



**MINUTES
CITY COUNCIL SPECIAL
MEETING
GLADSTONE, MISSOURI
WEDNESDAY, APRIL 4, 2012**

**CITY COUNCIL SPECIAL MEETING
3:00 PM**

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

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 April 4, 2012, City Council Special Meeting at 3:00 PM in the Gladstone City Hall Conference Rooms, and noted that all Council members were present.

Item 3. on the Agenda. RESOLUTION R-12-37, rescinding Resolution No. R-12-10 and approving a settlement agreement with Clay County, Missouri, for payment of Road and Bridge Fund arrearages for calendar years 2008, 2009, 2010, and 2011, and prospective payments of Road and Bridge Fund revenues beginning in January of 2013.

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-12-37**, rescinding Resolution No. R-12-10 and approving a settlement agreement with Clay County, Missouri, for payment of Road and Bridge Fund arrearages for calendar years 2008, 2009, 2010, and 2011, and prospective payments of Road and Bridge Fund revenues beginning in January of 2013. Councilman Brian Hill seconded. The vote: "Aye" – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

City Manager Kirk Davis stated that what the City Council just approved is slightly different from what Liberty approved. City Manager Davis asked City Counselor Randall Thompson to update the City Council on this settlement agreement.

Counselor Thompson began by saying the settlement that was just approved was exactly as the City Council members reviewed, except for a date in the document. The date was changed from

February 1, 2014 to May 30, 2014, for terminating the agreement if the sales tax legislation is not passed. That was a request of the Clay County Commission. It did not seem to be an issue over which to wait another couple of weeks to be resolved. This legislation is the sales tax payment to us above \$7 million. Counselor Thompson said last Friday a Bill was filed with the legislature. The last time a Bill could be filed was at 4:00 PM, on Friday. State Representative Jerry Nolte's office filed the Bill in the format we had approved to authorize what we are doing in our agreement. It authorizes a 14-cent levy, and it authorizes using other revenues in addition to the Road District levy to pay the \$7 million sales tax, which is part of the agreement.

Counselor Thompson continued by saying that provided that everything goes well, we could go ahead and have the Statute passed this session, and we will not have to worry about the May 30, 2014, date, because it would already be taken care of by the Statute.

Mayor Pro Tem Suter inquired into the differences between our settlement and the settlement with Liberty.

Counselor Thompson replied the difference is that Liberty does not have the termination paragraph. It just says that they only receive the \$7 million pay out if the legislature approves it. In ours, we have added the paragraph that provides that we may terminate the agreement if we do not get that, and we can go back and try to receive our 24 cents.

Mayor Suter asked if Kansas City's agreement is the same as Liberty's agreement.

Counselor Thompson said he did not know.

City Manager Davis said that we still do not know what Kansas City is doing.

Mayor McCullough agreed that there were no new updates.

City Manager Davis said Kansas City may be considering having a Road District, and they may have the ability to establish a Road District within their Charter. City Manager Davis said he did not know if they would need State statutory authority beyond that or not.

Counselor Thompson said the settlement agreement would be signed by the County on Monday, since they wanted to change the date, they have not yet signed it. The County will also authorize the payment on Monday. They will sign the Resolution to authorize payment. It should take one to two weeks to get the money. Counselor Thompson said the Road District was meeting on this same day, at 5:00 PM, to approve this settlement.

Councilman Bill Garnos asked for clarification if our settlement agreement had to be the same as Liberty's; there is no requirement that everyone sign the same settlement.

Counselor Thompson said if Liberty wants to adopt that language as an addendum to their contract, they could.

Mayor McCullough said he talked to Jeff Moore and he does expect that will be something from which they will benefit in their contract.

Counselor Thompson invited the City Council to attend the signing by the County on Monday.

Mayor Pro Tem Suter said we have worn out the patience of so many people. When former Mayor Les Smith and Mayor Barry McCullough picked it up, she was amazed at their patience, and the patience of Counselor Thompson to keep going.

Mayor Pro Tem Suter asked if Kansas City knows about the legislation.

City Manager Davis replied not to his knowledge, and Counselor Thompson said he had not notified them.

Mayor Pro Tem Suter said we should inform Kansas City.

Mayor McCullough said he would make contact with Kansas City.

Item 4. on the Agenda. OTHER BUSINESS.

There was no other business.

Item 5. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the News Media.

Item 6. on the Agenda. ADJOURNMENT.

There being no further business to come before the April 4, 2012, 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