



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, NOVEMBER 9, 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, November 9, 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 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 October 26, 2015, Regular City Council Meeting Minutes.

Councilmember R.D. Mallams moved to accept the minutes of the October 26, 2015, Regular City Council meeting as presented. **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).

Item 5. On the Agenda. Approval of October 28, 2015, City Council Closed Session Minutes.

This item was removed from the agenda by Mayor Bill Garnos.

Item 6. On the Agenda. CONSENT AGENDA.

Following the Clerk's reading, **Councilmember Carol Suter** moved to approve the Consent Agenda as published. **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, and Mayor Bill Garnos. (5-0).

Councilmember Carol Suter moved approval of **RESOLUTION R-15-73** A Resolution authorizing the destruction of certain records in accordance with RSMo. Chapter 109 and applicable state retention schedules. **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, and Mayor Bill Garnos. (5-0).

Councilmember Carol Suter moved approval of **RESOLUTION R-15-74** A Resolution accepting a Quit-Claim Deed from a property owner in conjunction with the Rock Creek Greenway Trail Project. **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, and Mayor Bill Garnos. (5-0).

Councilmember Carol Suter moved approval of **RESOLUTION R-15-75** A Resolution authorizing the City Manager to execute an agreement for Municipal Advisor Services for the City of Gladstone, Missouri, with Columbia Capital Management. **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, and Mayor Bill Garnos. (5-0).

REGULAR AGENDA.

Item 7. On the Agenda. Communications from the Audience.

George Wages, 7201 North Park, approached the Council and stated: *"I guess the Quik Trip is on the agenda but my concern is the safety around the area. Increase of foot traffic, bicycle traffic, children, senior citizens, not only to Quik Trip but to Hy Vee and super Wal Mart. Yet if I go out here on then north side of 72nd, west from Antioch road, to Euclid and Woodland, there is a sidewalk. Yet when I go to the south side of 72nd, west from Antioch Road to M1, there is a sidewalk. As soon as I cross M1 and go to Olive, there is no sidewalk. From Olive to Park, no sidewalk. Yet I go from Park to Euclid and Woodland, there is a sidewalk. So with Quik Trip expanding and a lot of foot traffic, everything, with all of the houses, apartments, duplexes, townhouses on the south side of that area, I'm asking the City Council to take a serious look of adding a sidewalk from M1 to Olive, Olive to Park, for the safety of all citizens of Gladstone in this area."*

Mayor Bill Garnos thanked Mr. Wages and stated they would keep those comments under consideration when they are working through the Quik Trip expansion later in the evening.

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

Councilmember Carol Suter stated she had a couple of items. One, she attended the National League of Cities last week and had the opportunity to spend some time with some folks from FEMA and we had recently had a conversation about the outrageous insurance rates that are starting to be charged for flood insurance and so she was interested in talking with them a bit about that and what is the future of that. FEMA reminded her of a couple of things when it comes to flooding, one, as the earth warms, of course, we are seeing more and more storms and more and more floods, and more and more floods means more and more insurance coverage and so that means the rates are going to continue to go up and up and up. FEMA did explain that FEMA has kind of changed its strategy where now, historically, we have all paid for everybody's losses, but they are going to become more geographically connected so that we will be paying rates connected to your own geography and we will not be paying for all those houses on the outer banks that get washed out every two years and get rebuilt and they still get coverage all the time. With the rising of the oceans, is the other issue of course that is causing so much more flooding, states like Florida have huge, huge problems ahead. Councilmember Suter was curious as to what we could do about the insurance rate issue because people are getting quoted \$6,000.00 a year insurance for a house which of course is causing people to lose their homes and that is happening all over the country. People are losing their homes, some cities are trying to buy out people's homes and then demolish them because you can't sell the house if it's going to cost somebody \$6,000.00 a year to insure it. One of the things that she did learn that she didn't know before was that one of the things that we could do as a city is to join the community rating system, FEMA's community rating system, so she brought the flyer along, so that is a ratings thing, like lots of the other things are, where you get points for everything we have done to improve the infrastructure and then residents get discounts on their flood insurance rates. And so the more points we get and we have done such great work on improving our Stormwater system that should give us some points. So it is anywhere from 10% to as much as 30% discounts and more on flood insurance for anyone who lives in the jurisdiction if the City participates and she thought that may be something we want to look into. Councilmember Suter has been accosted by some folks who are in a flood plain and have been really concerned about this and trying to figure out what to do and she didn't have any answers to give back so she thought this was helpful and something we could do. The other issue is a question for Code Enforcement. Councilmember Suter noticed that Van Chevrolet has an entire grassy field turned in to a sales lot and she wondered if that meets code.

Building Official Alan Napoli approached the Council and stated: *"Technically no, that should not be. I will take a look into it further and see what is going on and report back."*

Councilmember Suter stated it is that entire field to the north side; it is full of cars and has been for weeks.

Building Official Napoli responded: *"The only thing I can think of, and I'll check in to it, they are doing some construction up there and they may have moved some vehicles that we are unaware of but let me check in to it and find out for sure what is going on and get back with you with a more definite answer of what is happening."*

Councilmember J. Brian Hill stated he wanted to thank Director Nebergall for the smooth ride that is now on Englewood Road. The first time he was on Englewood Road he kept checking his

GPS to make sure he wasn't lost somewhere and he was in fact on Englewood Road. It is truly amazing and thank you.

Mayor Pro Tem Jean Moore echoed Councilmember Hill's sentiments; they were on the road and couldn't believe they were on Englewood Road, so, many thanks.

Mayor Bill Garnos stated he wanted to mention last week he was able to read a Proclamation for Captain Bill Willoughby's retirement reception after 30+ years of service to the City of Gladstone, and wishes Captain Willoughby well in his retirement. As the Mayor noted at the retirement, we have been losing a lot of people with a lot of years of experience, particularly within the Department of Public Safety, and he thinks they have all fled as soon as he became Mayor. Council also had a very good goal setting session last week. One of the best, spent all day trying to set goals for the next year, as we move forward they are excited to explain some of the goals and the progress that they are making city wide and how that shapes the things that they do and the department does.

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

City Manager Kirk Davis stated he too, offered congratulations on the goal setting, he thought it was a great goal setting session and he appreciates all the work and time Council spent with staff that day. City Manager Davis mentioned the Mayor's Holiday Lighting Ceremony which is the 24th of November, 6:00 pm at Linden Square. Finally, speaking of Linden Square, the rink opens that night. You can see we are doing some work now as they prepare the ground to install that rink; the City is getting ready for winter. City Manager Davis stated that Mr. Wages talked about the sidewalk on 72nd Street; that is in the Master Plan, also there are discussions with the State on the realignment of 72nd and M1 which has its issues itself. That project will also include part of the sidewalk that Mr. Wages is referring to.

Mayor Bill Garnos stated that we had two Public Hearings and three ordinances on the agenda.

Item 10. On the Agenda. PUBLIC HEARING: An Ordinance approving a Site Plan Revision for property at 2590 and 2412 Northeast 72nd Street, commonly known as Quik Trip.

Mayor Garnos opened the Public Hearing at 7:40 pm and stated during the Public Hearing we would hear first from city staff, then from the applicant, followed by those in favor of the application and then hear from those opposed to the application.

Assistant City Manager Scott Wingerson approached Council and stated: *"Thank you Mayor, good evening City Council. The applicant is requesting a Site Plan Revision which would allow the reconstruction of the Quik Trip located at North Prospect and 72nd Street. It is a new prototype store and fuel pumps. The current site is zoned CP-2 which is appropriate for the use so that is why we are not considering a zoning change and just a Site Plan review. Quik Trip will make a full presentation to the Council tonight to explain the details of the project. I just wanted to mention a couple of highlights. One is the addition of a right turn in and a right turn out driveway on North Prospect. That should relieve traffic headaches greatly for the users of Quik Trip and the intersection of 72nd and Prospect. The store itself is just over 5800 square feet. The*

new store, about 10 fuel pump islands, fuel pumps under a ten pump canopy and closure of the easternmost drive on to 72nd Street so that would be the first one that is right in and right out now only. Staff is recommending about 15 total conditions, a couple of key ones is a landscape hedge around the parking lot, what that does is, you have not seen it a lot in Gladstone, but it would be designed to sort of prevent overflow lighting from headlights at night and screen the low level parking lot activity from the everyday passerby. Use of a compliant monument sign, trash service scheduled between 7:00 am and 7:00 pm to support the neighborhood and no overnight storage or parking of tractor trailers. There are a few others, but those seem to be the key ones. The Planning Commission held their Public Hearing on October 19 and they unanimously voted to recommend approval to the City Council. With that I'd be glad to answer any questions at this point or later in the process if you'd like."

Councilmember Carol Suter stated she didn't have a question but she is really, really interested in understanding well the traffic patterns and these ins and outs, especially on 72nd Street. So she was interested and assumes the applicant will give them some really good information to visualize this, looking at all the drawings isn't always very helpful.

Mayor Bill Garnos stated he had a quick question. The median on M1, between the Quik Trip and the Wal Mart, is that a responsibility of MODOT or is that the responsibility of the City of Gladstone?

Assistant City Manager Wingerson stated: *"It's the responsibility of MODOT but we take action occasionally."*

Mayor Garnos asked if there would be any improvements made to that median either as a part of this (Quik Trip) or as a part of those proposed improvements at 72nd and Prospect.

Assistant City Manager Wingerson stated: *"No improvements are proposed by Quik Trip as part of this application, however if the intersection is aligned, I would envision that entire intersection changing geometrically as well as esthetically."*

Mayor Garnos asked including the median up to 73rd Terrace?

Assistant City Manager Wingerson stated: "Yes."

There were no other questions for Assistant City Manager Wingerson.

Mayor Garnos asked the applicant if he would like to address the City Council.

Daniel Chambers, 1709 South Butternut Avenue, Broken Arrow, Oklahoma, approached the Council and stated: *"Mr. Mayor and Council I'd like to thank you guys for the opportunity for letting me come here and speak and share a little bit about my project. I'm really excited about this. As I stated, my name is Daniel Chambers and I work for Quik Trip corporation and I just wanted to take you a little bit, presentation of a little history of Quik Trip (PowerPoint presentation) and talk about the site a little bit. As you see on the presentation there, there is a picture of Burt Holmes and Chester Cadieux. They were the two gentlemen who started Quik*

Trip. We opened our first store in 1958 and they were actually two travelling salesmen and they were on the same route and they passed each other a lot and over the time they became friends and hatched this idea of Quik Trip together and they actually did it over some milk shakes and that's how Quik Trip was born and now we are 700, almost 730 stores strong nationwide. This shows where we are currently located; we started in the Tulsa market. We are in Kansas City which is one of our very mature markets, and a market that does very well for us. We are also in Wichita, Des Moines, Omaha, Phoenix, Tucson, Phoenix is where I'm from, by the way, originally, and we are also in St. Louis, Atlanta, Dallas, and Charlotte, North Carolina. So that is currently where we are located as a company and as I said we have almost 730 stores nationwide. That right there is a picture of what our Gen 3 looks like. That is what we are proposing on building here, this is a, I'll get into a little bit more of the details of the building here but we are very proud of the building. We like a lot of the articulation and the different materials that we put on here. The next slide will show a picture of a canopy, this will be something very similar to what we are proposing in Gladstone, so this has our canopy with the fuel offers and you see the Gen 3 in the background. Some of the features of the building here, as you see, that is a side entry. We have several points of ingress for our customers because we like to keep our customers safe and have lots of points for them to get in and out of the store so we don't have any competing conflict or competition with that, and we have a nice awning on there. You can see some of the different materials we use, some of the stone around there. There is a shot here, you can see a lot of the different articulation that we have on the building to give it a lot of architectural enhancements. This is a picture of the front awning. And then there is some of the materials, there is a close up of the stone that we use and some of the brick that we have. You can see the metal mullions that we use around the windows to give it a little pop. This is what the interior of the store looks like. And right there, there is the different entrances that we have; we have four entrances for customers. The bathrooms, we have the men's and women's bathroom separated so it offers a little bit of additional security by doing that, keeping them separate. Also the check stand that we have in the front, that's a raised check stand that allows employees to have excellent visibility throughout the store as well as be able to look out onto the lot. Once again, this goes back to our customer as well as our employee safety. These two areas, I'll have some future slides, but it's a little bit of our Tea Bar and our coffee and soda fountain area, some of the different offerings that we have inside the store. In the center there is what we call our FSC, Full Service Counter, and that is where customers have an opportunity to order a lot of our hot food and a lot of our new product that we have, that we sell. There is a picture of the Tea Bar area. You can see all of the different flavors that we have, very open again, all ADA compliant, there is a shot of the Freezonis that we have, this is one of my kids favorite places to go, they like to hit up the Freezonis on a hot summer day. Right here is just a little bit of a shot that shows some of the roller grill items that you can pick up and some of our grab and go items. Once again it's very wide open and everything is ADA compliant. There is a shot of the pastry case that we have. This is a shot of the full service counter where you get the different food offerings that we have. Here is the raised check stand that I talked about earlier. We have several lanes for customers to come in and check out. We have a big open counter and the model is so that you don't have to stand in line. Everyone can come up and typically a cashier can help two people at once just to help get people in and out of the store quicker. This is what we are proposing here at Gladstone. This is the fuel canopy that we have and this is a rendering that we do of our store at 181. Here is the Gen 3 building that we are doing. It has the different elevations and different material call outs on it. This is kind of an above site plan of what we are proposing. I know

Councilmember Suter, you talked about wanting to know some of the traffic and everything. What we are going to do is we, partnering with MODOT, we got a right in, right out off of Prospect Avenue and we are going to keep that entrance there on 72nd where the existing one is and we are going to eliminate one of our entrances, we think that will help with the traffic flow and some of the congestion and help a lot with just the overall flow of the area we have."

Councilmember R.D. Mallams stated on the west side of the property, right now there is a wood fence and asked if QT was extending to the west with the new design of Quik Trip in to that wooded area.

Mr. Chambers replied "Yes, a little bit. We are going to encroach that and what we have done is we had a voluntary neighborhood meeting where we got a lot of input from the neighborhood and the lady that lives on the corner there, she actually came and spoke at the Planning Commission but she came to our neighborhood meeting and in talking with her, one of her concerns was with our fence and creating more of a block so she wouldn't see our store and so what we actually did is we are going to have, this will be the only fence in Quik Trip history, but we are going to have a solid double sided fence in front of her so that way there will be zero, 100% screened for her and we are also going to put a lot of additional shrub and stuff there to help with the barrier from residential to commercial. To answer your question, yes we are encroaching further west than what our current store is. The next slide here is just another rendering that we do, just to kind of give you a little bit of a feel for what we are doing. You can see the fence, we are going to have the fence, that is a fence that we will paint every year as part of our routine maintenance of our facility and then you can see the landscape that we are keeping. The next slide is just kind of a shot looking out on 72nd, looking kind of back at the store, showing kind of what you will see from the shrubs and the foliage as well as looking back into the site. This is just another one, we did a couple renderings of this because we wanted to really address that with the neighborhood and show them that we were still going to try to maintain a barrier between the residential and commercial spaces. That is a shot of our Gen 3 building. If you have any questions, I would love to answer them."

Councilmember J. Brian Hill asked if the plan was to demolish what is there and start from the ground or are they remodeling the existing structure?

Mr. Chambers replied "We will build a new structure behind the current structure. This will be a brand new building, it will all be a brand new facility. What we typically do is we have enough room to build the Gen 3 right behind the Gen 2 and once that is built we will come in and do a one day demolition of the Gen 2 so customers one day will go into the old store and the next day they will come in and have a new store there. It's a pretty cool process."

Councilmember J. Brian Hill stated similar to what you did on Vivion Road at Brighton.

Mr. Chambers replied "Yes, very similar to that. Hopefully a little bit expedited construction schedule, that one took a while so this one we are looking to do a much more consolidated construction schedule on it."

Councilmember Carol Suter stated she would like to go back to the slide that shows the streets; the ingress and egress on 72nd is actually additional lane width that is coming out of your property, it's not converting the current lanes to the entrance? Do you know what I'm saying? There are two lanes of traffic there, is that entrance that shows the two cars there, the two white cars, that is additional lane with but it is coming out of their property, not out of the traffic flow; so we have an additional lane.

Mr. Chambers replied *"Correct. We have a small deceleration lane there, yes."*

Councilmember Suter stated when we come through going west, which she lives on the east side so she is always going through here, right now, traffic all bottles up because people are trying to turn in to your current east entrance there and so then people can't even get through the intersection because we are backed all the way up so that is why she is just trying to see the single lane that comes from the east side, there is only one lane of through traffic on 72nd east of M1 and it lines up with the right hand lane on the west side so where people are turning from M1, that is the lane that you are coming across the intersection on from the east side and so that is why right now there is that entrance right there and so everything backs up there. So, this is what she wanted to see and she couldn't tell from the drawings if this extra egress was eating into the drive space or adding to, but it is adding to. Councilmember Suter asked the same question about the in and out on M1 and how that is

Mr. Chambers replied *"It is MODOT. It is MODOT controlled and what they are proposing is they call it a dual right lane; one right lane to enter into Quik Trip and one right lane that will come around the corner of the property and turn on to 72nd Street."*

Councilmember Suter stated so again, that is widening the lane of traffic there, not eating into it.

Mr. Chambers replied *"It is widening, and it went into the Quik Trip side of the property."*

Assistant City Manager Wingerson stated *"Councilmember Suter that is primarily north of the proposed driveway where the widening would occur."*

Councilmember Suter stated from there back toward the light at 73rd. She was interested in the traffic studies just to see again that we don't have the same back up through that intersection that we always have through 72nd Street.

Mr. Chambers replied *"We think with this configuration it will help out this intersection a lot and improve the intersection from its current condition."*

Councilmember Suter stated we all understand that this intersection needs to be completely redone. The traffic studies, of course, don't take into account the nursing home that is going in so the traffic that is going in this next year is going to get more and more and more and all those apartments that are being built on Brighton, 72nd traffic is getting more and more and more exponentially so this intersection in the short term, even with your assistance, is still going to be a mess until we get the whole thing redone. Councilmember Suter wanted to make sure, there

was an injury accident there just a week ago in that intersection and so she is concerned about safety.

Councilmember R.D. Mallams stated he has a statement, not a question. He is concerned about pedestrian's safety which was brought up. He has seen many times, and then again this falls more on the staff as opposed to Mr. Chambers, but they are typically going to Quik Trip. Coming up North Olive, he has seen adults, he has seen women with carriages, children, he has seen kids themselves dart across 72nd to go to Quik Trip. He does not know, as you are heading east on 72nd, before you get to Olive, there is a crest so that when you get to the top of the crest, you are almost right on Olive. There are cars that are turning, that had been heading east that would now turn right on to Olive, people will come over the crest, have to very quickly come to a halt, because the car in front of them is turning, so he is very concerned about kids, adults, coming from those apartments south of going down North Olive, and he doesn't know if we can put a crosswalk, paint lines, which you know people probably won't use the lines to cross, but he is really concerned with a new Quik Trip, with all of those fountain bars and the hot food and everything, you know we will probably have a lot of pedestrian traffic trying to get across 72nd.

Councilmember J. Brian Hill stated what is, and he couldn't tell from the plans, on the eastern most, between the gas pumps and the sidewalk on the east, it looks like there is something there in the plans and he couldn't tell what is was.

Mr. Chambers replied *"Are you referring to the concrete strip that is adjacent to the sidewalk off of Highway 1?"*

Councilmember Hill stated yes there is that, and he didn't even know how to describe what is showing up, is that your tanks, the fuel tanks.....

Mr. Chambers replied: *"That would be our underground tanks, is it OK if I point up there? Right here, this is a concrete strip for our fueling operations to allow them to walk on the grass and everything, and where we located the tanks will be right here underground."*

Councilmember Hill stated that was what he was seeing but couldn't see what was there, and he thought it was the tanks but he couldn't be sure.

Mr. Chambers replied: *"It's just a three foot concrete strip."*

Councilmember Mallams stated he had another statement. Drive 2; if he is coming out of Drive 2 in the traffic study, they talk about peak times. Mornings, evenings, rush hour. To come out of Drive 2 and to be able to turn left onto 72nd, that's a challenge with cars that are backed up from the light at 72nd and Prospect, back to the west, and he doesn't know if there is anything that they can do about it, probably can't do anything, but that definitely is a concern.

Mr. Chambers replied: *That was something that was looked at and I think by the elimination of that, the drive on 72nd just going to the one and pushing it further away from the intersection, I think will help that condition. You are right, it ultimately will not solve or completely fix it but I*

think the goal of what we are trying to do here is improve everything that is existing there and make everything better than what it is now."

Councilmember Mallams stated, something that he has learned, he can look at a picture and then when the reality of the structure is placed on the ground, sometimes it's not what you expected, so when you say that the drive is going to be moved further to the west to help with the traffic, really in his mind he doesn't know from the existing drive to the new drive, how much distance there is actually going to be increased.

Mr. Chambers replied: *"It's already there. I think, if I misspoke, I apologize, that drive that is there now is in its current location where the current drive is."*

Councilmember Mallams stated he thought Mr. Chambers said it was going to be moved.

Mr. Chambers replied: *"I probably misspoke. What I meant was that the right in right out pork chop drive is being eliminated. I think I said it incorrectly."*

Councilmember Mallams stated he is still concerned about, again, somebody trying to turn left at peak times. Another safety concern, and again that falls on staff and he really doesn't know what can be done to alleviate some of that.

Assistant City Manager Wingerson stated: *"The...*

(Unintelligible comments from the audience).

Councilmember Mallams asked if left turns could be prevented. He didn't think we would want to.

Councilmember Suter stated she didn't think we would want to, when the traffic is backed up all the way two blocks down, there is no way anybody is going to be able to turn left unless somebody just stops and holds up the traffic to let them through.

Assistant City Manager Wingerson stated: *"That's right. The level of service there exiting Quik Trip at the peak 30 minute period is a very difficult movement to make. The impact of that movement is primarily on the customers at Quik Trip. So their motivation as a normal driver should be to use the M1 driveway to go southbound on M1 because you can go either south on M1 or southbound and then continue eastbound at a signalized intersection at M1. So, the flow of the lot should be greatly improved. The traffic study itself indicates that there is almost no impact whatsoever on the intersection of 72nd and M1 except for the possibility of reduced accidents because of the first drive on 72nd Street that will be permanently closed. The elimination of that has a positive impact. Other than that, really no impact whatsoever on 72nd Street, on the intersection of 72nd and M1. According to the traffic study."*

Councilmember Suter stated she was curious about the traffic study, the main one that was relied on was done in August of 2014, and half the city is gone on vacation in August and she can tell us the traffic is lighter in August. Do it when it's really busy. The rating system that they

used, the traffic coming from the east heading west is a category F which means it totally fails, which we all know, because it backs clear up past Wal Mart, both driveways. Councilmember Suter appreciates in the short term in theory this will help and if everything stayed the same that would be true but with the addition of high density housing all on the other side on the east side coming across and the increase traffic that Quik Trip will generate at their site, those things together negate the improvement part. Councilmember Suter is looking at it as it's a status quo. In theory this helps but everything else is getting worse so really she doesn't think we will see a huge improvement of the traffic at that corner. We are living with it now and people get hurt and it's dangerous but we are trying to get it redone.

Assistant City Manager Wingerson stated: *"I think the solution is the realignment of that intersection which is a much bigger project than the addition of a new Quik Trip."*

Councilmember Suter stated it is a much bigger problem and this doesn't really change anything, and she appreciates that if everything else stayed the same it might make a slight improvement but everything else isn't staying the same so it is what it is.

Councilmember Hill stated he doesn't have a question for the applicant but more for staff. He is assuming that if we approve what is proposed tonight, it includes the potential canopy expansion so there would be no need for Quik Trip to come back for a Replat or anything like that, they could just pull permits to expand the canopy when they wanted to. Councilmember wanted to make sure that was clear so we would not have to come back for a replatting process just for that.

Assistant City Manager Wingerson stated: *"Yes sir that is correct."*

Councilmember Suter stated she would like to know what magic Quik Trip used and will use to get MODOT to actually do that driveway in time for their building to open.

Mr. Chambers replied: *"I asked please." It's similar to what we have done, the process here with Gladstone, just really trying to partner with staff and work with them and come up with a solution that benefits both parties. I'd like to complement your staff, they have been very excellent to work with and I think we have a really good solution here to improve this intersection and give you guys a brand new building that will be really nice for many, many years to come. That is what we did, get with MODOT and partner with them and talk about the solutions, the challenges, and the opportunities and try to get the best possible thing for both sides."*

Mayor Garnos asked if they were doubling the number of pumps, from what is now to what is proposed.

Mr. Chambers replied: *"I think it is. I wanted to make sure, I didn't want to misspeak again."*

Councilmember Mallams asked if they were planning on keeping the Quik Trip at 64th and Antioch open.

Mr. Chambers replied: *"As far as I know, yes."*

Councilmember Suter asked if they had plans for improving that one in the near future.

Mr. Chambers replied: *"I am not part of those. There might be, but I am not part of that project."*

There were no more questions for the applicant.

Mayor Bill Garnos invited those in favor of the application to address the City Council.

George Wages, 7201 North Park, approached the Council and stated: *"Quik Trip keeps their property up. I know the excess traffic, I live at 7201, so I know all the foot traffic and the vehicle traffic, but I think what would help out is you go east, but there is only room for about two cars to go southbound on M1. So what happens in the peak times, it backs all the way up past Olive to Park because there is not enough turn lane to go south. So, I don't know what can be done. But, the property, they keep it up, they expand, just like we do in Gladstone, so I have no problem with them, yeah it's a big traffic area, I lived there when there wasn't a Quik Trip, no Hy Vee, no Wal Mart, so, progress. I have no problem but I saw the picture where I saw a lot of trees. I guess they are going to keep a lot of those trees."*

Mr. Chambers stated: *"We are going to keep what we can and then we are going to add some to make sure..."*

Mr. Wages stated: *"You're going to add the small ones, the ball berries, and all this.... But I want you to leave the big trees like the picture showed because what you've got behind there is the houses but you have, everything is in front of you and all the sides of you, what's behind you is a neighborhood, so we need to try to keep as many trees as we can. I know the fence is going to be there, but the trees to block out from the neighborhood; so I'm in favor it, I have no problems."*

Mayor Garnos asked if there was anyone else to testify in favor of the application.

There were none.

Mayor Garnos asked if there was anyone to testify in opposition of the application.

There were none.

Mayor Garnos asked if there was anyone from the audience, city staff, or City Council, to speak.

There were none.

Mayor Garnos declared the Public Hearing closed at 8:11 pm.

Item 11. On the Agenda. FIRST READING BILL NO. 15-35 An Ordinance approving a Site Plan Revision for property at 2590 and 2412 Northeast 72nd Street, commonly known as Quik Trip.

Councilmember J. Brian Hill moved Bill No. 15-35 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 J. Brian Hill moved to accept the First Reading of Bill No. 15-35, 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 J. Brian Hill moved to accept the Second and Final Reading of Bill No. 15-35, and enact the Bill as **Ordinance 4.326**. **Mayor Pro Tem Jean Moore** seconded.

Councilmember J. Brian Hill stated he wanted to thank Quik Trip for their reinvestment in our community and its continuing investment in our community and he agrees with Councilmember Mallams, he certainly hopes that the Quik Trip farther south on Antioch Road stays open and maybe it's slated for renovation next. We would look forward to that.

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. PUBLIC HEARING: An Ordinance amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance Regulations and the establishment of Use Districts and Site Plan approval within the City of Gladstone, Missouri, property commonly known as 5828 North Oak Trafficway.

Mayor Bill Garnos opened the Public Hearing at 8:15 pm.

Assistant City Manager Scott Wingerson approached Council and stated: *“Thank you Mayor. The applicant is requesting two actions of the Council tonight. First is a Zoning change from CP-2 which is its current classification, to CP-3, to allow the operation of a custom tire/wheel sales and installation business. The second action is a Site Plan that implements that plan. The location, as the Mayor said, is 5828 North Oak, commonly known as the old Car Quest building, before that, the old Hubble Automotive building. It has a history of auto part sales. The applicant proposes to add two overhead doors for the service portion of the business on the east side of the building, generally upgrade the facility itself, and significantly upgrade the landscaping at the location. Staff is recommending 12 conditions if it were to move forward tonight, a screening hedge to shield parking like we talked about with the Quik Trip application; the addition of a median in the existing North Oak driveway that is heavily landscaped which is an effort to screen the overhead doors, limit the hours of operation from 7:00 am to 10:00 pm Monday through Saturday, and install compliant signage. Again the Planning Commission held their*

hearing on October 19 and are recommending approval. I'm here to answer any questions that you may have at this point. Jason Barton is also here and he will make a presentation on behalf of RNR, the applicant tonight."

Councilmember J. Brian Hill asked Assistant City Manager Wingerson why there is not a requirement in the recommended conditions for irrigation of the landscaping.

Assistant City Manager Wingerson replied: *"There is not in this particular application, an irrigation system doesn't exist on the property; certainly could be added."*

Councilmember Hill thanked Assistant City Manager Wingerson and stated that was the procedure now to have irrigation installed on all these type properties.

Assistant City Manager Wingerson replied: *"Good point, thank you."*

Councilmember Carol Suter asked Assistant City Manager Wingerson how does the requested zoning change comply with our Comprehensive Plan for the area.

Assistant City Manager Wingerson replied: *"Excellent question. The Comprehensive Plan indicates two or three primary things. The first thing the Plan says is let's study this larger area a little bit more and that larger area is Walnut and Englewood Road, North Oak and Englewood Road, 59th Street to the north, and kind of that sort of giant area in that part of the city. So that's the first thing the Comprehensive Plan says. The second thing the Comprehensive Plan says is in the short term, try and implement some of the strategies that are possible while you are doing this larger transition from auto-oriented businesses to whatever the future may hold. So that's kind of the philosophy of the Comp Plan to study the area more but implement these short term strategies. In this particular application the attempt to implement the short term strategy is the hedgerow to screen lights from the cars in the parking lot activity as well as the median, the new constructed median in the north driveway to try and screen the overhead door. The building itself is compliant with the Master Plan in terms of material usage and things like that, openings and things like that. I'm not sure I answered your question."*

Councilmember Suter stated if the zoning stayed the same and it was prettied up like this that would be the short term measure until we could move away from the auto stuff. Changing this zoning seems to her to be moving a step away from the Comprehensive Plan because then we can't go back.

Assistant City Manager Wingerson replied: *"It's true that C-3 allows a different higher more intensity use in the automotive area but also in the general retail area so, I don't want to comment on what the future holds but allows more intensity of usage so I wouldn't say that it goes away necessarily from the Comprehensive Plan because you could have high intensity retail uses in a non-automobile focused area."*

Councilmember Suter stated that given that the plan is to move away from automotive then this seems in her opinion to be moving the wrong direction.

There were no other questions for Assistant City Manager Wingerson.

Mayor Garnos asked the applicant if he would like to address the City Council.

Jason Barton, 9502 North Adrian Place, approached the Council and stated: *"I just wanted to make a presentation to you guys, it's kind of hard to follow up Quik Trip, kind of a big dog, but RNR started back in 1999 down in Tampa Florida. We are right around 80 stores now since this last slide was made (PowerPoint presentation). I opened my first store in Kansas City back in May. It has been one of the most successful stores the company has had since they have opened which leads us to expanding throughout the area. We do have an expansion plan in Gladstone, was one of our targets and the real estate is something that we are involved in that so we are having a long term stake in the area. This is the location as we purchased it down in Raytown, kind of an eyesore, not a very good looking store or piece of property which in turn this is what we ended up with, we did a lot of landscaping, revamped the parking lot, built a privacy fence on the back to shield the residents on the back side. This is the interior of the store, we kind of go for a wow factor, we really drive customer service and customer satisfaction, we open up the market to a lot of different people that aren't able to get into this market with our business plan. This is our proposed rendering of our Gladstone location. As you can see these are the two bay doors we added there on the front and this is an overview of the access plan minus the island that we talked about in the last meeting, also the privacy fence along here. As we discussed earlier, replacing LED lights on the exterior, the 28 inch hedgerow, revamping the entire landscaping, the dumpster enclosure, and the hours of operation. We rarely go past 8:00 pm. We talked about expanding it on the grand openings, we do tend to go a little bit further on some of our installations inside of the building. If you guys have any questions, please let me know."*

There were no more questions for the applicant.

Mayor Garnos asked if there was anyone else to testify in favor of the application.

There were none.

Mayor Garnos asked if there was anyone to testify in opposition of the application.

There were none.

Mayor Garnos asked if there was anyone from the audience, city staff, or City Council, to speak.

Assistant City Manager Wingerson stated: *"The only thing I may add to address Councilmember Hill's concern is condition number 5, all landscape areas shall be maintained in perpetuity. It could say all landscape areas shall be irrigated and maintained in perpetuity if that satisfies the Councilmembers' concern."*

Councilmember Hill replied that would be much better since that is the standing requirement, the irrigation, he believes, now. One question he had is why are we rezoning as opposed to a

Special Use Permit, given the higher intensity use and that this doesn't really comply with the Comprehensive Plan.

Assistant City Manager Wingerson replied: *"Two things, there. The change itself is necessary because the change, the addition of the service part of the business, so that is what necessitates the change. The reason a Special Use Permit wasn't suggested is because RNR plans to own the real estate so financing a Special Use Permit is very, very difficult especially for a smaller business. Hy Vee Gas or something like that could probably get around something like that but locally owned or franchised businesses are difficult to obtain financing on a Special Use Permit because the real estate is involved."*

Mayor Garnos declared the Public Hearing closed at 8:24 pm.

Item No. 13. On the Agenda. FIRST READING BILL NO. 15-36 An Ordinance amending Ordinance No. 3.973 and being an Ordinance relating to Zoning Ordinance Regulations and the establishment of Use Districts within the City of Gladstone, Missouri, property commonly known as 5828 North Oak Trafficway.

Councilmember R.D. Mallams moved Bill No. 15-36 be placed on its First Reading. **Mayor Pro Tem Jean Moore** seconded.

Councilmember J. Brian Hill stated he was assuming that the Bill does have the irrigation system in as a recommended condition that's what we were talking about.

Assistant City Manager Wingerson replied: *"Councilmember Hill I think this is the zoning change so it would be in the Site Plan ordinance."*

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. 15-36, waive the rule, and place the Bill on its Second and Final Reading. **Mayor Pro Tem Jean Moore** seconded.

Councilmember Carol Suter stated she was out of town last week and so she got the paperwork that afternoon and has not had a chance to really study it. Councilmember Suter was opposed to the zoning change. If her side of the equation loses, she wants to be able to study this more thoroughly so she will be voting against the second reading.

Councilmember J. Brian Hill stated he would be abstaining.

The Vote: "Aye"- Councilmember R.D. Mallams, Mayor Pro Tem Jean Moore, Mayor Bill Garnos; "Nay" – Councilmember Carol Suter; "Abstain" – Councilmember J. Brian Hill. (3-1-1).

Mayor Bill Garnos stated the motion to waive the rule for the second reading requires a unanimous vote, so without the unanimous vote, Bill No. 15-36 will be moved then to the next regular meeting agenda.

Item No. 14. On the Agenda. FIRST READING BILL NO. 15-37 An Ordinance approving a Site Plan Revision for property at 5828 North Oak Trafficway.

Mayor Garnos stated Bill No. 15-37 is a partner to Bill No. 15-36 and will also be moved to the next regular meeting agenda.

Item No. 15. On the Agenda. Other Business.

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

Item No. 16. On the Agenda. Questions from the News Media.

There were no questions from the News Media.

Item No. 17. On the Agenda. Adjournment.

Mayor Bill Garnos adjourned the meeting at 8:27 pm.

Respectfully submitted:

Ruth E Bocchino
Ruth E. Bocchino, City Clerk

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

Bill Garnos
Mayor Bill Garnos