



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, JUNE 26, 2017**

PRESENT: Mayor Pro Tem Bill Garnos
Councilmember Carol Suter
Councilmember Jean Moore
Councilman Kyle Yarber

City Manager Scott Wingerson
Assistant City Manager Bob Baer
City Counselor Chris Williams
City Clerk Ruth Bocchino

ABSENT: Mayor R.D. Mallams

Item 2. On the Agenda. ROLL CALL.

Mayor Pro Tem Garnos opened the Regular City Council Meeting Monday, June 26, 2017, at 7:40 PM in the Gladstone City Council Chambers. All Councilmembers were present with the exception of Mayor Mallams.

Item 3. On the Agenda. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

Mayor Pro Tem Garnos stated: *"Please stand and join me in the Pledge of Allegiance to the Flag of the United States of America."* Colors were posted by the VFW, Post 10906, Charlie Cram, Carla Gleaton, Bill Sofka, and Joe Liles.

Item 4. On the Agenda. Approval of Agenda.

The agenda was approved as presented.

Item No. 5. On the Agenda. Approval of the Closed June 12, 2017, City Council Meeting Minutes.

Councilmember Moore moved to approve the minutes of the June 12, 2017, Closed City Council meeting as presented. **Councilmember Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

Item No. 6. On the Agenda. Approval of Regular June 12, 2017, City Council Meeting Minutes.

Councilmember Suter moved to approve the minutes of the June 12, 2017, Regular City Council meeting as presented. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

Item No. 7. On the Agenda. **PROCLAMATION:** National Parks and Recreation Month

Mayor Pro Tem Garnos read the Proclamation.

Item No. 8. On the Agenda. **PROCLAMATION:** Atkins-Johnson Farm Best Friends Recognition (2)

Mayor Pro Tem Garnos read the Proclamations and presented the Proclamations to Bud and Marilyn Ahnefeld and Melinda Mehaffy.

Item No. 9. On the Agenda. **CONSENT AGENDA.**

Following the Clerk’s reading, **Councilmember Suter** moved to approve the Consent Agenda as published. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

Councilmember Suter moved approval of **RESOLUTION R-17-24** A Resolution revising the Combined Waterworks & Sewerage System (CWSS) FY17 Midyear Budget for the City of Gladstone, Missouri, and authorizing expenditures of funds. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

Councilmember Suter moved approval of **RESOLUTION R-17-25** A Resolution authorizing acceptance of work under contract with Blue Nile contractors, Incorporated, for the 2015 sewer cleaning and televising project, and authorizing final payment in the amount of \$7,817.61 for Project SP1589. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

REGULAR AGENDA.

Item No. 10. On the Agenda. Communications from the audience.

Christy Nichols approached Council and stated: *“My name is Christy Nichols and I’m here for my daughter. She made me come tonight. I live at 7203 North Harrison in Gladstone. I’m here in regard to the dangerous dog regulation that you have here in Gladstone. I recently ran into an*

issue that my veterinarian from the SPCA had listed my dog as a boxer mix. Whenever my daughter and I were, we decided to go to the Gladstone Clinic when we moved here to get our rabies vaccinations. The receptionist, by admission of the veterinarian, wrote down pit bull mix. So, because it said pit bull mix on the paperwork, when we came to the city they said that it was a dangerous dog. I went back to the vet and I talked to animal control and they both, of course the vet wouldn't change the paperwork, and then animal control, I had to take out \$300,000.00 worth of insurance, you guys know your law. So now I am carrying all this insurance and paying these fees, I have to have signage up and all this based on a 16 year old's documentation vs. a veterinarian. The other day, because it is time for the update, I talked to animal control and if I don't have the dog registered again within three days I'm going to be fined \$300.00 and the dog can be taken away and impounded. Now I have had two vet assessments calling the dog a boxer mix. I've had a DNA test calling it a boxer mix. But because there is no specifics in any of your regulations of how you really even define what a mix is, how much of a percentage, I mean are every mixed dogs having a DNA test, it doesn't make any sense. I have to pay all this expense, I have to have these signs, I have a risk of going to jail, coming before the judge, all of this; for a 16 year old writing down on a piece of paper what she presumed my dog to be vs. two veterinarians assessments. So I think that it is time that these, I have all kinds of research and documentation; 130 breeds of dogs had worse temperament than the pit bull and yet the pit bull, which my dog has not been labeled as, is the only one that you ban. So, I don't know what can be done about that. I would like for the Council to, I feel like these animals are guilty until proven innocent. I teach my daughter about equality for all people and then we automatically assume that this animal is guilty instead of looking at the people who are raising these animals. If an animal is a bad dog, why are the people not being restricted? My dog shouldn't have to be impounded because of poor laws."

Mayor Pro Tem Garnos stated: "Thank you, Christy. I appreciate your comments. I think we had one other person mention to City Council a need to maybe take a look at our breed specific ordinances and I haven't actually thought about a situation where you have a mixed breed and the definition there so I know that is something we are interested in probably taking a look at."

Ms. Nichols stated: "I do have a lot of research that only 25% of dogs that are listed as mixed are actually the primary species or breed that they claim it to be. There's an article, actually in 2009, Kansas City, Kansas, they had a BSL Ban, Breed Specific Legislation, they took a dog for eight months and the family fought back and it turns out the dog was a boxer mix like what they were saying, and then they sued Kansas City, Kansas, and they won \$1.2 million dollars. Kansas City Star wrote an article in 2014, November 2014, about BSL being ridiculous, and there is no research to support it. I feel like Gladstone is trying to make so many improvements in where we are going, we are back here in like the 1890's when we were restricting people's rights and it doesn't make any sense to me if we want to be progressive as a city."

Mayor Pro Tem Garnos stated: "I think we all support dangerous dog legislation, but the breed specific statutes got put in place a lot of places, when that started being a problem, it probably does need to be revisited."

Ms. Nichols stated: "That's also more blame to the media, just like today, we attack, it seems like every couple of years, we attack a different group of people. I have a collie as well. My

collie's temperament, according to the American Kennel Society, they have a 50% temperament passing their test. My dog, if it were a pit bull, has a 98.2% out of all of the dog breeds printed out. My collie is more dangerous than my, if it were, a pit bull. Thank you."

Mayor Pro Tem Garnos stated: "Maybe we can look at it at a future study session, Mr. City Manager."

City Manager Scott Wingerson stated: "We'd love to have a copy of Ms. Nichols' research. That will help us and we will be glad to review it. I'm not sure we can get it done in three days, so whatever it takes for your dog this year..."

Ms. Nichols stated: "OK, do you want me to email, I have a lot of notes here."

City Manager Wingerson gave Ms. Nichols his contact information and **Mayor Pro Tem Garnos** thanked Ms. Nichols for bringing the issue to their attention.

There was no one else to speak.

Item No. 11. On the Agenda. Communications from the City Council.

Councilman Yarber stated: "First I'd like to thank Ms. Nichols for bringing up this issue. This was an issue that I had heard about from other residents so I'm glad that it is being brought before us so we can reexamine those laws. The weekend before last, we had some interesting weather move through the area. I want to tip my hat to Public Works who got busy. We had six streets that were blocked. They got them opened up again and well over 1000 people dropped off brush. Hats off to Public Works. We had a little bit of a Public Safety issue about a week ago and a lot of other departments came so certainly we are very happy and very fortunate to have support of surrounding Police Departments like Riverside, North Kansas City, Clay County Sheriff's Department, the State Highway Patrol, and of course Kansas City. Certainly hats off to our own Public Safety Department who do a fantastic job and we are very proud of the job they do. Speaking of Public Safety, welcome to our newest Paramedic/Firefighter Kyle Kordenbrock."

Councilmember Suter stated: "I echo the KUDOS to all the staff and all of our departments who worked so many hours to recover from the weather. It was really encouraging to see how quickly our part of the Northland recovered. I know folks in other parts of the Northland were struggling for a much longer time to get things picked up and cleaned up. I just wanted to thank this body also for the Resolution that we passed and forwarded to the Department of Transportation to MODOT on the Buck O'Neil Broadway Bridge. We were aiming as a region to having a big, major input to the Commission when it met in St. Joseph a couple of weeks ago and we accomplished that. They normally get about an average of four to seven comments anytime they are open for project comments and they heard from 147 different entities in the Kansas City region, mostly in the Northland. It was very helpful and the Commission was duly impressed and is taking a second look at the options that they might have. They are actually kind of getting creative on their own part on some options that they might have to address so we are going to keep working at it. We will be at their heels all the way through the summer here. They have to

make a decision by August about what they are going to do around the \$50,000,000.00 that they allocated for refurbishing. Thank you for the input that we had; it really was helpful."

Councilmember Moore stated: *"Thank you. I want to echo again KUDOS to all the departments; Public Works, Public Safety, the Parks Department and all the staff who worked so hard during the storm damage. It's always a real source of pride for me to see how this community comes together with neighbors helping each other in terms of incidents like this and also a huge source of pride that the city rushes to accommodate our residents by leaving Public Works open even through last weekend. I know that takes a lot of effort and a lot of extra hours of staff and it is certainly meaningful to the residents of this community and I think it shows what great pride we have in our city."*

Mayor Pro Tem Garnos stated: *"Thank you. I echo those sentiments. I also was one of the Gladstone residents who got to spend Father's Day cleaning up branches and playing lumberjack in the yard. Our first responders, Public Works, Parks and Rec, everybody did a phenomenal job making sure people were safe, getting the roads back open, making sure the power got back on. I also wanted to thank the residents of Gladstone as Councilmember Moore mentioned, everybody just jumps in and gets the work done. In my neighborhood, you heard a lot of chain saws and you really didn't hear an awful lot of complaining. I think that is one of the things that makes Gladstone special. I do feel like I was cheated out of getting pampered for Father's Day, and certainly didn't feel like I'd been pampered when I woke up the next morning and couldn't move from my lumberjacking work."*

Item No. 12. On the Agenda. Communications from the City Manager.

City Manager Wingerson stated: *"Mayor, thank you. Just to follow up on the storm and the police incident. In terms of the storm, very, very proud of our response. The Gladstone Emergency Management Agency stepped up. They were out all night until 3:00 and 4:00 in the morning. Those are volunteers who just spend their time to help other people. It's amazing. Emergency Management was great, Public Works response was great, and Parks was super effective especially helping the Community Center kind of limp along. Two stories about this storm that sort of talk to the leadership of this community. These stories I'm about to tell, I want to stress, really pale in comparison to the littler stories that happened over and over and over again over the week. The first story is, I called Director Nebergall sometime after the storm had passed. He was at a family event and committed to drive all night to be back in Gladstone to serve his community. So Tim drove all night. That is one thing, right? So we were in conversations most of the night. He got up the next morning and opened the brush disposal facility at 8:00 am and checked ID's until about 2:00 in the afternoon. Thanks to Tim and everybody in Public Works. Second story, I think it was either Tuesday or Wednesday, we got a call from a single, widowed, elderly resident who wanted curbside pick-up or we explained our policy is not to curbside pick-up, the brush disposal is open, etc. Somehow Bob Baer and Sean Daugherty got a hold of that, grabbed their pick-up truck, picked up the limbs and took them out to Public Works. Thank you to both of them for taking action to help a single resident. Again those are just two stories from leadership but they represent what was going on thirteen, fourteen, fifteen hours a day every day last week. Super thankful for that. In terms of the police incident, also very proud of our Public Safety Department on how they managed and handled*

that. Special thanks to the City of North Kansas City, the Clay County Sheriff, and Riverside who supported that activity. Two weeks ago there was a Study Session presented by the Kansas City Area Transportation Authority. Mayor Pro Tem Garnos had some questions about the benches. That contract is on your agenda later tonight. I just wanted to clarify what is included in that contract. First, maintenance of last year's bench installation which is at 67th and North Oak in front of the Foot Doctor. It's a pad, a bench, solid waste, and recycling container. The maintenance for that. In the 2018 contract that is on your agenda, are two new benches. Pad, bench, solid waste, and recycling. The standard prototype. The goal is to place it in that intersection at 64th and M1, we are not exactly sure if it will be Northbound or Southbound, North side or South side of that intersection, somewhere in there with the advice and consent of KCATA. The second one, we will work with KCATA to figure out the best location based on ridership statistics. I wanted to clarify that from last time. Friday, June 30, Cherry Bomb is at Linden Square at 7:00 pm, very exciting. On Tuesday night, from 7:00 to 11:00 pm, the Independence Day celebration in Oak Grove Park. We have lots of fun events scheduled for that night. Thank you."

Item No. 13. On the Agenda. FIRST READING BILL NO. 17-14 An Ordinance directing the City Manager and Director of Public Safety to execute a Cooperative Agreement with the North Kansas City School district No. 74 for providing a School Resource Officer at Antioch Middle School including an annex to the agreement specifically addressing law enforcement handling of third degree assaults on school property, including a school bus in service on behalf of the District, or while involved in school activities.

Councilmember Moore moved Bill No. 17-14 be placed on its First Reading. **Councilmember Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember Moore moved to accept the First Reading of Bill No. 17-14, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember Moore moved to accept the Second and Final Reading of Bill No. 17-14, and enact the Bill as **Ordinance 4.389**. **Councilmember Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

Item No. 14. On the Agenda. FIRST READING BILL NO. 17-15 An Ordinance authorizing the City Manager to execute agreements between the City of Gladstone, Missouri, and the Kansas City Area Transportation Authority to provide public transportation and property management services for the period of July 1, 2017 through June 30, 2018.

Councilmember Suter moved Bill No. 17-15 be placed on its First Reading. **Councilmember Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember Suter moved to accept the First Reading of Bill No. 17-15, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0). The Clerk read the Bill.

Councilmember Suter moved to accept the Second and Final Reading of Bill No. 17-15, and enact the Bill as **Ordinance 4.390**. **Councilmember Moore** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

Item No. 15. On the Agenda. APPROVAL OF OUTDOOR SPECIAL EVENTS

- 4th of July Festivities: Tuesday, July 4, 2017, 5:00-11:00 pm, Oak Grove Park
- Theater in the Park: Friday July 7, Saturday July 8, Sunday July 9, Friday August 4, Saturday August 5, and Sunday August 6, 2017, from 5:00-11:00 pm, Oak Grove Park

Councilmember Moore moved for approval of the Outdoor Special Events. **Councilmember Suter** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Councilmember Carol Suter, and Mayor Pro Tem Bill Garnos. (4-0)

Item No. 16. On the Agenda. Other Business.


There was no other business to come before the Council.


Item No. 17. On the Agenda. Questions from the news media.

There were no questions from the news media.

Item No. 18. On the Agenda. Adjournment. **Mayor Pro Tem Garnos** adjourned the Regular City Council meeting at 8:12 pm.

Respectfully submitted:


Ruth E. Bocchino, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____


Mayor Pro Tem Bill Garnos