



**MINUTES  
CITY COUNCIL  
MEETING  
GLADSTONE,**

**MISSOURI  
MONDAY, DECEMBER 9, 2013**

Mayor Jean Moore opened the City Council Meeting to adjourn to a Closed Executive Session on December 9, 2013, at 5:00 PM. Councilmember Carol Suter made a motion to adjourn to Closed Executive Session pursuant to Missouri Open Meeting Act Exemptions 610.021(2) for Real Estate Acquisition Discussion, and 610.021(3) for Personnel Discussion. Mayor Pro Tem Brian Hill seconded. Roll Call Vote: All “aye” – Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (3-0).

Councilman Bill Garnos and Councilman Gary Markenson were also present at the Closed Executive Session.

**PRESENT:** Mayor Jean Moore  
Mayor Pro Tem Brian Hill  
Councilmember Carol Suter  
Councilman Bill Garnos  
Councilman Gary Markenson

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 Jean Moore opened the Regular December 9, 2013, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all City Council members were present.

Mayor Jean Moore welcomed everyone who attended in person, and those joining the meeting on-line. Mayor Moore said she and the City Council very much appreciated everyone's interest and involvement.

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

Mayor Moore stated it was an honor to have members of VFW Post 10906 present the Colors. VFW Post 10906 members posted the Colors and led the Pledge of Allegiance, in which all joined.

**Item 4. on the Agenda. APPROVAL OF THE NOVEMBER 25, 2013, REGULAR CITY COUNCIL MEETING MINUTES.**

Councilman Gary Markenson moved to approve the November 25, 2013, Regular City Council Meeting Minutes, as presented. Mayor Pro Tem Brian Hill seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

**Item 5. on the Agenda. SPECIAL PRESENTATION by Veterans of Foreign Wars Post 10906.**

Bill Driscoll and Joe Liles, of VFW Post 10906, presented a plaque to Mayor Moore and a plaque to the City of Gladstone and City Council members. Mr. Driscoll said it was their distinct pleasure and honor to be the Honor Guard for the City of Gladstone at City Council meetings.

Mayor Moore thanked Mr. Driscoll and Mr. Liles, and said it was an honor for the City of Gladstone to have Post 10906 at the City Council meetings, and the City Council is so proud to have the State Honor Guard as a part of the City Council meetings.

Mr. Driscoll stated, to go one step further, they provide the Color Guard at a number of funerals, which is an honor for them. The Color Guard is a fun thing for them to do, so it is a pleasure to be at the City Council meetings.

Both plaques included the same language, and Mr. Liles read the body of the plaques as follows: "In recognition of furthering the aims and ideals of the Veterans of Foreign Wars. Signed: Gladstone VFW Post 10906. 2013." Mr. Liles said he knew the Mayor could not do her job without the help of the City Council and the employees of the City

of Gladstone. Mr. Liles said it was their honor and pleasure to be at the City Council meetings, and they very much appreciated being a part of the City of Gladstone.

Following applause from the audience, Mayor Moore offered thanks to VFW Post 10906.

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

Following the Clerk's reading, Councilman Markenson asked that Resolution R-13-82 be removed from the Consent Agenda for consideration and discussion under the Regular Agenda.

Mayor Moore stated Resolution R-13-82 would be considered as Item 6a. under the Regular Agenda.

Councilmember Carol Suter moved to accept the Consent Agenda as amended. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-79**, authorizing acceptance of work under contract with Vance Brothers, Incorporated, for the 2013 Intermediate Maintenance Program; and authorizing final payment in the amount of \$10,944.09. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-80**, authorizing acceptance of work under contract with Amino Brothers Company, Incorporated, for the Northeast 76th Street Reconstruction – North Brooklyn to City Limits, and authorizing final payment in the amount of \$111,619.89. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

Councilmember Carol Suter moved to adopt **RESOLUTION R-13-81**, authorizing acceptance of a proposal from Omni Entertainment to provide performance artists for the 2014 Sounds on the Square concert series at the Linden Square stage beginning May 24, 2014 through September 27, 2014, for an amount not to exceed \$41,050.00. Councilman Gary Markenson seconded. The vote: All "aye" – Councilman Gary

Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

## **REGULAR AGENDA**

**Item 6a. on the Agenda.**     **RESOLUTION R-13-82**, authorizing the purchase of and the execution of a real estate contract to purchase property located at 7022 North Locust Street.

Councilman Markenson stated as this action is for a nearly one-half million dollar purchase, and as most of the discussion on this matter has been in Closed Executive Session, he asked City Manager Davis to please provide a two minute explanation for the benefit of the audience here this evening and for those watching at home.

City Manager Davis reported this property, at 7022 North Locust, was formerly the Fins and Foliage property. Several months ago staff discussed with the Council strategic acquisitions in furthering the downtown project development that has been on the City's plate. This property became available, and the City Council asked that the purchase be pursued. The purchase amount is \$280,000, and this Resolution closes that purchase. The hope is that the eventual use of the property should be consistent with the goal for furthering the arts in the community. How it looks and how it feels will be determined, but staff is hopeful there will be a couple of art functions at this location, certainly gallery space, and a place where people can be creative and make some additions to our community in many respects. Furthering the arts is a big part of our downtown strategy. This is consistent with what we are hearing from the developers of Linden Heights and some businesses that are entertaining options in our community. This furthers that thought process, and gives us a facility that should bring a cultural aspect to our community that we do not currently have. City Manager Davis concluded by saying along with being consistent with our downtown development strategy, this should be a positive addition to our community.

Mayor Pro Tem Brian Hill moved to adopt **RESOLUTION R-13-82**, authorizing the purchase of and the execution of a real estate contract to purchase property located at 7022 North Locust Street. Councilmember Carol Suter seconded. The vote: All "aye" – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

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

David Levendahl, 2000 NE Englewood Road, stated his understanding was the City had funding to repave, mill and resurface Englewood Road. Being one of the most heavily

traveled roads in town, he thinks it is not only bad for the citizenry, who use the road – Mr. Levendahl said he lives on the road - it has beaten the heck out of vehicles. It is crumbling away and the curbs are caving in. It sends the wrong message to people who come to the City, and think this is how this town is operated. It gives them a bad taste in their mouth, and they don't want to come here to spend money.

Mr. Levendahl said money was supposed to be there to do the milling and resurfacing. The holdup was to hold Kansas City hostage to get them to repair the three or four places where the water mains continue to break. Mr. Levendahl said he had measured it by hand, and he did not see the value in holding up the project to do this, as there are 325 lineal feet of Englewood Road where these breaks take place. It is the same ones over and over. When it does break, they repair it; however, the quality of their repairs may be in question. There is no out of pocket expense for the City of Gladstone. Mr. Levendahl said there are nine thousand lineal feet between Antioch and North Oak, so for three percent of the roadway that could have a water break, another 8,700 feet was being neglected. When Englewood Road was changed from a two lane to a three lane, he remembered driving on the dirt when the water mains were above ground level before they filled it all in, and everyone along the way got a new driveway, as part of the deal with the contractor. The aprons of those driveways, along with the curbs, are going away. They are just all beat up, and it is a combination of age, lack of repair, snow plows and so forth. Mr. Levendahl said there could be parts of this stuff caving in and going into the drainage system, and into the waste water system, and he believed it would cost more in the long run, and the paving job is not going to get any cheaper.

Mr. Levendahl continued by saying the position on this needed to be readdressed, and if Kansas City does not cooperate, it is nothing we are not used to. Mr. Levendahl said Kansas City treats the Northland like their stepchild anyway, and because he is driving on this road every day, it is causing him front end alignment issues, speeding up the struts, wearing out tires, and it's killing him.

Mr. Levendahl said the new development, with the park and the stage, people have done an awesome job with that. It looks great. Mr. Levendahl said he had his little one in the Miss Gladfest this year. She did not win, but she was really tickled to be a part of it, and every day she would ask to go up to the stage and practice. One night there was a rock band, and he did not know they were there when he brought her to practice, and he told her they could not interfere with the people, and she started having a fit. Mr. Levendahl asked if he could just sit her on the stage, while they were doing their sound checks so she could practice her "twinkle, twinkle little star". The girl in the band lowered the mike stand and let her sing through the PA system. She heard her voice come through the PA system, and she thought she was pretty good.

Mr. Levendahl suggested regarding the City's beautification, where citizens can get rid of their leaves and limbs in November, he would request that be moved back at least three weeks, because most of the trees that grow around here don't drop their leaves until mid-November to late November. The beautification is the first weekend in November, and a person has about eight bags to take up there at that time, and then a person later has about 20 some more bags to fend off themselves. People just chuck them anywhere, and they can get into the drainage system, and it's nasty and an eyesore. Mr. Levendahl said he would request this program be moved back at least a couple of weeks, so the bulk of the leaves can come down, and they can be cleaned up and put away properly.

Mayor Moore thanked Mr. Levendahl.

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

**Councilman Gary Markenson** had no comments at this time.

**Councilman Bill Garnos** stated in regard to the VFW Honor Guard, as a former Boy Scout member of an Honor Guard, he enjoyed having both the VFW members and the Scouts at the City Council meetings to lead the Pledge of Allegiance. Councilman Garnos said he believed it would be a good idea if the VFW worked with some of the Scout Troop Honor Guards on the history, rules, and duties that come with being an Honor Guard member.

**Councilmember Carol Suter** stated hopefully the heat would soon be fixed at the Atkins-Johnson Farm, and reminded everyone to please stop by the Farm on Saturday, at noon, for cookies with Mr. and Mrs. Claus. Hopefully, that activity would continue.

Councilmember Suter said this last week she had the opportunity to see City government from a perspective that most usually don't, as she was subpoenaed as a witness in Municipal Court. Members of the City Council do not usually have the opportunity to observe Municipal Court, but she did have the opportunity to hang out in the back in the lawyers' cadre, who were waiting to visit with the Prosecutor. In her case, the defendant did not show, so she did not have to stay, but she did stay for a while just to watch. It was the day for animal control, housing, traffic, and other issues. It was interesting to listen to the lawyers to see how they felt about our Municipal Court, and at the end, she was talking to a couple of them and she admitted who she was. It was really nice to hear from that group of people about their high esteem for our Court and our court system. There were great comments about the quality of our Judge. Councilmember Suter said she was amazed at the good humor and patience of the Judge

as he listened to the many very interesting stories. There was high praise for our Prosecutors. The lawyers said our City had really excellent City Prosecutors. Councilmember Suter said she wanted to pass this on, and she wished to offer Kudos to our wonderful staff. It was nice to know our Court's reputation in the community is one of fairness, efficiency, and effectiveness.

**Mayor Pro Tem Brian Hill** said he would like to address the comments regarding Englewood Road, and let everyone know here and at home that Englewood Road is very much within the Council's radar. There are a lot of issues there. We do want to resurface it; however, Kansas City is getting ready to dig up the entire road, and replace the water main. We have deferred maintenance on Englewood Road, but he does believe engineering is being done right now, so it may be another year or so before Kansas City actually does the water main replacement there. Gladstone has decided not to put down new pavement that would be totally dug up within a year or two. That road is terrible, and everyone on the City Council knows it, and it is a focus. However, the City does not want to waste all that money to have it dug up the full length of the road. A good part of it doesn't even border on the City of Gladstone. It borders on the villages and Kansas City, closer to North Oak, and a good part of that is the water main problem. Mayor Pro Tem Hill said he wanted everyone to know this issue is within the Council's radar, and very much a focus for City staff and the City Council. We are frustrated with it, but we don't want to throw a bunch of good money after it, just to have it dug up within a year or so.

Mayor Pro Tem Hill wished everyone a good holiday.

**Mayor Jean Moore** reported this is the time of the year the Santa calls are being made, and so back in the City offices right now there are a group of very dedicated gentlemen who are calling, like they do every year, to kids in our community, as Santa. During the course of this process, over the years since they have done it, over 5,000 kids have been called. They will make approximately 225 calls this year, and will talk to somewhere in the neighborhood of 400-500 kids. When they make a call, they may not just talk to one child, they often talk to multiple children. It is an amazing thing to see these men being so dedicated and so involved for the kids in our community. Mayor Moore said this is a wonderful program.

Mayor Moore said she recently had the occasion to go to Starbucks on the day a vehicle drove through Starbucks. When she got the call, she could not get there fast enough, because that is her coffee shop, and she is there nearly every day, and had been sitting in the spot where the SUV drove in, just the day before. Mayor Moore said her comments tonight had to do with our amazing EMS first responders. It was incredible. Mayor Moore said by the time she arrived, most of the victims had already been

transported. Fortunately, there were no really bad injuries, but there could have been. That was the shocking part. Mayor Moore said she had never seen such kindness, tenderness, and professionalism exhibited by our EMS, so Kudos to them. They were amazing, and she was really touched and impressed, and, she believes, so were the victims. Everyone was really encouraged and comforted by them. It was a great experience, not to be there in the sense of a disaster, but to see what our staff did – it was truly incredible. Mayor Moore said she wished to offer Kudos to all of them.

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

City Manager Kirk Davis encouraged everyone who was interested in learning to ice skate, to use the City's ice rink. It is open, and he hopes everyone enjoys it. City Manager Davis reported the Chamber coffee at the Atkins-Johnson Museum was cancelled tomorrow, December 10, 2013, because of heat issues in the building. City Manager Davis reminded everyone there would be no second Council meeting in December. City Manager Davis wished everyone Happy Holidays.

**Item 10. on the Agenda.      PUBLIC HEARING:** for consideration of a petition for and establishing the Meadowbrook Village Community Improvement District.

Mayor Moore opened the Public Hearing, and said that during the Public Hearing, comments would first be heard from staff, then from the applicant, followed by comments from those in favor and anyone opposed to the application.

**Staff Report**

City Counselor Randall Thompson began by saying the City Council had received a packet of information, including the Ordinance that City Council would be considering this evening, a petition to establish the Community Improvement District (CID), and a Blight Study. Counselor Thompson said most of what he would say would be repetitive of the information in those documents.

Counselor Thompson reported a Community Improvement District was an economic development tool that has been approved by Statute in Missouri, in Chapter 67.1401. A Community Improvement District can either be formed as a separate political subdivision, such as we are – a municipality, or a county – or it can be formed as part of a not-for-profit corporation. If it were a political subdivision, there are various funding mechanisms available to the district in order to raise revenue, from real property tax to sales tax, and debt limitations. A non-profit corporation can assess special assessments on real estate to raise revenue. In the instance before the Council this evening the



Meadowbrook Village Community Improvement District was seeking to be designated as a separate political subdivision by Ordinance. They have filed a petition on their behalf.

Counselor Thompson posed the question, if granted, what can this Community Improvement District do so far as raising revenue. Counselor Thompson stated in this instance, the property involved has some needs for demolition, renovation, and rehabilitating. In order to do that, the Council must also find there is blight at that location, and that the property is blighted. If that finding is made, the revenue that would be raised by the District could be used to pay the cost of demolition, renovation, and rehabilitating the structure, and for any other general improvements they plan for the site. This whole process was initiated when the applicant, who is the property owner, made a petition to the City for designation of a Community Improvement District. Counselor Thompson said the Council has been provided a copy of the petition that was filed on behalf of the owner. In this case, there is only one owner for the property involved in the District. The petition was filed by that owner. Counselor Thompson said the petition has been reviewed by his office and by the Clerk, and it complies with the statutory requirements for a petition. There was a five year plan attached to the petition, which was required by Statute to give the Council some idea of what improvements were considered, and how the improvements would be paid.

Counselor Thompson reported because the applicant sought a blight designation, a Blight Study was prepared, and the Blight Study is attached to Council's packet. The Blight Study was performed by the Community Development Department here in Gladstone. It complies with the Statute for what must be found before the property can be designated as blighted. The applicant had agreed to the Blight Study. It is a specific finding that we have to make in light of the improvements that are going to be made at this location.

Counselor Thompson continued by saying once the petition was filed, the City Clerk had to file a notice of a Hearing to take up the petition. The City Clerk did so as required by law, and she has received an affidavit of publication from The Kansas City Star, which is where this Community Improvement District Petition Notice for Hearing was published. A copy of the Ordinance has been provided to the City Council for passage this evening. Another very important part of the District is the composition of the Board, and by law, the Board must be composed of from five to thirty people. In this instance the initial Board has been appointed by the petitioner. In agreement with the City, one of the Board members will be a representative from the City, and in this instance, that representative will be Melinda Mehaffy. Once the terms lapse that are provided in the petition, then the Mayor, with the consent of Council, makes

appointments to the Board. In this instance, the names for those appointments would probably be designated by the owner, as they have been in the petition.

Counselor Thompson stated, in this instance, the law provides that the sales tax can be from an eight cent to a one cent per \$100 assessed valuation. The petition is requesting a one cent sales tax. In this instance, that sales tax must be by election, and it can be by a mail-in election, so, in this instance, the mail-in election will consist of one party passing a vote, and that is the owner of the District.

Counselor Thompson explained that once the Ordinance is passed, there would be a laundry list of things to be done. Once this Community Improvement District is formed the City does not just wash its hands of what takes place with the District. The District will create by-laws, which will be submitted to the City for approval. The City and the owner of the Community Improvement District will enter into a contract, which is required by Statutes. There will be several requirements in the contract, but one of those is that the City will be paid 1.5 percent of the annual revenues of the sales tax collections for purposes of defraying the cost and expenses that the City incurs in monitoring the Community Improvement District. Contact will be made with the Missouri Department of Revenue, and they will begin the collection process of the taxes. Staff will submit a written report to the Missouri Economic Development office to keep them apprised of economic development activity in our city. There will most likely be amendments to the plan before the City Council, because it is now a best projection of what is going to happen at this point. If there are amendments to the plan, those would be approved by the City. The District is to prepare and provide to the City an annual audit of the incomes they received and the money they spent. The District will provide the City an annual receipt from the Department of Revenue for the sales tax distribution within the District. There will be an annual budget proposal provided to the City. The Board of Directors, of which the City will have a designated representative, will conduct an annual meeting. Because the District is within the confines of the City of Gladstone, and the City Council is creating it by Ordinance, the City will maintain involvement in the District, so that we feel comfortable that the revenues are being used as they were stipulated in the petition.

Councilman Markenson asked if this was the City's first experience with a CID, or are there other CIDs in Gladstone.

Counselor Thompson replied not to his knowledge. This is the first one he had been involved with in the City.

Councilman Markenson asked if there were any criteria for CIDs; can any commercial property owner blight his property and apply for a CID, a sales tax, and improve their property.

Counselor Thompson replied as far as the City of Gladstone is concerned, we do not have an economic development policy directly applied to a Community Improvement District, we only require that an applicant conform to what is required by Statutes.

Councilman Markenson stated for clarification the Council could turn down future applications even though this one is granted.

Counselor Thompson replied that was correct.

Councilman Markenson stated it was his understanding that CIDs can be financed either through sales tax, where the community pays for the improvements, or through business licenses and property taxes, where those who benefit from the improvements actually pay for them, but for clarification – in this case, it is only a sales tax.

Counselor Thompson replied that was correct.

Councilman Markenson asked if there were anything that prevents the owner of the commercial property from making improvements, enhancing the value of the property, and then selling the property, and making significant profits.

Counselor Thompson there is nothing as far as the Statutes are concerned in prohibiting someone from selling the property. It would still be a part of the Community Improvement District.

Councilman Markenson stated people would still be paying the sales tax – for a fifteen year period?

Counselor Thompson replied it would be a fifteen year period.

Councilman Markenson stated in the letter Counselor Thompson provided to the Council, it said that they would contract with the City for operation of the District, and asked if that would be just for oversight.

Counselor Thompson replied yes, and said as an example, if the City had an accountant look at the annual audit or an attorney did something on our behalf with respect to the property, that is just to offset any expenses the City might have.

Councilmember Suter stated the applicant is required to provide a five-year plan with the costs of the investment, and asked if the applicant is required to do any kind of projection on the sales tax income. What would be the income going towards this \$2 million of expenses.

Counselor Thompson replied in the five-year plan before the City Council, the amount represented that would be expended by the property owner is going to be in line with the collection of sales tax they anticipate.

Councilmember Suter said for clarification, they start with what they anticipate and then build the budget.

Counselor Thompson replied that was correct.

Councilmember Suter said it would be helpful if it included something about the expected income to show how close this comes to reality.

Counselor Thompson stated that is why the budget may be amended as they move forward. They will know more once they start getting collections, and see what their income is going to be, because at this point, they cannot project that.

Mayor Pro Tem Hill asked if there were a requirement that any sales tax collected be used on the property, or used to pay for the improvements.

Counselor Thompson replied yes, that is purpose of the collection, and one of the reasons why the City maintains some involvement to make that very determination.

### **Comments from the Applicant**

Steve Osman introduced his son, Andrew, who was with him this evening. Mr. Osman reported that they were managing members of the ownership entity, called Meadowbrook Village Shopping Center. Mr. Osman said he appreciated the opportunity to stand before the City Council, and he was fully prepared to discuss any of the technical aspects of this, because this is a case of first impression. This is the first time the City Council has been through this, but he had been through this many times, as has his son. Mr. Osman said his son, Andrew, is on the City Council in Leawood, and is directly responsible for administering these programs for the City of Leawood, and they get a lot of these, and have been involved with a lot. Mr. Osman said he was the one who actually initiated the conversations with Assistant City Manager Scott Wingerson, and Economic Development Administrator Melinda Mehaffy, who acted in the most professional and highly efficient manner in getting this done, and he was very

complimentary of that, because he sees in interacting with other cities that is not always the case. Mr. Osman said the City Council should be proud of their work, because they have done a nice job.

Mr. Osman said this was an unusual CID in the sense that it is not a typical one in regard to revenue generation. Mr. Osman said when he had gone into projects as he had done in a couple of other cases – one of them the Council might be familiar with at 18<sup>th</sup> and I-70, in Kansas City, Kansas – that was a 20 acre development where there was an environmental disaster, an abandoned truck stop, and it was the poster child for blight. It had a rent by the minute motel among other things that was still active there, plus the crack houses, etc. Mr. Osman said the unified government worked with them, and they created a combination of acronyms that came together and provided a lot of revenue. For this particular project, the sales tax that will be generated what he would call a “pay as you go”. There would be no responsibility of the City and no obligation of the City in the event that this doesn’t work out. If it does not generate anywhere close to what they would like or need, there would be no fallback provision on the City. Mr. Osman said it would be strictly and purely something that his son and he would sign for personally. When one looks at the pro forma projections, and knows anything about what it costs just for interest, let alone principal reduction, this would not cover the interest on the project, let alone the principal reduction.

Mr. Osman said there would be a tremendous financial commitment on their part, and they are doing this because this would flip them over the finish line. Mr. Osman said they knew they wanted to do something with this property. They were not bad managers, and not people who typically let their properties slide, but one has to look at the context of the situation. When they started looking at this and saying it was now time to start giving it a face lift, it was 2008 – 2009. Everyone has a good recollection of what that meant in the economic environment, and what it meant to their poor tenants, who are still suffering. When they talk about economic recovery, it has not come back to Main Street. It hasn’t helped the people who really need the help. Mr. Osman said what they are doing is providing a little bit of a boost, and they also have a bank who has already pre-committed to assisting them. They have to do a couple more things to jump through the hoops, but it was not one of those things where they were hoping to get something done – they have it ready to go.

Mr. Osman reported Anderson McAdam was the architectural firm they have used on a lot of different projects. They are an award winning firm. Mr. Osman said they would be doing basically a façade. They would be tearing off the front of the building, tearing off the canopies, tearing off a lot of the things that were done very improperly and poorly, and they would be putting on a new façade and windows, and other things. The phases and the extent of the extra work will be based upon the success of the project.

Mr. Osman said they were currently sitting with a little over 20 percent vacancy. They are also underperforming with a couple of the tenants, but that is their market and environment. What they hope to do is to enhance the appearance of the property; to bring new tenants, who would be new to the area, that are going to bring employment, and sales tax revenue that is not a part of this. Any of the money for real estate tax that benefits the City and the County, and most importantly the schools, is not impacted at all. Any of the regular sales tax that would be typical for this project would not be impacted at all. This is only money extra or “on top of”. It would allow their property to have the benefit of an improvement that would attract more people. Mr. Osman said Mr. Wingerson and Ms. Mehaffy have given him some good leads on people, and he has gone after them, but he is from Missouri, so when he sees it, he would be excited, and they hope it will happen. From a timing standpoint, he was hopeful that tonight would be the initial approval. It would take about six weeks to do actual architectural plans. It would take another two to three weeks to put them out for bid or to do value engineering. It would take another month to arrange for the general contractor, and to start getting bids from the subs. If everything were to go well, in a well-oiled situation, he would imagine in May or June they would begin the work.

Andrew Osman had with him two posters, and his father asked him to talk a bit about the posters. Andrew Osman said as his father stated, they are looking to improve not only the shopping center but the area. The purpose of this is to bring more businesses and more sales tax to the area, and raise the tide to a level to what Antioch Road should be. Mr. Osman indicated on the site plan that there is currently an asphalt parking lot; there is no landscaping or trees. As is seen with the beautification project of downtown and other areas, this is what they want to accomplish here. When they acquired this eleven years ago, the canopies and façade on the outside were not done properly; although they knew it, and they wanted to have a better goal, 2008 happened. They are hoping to achieve a 2010/2020 sort of look. Mr. Osman pointed out on one rendering a lot of glass on a façade, a lot of store fronts, and a lot of articulations between each individual store front. This allows retailers to come in and say that is my store front. It’s new, there is new glass, energy efficiency on the inside, and with the improvements on the outside, they will bring new tenants.

Mr. Steve Osman reported there would be a couple of patio areas with the two restaurant locations. One of them just opened two days ago, which is Diego’s. They are a class operation who is in other locations around the city. They have wonderful food and he has had them as a tenant. He asked them to join them, and based upon what they were doing here, is the reason they came in. Best Lighting is another example of bringing a business to this property with the hope that this would be approved, and with the encouragement of staff. They agreed to lease 9,000 square feet, and they are pleased that they are there. They have temporary signs up, as well as other

people, because there was no reason to spend thousands of dollars just to tear it out. Mr. Osman said they are hoping to provide a better environment and to also establish a policy for other landlords in the area to see what can be done and achieved. It would be a rising of the tide, with the Council's approval.

Mayor Pro Tem Hill stated in the materials the Council was provided it shows the pad site for the fast food restaurant included in the development district.

Mr. Steve Osman stated they are in the development district, but that is under a long term lease, and he does not have control of that building, per se. They are going to try to get control and work out an arrangement with them, because they have another potential tenant that he was sure the Mayor would like to know about that he could bring there, if they could get them out.

Mayor Pro Tem Hill stated for clarification there would not be improvements to the pad site area as part of this.

Mr. Steve Osman said if they are able to accomplish that, the answer is yes, they will. They are included in it for sales tax purposes, but they are not included for redevelopment purposes. He would like to make that change, but he does not have control over it.

Councilmember Suter inquired into the \$209,000 valuation for the property.

Mr. Steve Osman said that was the assessment the County put on it, not the City. The City had no role in it. That was a standard assessment, and is consistent with properties of this nature, and it was done by the County.

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

Mayor Moore closed the Public Hearing.

**Item 11. on the Agenda.** **FIRST READING BILL NO. 13-35**, approving the petition for and establishing the Meadowbrook Village Community Improvement District.

Mayor Pro Tem Brian Hill moved to place **BILL NO. 13-35** on its First Reading. Councilmember Carol Suter seconded.

Councilman Gary Markenson inquired into the City's current sales tax rate.

City Manager Davis replied he believed it was 7.445.

Councilman Markenson said there are several future sales tax issues the City may be faced with, whether it might be MoDOT (Missouri Department of Transportation) or possibly even a local sales tax, and he does not like sales taxes, and he believed they have reached about as high as they can get. Councilman Markenson said he loved the improvements they were talking about, and he would love to see those improvements, but he was not sure the constituents should be paying for it through sales tax. Councilman Markenson said he believed our sales tax is about maxed out.

Councilmember Suter said she would speak in favor of this idea. The CIDs were at the National League of Cities convention last month, in an economic development workshop that was the highest attended session there. Clearly, the professional word on the street is the most successful tools in economic development right now are BIDs (Business Improvement District) and CIDs. There are so many around the area, such as Zona Rosa, and people are paying a lot higher sales tax in all those areas to shop. This is not the first and it won't be the last. It is not a new idea, but it is new to Gladstone.

Councilmember Suter said she was interested that the applicant claims that making the improvements is part of the reason for why he has been able to attract some higher profile tenants, and she certainly agrees that this shopping center needs higher profile tenants. Councilmember Suter said she did not know the lighting shop was there, until she went to Diego's opening, but she really applauds the applicant for making an investment in the property, and whatever happens, she encouraged him to continue to do it. It sounds like this sales tax will not nearly reimburse for the cost of the improvements, but she trusts that the improvements would go ahead as planned, and that seemed to be what she was hearing.

Councilmember Suter said she shared the concern about increasing sales tax, because she did not feel it was a good strategy in terms of public policy in general, but our taxes are lower than all the shopping areas around, so she did not feel we were in danger yet of becoming non-competitive or putting a serious strain on the community.

Mayor Pro Tem Hill said he would echo Councilmember Suter's statements. He was not a big fan of sales taxes either, but this is not a general sales tax, it is only a sales tax for the people who actually use this site. There have been extensive discussions about blight along Antioch Road, and the need to somehow spur redevelopment. If this shopping center can be rejuvenated and brought back to life, it is a major part of the Antioch corridor, and he believed it would spur additional investment along Antioch Road, and it would be at basically no cost to the City. It is something that would only



be borne by the users of this particular development. It is something that is needed and should be encouraged.

The vote: All “aye” – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the First Reading of **BILL NO. 13-35**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Carol Suter seconded. The vote: All “aye” – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0). The Clerk read the Bill.

Mayor Pro Tem Brian Hill moved to accept the Second and Final Reading of **BILL NO. 13-35**, and to enact the Bill as **Ordinance 4.257**. Councilmember Carol Suter seconded.

Roll call vote: “Aye” – Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. “Nay” – Councilman Gary Markenson. (4-1)

**Item 12. on the Agenda.**     **RESOLUTION R-13-83**, authorizing an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program.

Councilman Bill Garnos moved to adopt **RESOLUTION R-13-83**, authorizing an Intergovernmental Agreement between the City of Gladstone and the Mid-America Regional Council (MARC) Solid Waste Management District for the Regional Household Hazardous Waste Collection Program. Councilman Gary Markenson seconded. The vote: All “aye” – Councilman Gary Markenson, Councilman Bill Garnos, Councilmember Carol Suter, Mayor Pro Tem Brian Hill, and Mayor Jean Moore. (5-0).

**Item 13. on the Agenda.**     **OTHER BUSINESS.**

There was no other business to come before the City Council.

**Item 14. on the Agenda.**     **QUESTIONS FROM THE NEWS MEDIA.**

There were no questions from the News Media.

**Item 15. on the Agenda.     ADJOURNMENT.**

There being no further business to come before the December 9, 2013, Gladstone Regular City Council Meeting, Mayor Jean Moore adjourned the Regular meeting to resume the Closed Executive Session that was begun earlier in the evening.

Respectfully submitted:

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Cathy Swenson, City Clerk

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

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Mayor Jean B. Moore