



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 14, 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

NOTE: Due to a water main break at City Hall, the City Council meeting was moved to the Gladstone Community Center, 6901 North Holmes, Gladstone Room, Gladstone, Missouri.

Item 2. On the Agenda. ROLL CALL.

Mayor Bill Garnos opened the Regular City Council Meeting Monday, September 14, 2015, at 7:44 PM in the Gladstone Community Center. 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 to the flag of the United States of America. The Colors were posted by Troop No. 992.

Item 4. On the Agenda. Approval of the August 24, 2015, Regular City Council Meeting Minutes.

Mayor Pro Tem Jean Moore moved to accept the minutes of the August 24, 2015, Regular City Council meeting as presented. **Councilmember Carol Suter** seconded. The Vote: "aye" – Councilmember R.D. Mallams, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. Abstain: Councilmember J. Brian Hill. (4-0-1).

Item 5. On the Agenda. PROCLAMATION: CONSTITUTION WEEK

Mayor Bill Garnos introduced the members present from the William Boydston Chapter of the Daughters of the American Revolution: Maggie Henderson, Janice Tilman, Freddie Nichols, Pattie Underwood and Jean McHenry.

Mayor Bill Garnos read and presented the Proclamation to the members.

Member Freddie Nichols stated: *"One of the things we really promote is the fact that we are one nation under God, and that we should know what our Constitution is about. I don't know how many of you carry it with you but I have one in my purse if you want to know anything. William Boydston is buried at Faubion Cemetery. Those of you who are new to Gladstone, some of you may remember that when the SAR shot off their guns it scared the whole neighborhood but nevertheless we are named after a patriot, William Boydston, who came all the way here, why, don't ask me. We thank you very much."*

Item 6. On the Agenda. CONSENT AGENDA.

Following the Clerk's reading, **Councilmember Carol Suter** 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 Carol Suter moved approval of **RESOLUTION R-15-57** A Resolution accepting a Permanent Easement and a Right-of-Way Easement from certain property owners in conjunction with the Rock Creek Greenway Trail 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 Carol Suter moved approval of **RESOLUTION R-15-58** A Resolution authorizing acceptance of a proposal from Coleman Equipment for the purchase of a Land Pride 41 Series Flail Mower in the net purchase amount of \$6,383.00. **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 Carol Suter moved approval of **RESOLUTION R-15-59** A Resolution authorizing the City Manager to execute a contract with the Kubota Tractor Corporation in the total amount not to exceed \$30,581.05 for the purchase of a Kubota F2690 Mower and associated attachments. **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 Carol Suter moved approval of **RESOLUTION R-15-60** A Resolution authorizing acceptance of a proposal from Zoll Medical Corporation, Chelmsford, Massachusetts, for the purchase of one (1) Zoll "X Series Manual Monitor/Defibrillator" for the total purchase amount of \$26,510.20. **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 Carol Suter moved approval of **RESOLUTION R-15-61** A Resolution authorizing acceptance of proposals from Dick Smith Ford, Raytown, Missouri, for the purchase of one (1) Ford Transit Van vehicle in the amount of \$28,177.00; 9-1-1 Custom, Overland Park, Kansas, for the purchase of one (1) Prisoner Transport Insert and Emergency Lighting in the amount of \$23,422.50; Interact Mobile, Incorporated, Winston-Salem, North Carolina, for the purchase of Mobile Data Terminal Software in the amount of \$1,200.00; CDW-G Government LLC, Vernon Hills, Illinois, in the amount of \$5,770.00 for the purchase of a Panasonic Mobile Data Terminal and mounting equipment; Everlasting Sign, Overland Park, Kansas, for the purchase of Vehicle Graphics and installation in the amount of \$800.10; Motorola Incorporated, Schaumburg, Illinois, for the purchase of one (1) Motorola Digital Police Radio with programming and installation in the amount of \$2,857.50; for a total project cost of \$62,227.10.

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 Carol Suter moved approval of **RESOLUTION R-15-62** A Resolution authorizing acceptance of a proposal from Dick Smith Ford, Raytown, Missouri, for the purchase of two (2) 2016 Ford Police Interceptor Utility 4X4 vehicles for the total purchase amount of \$51,972.00. **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 Carol Suter moved approval of **RESOLUTION R-15-63** A Resolution authorizing acceptance of a proposal from Landmark Dodge Chrysler Jeep, Independence, Missouri, for the purchase of two (2) 2016 Dodge Charger Police Vehicles for the total purchase amount of \$51,388.00. **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 7. On the Agenda. Communications from the Audience.

John Garner, 111 Heatherton Court, approached the Council and stated “*Due to an ongoing building project down on my street, ...we are having a continuous problem of keeping the streets clean. Sometimes you will drive over mud chunks, another day it will be an inch and one-half of dust and everything else. I realize this ...there has been over 25 to 30 communications that I know of between me, Scott, Alan, and some of the other residents have called in and said things to...there is a difference between what clean is and, they make an effort to clean it but it's not. There have been no citations issued because they make the effort but it never does really get clean and is there anything a person could possibly change in the ordinance that may be helpful.. and even require it has to be as clean as the day it was the day they started...take a little more time to...I know it's going to be...there are six or seven other houses that are going to be built and that's another...it's getting to be a hassle. I know it's important to the city that our street be done because it's more tax dollars...if there is something the city can do to change something because I don't ...tonight I believe some of it is going to be upgraded and maybe the ordinances*”

are...but I think it's more of a general for the county for upgrades on that kind of stuff but I'd appreciate if someone would...it's getting communicated to that person but not getting done. Pardon me, they are doing enough to keep from getting a citation, but not getting it clean."

(Parts of this communication are unintelligible because of the nature of the recording system.)

Mayor Bill Garnos thanked Mr. Garner and stated they are aware of his ongoing concern about the construction project and they know City Staff has been working with Mr. Garner and Mr. Garner has been working with City Staff. Council has seen pictures of some of the identified problem areas. Hopefully we can work out an appropriate resolution. Mayor Garnos stated he does not know if they can get streets cleaned to the condition they were before a construction project at the end of the day during a construction project but what we can do to try to find reasonable accommodations for both.

Mr. Garner stated *"Even though it is in a parking area, basically that's the only parking once the all the houses get in the whole area other than driveways. It's continuously running into the sewer."*

Jenny Hobeck, 1304 NE 68th Terrace approached the Council and stated: *"I've been living in the area for the last 14 months. The reason that I'm here addressing the Council is to reconsider the animal regulation rules, especially concerning those that are considered a dangerous breed. I own what is considered a dangerous breed. My dog is a Blue Nose Pit Bull rescue. Many of this breed of animal are rescued and then adopted out. The Pit Bull, many times, falls prey to unscrupulous people who use the female for breeding purposes with the intention of fighting the offspring. On page five under Section 2.105.045, the animal regulations rule states that "all dogs must be given opportunity for vigorous daily exercise", but if you drop down to the second paragraph, which is Section 2.105.050, the rule states "a dog owner or keeper shall keep such owner's or keeper's dogs under restraint at all times." Now that means to me that that particular section is addressing the dangerous animal. That also means that that dangerous animal cannot be given vigorous exercise. My dog cannot have a vigorous daily workout because I am required to restrain him at all times with a four foot long leash and I must be on the other end of the leash in spite of the fact that my yard is fenced. I am also required to stay with him at all times while he is outside in my fenced area. Page two of the animal regulations, the definition of restraint is "A: a fully enclosed or fenced area, etc." "B: a handheld leash by a responsible person. "C: a leash or chain confining such dog to the yard of its owner or keeper." By my restraining my dog with a four foot long leash while he is in a fenced enclosure means that my dog is doubly restrained. Because my dog was in a starved condition when I found him, he has arthritis in his hind quarters, more visible in the winter time. The law must allow my animal to vigorously exercise daily, unleashed, and while the weather is still warm. I respectfully ask that the animal ordinances be revisited and changed in favor of breed neutral regulations. Thank you."*

Mayor Bill Garnos stated it seems we have a couple of different issues, both breed specific restrictions, which I know a lot of cities have been dealing with, not just dangerous animals but breed specific laws have been passed in a lot of places that may or may not fit the problem anymore. Your situation with exercising your dog, I would assume you could still do that within an enclosed fenced yard.

Ms. Hobeck stated: *"I have been told that I have to hold on to him and I can't..."*

Mayor Bill Garnos asked "within the fenced yard?"

Ms. Hobeck stated: *"Yes, it's fenced, all of it is fenced and I've got a big chain and a big lot so he can't get out, but he is not, he is the type of dog that has been injured so much that if you make a threatening motion against him, he will sit down and he will shut down. If I try to put a muzzle on him, he just drops to the ground and lies there, so I don't know what kind of life he has had. There is a lot of us who rescue them."*

Mayor Bill Garnos stated he appreciates that. Staff can probably make sure that we are clear on what the ordinances do and do not allow and see if there is a need to revisit the breed specific restrictions. Mayor Garnos knows a lot of cities have been looking in to that as opposed to just problems with dangerous animals as opposed to breed specific prohibitions so we will take a look at that.

Ms. Hobeck stated: *"Well I understand about the dangerous animal aspect but these abused animals are a different story. The really are. Thank you."*

Item 8. On the Agenda. Communications from the City Council.

Councilmember Carol Suter stated she had heard an interesting conversation with a couple of Kansas City City Councilmembers the last week. Scott Wagner and Dan Fowler are initiating a kind of planning exercise for the Northland. It's kind of in reaction to the Greater Kansas City Chamber's Big 5 ideas if you follow that whole conversation the last several years. Their concern was that the Big 5 issues didn't reflect much input from the Northland. They want to start convening some public sessions, do some surveys, and lots of different things to poll the Northland and see if we can't come up with Big 5 ideas for the Northland. They were strongly encouraged to not make it a Kansas City, Missouri, alone project but to think about the Northland as it really is with multiple jurisdictions and that they should look at interjurisdictional projects and stuff. So just to put you on notice that you will start to see things, that it is our understanding is they are not going to limit it to Kansas City, Missouri, so all of us in the Northland might want to participate. They did a little charrette at the Northland Regional Chamber last week around some ideas of projects, specific projects that can be accomplished within the next five years or so, four to five years. They were hoping to come up with some things where we could say, hey we actually did it. It was an interesting conversation, interesting because Gladstone was actually mentioned several times by other people, not us, as being, people were talking about Kansas City and its inability sometimes to get things done and then in contrast people noted that Gladstone is this really progressive place that is getting all this stuff done. But one of the things that struck her was she knows that one of the priorities that Kansas City has in its Planning Department and its Parks and Recreation department for the Northland is a performing arts center and that is one of the priorities that we have in Gladstone. The conversation was that we need to look at these partnerships, how can we do things together and if somebody already has a head start on something, Kansas City shouldn't then try to replicate, we have to work together. It was encouraging again to hear from Kansas City planning folks

openness to that, that we could talk about ways to share resources to support projects and encourage again that if you get invited to something, if you hear about it, she encourages Gladstone folks to participate and to make sure that some of what we are doing can be the seed of projects in the Northland that we can gain partners and enhance the projects that we are thinking about doing to serve a wider audience in the Northland so that we don't have jurisdictions all reinventing the wheel and everybody having their own something in the Northland. Interesting conversation.

Mayor Bill Garnos stated he wanted to make two comments, congratulations to Linda Borders on her appointment to the position of Community Center Administrator and thank Marshall McKinney, the Aquatics Specialist for his professional handling of the hyper-chlorination treatment of the pools. The problems have certainly been unfortunate but Mayor Garnos is very impressed and pleased with how they have been handled by City Staff with the education and the continuing update and the messages hit just the absolute perfect tone; not alarmist but educating keeping people up to date and Mayor Garnos is impressed with how City Staff handled that.

Mayor Bill Garnos appointed the following members to the Citizen Based Strategic Plan Initiating Committee, which had input from all the Councilmembers:

Lisa Brotherton, Chase Cookson, Nick Ensign, Justin Hough, Brenda Lowe, Jennifer McGee, Katie Middleton, James New, Alan Ringhausen, Jocelyn Rivard, and Sara Van Duser.

Mayor Bill Garnos stated staff would notify the members or let him know to notify the members and proceed with the next steps of the process.

Item 9. On the Agenda. Communications from the City Manager.

City Manager Kirk Davis had no comments.

Item 10. On the Agenda. **RESOLUTION R-15-64** A Resolution authorizing acceptance of a proposal from Watchguard Video, Allen, Texas, for the purchase of Twelve (12) In-Car Video Systems and Forty-Five (45) Body-Worn Cameras in the amount of \$124,615.00 and the purchase of additional computer memory from CDW-G Government, LLC, Vernon Hills, Illinois, in the amount of \$4,700.00. The total cost of the project is \$129,315.00.

Councilmember J. Brian Hill moved approval of **RESOLUTION R-15-64** A Resolution authorizing acceptance of a proposal from Watchguard Video, Allen, Texas, for the purchase of Twelve (12) In-Car Video Systems and Forty-Five (45) Body-Worn Cameras in the amount of \$124,615.00 and the purchase of additional computer memory from CDW-G Government, LLC, Vernon Hills, Illinois, in the amount of \$4,700.00. The total cost of the project is \$129,315.00.

Mayor Pro Tem Jean Moore seconded.

City Manager Kirk Davis stated that Council saw a lot of Resolutions on the Consent Agenda and this will be part of a bundle that is being put together and you will see a financing resolution on the next Council agenda authorizing us to take all and put them into a Lease Purchase Agreement.

Mayor Bill Garnos asked if that included the items in Resolution R-15-64.

City Manager Kirk Davis responded yes.

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 11. On the Agenda. FIRST READING BILL NO. 15-30 An Ordinance amending Title IX of the City of Gladstone, Clay County, Missouri, Code of Ordinances by repealing certain provisions contained therein and enacting in lieu thereof new provisions designated as Title IX relating to the Construction and Maintenance of Structures and Property within the City and designated as the “Building and Construction Ordinance” for the City of Gladstone, Clay County, Missouri.

Councilmember Carol Suter moved Bill No. 15-30 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 Carol Suter moved to accept the First Reading of Bill No. 15-30, 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 Carol Suter moved to accept the Second and Final Reading of Bill No. 15-30, and enact the Bill as **Ordinance 4.321**. **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. 12. On the Agenda. FIRST READING BILL NO. 15-31 An Ordinance amending Schedule VIII of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to establish a Stop Sign location at the Northwest Corner of the intersection at North Askew Avenue and Northeast 72nd Terrace.

Councilmember R.D. Mallams moved Bill No. 15-31 be placed on its First Reading. **Councilmember Carol Suter** 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. 15-31, waive the rule, and place the Bill on its Second and Final Reading. **Councilmember Carol Suter** 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. 15-31, and enact the Bill as **Ordinance 4.322**. **Councilmember Carol Suter** 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. FIRST READING BILL NO. 15-32 An Ordinance amending Schedule VIII of the Model Traffic Code (Gladstone Municipal Code Section 4.100.020) to establish a Stop Sign location at the Northwest Corner of the intersection at North Bales Avenue and Northeast 72nd Terrace.

Councilmember R.D. Mallams moved Bill No. 15-32 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. 15-32, 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. 15-32, and enact the Bill as **Ordinance 4.323**. **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. 14. On the Agenda. Other Business.

There was no other business to come before the Council

Item No. 20. On the Agenda. Questions from the News Media.

There were no questions from the News Media.

Item No. 21. On the Agenda. Adjournment.

Mayor Bill Garnos adjourned the meeting at 8:18 pm.

Respectfully submitted:



Ruth E. Bocchino, City Clerk

Approved as submitted: _____
Approved as corrected/amended: _____



Mayor Bill Garnos