



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JULY 25, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
6:45 PM**

Mayor Pro Tem Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on July 25, 2011, at 6:45 PM. Councilman Brian Hill 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 610.021(3) for Personnel Discussion. Councilmember Jean Moore seconded.

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

Mayor Barry McCullough was also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

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

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

City Manager Kirk Davis
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: Assistant City Manager Scott Wingerson

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular July 25, 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 JULY 11, 2011, CITY COUNCIL MEETING MINUTES.

Mayor Pro Tem Carol Suter moved to approve the **REGULAR JULY 11, 2011, CITY COUNCIL MEETING MINUTES** as presented. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 5. on the Agenda. CONSENT AGENDA

Following the Clerk’s reading, Councilman Brian Hill asked that the annual liquor license renewal for Lost Bar Family, dba The Lost Bar, 7632 North Oak Trafficway, be removed from the Consent Agenda.

Mayor McCullough stated this item would be removed from the Consent Agenda to be considered under the Regular Agenda as Item 5a.

Councilman Brian Hill moved to approve the Consent Agenda as revised. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Councilman Brian Hill moved to approve a **NEW CLASS AR LIQUOR BY THE DRINK LICENSE** for Latin Bistro & Culinary Center, LLC, dba Latin Bistro, 6924-28 North Oak Trafficway. Managing Officer: Charles W. Terry. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Councilmember Brian Hill moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS**:

APPROVAL OF ANNUAL LIQUOR LICENSE RENEWALS:

- The Office Bar & Grill, 6825 North Oak Trafficway; Class AE Liquor by the Drink License.

- Save-A-Lot #458, 6599 North Oak Trafficway; Seven-Day Package Liquor License.
- Tortilla Flats, 5716 Northeast Antioch Road; Class AR Liquor by the Drink License.
- Aldi, Inc., 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- Snappy Store, 4901 North Old Pike Road; Seven-Day Package Liquor License.

Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

REGULAR AGENDA

Item 5a. on the Agenda. **APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL FOR:** Lost Bar Family, dba The Lost Bar, 7632 North Oak Trafficway; Class AE Liquor by the Drink License.

Mayor Pro Tem Carol Suter moved to approve an **ANNUAL LIQUOR LICENSE RENEWAL FOR:** Lost Bar Family, dba The Lost Bar, 7632 North Oak Trafficway; Class AE Liquor by the Drink License. Councilmember Jean Moore seconded.

Councilman Brian Hill said he would be recusing himself from this matter as he has a business relationship with the Lost Bar Family.

The vote: “Aye” – Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. Councilman Brian Hill recused himself from the vote. (3-0-1).

Mayor McCullough stated that due to the special circumstances of having a large crowd at this meeting, Item 9. on the Agenda would be moved forward for consideration at this time. Item 9. would be considered, and then the City Council will take a ten minute recess, and then continue on with the balance of the meeting.

Item 9. on the Agenda. **RESOLUTION R-11-59,** authorizing the City Manager to negotiate a contract between the City of Gladstone and Town & Country for single source solid waste services as recommended by the Environmental Management Advisory Committee.

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-59,** authorizing the City Manager to negotiate a contract between the City of Gladstone and Town & Country for single source solid waste services as recommended by the Environmental Management Advisory Committee. Councilman Brian Hill seconded.

Mayor McCullough said he would like to begin the discussion on this item this evening by thanking the EMAC (Environmental Management Advisory Committee) members, the selection committee and City staff for their effort to prepare this recommendation. They

worked to develop a plan that would benefit Gladstone that provides a single pick-up day in our neighborhoods, increase recycling while reducing landfill, and provide a substantial savings for most Gladstone residents – some even as much as \$120 yearly, and on average between \$70-\$80 annually.

Mayor McCullough said he believed there was a lot of misunderstanding of this program. It is unfortunate that some opponents chose to knowingly spread untrue stories of personal gain by this Council, former Mayor Les Smith and the City staff who work hard to provide excellent service to our community. Mayor McCullough stated, that being said, he has had untold conversations, e-mails and other correspondence regarding trash. There have been many opportunities to have meaningful discussions with many residents on the subject. Most who have heard the benefits of the program, do support it. Unfortunately, many who signed the petitions never heard the advantages to the program. They were simply told that the City was taking away their freedom of choice, accepting kickbacks and going to raise their rates.

Mayor McCullough said he has been torn by both sides of this discussion. While he believes that single source waste hauling would be best for the community, he would not vote to pass this Resolution tonight.

Mayor Pro Tem Carol Suter began by saying that this recommendation comes to us as the result of years of citizen-led planning, research and discussion. The uninformed and the uninformed may not realize that Gladstone is one of the most well run cities, not just in Missouri, but in the United States. That is due to a first class staff, a dedicated professional City Council, and a citizenry that participates as a full partner in identifying and planning the City's future. It is our commitment to citizen engagement that really sets us apart from the norm. Our process is so unique and so successful that it has won us State and national awards, and was the hallmark in our selection as an All-America City in 2008. Every aspect of city planning – long range planning, our Comprehensive Plan, economic development plans, Ordinances like sign Ordinances, pay-day loan Ordinances, and so forth - are accomplished with community-wide citizen participation and leadership.

Mayor Pro Tem Suter said this Resolution is part of a process that has been underway for almost ten years in Gladstone. Twice before, City Councils, with members entirely different from today's Council, sought bids for single source waste disposal. Both times the bids submitted did not provide a real economic benefit to residents, so no contract was pursued. This time is quite different. But, why have various City Councils continued to pursue this? It is because this City is committed to environmental and economic sustainability. In fact, in a recent city survey, environmental sustainability was rated as a top concern by 85 percent of the respondents. This has been confirmed by every update and extension of the City's comprehensive and long-range plans of recent years.

Mayor Pro Tem Suter continued by saying that we know that the benefits of this recommendation are consistent with the long-range, comprehensive plans of the City and are consistent with the City Council goals, which emanate from those plans. Mayor Pro Tem Suter said she would not take the time to recite all of those benefits. They are really

well documented for those who have taken the time to actually look at the website and read the information. Mayor Pro Tem Suter stated that whatever the vote tonight, she will continue to be committed to the environmental and economic sustainability of this community, and will pursue any and all programs that may help us achieve our goals.

Mayor Pro Tem Suter stated she would like to focus on the bottom line for her on this issue. When all is said and done, and she has considered every pro and every con, the place where her conscience really hits the wall is economic benefit. The contract recommended to the City tonight will save residents of Gladstone collectively \$700,000 per year – every year - \$700,000 per year! That is money that could fill residents' pockets rather than line the pockets of trash haulers. Mayor Pro Tem Suter said she did not see how she could face residents, whether they are for or against this plan, and just say, "I know I could have saved you \$700,000 per year, but I just didn't." One hundred dollars per household per year or \$80.00 per household per year is a prescription, a week's groceries, or clothes for kids to go back to school. She cannot do that, so she must support this Resolution. This is still not the final word on the issue tonight, because what this Resolution does is direct the staff to negotiate a proposed contract. Any such contract will still have to come back before this Council for final approval and ratification.

Mayor Pro Tem Suter said that this has become the summer of Gladstone's discontent. Sadly, and surprisingly, we have apparently tapped into a well of anger and frustration in America, much of it having nothing to do with the issue at hand. It has led to the most disappointing behavior she has ever witnessed in Gladstone. Public meetings have been turned into rude, disrespectful mob action. City Council members, City staff, and citizen volunteers, who have worked diligently for this City, have been subjected to shouting, yelling, stomping, insults, intimidation, knowingly false character assassinations, lies, threats – even threats of physical harm. Mayor Pro Tem Suter said she never thought in a million years she would have ever lived to see the day in Gladstone that the members of the City Council had to have police protection to and from and during open Council meetings. This in her opinion is the lowest point in the history of Gladstone.

Mayor Pro Tem Suter stated has all of this violent and disruptive behavior advanced some well-reasoned position on the issue? Not with her, because she has zero tolerance for bullying. She is so distracted by the obnoxious behavior that she cannot even hear any point being made. It reminds her of an adage that she learned in her first year of law school. When preparing for oral argument, if you have the facts, argue the facts; if you have the law, argue the law; if you have neither, argue like hell. There has been a lot of arguing like hell going on; full of sound and fury and basically signifying nothing. Mayor Pro Tem Suter said that in the midst of the disruptive turmoil, she has heard other calm and reasoned voices. They have been citizens concerned about the disagreement in the community who advocate for a public vote as a way to settle the matter, and she must say that she supports those voices. She agrees that when a significant number of citizens want to vote on a matter of community interest, they really ought to be able to do so, because that is what she believes America is about, so she has supported exploring a public vote and, with Mayor McCullough's indulgence, she would like to speak to that more fully following the vote.

Councilmember Jean Moore stated she has been involved with the single source solid waste issue since her appointment to the Council in February. She is the Council representative to the Environmental Management Advisory Committee and was a member of the Proposal Review Committee to evaluate the proposals the City received from the haulers responding to the request for proposal. This issue has been highly researched and has commanded enormous amounts of time, energy, and dedicated efforts by the Public Works professionals, City staff, and citizen committees of this City. The intent of the proposal has always been “what is best for the City”—namely, to save Gladstone residents money, save wear and tear on our streets, and reduce our City’s contributions to the area landfills by providing unlimited curbside recycling opportunities for all of our residents. Councilmember Moore said she firmly supports and believes in the intent of this proposal. Unfortunately, we have just not done a very good job communicating these benefits to the residents of our City. Instead, the single source solid waste debate has become a highly charged emotional issue that, quite frankly, none of us predicted. Councilmember Moore said she did not ever remember seeing an issue being reduced to such mis-information and untruths, and it makes her really sad, because this issue has deteriorated to the point of personal threats, insinuating that Council members have monetary gain from this, and besmirching the name, integrity and service of former Councilman Les Smith.

Councilmember Moore said citizen involvement is very important to her. It’s how she became involved as a volunteer with the City beginning with Gladstone on the Move. It’s a right and responsibility about which she is most passionate. This City listens to its residents—it’s what we do! We don’t always agree on every issue and we never will, but we encourage participation in the processes of decision-making—that’s the hallmark of who we are and it is how we do business in an All America City.

Councilmember Moore stated let’s take the energy and enthusiasm that has been generated about this issue and let’s re-channel it to move forward on some of the critical components of this proposal that have gotten completely lost in the noise. Let’s provide unlimited curbside recycling opportunities for our residents. Let’s consider zoned trash pick-ups so that every day is not trash day in our neighborhoods. These are the right and responsible things to do—not just for us today, not for us sitting here, not just for you sitting there, but also for all those who will live and work in this City in the future.

Councilmember Moore said she would vote no on the proposal before the Council tonight. This issue has divided our community and it should be just the opposite—it should bring us together to improve Gladstone. It’s time for compromise. We can do this if we work together to achieve shared goals. We can and must come together to make good decisions about trash hauling and the environment.

Councilman Brian Hill apologized and said he has notes, but does not have a written script, so his comments may not be as polished as everyone else tonight. Councilman Hill said he has been involved in Gladstone City government for almost 20 years, and he has never seen anything like this. He has been embarrassed by the actions of many residents at the City meetings. It has been amazing – you go to an open forum for residents to come and

explain their point and answer questions, and people come to the podium and talk about how pleased they are with City services; how the police and the fire, and the snow removal are all great. They praise City staff for that, and in the next sentence they say about these same people who provide those amazing services at such a low cost and that their life depends on if there is a medical emergency - don't let them touch my trash. Does that make any sense? These people who you trust with your lives on an emergency basis, people say they don't trust to arrange for a trash hauler. This blows his mind. This is not a time where the Council is taking comments from the public; there have been those meetings before, but he would ask for each person to acknowledge to himself if they signed the petition, or ones that were previously presented, how many of you think that the citizens of Gladstone should spend over a \$1 million more next year to have their trash removed. Councilman Hill asked do you know to whom that money is going to next year? It is going to go to Allied Waste, Platte Valley Sanitation, and Deffenbaugh. That is exactly where it is going.

Councilman Hill suggested let's look back at some of the facts. This whole issue began over two years ago with Gladstone on the Move, with citizen participation, and it was citizen-driven as to what the citizens of this City wanted. One of the things that was requested was that not every day be trash day, and I am paying more for trash service than my neighbor a block away – why isn't it equal, and how about doing some citywide recycling? This is what started this – it is citizen-driven. So many times at the public meetings in the past few weeks, he has heard this is the City Council or the City staff trying to shove this down our throats. It is not – it came from the citizens. After Gladstone on the Move, about two years ago, statutory notice was given to the trash haulers, and this whole process began. Before a Request for Proposal was submitted, the staff met with some haulers, including Platte Valley Sanitation. The proposal that was requested was tailored from those meetings. At the public meetings it was heard, “Why a ten-year contract? Why would the City want to enter into a ten-year contract with anybody?” Councilman Hill asked the audience if they knew where that came from, and informed them that was a request by Platte Valley Sanitation, because they could not get the financing to participate in this proposal from their bank, unless there was a ten-year commitment. Now the Platte Valley Sanitation people have turned that around and used that against this proposal, when it was their request.

Councilman Hill said there were other changes to the Request for Proposal that were made at the request of Platte Valley Sanitation. Bond requirements were reduced, and other changes were made to accommodate Platte Valley Sanitation, so they could bid on it, because City staff knew that they hauled a lot of the trash in this City. The bids came in, and meetings began in order to talk with the haulers. Councilman Hill said he sat in those meetings. At that time there may have been two citizen inquiries – there was no interest. People were behind it. Councilman Hill said he sat in the interview with Platte Valley Sanitation, and sat closer to him than he was now sitting to City Manager Kirk Davis. Councilman Hill said he asked him why his bid was so high and why citizens should pay an extra \$568,560.00; his bid was higher than the other bids. He did not have an answer, and he turned all shades of white. The next day City Hall started getting calls from people saying they were Platte Valley Sanitation customers and they opposed this. The very

company that was going to lose business because they bid so high, and they were allowed to compete, because changes were made to the proposal to allow them to compete, and the day after they found out their bid was not the low bid, it was actually 40 percent more, City Hall began receiving complaints. Councilman Hill asked, "Is that kind of a coincidence?"

Councilman Hill stated he attended all the interviews with haulers and both public meetings, and at the first public meeting City staff was overwhelmed. The City had not had that many complaints and did not expect that many people. There were a lot of negative comments at that meeting – anyone that was there saw that. The second public meeting was even more interesting. Councilman Hill said while he stood at the back and watched what happened at the meeting, the owner of Platte Valley Sanitation stood over on the right side, about the middle, and was handing notes to people who were going up to the podium, and they read from his notes as to their comments. That is where those comments were coming from. Some of those people were not even Gladstone residents. Councilman Hill said after that meeting, he talked to a lot of people as they were going out the door, and he found the people with whom he talked to be misinformed, and when he told them the facts, unanimously, they said we need to do that.

Councilman Hill continued by saying two weeks ago tonight we had a Council meeting, and a lady spoke, who didn't really know that much about this issue, but was concerned because she was not that familiar with the facts, and afterwards, Mayor Pro Tem Suter and he talked with her. Councilman Hill said they learned that same night that there was a rumor circulating that former Councilman Les Smith owned an interest in Town & Country, and it was being circulated that this was to personally benefit him. Councilman Hill said they told that to former Councilman Smith. It was determined who was spreading the rumor, and the person was affiliated with the petition drive. That person was contacted and asked about it, and that person said they had a paralegal working for them, and they conducted an investigation of all the Council members, and they could not find any dirt. The person said since they could not find any dirt, they had to have something, and Les Smith was the best-known name, so they made that up. The person said they had to have a rallying cry. That person has apologized to Mr. Smith, but that is the kind of misinformation that is out there.

Councilman Hill reported that right now people pay between \$10 and \$30 per month for their trash service, and when people would come to the public meetings, they would say that competition works, but he does not think that is the case, if you have a spread that great in what people are paying for their trash service. Councilman Hill said from the interview with Platte Valley Sanitation, the rates now being charged were specifically addressed, and he did say that some of those rates would not be renewed; they would be increased. He would not allow that to be charged again. This is just for everyone's information. Councilman Hill said there has been a lot of talk at the meetings about a Senior Citizen discount, and he does not understand that. The people with Platte Valley Sanitation are getting a Senior Citizen discount. They are paying \$14 or \$15 per month. There have been concerns that this would not continue. Councilman Hill stated that he does not understand why people need a Senior Citizen discount when they are paying \$14

or \$15 per month now, and under the proposal would be paying \$11, so it is already a decrease.

Councilman Hill said it is really obvious that Platte Valley Sanitation, Allied Waste, and Deffenbaugh are all against this, because that extra \$1 million per year that the City is paying for trash service is going in their pockets, and he does not want to see our citizens paying an extra million dollars every year for the next ten years for trash service. Part of what is wrong right now in Washington, D.C., and he believes this is part of the sentiment that is coming back here and we are seeing tonight, is there are all these special interests, and because there are so many special interests, nothing gets done. Councilman Hill said when he was sworn in as a Councilmember in April, he took an oath, and that oath was to serve the citizens of Gladstone, not the owners of trash hauling services. Councilman Hill said he understands that people want to vote, and that would be fine with him. The problem is we have until August 27 to sign a contract, that is the State Statutes, that is what we have to operate within. We do not have the time for a public vote before then. If we do not sign a contract before August 27, we have to give a new two-year notice. So, for at least two more years Gladstone is going to be paying an extra million dollars per year for trash. Councilman Hill said he would be voting for this, because he represents the citizens of Gladstone and their best interests, and he does not represent Platte Valley Sanitation, he does not represent Allied Waste, and he does not represent Deffenbaugh. His oath said to represent the citizens.

The vote: “Aye” – Councilman Brian Hill and Mayor Pro Tem Carol Suter. “Nay” - Councilmember Jean Moore and Mayor Barry McCullough. (2-2).

Mayor McCullough stated that the City Council held off on making an appointment to fill the vacancy of Les Smith, because they did not want to thrust someone into the middle of this decision at a late date. By having a 2-2 vote, there is not a majority to pass this, so, therefore, the motion fails, and we will move on. Mayor McCullough thanked the audience for their time and for being at this meeting.

Mayor Pro Tem Carol Suter said she would like to address the issue of the public vote. Mayor Pro Tem Suter said she would like to thank her fellow Council members and City staff, especially Counselor Randall Thompson, for indulging her on the issue of a public vote on trash hauling. Mayor Pro Tem Suter said one of the finest characteristics of our City Council is the support we give each other in the exploration of ideas, proposals – even when we disagree. Mayor Pro Tem Suter said she has advocated that we check out any possible options for placing an issue on the ballot in November, and we have done just that, and she asked that she might briefly summarize what she has learned. This will be very brief and with oversimplification, because this is a complex issue.

Mayor Pro Tem Suter stated that this is a complex issue – even for a lawyer like her. The bottom line is that single source trash contracting is a matter of State law, not of City Ordinance. As Council members, we are individually sworn to uphold the constitution and laws of the State of Missouri. As an elected body, City Council members are required to comply with State law and to conduct all City business in compliance with State law. A

city or its residents have no authority to overturn, modify, or repeal any State Statute. Only the citizens of the entire State can deal with State Statutes. Missouri law grants the authority to cities like ours to contract for single source trash disposal, and State law proscribes the specific process a city must use in doing so. We have followed that process exactly. The law authorizing such contracts was enacted by the Missouri Legislature eight years after the enactment of the Hancock Amendment, which mandates public votes on specific governmental activities that create taxes and fees. If the Legislature had intended for the single source process to include a public vote, it would have so designated, and would have created a process that includes such a vote. It did not, and Missouri courts upheld the Statute.

Mayor Pro Tem Suter posed the question, “What could be put on the ballot legally?” Mayor Pro Tem Suter said because the authority for single source contracting is a State law, there is no City Ordinance on that subject. So, there is no City Ordinance to challenge, or for the City to seek an “advisory” vote on, because the laws of the State of Missouri is that a municipality can only put something on the ballot if it has specific Statutory authority to do it, and there is none for this matter, so nothing can be done on our side. The same thing goes for a citizen-led petition, which many in the audience have participated in. There really are only two choices for a petition drive. One is an initiative, and that would be to propose an Ordinance that does not now exist. The second would be a referendum, and that is when citizens want to repeal, amend or change an Ordinance that is already on the books. There can be no City Ordinance on the subject of single source, because it is governed by State law, so a petition drive would have to be State wide and aimed at changing a State law.

Mayor Pro Tem Suter said she even thought we might pursue something creative that would not be legally binding, but would get a vote, because she felt that was important. Even if the matter passed or failed, she did not care, either way – we should try to figure this out. Getting creative is not always a wise move, and she did not want the City to end up in the same boat that this petition drive ended up on Friday. It was presented to the City Clerk, who noted that it was not done in compliance with State law, but accompanied it to the Board of Elections in Liberty, and they did their Statutorily required duty, which is they had to reject it, because the petition does not comply with State law, so they cannot accept it to put it on the ballot. Mayor Pro Tem Suter said she did not want the City to be in that situation to try to propose something that the Board of Elections would turn away or ultimately that the Attorney General would have to vacate, because we cannot create something that does not comply with State law.

Mayor Pro Tem Suter said she wished to express her appreciation to all the legal research that went into this. It took a lot of time and energy. Mayor Pro Tem Suter said her advice to any citizen who is still interested in pursuing this in some way is that they need to take it up with the State Legislature, as that is the only body with authority to change these things.

Mayor McCullough thanked everyone for their comments and said the City Council would take a break and return in ten minutes to continue with Item 6. on the Agenda.

Item 6. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

There were no comments from the audience.

Item 7. 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 was curious about how people are coping with the heat, and she believes she asked this question last year, so will ask it again to see if anything has changed this year. Mayor Pro Tem Suter inquired into the facilities north of the river that are available for people who need heat relief, and have we had people come into the Community Center in search for heat relief?

City Manager Kirk Davis replied he has not heard of anyone coming into the Community Center seeking relief from the heat. There have been good crowds at the pool. The Salvation Army on North Oak Trafficway has opened their doors at times, and so has the YMCA, and Kansas City Parks and Recreation at their Community Centers in the Northland, and there is one off of Antioch Road at approximately 35th Street. City Manager Davis said there is a reduced rate at our Community Center so if people want to get in, the cost is \$5.00, and people are free to walk in and utilize the common area with no charge.

Mayor Pro Tem Suter said she understands it is going to get hotter the end of the week, so she wants to be sure that she knows so she can tell people what resources are available.

City Manager Davis stated that relative to the heat, Parks and Recreation has gone to an early morning shift, as noted in the Council's FYIN, 6:00 AM to 3:00 PM is their work environment. City Manager Davis encouraged all employees to be careful, and he encouraged every citizen in town to be careful in this heat. It is forecast to be 103 degrees on Thursday.

Mayor Barry McCullough had no comments at this time.

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

City Manager Kirk Davis reported that Theatre in the Park is scheduled for August 5, 6 and 7. The production is "Thoroughly Modern Millie", and 8:30 PM is the show time, and he encouraged everyone to attend and catch the show for free in Oak Grove Park. If folks are interested in police equipment and supplies, the Night Out Against Crime is July 30, at 6:00 PM, in Oak Grove Park.

Item 10. on the Agenda. **RESOLUTION R-11-60**, accepting a Permanent Easement from a certain property owner in conjunction with the Northeast Shady Lane Drive and North Wayne Avenue Drainage Improvements Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-60**, accepting a Permanent Easement from a certain property owner in conjunction with the Northeast Shady Lane Drive and North Wayne Avenue Drainage Improvements Project. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 11. on the Agenda. **RESOLUTION R-11-61**, accepting Temporary Construction Easements and a Quit-Claim Deed from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project.

Councilman Brian Hill moved to adopt **RESOLUTION R-11-61**, accepting Temporary Construction Easements and a Quit-Claim Deed from certain property owners in conjunction with the Northeast 76th Street Reconstruction Project. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 12. on the Agenda. **RESOLUTION R-11-62**, authorizing the City Manager to execute a post-mutual aid agreement with the City of Joplin, Missouri, to facilitate reimbursement of expenses from the Federal Emergency Management Agency.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-62**, authorizing the City Manager to execute a post-mutual aid agreement with the City of Joplin, Missouri, to facilitate reimbursement of expenses from the Federal Emergency Management Agency. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 13. on the Agenda. **FIRST READING BILL 11-20**, authorizing the City Manager to execute a supplemental agreement with the Missouri Department of Transportation (MODOT) for federal funds relating to the construction of a bicycle/pedestrian trail along Shoal Creek under Federal Project #stp-3323(404).

Mayor Pro Tem Carol Suter moved to place **Bill 11-20** on its First Reading. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-20**, 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,

Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-20** and to enact the Bill as **Ordinance 4.192**. Councilman Brian Hill seconded.

Roll call vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

Item 14. on the Agenda. APPROVAL OF THE FINANCIAL REPORT FOR JUNE 2011.

Councilmember Jean Moore moved to approve the **FINANCIAL REPORT FOR JUNE 2011**. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (4-0).

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 questions from the News Media.

Item 17. on the Agenda. Adjournment.

There being no further business to come before the July 25, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting.

Respectfully submitted:

Cathy Swenson, City Clerk

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

Mayor Barry McCullough