



**MINUTES  
REGULAR CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
MONDAY, JULY 27, 2015**

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

City Manager Kirk Davis  
Assistant City Manager Scott Wingerson  
Interim Legal Attorney Chris Williams  
City Clerk Ruth Bocchino

**Item 2. On the Agenda.      ROLL CALL.**

**Mayor Bill Garnos** opened the Regular City Council Meeting Monday, July 27, 2015, at 7:30 PM in the Gladstone City Council Chambers. Upon Roll Call by the City Clerk, all Councilmembers were present.

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

**Mayor Bill Garnos** asked everyone to please rise and join in the pledge of allegiance, and thanked VFW Post 10906 for presenting the colors.

**Item 4. On the Agenda.** Approval of the June 22, 2015, Regular City Council Meeting Minutes.

**Councilmember Carol Suter** moved to accept the minutes of the June 22, 2015, Regular City Council meeting as presented. **Mayor Pro Tem Jean Moore** seconded. The Vote: All "aye" – Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

**Item 5. On the Agenda. PROCLAMATION:** Recognizing Retirement of Carol Kent from the Gladstone Parks and Recreation Department.

**Mayor Bill Garnos** invited Carol Kent to the podium and read the proclamation.

Ms. Kent stated *"All I want to do is say thank you; it's been fun, probably the best summer job ever. So, it has been fun and I'll still continue to do some of the volunteer work. I'm not going into retirement. Thank you very much."*

**Item 6. On the Agenda. PROCLAMATION:** Recognizing Richard and Kathy King, Best Friends Award, Friends of the Atkins-Johnson Farm.

**Mayor Bill Garnos** invited Richard and Kathy King to the podium and read the proclamation.

**Item 7. On the Agenda. CONSENT AGENDA.**

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

**Councilmember R.D. Mallams** moved approval of **RESOLUTION R-15-46** A Resolution authorizing the City Manager to execute a contract with Superior Bowen Asphalt Company, LLC, in the total amount not to exceed \$411,471.20 for the 2015 Mill and Overlay Program; Project TP1606. **Councilmember J. Brian Hill** seconded. The Vote: All "aye" – Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

**Councilmember R.D. Mallams** moved approval of **RESOLUTION R-15-47** A Resolution authorizing the City Manager to execute a contract with Vance Brothers, Incorporated, in the total amount not to exceed \$148,235.61 for the 2015 Intermediate Maintenance Program.

**Councilmember J. Brian Hill** seconded. The Vote: All "aye" – Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

**Councilmember R.D. Mallams** moved approval of **RESOLUTION R-15-48** A Resolution authorizing the City Manager to execute a contract with Complete Construction Service in the total amount not to exceed \$202,145.00 for the Gladstone 18 Phase Two Construction Project.

**Councilmember J. Brian Hill** seconded. The Vote: All "aye" – Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

**Councilmember R.D. Mallams** moved approval of **RESOLUTION R-15-49** A Resolution authorizing the hiring of Interim Legal Services. **Councilmember J. Brian Hill** seconded. The Vote: All "aye" – Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

**Councilmember R.D. Mallams** moved to **APPROVE CITY OF GLADSTONE FINANCIAL REPORT FOR PERIOD ENDING JUNE 30, 2015**. **Councilmember J. Brian Hill** seconded. The Vote: All "aye" – Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

## **REGULAR AGENDA.**

### **Item 8. On the Agenda. Communications from the Audience.**

Charles Carmack, 1505 NE 77<sup>th</sup> Street, approached the podium and stated: *"I've lived in Gladstone for 54 years and I feel like it is the best place in the metropolitan area to live. I want to congratulate the City on the excellent 4<sup>th</sup> of July Fireworks Display. The main thing that I'm here tonight is the lot that is west of the house behind me, they have a swimming pool that is above ground and it holds probably five or six thousand gallons of water. My wife and I were coming home from church about four years ago, and it looked like a flash flood coming down on both sides of our house and I called the City on Monday. The City sent two men out, they took a look at it and they said we'll take care of it. Well, I never heard back as to what they did. So, first part of June this year, we came home from church, there was water in our backyard, water on both sides of our house, and next to the fence on the east side of our lot down in the back, water was probably about two inches deep, about two feet out, so I called the City, and a man came out, looked at it, and he said he could tell because it was on Monday and it hadn't rained and we could see water just running down everything. So he took pictures and he said well, the only thing we can do is notify them that they have violated a City Ordinance, and he said we will send them a letter for that, and I have a copy of that letter. That letter states to the fact that you know if you do it again, we will summon you to court. Well there was a lot of damage done and I don't think that guy should get by with the damage. The lady that lives on the east side of my house is a widow, she's lived there probably longer than I have, and her basement was carpeted and had pine paneling. She had about three inches of water all in her basement and she had to take all of the carpet up and even the chemical in the water affected the bottom part of that panel. To me it just doesn't seem fair for her, she is probably going to be out about \$2,000.00 trying to get new carpet put in and everything, so, if there is some way, if you talk to that guy, he'll probably say I didn't know the ordinance; well is there anyway, and I know the City probably doesn't know all the people who have pools above ground, is there some way that through the monthly water bill that you could put a flyer or a little sheet in there to the fact of that ordinance and say if you do this again, we're going to fine you, and you put a dollar amount on it. I think, you know, if you get picked up for a ticket driving, it's \$100.00. I think \$100.00 would wake the guy up that he would never do that again. So I would appreciate your time and hope that we can get that solved and appreciate your time."*

**Mayor Bill Garnos** thanked Mr. Carmack and stated he assumed that City staff will follow up and let us know if there is any additional follow up needed or anything else we can do.

**Councilmember R.D. Mallams** asked for Mr. Carmack's address, and Mr. Carmack gave it to him.

### **Item 9. On the Agenda. Communications from the City Council.**

**Councilmember Carol Suter** stated it's summertime and that means a break from a whole lot of meetings, though she said the City is as busy as can be. The Community Center Municipal Pool,

Linden Square, everyplace you go, the Farm, there is a lot going on and that is great for the community.

**Councilmember J. Brian Hill** congratulated Director Justin Merkey on 'removal of the interim' from his title and he thinks it is well deserved and he looks forward to working with Director Merkey for many years.

**Mayor Bill Garnos** stated he wanted to make sure everyone is aware of the upcoming Theatre in the Park, "Seussical the Musical" on August 7-9 at Oak Grove Park at 8:30 pm. That will be occurring before we have our next City Council meeting. We have had tremendous reports on attendance at concerts and events at Linden Square which has been very exciting and he also noticed in his new water bill we now have a graph showing water usage that has been added to the water bill, something that we can now do with our automated meter reading and allow people to help them better monitor their own water usage. It was something he hoped we would eventually be able to get to when we started talking about automatic meter readers and we are there, and he thinks that is a nice addition to at least help people try to monitor their water usage.

**Item No. 10. On the Agenda.** Communications from the City Manager.

City Manager Davis stated he had a couple of items; adding to the concert schedule and Theatre in the Park, also the Atkins-Johnson Farm has Family Picnic Day August 1, and City Manager Davis encouraged everybody to come out and enjoy what he is sure will be very cool weather. City Manager Davis also congratulated Justin Merkey. Director Merkey has had that interim tag for six months and Director Merkey has done a really good job, he had several challenges in that six month period and City Manager Davis wanted to see how Director Merkey adapted, and considering Director Merkey is from Oklahoma he did pretty good. City Manager Davis is pleased Director Merkey is part of the management team and City Manager Davis thinks Director Merkey has an opportunity to have a great career here as Parks and Recreation Director and City Manager Davis encourages Director Merkey to keep up the good work.

**Item 11. On the Agenda. FIRST READING BILL NO. 15-25** An Ordinance amending Title VIII of the City Code by repealing Chapter 110, Flood Control Regulations, and enacting in lieu thereof a new Chapter 110, Floodplain Management.

**Councilmember R.D. Mallams** moved Bill No. 15-25 be placed on its First Reading. **Mayor Pro Tem Jean Moore** seconded. The Vote: All "aye" –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0). The Clerk read the Bill.

**Councilmember R.D. Mallams** moved to accept the First Reading of Bill No. 15-25, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Jean Moore** seconded. The Vote: All "aye" –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0). The Clerk read the Bill.

**Councilmember R.D. Mallams** moved to accept the Second and Final Reading of Bill No. 15-25, and enact the Bill as **Ordinance 4.316**. **Mayor Pro Tem Jean Moore** seconded. The Vote: All “aye” –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

**Item No. 12. On the Agenda. FIRST READING BILL NO. 15-26** An Ordinance amending Title I of the City Code by repealing Section 1.110.250, Purpose and Responsibilities, and enacting in lieu thereof a new Section 1.110.250 expanding the Responsibilities of the Uniform Codes Board of Appeals.

**Councilmember J. Brian Hill** moved Bill No. 15-26 be placed on its First Reading. **Councilmember R.D. Mallams** seconded. The Vote: All “aye” –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0). The Clerk read the Bill.

**Councilmember J. Brian Hill** moved to accept the First Reading of Bill No. 15-26, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember R.D. Mallams** seconded. The Vote: All “aye” –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0). The Clerk read the Bill.

**Councilmember J. Brian Hill** moved to accept the Second and Final Reading of Bill No. 15-26, and enact the Bill as **Ordinance 4.317**. **Councilmember R.D. Mallams** seconded. The Vote: All “aye” –Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (5-0).

**Item No. 13. On the Agenda.** Other Business.

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


**Item No. 14. On the Agenda.** Questions from the News Media.


There were no questions from the News Media.

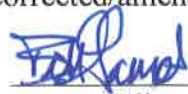
**Item No. 15. On the Agenda.** Adjournment.

**Mayor Bill Garnos** adjourned the meeting at 7:55 pm.

Respectfully submitted:

  
Ruth E. Bocchino, City Clerk

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

  
Mayor Bill Garnos