



**MINUTES
CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, DECEMBER 12, 2011**

**ADJOURNMENT TO CLOSED EXECUTIVE SESSION
5:15 PM**

Mayor Barry McCullough opened the City Council Meeting to adjourn to a Closed Executive Session on December 12, 2011, at 5:15 PM. Mayor 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. Councilmember Jean Moore seconded.

Roll Call Vote: All “aye” – Councilman Bill Garnos, Councilmember Jean Moore, and Mayor Barry McCullough. (3-0).

Mayor Pro Tem Carol Suter and Councilman Brian Hill were also present at the Closed Executive Session.

Mayor Barry McCullough adjourned the Closed Executive Session.

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

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

Assistant City Manager Scott Wingerson
City Counselor Randall Thompson
City Clerk Cathy Swenson

ABSENT: City Manager Kirk Davis

Item 2. on the Agenda. ROLL CALL.

Mayor Barry McCullough opened the Regular December 12, 2011, City Council Meeting at 7:30 PM in the Gladstone City Council Chambers, and noted that all Council members were present.

Item 3. on the Agenda. PLEDGE OF ALLEGIANCE.

Mayor Barry McCullough led the Pledge of Allegiance, in which all joined.

Item 4. on the Agenda. APPROVAL OF THE REGULAR NOVEMBER 28, 2011, CITY COUNCIL MEETING MINUTES.

Councilman Brian Hill moved to approve the **REGULAR NOVEMBER 28, 2011, CITY COUNCIL MEETING MINUTES** as presented. Mayor Pro Tem Carol Suter seconded.

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

Item 5. on the Agenda. CONSENT AGENDA

Following the Clerk’s reading, Mayor Pro Tem Carol Suter moved to accept the Consent Agenda as presented. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-96**, authorizing acceptance of work under contract with Linaweaver Construction, Incorporated, for the Atkins-Johnson Farm Infrastructure; and authorizing final payment in the amount of \$60,171.13. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-97**, authorizing Change Order No. 3 in the amount of \$22,741.96 to the contract with Amino Brothers Company, Incorporated, for the 70th Terrace and Walnut Street Improvements Project. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-98**, authorizing an agreement between the City of Gladstone and Brungardt Honomichl & Company, PA for consulting services in the amount of \$16,900.00 relating to the Mill Creek Stormwater Improvements. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter 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 February 18, 2012. Hours: 7:30 PM – 11:30 PM. Managing Officer: Lori Creek. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Mayor Pro Tem Carol Suter moved to approve a **WINE TASTING LIQUOR LICENSE** for CVS/Pharmacy #5698; 7107 North Oak Trafficway. Managing Officer: Lorene Samson. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter and Mayor Barry McCullough. (5-0)

Item 6. on the Agenda. COMMUNICATIONS FROM THE AUDIENCE.

Former Councilman Mike Reinsch, 614 Gould, Village of the Oaks, said he would like to applaud the City Council and the City staff for their outstanding job during the reconstruction of North Broadway. That is a project that has been needed to be done for a long time, and as a vested person, and an adjoining landowner, it was done with minimal impact to the landowner. Mr. Reinsch said his whole family is super happy with the project.

Mr. Reinsch said he also wished to applaud the City Council and staff on two other projects with which he had a personal interest, which are 70th Terrace and North Walnut, and Northeast 67th Street. Both of those projects needed to be done, and working with the City staff, especially Tim Nebergall (Public Works Director), was very easy. Mr. Nebergall addressed all concerns, and it was super working with the City staff. Mr. Reinsch said he could not ask for a better Council in lean times. The City Council really stretched the dollars and got some very important projects done, and the City worked great with everyone.

Mayor McCullough thanked Mr. Reinsch, and said his comments were good to hear.

Mayor Pro Tem Suter agreed with Mayor McCullough.

Item 7. on the Agenda. COMMUNICATIONS FROM THE CITY COUNCIL.

Councilman Bill Garnos had no comments at this time.

Councilman Brian Hill reminded everyone of the ribbon cutting tomorrow morning in connection with a project that was just mentioned on North Broadway. Councilman Hill invited everyone to attend, and said this was a tremendous project.

Councilmember Jean Moore said she had the distinct privilege of overhearing conversations this evening in the City offices by volunteer Santas calling children in Gladstone, who had made a special request to be called by Santa. Councilmember Moore said she wished that everyone could hear these volunteers, because the men on the phones are bringing lots of joy to lots of

little kids. This is a wonderful program through the Parks and Recreation Department. Councilmember Moore thanked Parks and Recreation Director Sheila Lillis, and said if we could just see the little faces on the other end of the phone, it would surely make us all feel the Christmas spirit.

Mayor Pro Tem Carol Suter stated she had a question about the controlled burn & if and when it will be held. Mayor Pro Tem Suter said she would like to see it, but it appears that the weather just keeps confounding us.

Parks and Recreation Director Sheila Lillis said it was hoped to conduct the burn the end of this week, but with the inclement weather coming in, we will need to wait. Staff is not giving up; the burn permit runs through the end of this year. If it cannot be done this year, staff will conduct a spring burn. The dry fall really impacted the effort this year, but the crews are ready to go, once the weather cooperates.

Mayor Pro Tem Suter asked if the burn would remove the trees that have grown up on the site.

Director Lillis said the burn would take the smaller trees but not the larger ones, but what it will do is allow staff to manage what is in the bottom of the area. Director Lillis said as soon as a date is set, that information will be passed on to the City Council.

Mayor Barry McCullough announced that the North Broadway ribbon cutting ceremony would be held tomorrow morning at 10:00 AM, and folks would be meeting at 76th and North Broadway for this event. Mayor McCullough said the weather may be a challenge, but he hoped everyone would be able to attend.

Mayor McCullough asked for a moment of silence in recognition of the passing of former Mayor Paul Degenhardt. Mayor McCullough stated that unfortunately, Paul passed away on Saturday. Mayor McCullough, on behalf of the City Council and staff, offered condolences to Paul's wife, Paula, and the entire Degenhardt family. Mayor McCullough stated that Mr. Degenhardt was very formative in making sure that Gladstone was a success, and an awfully lot that we take for granted is a result of Paul's efforts. Mr. Degenhardt was a part of the team who transitioned into our current form of government back in the 1960s, and was a very important person in Gladstone's history. Visitation will be Wednesday, from 5:00 to 8:00 PM at White Chapel Funeral Home, and the funeral services will be at 2:00 PM on Thursday, at White Chapel Funeral Home. Mayor McCullough said that Paul was very important to Gladstone, and we appreciate all that he did, and he will be greatly missed.

Item 7a. on the Agenda. BOARD AND COMMISSION APPOINTMENTS.

Mayor McCullough read the list of proposed Board and Commission appointments as follows:

PLANNING COMMISSION

TERM EXPIRATION

Reappointment
Reappointment

Mary Abbott
Mike Steffens

December 2015
December 2015

Reappointment Larry Whitton December 2015

CAPITAL IMPROVEMENTS PROGRAM

Reappointment Sharon Euler December 2014
Reappointment Pete Hall December 2014
Reappointment Beverly Johnson December 2014

BOARD OF ZONING ADJUSTMENT

Reappointment Daniel Young December 2016
New Appointment Dave Holley December 2013

CODE BOARD OF APPEALS

Reappointment Kathy Timmerman December 2014

GLADSTONE INDUSTRIAL DEVELOPMENT AUTHORITY

Reappointment Tim Presko December 2017

PARKS AND RECREATION ADVISORY BOARD

Reappointment Teresa Farley December 2014
Reappointment Donald Harper December 2014
Reappointment Scott Peper December 2014

ENVIRONMENTAL MANAGEMENT ADVISORY COMMITTEE

Reappointment Jim Butler Jr. December 2014
Reappointment Donna Eisenbarth December 2014
New Appointment Joshua Lary December 2013

TAX INCREMENT FINANCING (TIF)

Reappointment Dave Stanley December 2015
New Appointment Shari Poindexter December 2014

ARTS COMMISSION

Reappointment Ceresa Jackson December 2014
Reappointment Chris Yannitelli December 2014

THEATRE IN THE PARK

Reappointment Michelle Coon December 2013

Reappointment Lenette Johnson December 2013

NEIGHBORHOOD COMMISSION

Reappointment Charles Dobbs December 2014
Reappointment Chris Spurgeon December 2014

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

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

Assistant City Manager Scott Wingerson began by saying that City Manager Kirk Davis sends his regrets. He is traveling with his lovely wife to the City of New York, and we all know how much he deserves this trip. City Manager Davis will be back for the first meeting next year. Mr. Wingerson said there would not be a second City Council meeting in December, and offered Happy Holidays to everyone. City Hall will be closed on December 26, 2011, and January 2, 2012, in observance of the holidays.

Item 9. on the Agenda. **PUBLIC HEARING:** for consideration of a Special Use Permit subject to certain conditions to Angela Stone for operation of a child care facility on property at 7204 Northeast Rosewood Drive. Owner/Applicant: Angela Stone. File No. 1363.

Mayor Barry McCullough opened the Public Hearing, and stated that first, there would be a staff report, followed by any comments the applicant would like to share, and finally, comments from anyone in favor or in opposition to the application.

Staff Report

Planning Specialist Chris Helmer began by saying the request before the City Council is for a renewal. The applicant goes back with the City for quite some time – about 20+ years – dating back to about 1991. The ten-year renewal that was granted in 2001 is expiring, and staff is recommending that the City Council consider an additional 10-year permit renewal. At the Planning Commission’s November 21, 2011, Public Hearing, the Planning Commission did vote in favor of that recommendation, and asks that the City Council consider approval of a 10-year renewal.

There were no comments from the Applicant.

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

Mayor Barry McCullough closed the Public Hearing.

Item 10. on the Agenda. **FIRST READING BILL NO. 11-29**, granting a Special Use Permit subject to certain conditions to Angela Stone for operation of a child care facility on property at 7204 Northeast Rosewood Drive. Owner/Applicant: Angela Stone. File No. 1363. Councilman Brian Hill moved to place **Bill 11-29** on its First Reading. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the First Reading of **Bill 11-29**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilman Brian Hill moved to accept the Second and Final Reading of **Bill 11-29**, and to enact the Bill as **Ordinance 4.201**. Councilmember Jean Moore seconded.

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

Item 11. on the Agenda. **FIRST READING BILL NO. 11-30**, approving the Final Plat of Woodlands II Office Condominium, commonly known as 2900 Northeast Brooktree Lane, in the County of Clay, City of Gladstone, Missouri, and directing the appropriate officials to affix their signatures to said Plat for recording. Owner/Applicant: 2900 BC, L.L.C. File #1365.

Mayor Pro Tem Carol Suter moved to place **Bill 11-30** on its First Reading. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the First Reading of **Bill 11-30**, Waive the Rule and place the Bill on its Second and Final Reading. Councilmember Jean Moore seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Mayor Pro Tem Carol Suter moved to accept the Second and Final Reading of **Bill 11-30**, and to enact the Bill as **Ordinance 4.202**. Councilmember Jean Moore seconded.

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

Item 12. on the Agenda. **FIRST READING BILL NO. 11-31**, authorizing the City Manager to execute an agreement with the Missouri Highways and Transportation Commission for federal funds in the amount of \$600,000.00 relating to the North Oak Trafficway and Northeast 76th Street Intersection Upgrades Federal Project #CMAQ-3323(406).

Councilmember Jean Moore moved to place **Bill 11-31** on its First Reading. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the First Reading of **Bill 11-31**, Waive the Rule and place the Bill on its Second and Final Reading. Councilman Brian Hill seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0). The Clerk read the Bill.

Councilmember Jean Moore moved to accept the Second and Final Reading of **Bill 11-31**, and to enact the Bill as **Ordinance 4.203**. Councilman Brian Hill seconded.

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

Item 13. on the Agenda. **RESOLUTION R-11-99**, authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$118,850.00 for the Village Center Amenities – Phase 2 Design Development and Construction Documents Project.

Mayor Pro Tem Carol Suter moved to adopt **RESOLUTION R-11-99**, authorizing execution of a professional architectural service agreement with Brian Clark & Associates, Inc. in an amount not to exceed \$118,850.00 for the Village Center Amenities – Phase 2 Design Development and Construction Documents Project. Councilman Brian Hill seconded.

Councilman Bill Garnos said he would be abstaining from the vote on this issue, as he did on the previously considered original agreement, as he has done business with one of the firms involved with this team.

Mayor Pro Tem Suter said this is another wonderful example of how we are able to stretch the dollar, and even in lean times, we are able to add amenities to the community, and build for the future development of our downtown center. This is an exciting project.

The vote: “Aye” – Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. “Abstain” - Councilman Bill Garnos. (4-0-1).

Item 14. on the Agenda. **RESOLUTION R-11-100**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2011-2012.

Councilmember Jean Moore moved to adopt **RESOLUTION R-11-100**, adopting a Mission Statement and Goals for the City of Gladstone, Missouri for 2011-2012. Mayor Pro Tem Carol Suter seconded. The vote: All “aye” – Councilman Bill Garnos, Councilman Brian Hill, Councilmember Jean Moore, Mayor Pro Tem Carol Suter, and Mayor Barry McCullough. (5-0).

Item 15. on the Agenda. OTHER BUSINESS.

There was no other business.

Item 16. on the Agenda. QUESTIONS FROM THE NEWS MEDIA.

There were no questions from the media.

Mayor McCullough thanked the news media representative for being present this evening.

Item 17. on the Agenda. ADJOURNMENT.

There being no further business to come before the December 12, 2011, Gladstone Regular City Council Meeting, Mayor Barry McCullough adjourned the meeting, and offered everyone a Merry Christmas!

Respectfully submitted:

Cathy Swenson, City Clerk

Approved as submitted: ____
Approved as corrected/amended: ____

Mayor Barry McCullough