



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, OCTOBER 27, 2014**

PRESENT: Mayor J. Brian Hill
Mayor Pro Tem Bill Garnos
Councilmember Carol Suter
Councilmember Jean Moore
Councilman R.D. Mallams

City Manager Kirk Davis
Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Ruth Bocchino

Item 2. On the Agenda. ROLL CALL.

Mayor J. Brian Hill opened the Regular City Council Meeting October 27, 2014, at 7:41 PM in the Gladstone City Council Chambers, and noted all City Council members were present.

Item 3. On the Agenda. PLEDGE OF ALLEGIANCE.

Mayor J. Brian Hill asked everyone to join and to please rise for the pledge of allegiance. VFW Post 10906 members presented the Colors and led the Pledge of Allegiance. Mayor Hill thanked the VFW Post for posting the colors.

REGULAR AGENDA

Item 4. On the Agenda. Approval of the September 22, 2014, Regular City Council Meeting Minutes.

Councilman R.D. Mallams moved to accept the minutes of the September 22, 2014, Regular City Council meeting as presented. **Councilmember Carol Suter seconded.** The Vote: All Aye. Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, Mayor J. Brian Hill. (5-0).

Item 5. On the Agenda. Approval of the October 1, 2014, Special City Council Meeting Minutes.

Councilman R.D. Mallams moved to accept the minutes of the October 1, 2014, Special City Council meeting as presented. **Councilmember Carol Suter seconded.** The Vote: All Aye. Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos, Mayor J. Brian Hill. (5-0).

Item 6. On the Agenda. RECOGNIZE STRIVE TO THRIVE ART CONTEST WINNERS

Mayor J. Brian Hill explained the Strive to Thrive Art Contest and stated: *The Gladstone Parks and Recreation and Clay County Health Center partnered to put on a 4 week Strive to Thrive Community Challenge during the month of September. The goal for 60 plus Adult fitness challenge participants was to record their amount of exercise minutes and the number of fruits and vegetable servings they ate each day. Along with that, the 3rd and 4th grade children at the various grade schools participated in a coloring contest that depicted healthy eating or an exercise theme. The art contest was part of the Gladstone “Strive to Thrive” community challenge and received partial funds from Clay County Chronic Disease Prevention Program contract. The Winning pictures are now on display at the Midcontinent Public Library- Antioch branch through the end of this month.*

At this time I would like to introduce Kathleen Welton (present) and Teresa Turnstill (not present) from Clay County Public Health and Susan Blattner- Recreation Supervisor from Gladstone to assist with the award certificates:

There were (88) 3rd and 4th graders who participated and submitted art for our community challenge. The 1st place winners will receive a \$25 gift certificate to use for any Gladstone Parks and Recreation activity. The winners are: Clardy Elementary (NKC Schools)- 1st, Trinity Goodyear; Linden West Elementary (NKC Schools)-1st Taylor Le, Oakwood Manor Elementary (NKC Schools) –1st Alyssa Smera; Oakhill Day School – 1st Julia Holmes. The Overall winner will receive a \$50 gift certificate to use for any Gladstone Parks and Recreation Activity. The winner from Linden West Elementary is Taylor Le.

This was followed by applause from the audience and photos were taken.

Item 7. On the Agenda. PROCLAMATION: RECOGNIZING THE MASTER GARDENER ORGANIZATION AND VOLUNTEERS.

Mayor J. Brian Hill invited the Master Gardeners to come forward to accept the Proclamation. **Mayor Hill** read the Proclamation and asked the Master Gardeners to introduce themselves: **Councilman R.D. Mallams** thanked the gardeners for not “voting him off the farm”, and stated he accidentally sprayed them with water and his corn rows were not straight. Toni Mallams

thanked Frank and Jolene for the opportunity and stated it was her first time being a farmer and she planted potatoes and was really proud of them. Frank Newkirk introduced himself as one of the Chairs for the Master Gardeners. Jolene Newkirk introduced herself as Frank's assistant Chair. Debbie Bjaastad introduced herself and stated she "does their work". Kay Fox introduced herself and she "does whatever Frank tells her to". Kathy King introduced herself and said she does what Frank tells her to do, too, and apologized for making crooked rows. **Mayor Hill** stated Frank gives good directions because he has seen the results. Mr. Newkirk stated they had a good year this year, and the weather helped, with wonderful volunteers. This was followed by applause from the audience and photos were taken.

Item 8. On the Agenda. CONSENT AGENDA.

Following the Clerk's reading, **Councilmember Carol Suter** moved to approve the Consent Agenda as published. **Councilman R.D. Mallams** seconded. The vote: All "aye" –Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

Councilmember Carol Suter moved approval of **RESOLUTION 14-74**, A Resolution acknowledging, supporting, and promoting the First Suburbs Coalition, KC Communities for All Ages, and Mid America Regional Council's Communities for All Ages Initiative. **Councilman R.D. Mallams** seconded. The vote: All "aye" –Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

Councilmember Carol Suter moved approval of **APPROVAL OF ANNUAL LIQUOR LICENSE**, Lost Assets LLC, d/b/a No. 9 Saloon, 6609 North Oak, Gladstone, Missouri, 64118, Liquor by the Drink License. Managing Officer: Eric Martin. **Councilman R.D. Mallams** seconded. The vote: All "aye" –Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

Councilmember Carol Suter moved approval of the **CITY OF GLADSTONE FINANCIAL REPORT FOR PERIOD ENDING SEPTEMBER 30, 2014**. **Councilman R.D. Mallams** seconded. The vote: All "aye" –Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

REGULAR AGENDA.

Item 9. On the Agenda. Communications from the Audience.

Bonnie Vanskike, 6200 North Park Avenue, Gladstone Missouri, stated she has owned and resided in her home for 36 years. Ms. Vanskike wanted to know if anyone on the Council or anyone in the audience received one of the flyers on their door a couple of weeks ago. Apparently someone wants to start a Homeowners Association to cover the addresses on the back of the flyer, of which one of them is hers. The meeting is going to be held Thursday November 13, at 6:30 in Meadowbrook. This is the first she has heard of this. She personally is not interested in belonging to a Homeowners Association and was surprised to find out there were

several sections of Gladstone that do have Homeowners Associations and she doesn't think she needs another layer of bureaucracy. She pays real estate taxes and personal property taxes to the City of Gladstone and has for 36 years and when she moved here she was perfectly willing to abide by whatever the City Council said were the rules and regulations and she thinks that is all she needs. She doesn't know how anyone else feels about it but she is not happy.

Mayor J. Brian Hill asked Assistant City Manager Scott Wingerson to respond. Mr. Wingerson stated: Yes ma'am, he thinks what she is referring to is the City's Neighborhood Program and it differs significantly from a Homeowners Association because a Neighborhood Organization is about meeting your neighbors and working together to improve the neighborhood, but it doesn't provide the ability to assess fees or make rules on behalf of the neighborhood. It is really just an avenue to meet your neighbors and be part of the larger community. Mr. Wingerson stated he would be glad to speak with her about the details of this after the meeting.

Ms. Vanskike stated she had noticed when she got on the web this neighbor to neighbor in the Meadowbrook area and she joined that and has been talking to some of her neighbors and that is fine. She didn't know if the flyer had anything to do with that or not.

Mr. Wingerson stated he would have to see what she is talking about to be sure but he is sure they are connected. It's a tool to improve the safety of your neighborhood and make sure you know your neighbors and be part of the community. No fees, no rules, nothing like that.

Item 10. On the Agenda. Communications from the City Council.

Councilman R.D. Mallams stated he wanted to extend a thank you to Beth Houlihan and Karen Merkel who have maintained the city flower beds and the garden areas and they have made our city, especially in the entrances and in the area around Linden Square, look really great. Also, **Councilman Mallams** extended congratulations to Assistant City Manager Scott Wingerson for the Northland Neighborhoods Incorporated award for his work with strengthening neighborhoods. Good job and congratulations.

Councilmember Carol Suter stated she drove up North Oak today and SS Auto's new facility caught her eye. It looks really great and it has been a great improvement for them to move farther south and it reminded her that there is just so many new things happening right now in Gladstone and she wanted to highlight a few of them. The improvements at Meadowbrook Center which is our first community improvement district is well underway and will look so much nicer when it is finished. McDonalds on Antioch is going to be demolished and have a new facility. They were pushed back a bit by some hiccup with real estate but she saw today they were working on the sign and that is encouraging. It will come down and get rebuilt. The Perkins on North Oak has been completely remodeled and refurbished and that opened this weekend, exciting to see businesses investing. Avonlea Cottage is a new facility in the Kendallwood area and it is an independent and assisted living facility. They are going to be opening next week officially. Vision Eyecare is moving to Gladstone, they will be on Antioch Road as well for a new grand opening. Snow & Co., she talked to somebody there today, she goes by all the time to see when it will open, and they are at Linden Square. Councilmember Suter was told they hope to be open on Friday, and Halloween may be a good night to open. The Wal Mart Market, not in Gladstone, but

everybody thinks Antioch Center is in Gladstone, but it will open next week. There is a lot of great things going on, she is sure she has missed some, but it is a good time for investment in Gladstone. A few years ago there was not much activity going on during the recession. Councilmember Suter also encouraged people to think about the Future Leaders Academy, it's time to apply for our Future Leaders Academy which starts in January. Most of the councilmembers are graduates of it so it can lead to a lot of trouble but it's really a good course and is a great way to learn more about your city.

Mayor Pro Tem Bill Garnos wanted to congratulate Laura Smith on her appointment as the new City Administrator for the City of Mission, Kansas. Mayor Pro Tem Garnos thanked Director Nebergall for removing the branches, debris, and dead raccoon from the bike lanes on 76th on behalf of the cyclists in town thank you for that. **Mayor Pro Tem Garnos** noticed while riding his bike on the trails we have gotten the signage up on the Gladstone portion of the trails. It will be nice when Kansas City, Missouri, gets their signage up on their portion of the trails maybe sometime in the future. We have a sign up instructing cyclists to announce themselves and pass on the left so we can share the trails. There are signposts installed every .2 miles so people will know where they are in case there is ever an emergency and responders will know where to locate people on the trail. The Gladstone signposts are up but we will be anxiously waiting for the Kansas City Missouri ones to go up. **Mayor Pro Tem Garnos** noticed we have a sign showing where on the trail you are now leaving Gladstone and entering KCMO, which reminds him of the sign at the entrance to the Haunted Forest in Wizard of OZ. **Mayor Pro Tem Garnos** is pleased to see we are approaching substantial completion on the intersection at 76th and North Oak. We have all been very patient waiting for that to get done and it looks like we are just about there. This will be a major improvement and last but not least, GO ROYALS!

Mayor J. Brian Hill added he would like to ditto the congratulations to Assistant City Manager Scott Wingerson on his NNI award. Unfortunately, **Mayor Hill** could not be there that morning. **Mayor Hill** also mentioned a week from Friday, Saturday, and Sunday is the half price fall brush drop off at Public Works. It's a good time to get rid of all your old brushes.

Item 11. On the Agenda. Communications from the City Manager.

City Manager Kirk Davis stated Council has covered it all so he has nothing to add.

Item 12. On the Agenda. RESOLUTION R-14-75, A Resolution appointing Barry McCullough as the Insurance, Employee Benefits and Pension Benefits Consultant for the City of Gladstone, Missouri.

Councilmember Jean Moore moved approval of **RESOLUTION 14-75,** A Resolution appointing Barry McCullough as the Insurance, Employee Benefits and Pension Benefits Consultant for the City of Gladstone, Missouri. **Councilmember Carol Suter** seconded. The vote: All "aye" –Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

Item 13. On the Agenda. RESOLUTION R-14-76, A Resolution authorizing execution of a contract with Premier Picks, LLC, dba Performance Fitness Equipment, in the total amount of \$26,700.00 to purchase five treadmills.

Councilman R.D. Mallams moved approval of **RESOLUTION 14-76**, A Resolution authorizing execution of a contract with Premier Picks, LLC, dba Performance Fitness Equipment, in the total amount of \$26,700.00 to purchase five treadmills. **Mayor Pro Tem Bill Garnos** seconded. The vote: All “aye” –Councilman R. D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

Item 14. On the Agenda. APPROVAL OF MAYOR’S APPOINTMENT OF EUGENE SUTER TO THE UNIVERSITY OF MISSOURI, CLAY COUNTY EXTENSION COUNCIL, SUCH TERM TO EXPIRE FEBRUARY 28, 2016.

Councilmember Jean Moore moved approval of the **Mayors appointment of Eugene Suter to the University of Missouri, Clay County Extension Council, such term to expire February 28, 2016. Councilman R.D. Mallams seconded. Councilmember Carol Suter** stated she would be recusing herself from this vote as she is related to the appointee. The vote: “Aye” –Councilman R. D. Mallams, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (4-0).

Item 15. On the Agenda. APPROVAL OF ARVEST BANK SIGN VARIANCE 5600 North Broadway Avenue.

Building Official Alan Napoli stated Arvest Bank is requesting a variance from our sign ordinance. Primarily the sign locations, the size of the signs, and it will be permanent; it will not change. The copy face will change on a regular basis. This could be monthly or quarterly; there is no set time. It will always be the same location and same size. The variance is so they can change that copy face as they need to for their business.

Councilmember Carol Suter asked “is it just vinyl banners, not an electronic sign”. Mr. Napoli stated that is correct. **Councilmember Suter** stated vinyl banners are temporary signs in our ordinances. Mr. Napoli stated that is correct and that is where the variance comes in because it would be permanently mounted but replaced and they wouldn’t have to go through all the variances and would not have to comply with the typical, standard temporary sign requirements as to permitting how long and that type of thing. **Councilmember Suter** stated so this is really just to ask us to make permanent a temporary sign. Mr. Napoli stated that is correct. **Councilmember Jean Moore** asked Mr. Napoli: the way she understood from the drawings in the packet is that the face of the sign would be flush against the building so it’s not like it is waving in the breeze. Mr. Napoli stated that is correct and it would have a slight angle at the top and a little further out than the bottom and will be just off of the building, not right against the building, and it won’t be where it flaps around. **Mayor J. Brian Hill** asked Mr. Napoli if this was any different than a billboard that changes. Mr. Napoli stated in concept probably not, but it will be more artistically done, a nicer style sign, not as large as a billboard, these are actually 48 square feet which is smaller than our typical permanent signs would be on a building. **Councilmember Moore** asked Mr. Napoli if we have this any place else in the City. Mr. Napoli

stated this would be the first of its kind with this type of variance. **Councilman R.D. Mallams** moved to approve the sign variance for Arvest Bank. **Mayor Pro Tem Bill Garnos** seconded.

Mayor J. Brian Hill asked City Counselor Randall Thompson if this was a resolution. Counselor Thompson deferred to Assistant City Manager Scott Wingerson who stated it's simply a motion approving, or, the motion that you have is the action necessary; simply a motion to approve and a vote. **Councilmember Carol Suter** stated a sign ordinance variance comes directly to City Council, it doesn't go anywhere else? Assistant City Manager Wingerson stated yes ma'am. There is no recommending body and as a side note staff doesn't make a recommendation on these because it's a matter of policy of the Council and we will implement your desires moving forward for future applicants. **Councilmember Suter** stated she really likes Arvest Bank, she thinks they are fabulous people and they have done a lot of great things for the community already and she is a customer. **Councilmember Suter** stated she is not at all in favor of making temporary signs permanent. **Councilmember Suter** thinks it sets a really bad precedent and we will start getting a lot of people who want to have inexpensive signage put up and made permanent. All the time she has been on Council one of the continuing issues that some people have really focused on has been how hard it is to keep enforcing the limits on temporary signage to keep it within its permitted time frames because we don't like temporary signs because they don't look good. **Councilmember Suter** is really surprised they would want to do this in the modern era. People have plasma signs, electronic signs, that's a permanent installation, it changes regularly, but to have just many billboards on your building, she does not understand why they want to do it and is not in favor of making something that is temporary permanent. We will have a lot of people who will want to do it.

Mayor J. Brian Hill stated his two cents he agrees with **Councilmember Suter**. We have a sign ordinance and it sounds like what they want to do could be done within the sign ordinance with a permanent electronic sign of some type and he thinks that what is being proposed sounds like it is just cheap and doesn't add to the area or the appearance of the building. **Mayor Hill** stated he would be voting against it.

Councilmember Jean Moore asked Mr. Napoli if this was just one sign; she is looking at the picture again. Mr. Napoli stated there are three locations of the sign; one on the South, one on the East, and one on the North. **Councilmember Moore** asked Mayor Hill if this should be delayed. **Mayor Hill** asked if he needed a motion to be delayed, or to defer. **Councilmember Carol Suter** stated do we just vote it down? Then they would have to ask for a summary consideration, new idea? Counselor Thompson stated we can certainly table it if there is some further issue that we need to investigate as staff, but otherwise, he didn't know if that is the case. **Mayor Hill** stated he is uncomfortable in proceeding on this basis with approving something that, we are talking three signs at the entry to the city along Englewood Road without more information and without more definition. **Mayor Hill** asked if there was any other discussion. **Councilmember Moore** stated if there were some way they could even see or go someplace else and see what this looks like; the picture looks fine, it doesn't look offensive, but a picture and the way it would be actually could be two different things so she is uncomfortable currently where we stand without more data.

Mayor J. Brian Hill called for the vote. **Councilman R.D. Mallams** stated he has a question to Alan Napoli and stated if other businesses wanted to have a similar sign and it would create a variance in the ordinance, would they come before the City Council just like Arvest Bank so we could look at the quality and the design of the signs or are we opening up a precedent here that other businesses would be able to have signs like this without coming before City Council. Mr. Napoli stated in the future anybody else that would want to do something like this would have to request a variance and it would come before the City Council for approval. **Councilman Mallams** stated so we would have some control over what the sign would look like. Mr. Napoli stated that is correct. **Mayor Hill** stated once it is approved, then they can change the sign out and the Council has no further approval. Mr. Napoli stated for Arvest Bank it would be approved for any changed signs but for any other business that wanted to do it would have to apply for a variance and come forward. **Mayor Hill** stated when they did that, and they could show us the initial sign they were going to put up, they could change it out and the Council would have no control over the future sign that would be located in that spot. Mr. Napoli stated as to the print they wouldn't but as to the size and quality of the sign we would have some control over it because it was approved as what they had recommended. The actual print that may be on there, no we would not; it would vary to whatever they would use for their bank services. **Mayor Hill** stated we could have pawn shops that were advertising their interest rates and they could change the sign out daily, and there wouldn't be anything the Council could do once they approved they could use that space for signage. Mr. Napoli stated that is correct. **Councilmember Carol Suter** stated that is why we don't want to make temporary signs permanent. This is the whole point of the ordinance. City Manager Kirk Davis stated he thinks they are, by this action, establishing some policy. Granted the rest of them have to come back to the Council but all they have to say is you approved Arvest Bank for a very similar facility. **Councilman R. D. Mallams** stated he doesn't know procedurally but he would withdraw his motion if that is the process. **Mayor Hill** stated he didn't think they could do that because there is a second and he thinks they need to go ahead and vote on it accordingly.

The vote: "Aye" – Mayor Pro Tem Bill Garnos. Nay – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor J. Brian Hill. (1-4).

Item 16. On the Agenda. PUBLIC HEARING on a request for a Special Use Permit renewal at 5308 North Wyandotte. Applicant/Owner: Randolph W. and Celia L. Webb.

Mayor J. Brian Hill opened the Public Hearing at 8:20 pm.

Chris Helmer stated: *Good evening Mr. Mayor and Council. Very quickly this applicant is not new to this process. You will see that the applicant was back before the commission and Council in 2009 and prior to that approval was operating under an initial one year permit duration. At this current time there has been no apparent issues reported to the city on this operation. You will see that on the 21st of October the commission did unanimously vote in favor of this application. That being under the recommendation of a ten year permit renewal. That has been staff's recommendation for this permit renewal and would suggest that the Council consider the ten year permit renewal as well.*

Mayor J. Brian Hill asked if there were any questions from staff and if the applicant wished to speak. There were no comments. Mayor Hill asked if there was anyone who desired to address the Council in favor of the application. There were no comments. Mayor Hill asked if there was anyone who desired to address the Council in opposition of the application. There were no comments. **Mayor Hill** asked if there was any discussion on behalf of the Council. There were no comments.

Mayor Hill closed the public hearing at 8:22 pm.

Item 17. On the Agenda. FIRST READING BILL NO. 14-33 An Ordinance granting a Special Use Permit subject to certain conditions to Celia Webb for operation of a beauty salon on property at 5308 North Wyandotte Street.

Mayor Pro Tem Bill Garnos moved **Bill No. 14-33** be placed on its First Reading. **Councilmember Carol Suter** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0). The Clerk read the Bill.

Mayor Pro Tem Bill Garnos moved to accept the First Reading of **Bill No. 14-33**, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Carol Suter** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0). The Clerk read the Bill.

Mayor Pro Tem Bill Garnos moved to accept the Second and Final Reading of **Bill No. 14-33**, and enact the Bill as **Ordinance 4.288**. **Councilmember Carol Suter** seconded. The vote: All “aye” – Councilman R.D. Mallams, Councilmember Jean Moore, Councilmember Carol Suter, Mayor Pro Tem Bill Garnos and Mayor J. Brian Hill. (5-0).

Item 18. On the Agenda. Other Business.

There was no other business to come before the Council.

Item 19. On the Agenda. Questions from the News Media.

There were no questions from the news media.

Item 20. On the Agenda. Adjournment.

Mayor J. Brian Hill adjourned the meeting at 8:25 PM.

Respectfully submitted:

Ruth E. Bocchino, City Clerk

Approved as submitted: ____

Approved as corrected/amended: ____

Mayor J. Brian Hill