period.

Dr. Perryn encouraged the Council to table this issue for the time being, and to begin working with the neighborhood groups and the citizens on the issue to find a resolution that is suitable to most. Dr. Perryn thanked the City Council for their time and attention.

Mayor Pro Tem Suter thanked Dr. Perryn for her comments.

**Clyde Williams, 6736 North Euclid**, said he would like to compliment the lady who takes care of the flowers around the Community Center. They really look great! Thank you!

Mayor Pro Tem Suter thanked Mr. Williams and said the Council loves to hear those kinds of compliments.

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

**Councilman Brian Hill** had no comments at this time.

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

**Mayor Pro Tem Carol Suter** said she attended the Theatre in the Park on Saturday night, and there was a wonderful crowd. It is a wonderful program that our City provides to the community for free. Where else can you go and take your whole family for free, and get top rate quality performance, which it really was. It is fun to be part of something that is new. If you did not know the play, Flyer, that was presented, it is about the life of Orville and Wilbur Wright. It has not yet made it to Broadway, and has been debuted in just a couple of places around the country. They are hoping to work their way to Broadway one day.

Mayor Pro Tem Suter said she heard from a number of residents that illegal fireworks seemed to be better contained this year than they have been in other years, except in her neighborhood, where they did go off until 3:00 or 4:00 in the morning. People have been noticing better enforcement of illegal fireworks.

**Item 9. on the Agenda.**      **Communications from the City Manager.**

City Manager Kirk Davis congratulated Parks and Recreation Director Sheila Lillis on the show this weekend. He heard the crowds were great. The weather was pretty warm on Sunday night, and he felt sorry for the participants in the show, but they did a great job. Kudos to Parks and Recreation.

**Item 10. on the Agenda.**      **PUBLIC HEARING:** for consideration of a request for a Special Use Permit subject to certain conditions to Judy Cervantes for operation of a child care center on residential property at 2005 Northeast 62nd Street. Applicant/Owner: Judy A. Cervantes.

Mayor Pro Tem Suter opened the Public Hearing, and explained that for the two Public Hearings on tonight's agenda, comments would first be heard from staff, then from the applicant, and then comments would be entertained from anyone in Favor of the application and then from those who might be Opposed.

**Comments from Staff**

Planning Specialist Chris Helmer began by saying he would like to review a few key points of a Special Use Permit request. Typically, when we see a Special Use Permit's conditions within the Staff Report, and within the Ordinance, they are very typical conditions that apply to every application. These particular conditions are some security to the residential character of the neighborhood. The Special Use Permit request is one that protects the underlying zoning of the residential property in this particular case. Although there are some opportunities for things to occur at the property, such as increased traffic, or presence at the actual property, this allows an opportunity that in the event there are some issues, under the Special Use Permit application, a Public Hearing can be revisited. Unlike a commercially zoned property that if the use is correct, a property owner can operate there as of right, under a Special Use Permit request, there is some additional security for the preservation of the overall neighborhood.

Mr. Helmer said that both applicants this evening have been before the Planning Commission and the City Council on at least a couple of different occasions. Typically, what we do with a new applicant is begin with a one-year trial, and then move to anywhere from a five- to ten-year duration. Ms. Cervantes is currently operating under a ten-year Special Use Permit application, and staff is recommending that an additional ten-year permit be granted to Ms. Cervantes. The Planning Commission has directed a positive recommendation to the City Council, and staff is supportive of that recommendation.

### **Comments from the Applicant**

Judy Cervantes provided to Mr. Helmer a copy of her license, and said she has been doing this for about 15 or 16 years, and began when her son was five years old, and they bought so close to the school that he did not have to ride the bus very long, and then they bought so close to the school that he did not have to ride the bus at all. That was the end of her working out of the home, and she has been doing this ever since, and she loves it.

### **There was no one to speak in Favor or Opposition of the Application.**

Mayor Pro Tem Suter closed the Public Hearing.

**Item 10a. on the Agenda.** **BILL NO. 11-18**, approving a Special Use Permit subject to certain conditions to Judy Cervantes for operation of a child care center on residential property at 2005 Northeast 62nd Street. Applicant/Owner: Judy A. Cervantes.

Councilman Brian Hill moved to place **Bill 11-18** on its First Reading. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **Bill 11-18**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **Bill 11-18** and to enact the Bill as **Ordinance 4.190**. Councilmember Jean Moore seconded.

Roll call vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

**Item 11. on the Agenda.** **PUBLIC HEARING:** for consideration of a request for a Special Use Permit subject to certain conditions to Lisa Jo Sink for operation of a child care center on residential property at 6822 North Charlotte Street. Applicant/Owner: Lisa Jo Sink.

Mayor Pro Tem Suter opened the Public Hearing.

### **Comments from Staff**

Planning Specialist Chris Helmer began by saying this is a request for a renewal as well. Ms. Sink has operated since 2006 under a Special Use Permit request. She has requested that her five-year permit be extended to ten years, and staff is recommending that the

Council consider that. The Planning Commission did vote in favor of that request and would ask that the Council consider that at this time.

**Comments from the Applicant**

Lisa Jo Sink said she had done this for 15 years, and she is licensed, and she loves working with children. This is a great business.

**There was no one to speak in Favor or in Opposition to the application.**

**Item 11a. on the Agenda.** **BILL NO. 11-19**, approving a Special Use Permit subject to certain conditions to Lisa Jo Sink for operation of a child care center on residential property at 6822 North Charlotte Street. Applicant/Owner: Lisa Jo Sink.

Councilmember Jean Moore moved to place **Bill 11-19** on its First Reading. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the First Reading of **Bill 11-19**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the Second and Final Reading of **Bill 11-19** and to enact the Bill as **Ordinance 4.191**. Councilman Brian Hill seconded.

Roll call vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, and Mayor Pro Tem Carol Suter. (3-0).

**Item 12. on the Agenda.** **Other Business.**

There was no other business.

**Item 13. on the Agenda.** **Questions from the News Media.**

There were no News Media present.

**Item 14. on the Agenda.     Adjournment.**

There being no further business to come before the July 11, 2011, Gladstone Regular City Council Meeting, Mayor Pro Tem Carol Suter 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