



**MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, JUNE 25, 2012**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION  
6:00 PM**

Mayor Carol Suter opened the City Council Meeting to adjourn to a Closed Executive Session on June 25, 2012, at 6:00 PM. Councilman Barry McCullough 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. Councilman Brian Hill seconded.

Roll Call Vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore and Mayor Carol Suter. (5-0).

Mayor Carol Suter adjourned the Closed Executive Session.

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

**PRESENT:** Mayor Carol Suter  
Mayor Pro Tem Jean Moore  
Councilman Barry McCullough  
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 Carol Suter opened the Regular June 25, 2012, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present. Mayor Suter welcomed everyone in the audience, and noted that for the very first time we are welcoming people who have joined us on-line, as we are streaming live for the first time this evening. This is part of the City’s plan to move toward a full program of being not only live on computers, but also to move towards broadcasting on Gladstone’s Cable Channel 2, and to broadcast all of the City Council sessions live, and perhaps some other Council or Commission

events as well. Mayor Suter asked for feedback from those watching the meeting remotely, so the Council may know what the experience is like on the other side.

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

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

**Item 4. on the Agenda. APPROVAL OF THE JUNE 11, 2012, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Brian Hill moved to approve the **JUNE 11, 2012, REGULAR CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Jean Moore seconded.

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

**Item 5. on the Agenda. PROCLAMATION: recognizing the month of July 2012, as “NATIONAL PARKS AND RECREATION MONTH”.**

Mayor Suter read and presented the Proclamation to Parks and Recreation Director Sheila Lillis. Director Lillis thanked the Mayor and City Council members, and said she was recently looking at the municipal pool report, which reported that 8,000 people visited the outdoor pool last week. Director Lillis said there are a number of activities scheduled for the month of June, the July 4<sup>th</sup> celebration will be held on July 4, in Oak Grove Park, Theatre in the Park productions will be coming up soon, and there is a bus driver at this meeting, who will be driving the Senior group to a number of places, so the Parks and Recreation Department addresses the whole gamut of interested people in Gladstone. Director Lillis said she and her department are very proud to do what they do on a day-to-day basis, and feel very blessed to be able to do that in this community. Director Lillis said it takes more than the professional staff to provide all the recreational services; they are also very dependent on the volunteers, such as volunteer coaches. Director Lillis said they are looking forward to July and the rest of the year.

**Item 6. 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, as he would be abstaining from voting on this matter, due to a business relationship.

Mayor Suter stated this item would be removed from the Consent Agenda to be considered under the Regular Agenda as Item 6a.

Councilman Barry McCullough moved to approve the Consent Agenda as amended. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-12-61**, authorizing acceptance of work under contract with R. F. Fisher Electric Company, LLC, for The Building Energy Efficiency Upgrades Project; and authorizing final payment in the amount of \$9,701.50. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-12-62**, authorizing acceptance of work under contract with Playworld Systems, Incorporated, for the Central Park Playground and Shelter Project; and authorizing final payment in the amount of \$13,292.90. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-12-63**, authorizing acceptance of a proposal from Vellar Consulting in the amount of \$30,000.00 for Neighborhood Development consulting services for Claywoods and Meadowbrook North #1 Neighborhoods. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-12-64**, authorizing The City Manager to enter into a Memorandum of Understanding with Northland Neighborhoods, Inc. (NNI) to conduct an Aging in Place Study/Analysis for the sum of \$5,000.00 and to implement Neighborhood Strategic Planning using a standardized template for \$2,500.00 per neighborhood for up to three neighborhoods. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-12-65**, authorizing acceptance of a proposal from Builders Development Corporation in the amount of \$25,000.00 for Neighborhood Preservation and Sustainability Consulting Services for the City of Gladstone. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to adopt **RESOLUTION R-12-66**, authorizing the City Manager to execute a maintenance agreement with Northaven Neighborhood, for repair and maintenance of two existing neighborhood brick entrance monuments. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to approve a **LIMITED ONE-DAY LIQUOR BY THE DRINK LICENSE** for St. Charles Borromeo Church, 804 Shady Lane Drive, for a fundraising

event on November 9, 2012. Hours: 5:00 PM – 10:00 PM. Managing Officer: Lori Creek. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

Councilman Barry McCullough moved to approve the following **ANNUAL LIQUOR LICENSE RENEWALS**:

- Applebee’s Neighborhood Grill & Bar, 6069 Northeast Antioch Road; Class AR&B Liquor by the Drink License.
- End Zone II, 6583 North Oak Trafficway, Class AE Liquor by the Drink License.
- Hy-Vee Food & Drugstore, 7117 North Prospect Avenue; Class AR&B Liquor by the Drink License.
- Smokehouse BBQ, 6304 North Oak Trafficway; Class AR&B Liquor by the Drink License.
- Tortilla Flats, 5716 Northeast Antioch Road; Class AR Liquor by the Drink License.
- Wasahi, LLC, 328 NE 72nd Street; Class AR&B Liquor by the Drink License.
- Aldi #62, 7604 North Oak Trafficway; Seven-Day Package Liquor License.
- Bubbles Wines & Spirits, 7407 North Oak Trafficway, 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 and Wine Tasting.
- Dollar General Store #2610, 6026 North Antioch Road, Six-Day Package Liquor License.
- Dollar General Store #3241, 6577 North Oak Trafficway, Six-Day Package Liquor License.
- Gladstone Mart & Liquors, 7020 North Oak Trafficway, Seven-Day Package Liquor License.
- Hy-Vee Gas, 7121 North Prospect, Seven-Day Package Liquor License.
- Kwik Shoppe, 7603 North Oak Trafficway; Six-Day Package Liquor License.
- Price Chopper, 6475 North Prospect, Seven-Day Package Liquor License and Wine Tasting.
- Save-A-Lot, 6599 North Oak Trafficway, Seven-Day Package Liquor License.
- Snappy Store, 4901 North Old Pike Road; Seven-Day Package Liquor License.
- Walgreens #1244, 6320 North Oak Trafficway; Seven-Day Package Liquor License.
- Wal-Mart #1120, 7207 North M-1 Highway; Seven-Day Package Liquor License.

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

Councilman Barry McCullough moved to approve the **MAY 2012 FINANCIAL REPORT**. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman

Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. (5-0)

## REGULAR AGENDA

**Item 6a. on the Agenda.**      **APPROVAL OF AN ANNUAL LIQUOR LICENSE RENEWAL FOR:** The Lost Bar, 7632 North Oak Trafficway; Class AE Liquor by the Drink License.

Councilman Barry McCullough moved to approve the **ANNUAL LIQUOR LICENSE RENEWAL** for **The Lost Bar**, 7632 North Oak Trafficway; Class AE Liquor by the Drink License. Mayor Pro Tem Jean Moore seconded. The Vote: “Aye” - Councilman Bill Garnos, Councilman Barry McCullough, Mayor Pro Tem Jean Moore, and Mayor Carol Suter. “Abstain” – Councilman Brian Hill. (4-0-1).

**Item 7. on the Agenda.**      **COMMUNICATIONS FROM THE AUDIENCE.**

**Anthony Mitchell, Napoleon, Missouri**, stated he was an advocate for Delivering America. As many have heard in the news, the postal service is in a financial situation, and there is a House Resolution that is coming up for discussion – H.R. 2309. This will impact the community. Mr. Mitchell said he believed that this is a bad Resolution. The reason is that it takes house delivery off, and puts it in a neighborhood cluster box. They want to get rid of Saturday delivery. A lot of older adults cannot get to cluster boxes. The main problem that the postal service is facing today is pre-funding. The postal service has to pre-fund 75 years in advance for their retirees’ health care. No other organization, public or private, does this. This Resolution does not address this at all. All they are looking to do in the Resolution is to cut services. Mr. Mitchell said he did not believe that cutting services was the way to go. This Resolution would also cut post offices in communities. In smaller communities, people would have to drive further. It is cutting services and not looking at what needs to be done. Mr. Mitchell said he thinks something does need to be done as far as a reform Bill, so he is asking everyone to contact their congressman. Mr. Mitchell said that Congressman Sam Graves is on our side, and he wants to keep him on our side, as far as six-day delivery – delivering to everyone in America. Realtors have specific mailings delivered to houses on a Friday or Saturday for an open house on Sunday. With a cluster box, they will not get that coverage. Mr. Mitchell said he would provide handouts to the Council after this meeting.

**Donna Hoover, 7211 North Highland**, said they moved into their home 33 years ago in August. Her children have grown up in their home, and her grandson has now grown up in her home, and she totally appreciates the City of Gladstone for the beautiful parks and walking trails, on which she walks, along with her grandson and two dogs; however, she cannot walk out of her front door. Ms. Hoover said she has a very bad cat problem in her neighborhood. Ms. Hoover said she has spoken with the Gladstone Animal Control Department, and they have told her that there is nothing they can do. Ms. Hoover said it is a problem, but the City does not regulate cats, but does regulate her dogs, and her dogs are licensed and have all of their shots. Because of these cats, she has been forced to put up a privacy fence along her back yard, because she does not like barking dogs, and her dogs will bark at the cats. Unfortunately, the cats like to walk across the

top of the fence and harass her dogs. Ms. Hoover said she is not talking about one or two cats, she was talking about at least 30 cats. It has become a terrible problem. The neighbor next door to her said she was going to start taking care of the stray cats, and the neighbor said she and her husband were very fortunate, and they were going to pick the cats up and take them to a low cost spay and neuter facility, where they would also take care of their shots. Ms. Hoover said that has not happened, because the number of cats over the years has been increasing. Ms. Hoover said she has talked to the neighbor, who keeps saying she will take care of it, but she doesn't. The neighbor feeds the cats on her front porch.

Ms. Hoover shared pictures with the City Council. Ms. Hoover said the food the neighbor puts out on her porch is attracting other animals besides the cats. The cats are sick, and some of them have died in the neighborhood, and Animal Control has had to pick them up. Ms. Hoover said she has had to take her dogs to the emergency Vet, because they have picked up something from these cats. Her dogs have to be bathed at least twice per week, because the cats come into her yard. The biggest thing is that she cannot bring her grandchildren out into her front yard, because of all the cat feces that is in her front yard. Ms. Hoover said you would not believe the stench from this. Ms. Hoover said she has had to go to a farm and home place to get something called horse sweep, that is used in horse stalls, to put on the side of her house, because of the stench from the cats.

Ms. Hoover said she has talked with Animal Control and they do not seem to want to do anything about this, and these cats are feral cats, and they are increasing in numbers. Ms. Hoover said she has to have licenses for her dogs, but the City of Gladstone does not do anything about all these cats. Something has to be done to address the fact that cats have to be taken care of; this woman thinks she is doing a wonderful service for the cats, but she is not. The cats are suffering, they are sick and malnourished, and it is a pathetic situation. Ms. Hoover said she has lived in her home for 33 years, and she is putting her house on the market, because she is not going to live next to this anymore. Ms. Hoover said she feels badly for her neighbors, and she feels badly for the person who buys her house, because she cannot handle this anymore. This is the house in which her children grew up, but they cannot do this anymore. It is disgusting.

**Ellen Henderson, 7208 North Highland**, who provided handouts to the City Council, began by saying her husband was sitting behind her. Ms. Henderson said she lives between Ms. Hoover and the lady who feeds all the cats. Ms. Henderson said she counted the cats about one week ago, and counted 24 to 26 cats, but that was not including the two new litters of kittens, so there are a horrific number of cats. In the afternoons, when the lady comes home, they know her car and the cats come from everywhere. Ms. Henderson said they rent their house, and when they moved in, it looked like a rental. They have put a lot of time, their own money, and sweat equity to make this house nice. It is a nice neighborhood, with nice neighbors for the most part, but they have one neighbor who is causing the entire neighborhood to want to pull out their hair and move. Ms. Henderson said they were thinking about buying the house they live in, because what they thought was going to be a short-term situation is turning into a longer term. Ms. Henderson said they would not now do that. They will not live in this house, and depending on how things turn out, they may no longer live in Gladstone. Ms. Henderson said they have contacted Animal Control and the Police Department, with negative results. Ms. Henderson said they had a wonderful conversation today with a Public Safety Captain who is over Animal Control, and

they feel very positive about that conversation, but time will tell. Ms. Henderson said the feral cat issue was on the City Council agenda in 2006 and 2007. From what she read, it was discussed to create an Ordinance or some sort of policy on how to manage or handle the feral cat situation. Nothing came about from it. Ms. Henderson stated that the first item in the Table of Contents of the document she provided is Gladstone Ordinance, and there is nothing in there, because Gladstone does not have one.

Ms. Henderson said that feral cats, along with domestics, but mainly feral, do not lose their hunting instincts. They are responsible for the extinction of over 30 species of birds, songbirds included. Ms. Henderson said that on the City's website, it is advertised to come listen to the songbirds at a park – she was not sure of the name of the park as she has only lived in Gladstone for one year. These cats have a mile and one half area as their hunting ground. No matter how much you feed them, they are going to hunt. They are in the parks. This quantity of cats can produce several litters – one female can produce several litters per year. Feral cats, within four months can conceive and start a new generation. That is a lot of cats. Ms. Henderson said if she read something correctly one female could have offspring that will proliferate to 33,000 cats in seven years.

Ms. Henderson said in addition, she would address the issue of diseases. In the packet she provided, there is information about the ecological impact that cats would have, issues about the diseases that can be transmitted to humans, and if a person is exposed to rabies, they get four shots, regardless of age. There is included CDC information on diseases, and some very good articles she read about feral cat management, that will hopefully, give the City Council some ideas. Ms. Henderson said she is a firm believer that if you bring a problem, you need to bring a solution, and she is trying to do that.

Ms. Henderson said she could not walk in her yard. She has to wear latex gloves to work in her flowerbeds. She has things growing in her flowerbeds that she does not know what it is, but if you flip it over, there are cat feces. Ms. Henderson said she has looked at the cats' feces after they leave, and it is crawling with worms. Ms. Henderson said they have eight grandkids, and they do not get to see them that often, as their kids live in three different states. They cannot let their grandkids out in the front yard. They have two dogs, which they license, and it takes over \$500.00 per year to maintain their dogs. They cannot let the dogs play in their yard. It started three years ago with the cats. Ms. Henderson said Gladstone is losing people, and she is not going to let this lay like it was in 2006 and 2007. Ms. Henderson said she is hoping the City Council will read her information and do what is right. It may not be the politically correct thing to do, and it may not be the savory thing for animal rights, but when the Council reads and does their research, she hopes and prays that they will come to the appropriate conclusion for taking care of this situation.

Mayor Suter said her understanding is that City staff is working on a strategy to deal with this issue, because we are not the only City with this problem, every city in America is having problems with feral cats. It seems to crescendo from time to time, when there are new colonies, so the City is currently working on this issue, and hopefully, communications will be made by City staff to the residents as they work through a strategy.

**Mike Henderson** stated that the cats are becoming very aggressive. Donna was attacked in her backyard by one of the cats, and his wife was cornered in their screened porch, where the cats have the tendency to tear off the screen to come onto the porch. This really needs to be addressed. Mr. Henderson said to the City Council you won't let me kill them, but something needs to happen to get this taken care of before someone gets hurt. Mr. Henderson said their neighbor is very aggressive, and he has been at their house, in their yard, as they were trying to trap a cat legally with one of the City's traps. Mr. Henderson said the neighbor threatened his wife and threatened him. Mr. Henderson said he called the Police Department, and got absolutely nothing from them, other than you need to go back into your house. Mr. Henderson said that is not what he wanted from the Police Department, and he does not want this to escalate into something that can turn very bad. Mr. Henderson said he works in a business where things turn bad, and he has to deal with that, so he hopes the City Council will deal with this very quickly, before something bad happens in the neighborhood. People are moving, getting sick, and it is not healthy.

Mayor Suter said she always encourages citizens that if they are encountering a dangerous animal to please call Animal Control, and if they are experiencing a dangerous human being in their neighborhood, to please call the Police.

**John Garner, 111 Heatherton Court**, said he was the President of Stormy Acres Neighborhood Association. Mr. Garner said he has read ads for "Shop Gladstone" at Gladstone.com. If one listens to 101 the Fox, there has been an ad three or four times for "Shop Gladstone.com". It is great to see that being used as advertising. Mr. Garner said he has spoken to City Inspectors about people who are repeated violators of not mowing their lawn or leaving their trash cans set out more than four or five days, and so forth. Mr. Garner said he wondered if there could be an Ordinance change to where it would run from January to January where people are only warned one time per year for the same violation and then the next time the citation is written. It would help to improve the neighborhood and it would cut down on a lot of paperwork. Mr. Garner said he believed that there can be sewer run-off during the three months the water bills are being used for sewer costs, and asked if that goes into the sewer costs or is that just for the water being used, because it does go into Kansas City sewers?

Mayor Suter asked if Mr. Garner was referring to the water usage months that are used to set sewer rates?

Mr. Garner said that was correct.

Mayor Suter replied those are winter months – the winter months' water use is the basis for sewer usage rates on water bills.

Mr. Garner asked if the run-off going into the sewers is counted?

Mayor Suter replied no, that is not metered; however, the water that goes into one's house in the winter is what is used to measure the sewer rate all year, so that water customers do not pay more for sewer in the summer, because of excess water usage that is not going into the sewers.



Mr. Garner stated there are two or three apartment complexes near his neighborhood that have been cited, and now they have filed for bankruptcy. Mr. Garner asked if the City could do anything to hold these people responsible.

Mayor Suter noted that City staff members were making notes.

Mr. Garner asked if the bankruptcy court would be notified or would it go down hill?

City Manager Kirk Davis replied that generally, there are trustees appointed by the Court and they are responsible for managing the bankruptcies and properties. City Manager Davis said staff would look into this and see what violations are there and where they are in the process.

Mr. Garner asked if the bankruptcy appointees could be held responsible, so we can see them in court?

Mayor Suter replied that they are in court and are accountable to the court. They are appointed by the court.

Mr. Garner stated they are not appointed by a court in Gladstone.

Mayor Suter agreed.

Mr. Garner asked if Gladstone's Ordinances cover them and would they have to appear in our court for violations?

City Counselor Randall Thompson stated that property owners could be cited for any City Code violations regardless of whether they are in bankruptcy. The bankruptcy court deals with economic issues. There is an automatic stay, so you cannot impose or collect any money from someone who is bankruptcy. The City Code having to do with maintenance of property is not under the jurisdiction of the bankruptcy court. Being in bankruptcy does not affect the property owner's responsibility with respect of maintenance of his property.

Mr. Garner said then the property owner could be cited and would have to show up in court.

Counselor Thompson said that was correct.

**Terry Sharp, 3101 NE 70 Terrace**, stated he was President of the Northaven Gardens Home Owners' Association, and he visited with the City Council in January about the pine trees along North Prospect. Mr. Sharp said there is an Ordinance, 3.853, Section 12, which talks about dead and diseased tree removal. In summarizing, it basically says that trees shall be removed by owners at their expense within 60 days after the date of service of notice. Mr. Sharp said he was told that notice was sent out in January, and then it was going to be revisited in April. Mr. Sharp asked when this was going to take place. Mr. Sharp said he sent to e-mails, one on June 4<sup>th</sup> to (Building Official) Alan Napoli, and the second e-mail on June 19<sup>th</sup> to (Assistant City Manager) Scott Wingerson and Alan Napoli. Mr. Sharp said he did not receive a reply on either e-mail, which why he was at this meeting, to find out why they cannot get some type of action or

notification of what is going on with this. Mr. Sharp said they had been working on this for over two years, and they would like some commitment dates. It is not only beneficial for the local homeowners, but for the City itself.

Assistant City Manager Scott Wingerson stated, as the Council is aware, there are over 200 properties affected by the diseased pine tree issue. A comprehensive survey of the entire community was performed and it was agreed by all involved at the time, that the City would give residents the opportunity to remove these pine trees. To date, over 80 percent have voluntarily complied. The one situation that Mr. Sharp references has not. It is much more complicated than one pine tree in one's front yard. This is upwards of 40 pine trees on a piece of property that is owned by a company represented by the original developer of the subdivision, so it has been very complicated to work through the homes' association as well as the private property owner. The goal all along has been to solve the short term, which is now the medium term, problem of the dead trees, but also to come up with a long-term solution so that this issue does not keep happening over and over again.

Mr. Wingerson said that Mr. Napoli has done a wonderful job in coming to a compromise position where staff will recommend to the City Council to accept this parcel of land, remove the trees, and then deed the property for long-term maintenance to the homes' association. That is a verbal agreement with the property owner, as we sit here tonight. As Mr. Sharp acknowledges, there have been other agreements that have not been fully executed, but staff thinks this is a win/win for the property owner, the City, Northaven Gardens, and the community. Mr. Wingerson said that is where we are at, but he could not give a commitment on a time; however, staff wants to do it right away. As soon as staff can possibly get it done, it will be on Council's agenda to accept the property, so the work can be done. There are a lot of parties involved in making this happen.

Mayor Suter stated that lots of people in the community are interested, and not just the folks who live there. The City gets questions about this particular issue, because it is the most glaring example, and there are others in the community. We are down to about 22 property owners who have not complied. With a couple of instances, finances are a big issue, and as Mr. Wingerson said, this is the most complicated situation in the City regarding these trees. It is unfortunate to have an entire line of trees with the disease. Mayor Suter said if somebody ends up in court, that will drag this out for a very long time, so we are going to keep trying to find something short of that as a resolution.

Mr. Sharp asked if the City would be receiving the property prior to the trees being removed.

Mr. Wingerson replied the recommendation is to bring the deed to the City Council to determine if they will accept the property. Once the property is accepted, then the trees may be removed. Mr. Wingerson said he wished to be very clear that he is not committing to this, but staff is working with the property owner to see if the trees may be removed prior to the City's acceptance of the property. Staff is trying to address the problem aggressively.

Mr. Sharp said this would be an expense the City would incur to have the trees removed.

Mr. Wingerson replied yes, in exchange for the long-term maintenance of the property, which would be transferred to the homes association.

Mr. Sharp agreed, and said that was the answer they needed.

**Item 8. on the Agenda.**      **COMMUNICATIONS FROM THE CITY COUNCIL.**

**Councilman Bill Garnos** had no comments at this time.

**Councilman Brian Hill** said he was concerned about the feral cat issue, and said he wasn't aware of what was going on until tonight. Councilman Hill said it sounded to him like it was not only an animal issue, but a public health threat, and he believes the City Ordinance limits the residents to three pets. It sounds like this person may have upwards of 30 pets that are not being maintained in a healthy condition, and are a threat to what is otherwise a pretty good neighborhood. Councilman Hill said he is not seeing what the issue is with enforcement, because one does not have to keep a cat in the house for it to be a pet. If they are feeding feral animals, there may be State laws against that. Councilman Hill said it was obvious from the photos provided that there are feces all over, and that is a health threat to the neighborhood. If the cats are being aggressive, then that is another threat to the neighborhood. Councilman Hill said he would strongly encourage the City staff to have this remedied fairly immediately, before the neighbors have further issues.

City Manager Davis said he was not familiar with the history in this neighborhood, but he can say that the homeowner has been cited. City Manager Davis said he found out about this issue on Friday, and today Mr. and Mrs. Henderson, and he is not certain who else, met with Chief Baer and Captain Self. Captain Self has until 4:00 PM, tomorrow to come up with a plan with which Mr. Davis will be satisfied. Mr. Davis said he was not happy with some of the allegations regarding staff's response or lack thereof, but he would like to have the time to look into that, as he is not sure of the facts, but a plan is being made to deal with the feral cats in this neighborhood. After meeting with the Hendersons today, the seriousness of the situation is recognized.

**Councilman Barry McCullough** said he wished to echo Councilman Hill's concerns. He remembers sitting in the audience and hearing the feral cats discussion back in 2006 and 2007, and not fully understanding the level of severity at that time, but these pictures certainly display that, and he looks forward to getting this situation resolved successfully. Councilman McCullough said he wished to thank Parks and Recreation Director Sheila Lillis and the Parks and Recreation staff in recognition of National Parks and Recreation Month. Councilman McCullough said his business had the opportunity to bring about 200 people into Oak Grove Park to celebrate getting together. There were many people from outside of the community, and he received so many positive comments about what a nice park that was, and that the features and amenities that are in the park show that Gladstone really cares about providing for the citizens. It was nice to hear that. Councilman McCullough said that most of them did not know that he was on the City Council, so it was truly genuine. Councilman McCullough thanked Director Lillis and staff for all their good work.

**Mayor Pro Tem Jean Moore** had no comments at this time.

**Mayor Carol Suter** reported that this Tuesday is the last in the series of June Tunes, which is at Oak Grove Park, which she jokingly said her grandson calls goose park, because he likes the geese! The 4<sup>th</sup> of July celebration with fireworks will be on July 4<sup>th</sup>, in Oak Grove Park. The concert begins at 8:30 PM. The first weekend in July will be the first Theatre in the Park performance of “Hello Dolly”. This is the 25<sup>th</sup> anniversary for our Theatre in the Park programming, so it is a great year to get out and enjoy great free family entertainment in Gladstone.

**Item 9. on the Agenda.      COMMUNICATIONS FROM THE CITY MANAGER.**

City Manager Kirk Davis reported that City Hall would be closed on July 4.

Mayor Suter reminded everyone that Gladstone does have an Ordinance about no fireworks in the City.

**Item 10. on the Agenda.      FIRST READING BILL 12-11**, amending Section 2.105.010 and Section 2.105.100 of the Code of City Ordinances to provide for the use of electronic fences or electronic collars to control the movement of non-dangerous dogs.

Councilman Brian Hill moved to place **Bill 12-11** on its First Reading. Councilman Barry McCullough seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **Bill 12-11**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Barry McCullough seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **Bill 12-11**, and to enact the Bill as **Ordinance 4.213**. Councilman Barry McCullough seconded.

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

**Item 11. on the Agenda.      FIRST READING BILL 12-12**, repealing Ordinance No. 4.112 (Section 6.110.100 of the City Code) and enacting in lieu thereof a new section to provide for an increase in the water rate charge to \$3.64 per 1,000 gallons of water usage, and to provide for an increase in the service charge to \$6.98 for the City of Gladstone, Missouri.

Councilman Barry McCullough moved to place **Bill 12-12** on its First Reading. Mayor Pro Tem Jean Moore seconded. The vote: All “aye” – Councilman Bill Garnos,

Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the First Reading of **Bill 12-12**, Waive the Rule and place the Bill on its Second and Final Reading. Mayor Pro Tem Jean Moore seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilman Barry McCullough, Mayor Pro Tem Jean Moore and Mayor Carol Suter. (5-0). The Clerk read the Bill.

Councilman Barry McCullough moved to accept the Second and Final Reading of **Bill 12-12**, and to enact the Bill as **Ordinance 4.214**. Mayor Pro Tem Jean Moore seconded.

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

**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 questions from the News Media.

**Item 14. on the Agenda.      ADJOURNMENT.**

There being no further business to come before the June 25, 2012, Gladstone Regular City Council Meeting, Mayor Carol Suter adjourned the meeting.

Respectfully submitted:

\_\_\_\_\_  
Cathy Swenson, City Clerk

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

\_\_\_\_\_  
Mayor Carol Suter