



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, FEBRUARY 22, 2016**

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
City Counselor Chris Williams
City Clerk Ruth Bocchino

Item 2. On the Agenda. ROLL CALL.

Mayor Bill Garnos opened the Regular City Council Meeting Monday, February 22, 2016, at 7:40 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.

Item 4. On the Agenda. Approval of the February 8, 2016, Regular City Council Meeting Minutes.

Councilmember R.D. Mallams moved to accept the minutes of the February 8, 2016, 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 the February 8, 2016, Closed City Council Meeting Minutes.

Councilmember J. Brian Hill moved to accept the minutes of the February 8, 2016, Closed 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 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, Mayor Bill Garnos. (5-0).

Councilmember Carol Suter moved approval of **RESOLUTION R-16-08** A Resolution authorizing the City Manager to execute a Special Warranty Deed conveying property to the Builders Development Corporation. **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).

Councilmember Carol Suter moved approval of **RESOLUTION R-16-09** A Resolution supporting an amendment to add an appendix to the 2008 Comprehensive Plan in accordance with Missouri Revised Statutes Section 89.310 related to Communities for All Ages Initiative. **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).

Councilmember Carol Suter moved approval of **RESOLUTION R-16-10** A Resolution authorizing the City Manager to execute a contract with Gunter Construction Company in the total amount not to exceed \$961,495.00 for the Rock Creek Greenway Trail Phase 1, Project TP1571. **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).

Councilmember Carol Suter moved approval of **RESOLUTION R-16-11** A Resolution authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the 2015 Mill and Overlay Project, and authorizing final payment in the amount of \$5,141.60 for Project TP1606. **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).

Councilmember Carol Suter moved approval of **RESOLUTION R-16-12** A Resolution authorizing acceptance of work under contract with Superior Bowen Asphalt Company, LLC, for the Northeast Englewood Road North Oak to North Flora Mill and Overlay Project, and authorizing final payment in the amount of \$4,692.70 for Project TP1513. **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).

Councilmember Carol Suter moved approval of **RESOLUTION R-16-13** A Resolution authorizing the City Manager to execute a First Amendment to a Commercial Lease with Snow

& Company, LLC. **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).

Councilmember Carol Suter moved to approve the **BUILDING PERMIT: Quik Trip, 2509 Northeast 72nd Street.** **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).

Councilmember Carol Suter moved to approve the **FINANCIAL REPORT FOR SEVEN MONTHS ENDED JANUARY 31, 2016.** **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).

REGULAR AGENDA.

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

There were no Communications from the Audience.

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

Councilmember Carol Suter stated she had a number of things to update the Council on, the last week or so had been quite an interesting week for her and she learned lots of things. From the Northland Chamber, a presentation from the Mercury Group, and you may hear about this, it's a state wide initiative to kind of pull together a consortium of transportation industry folks, other private business and governments to conduct intensive education of the public around the need for transportation infrastructure going forward. A little lobbying but mostly they're thinking about doing kind of public information campaigns and long term, not just something that is responding to something that is in the legislature this year, but an on-going thing. The guy who was in charge of that was at the Planning and Development Committee to talk about it a little bit. Also at the Northland Chamber luncheon, they heard from Kansas City's Fire Chief about Kansas City's initiative to develop automatic assist contracts with suburban fire departments. Automatic Assist means that whoever calls in to dispatch, dispatch will send whatever fire department is the closest, no matter what jurisdiction they are in which she thinks makes a lot of sense in her mind, of course it is probably a greater benefit to Kansas City than it is to Gladstone. Councilmember Suter looks forward to seeing what, if anything, our staff comes up with. She knows we have been approached as to whether we can negotiate something but it would certainly help Kansas City to cover the Northland especially in a faster way if they can use some of us. She doesn't know that very often we would need them to make a faster response than we could have ourselves because our responses are really quite amazingly short.

Councilmember Suter stated she also had the opportunity to attend the Mid America Regional Council hosting Julian Castro last week who is the Secretary of Housing and Urban Development and had a wonderful opportunity to share, as somebody said, share the striking success of Gladstone as an example of productive use of the Sustainable Communities Grants, if

you remember over a number of years we have gotten a grant or two as planning grants and we have used them very much to help us with the development of downtown. It was really fun to be able to share our success story with the group. Some people have put her on their list, that's a good thing, a number of really interesting housing issues were discussed at that gathering as well. The last one last week, again the Mid America Regional Council hosted Bill Ford, the Chairman of Ford Motor Company, and so we had the opportunity to learn about autonomous vehicles. Mr. Ford predicted that we will see autonomous passenger vehicles on the road in four years. There are a lot of ramifications to autonomous vehicles for government and so that is a pretty short timeframe and we need to start thinking about some of those things. When Councilmember Suter met with EMAC the other night, because autonomous vehicles are about cutting down on vehicle use so it could fit with their environmental management mandate that maybe they could be a group that would help us think of some of the things like, you know, who do you ticket when an autonomous vehicle breaks the speed limit or turns the wrong way, or causes an accident, there are lots of issues. The predictions, of course, that autonomous is the wave of the future and that a majority of vehicles will be autonomous; also then goes to this thing of it's a revenue stream, right? Citations and if there is nobody to cite, can you cite companies that own cars, vehicles, where there is nobody driving in them? I don't think we can cite companies, only individuals for driving infractions. Councilmember Suter said she can think of lots of things; the MODOT guy sitting next to her was like, "oh, this will be great, there's no ramifications, MODOT doesn't have to do anything." Councilmember Suter stated the lawyer in her could think of six things right off the bat that we need to think about. They are starting, Ford is starting a project with ATA where they are outfitting transit vehicles for passenger use and they are doing, again, it's the beginning of the autonomous service, and that is to use it as immediate response, individual directed bus transportation, so they are picking a few neighborhoods in the Kansas City area to start this. Someone could log on and order a bus to pick you up to go someplace, so it is individual and then it would just cluster rides. Interesting idea and especially for a place like us where we don't have a lot of bus service. It could be a good solution, maybe better than the Uber lift idea, which as we have learned over the weekend is not always the best way to do things. It was an interesting week last week.

Councilmember J. Brian Hill stated one thing that strikes him, from Councilmember Suter's comments, when we have these cluster bus things, are the buses going to be autonomous? There won't even be a driver on the bus, it just goes around and picks up people. That's scary.

Councilmember Suter stated personnel is one of the biggest costs so you eliminate the personnel.

Mayor Pro Tem Jean Moore stated she and her husband Rick had the opportunity to volunteer at the Daddy-Daughter Dance, the 8th Annual, and it is an amazing event over two nights. It's so well received. It's always a sell-out early, and the daddy's and the little girls have a terrific time. It's really fun to see them and she thanked Director Merkey, his department, and Linda Borders. They do an amazing job to put two nights back to back with all these participants. It's a great, great, event, and KUDOS to all of you. It was fun.

Mayor Bill Garnos stated he wanted to congratulate City Manager Davis for receiving the Joe Wally Award at the Chamber of Commerce Annual Awards banquet last week. He didn't have

the pleasure of knowing Joe Wally but from the many stories he has heard, it's a well-deserved honor. We move on to Communications from our award winning City Manager, Mr. Davis.

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

City Manager Kirk Davis stated he had a couple of things. He thanked the Chamber for the recognition. City Manager Davis did have a chance to know Joe Wally and certainly appreciate his name at least being affiliated with Mr. Wally to some extent. Mr. Wally was a guy who knew how to make things happen. City Manager Davis reminded the Council that March 14 is the next Council meeting. There are three Mondays in a row. Another season of ice is coming to a close and you will see next week that the ice will be pulled up by the Parks & Recreation Department. Thanks to that department for all the work they did over the winter to try to increase usage and work that facility.

Item No. 10. On the Agenda. FIRST READING BILL NO. 16-11 An Ordinance authorizing the City Manager to execute a Supplemental Agreement with the Missouri Department of Transportation (MODOT) for federal funds relating to the construction of the Rock Creek Greenway Trail – Phase 1. Federal Project #STP-3313(409).

Councilmember R.D. Mallams moved Bill No. 16-11 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. 16-11, 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. 16-11, and enact the Bill as **Ordinance 4.340**. **Councilmember Carol Suter** seconded.

Mayor Bill Garnos stated he wanted to thank Tim Nebergall and Anthony Sands for all their work getting this to this point on the project. He is really thrilled that we are going to get done what we are going to get done, he is obviously disappointed we weren't able to do the part North of 64th, but in the future that will leave us something in the future to get done. Thank you for all the work you did to get us to this point. It took a lot of finessing and finance, and appreciate all of your work.

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).

Mayor Bill Garnos stated the following: *“The last two items on our agenda have to do with Sales Tax Holidays which we do every year. Thanks to our friends in Jefferson City, they have made this exceedingly complicated and confusing for us. Gladstone City Council has*

traditionally supported these Sales Tax Holidays, but to do so requires us to opt in on one and opt out on the other. So I'd like to give a special thanks to the attorneys who were involved in crafting this little bit of madness, and of course I mean no disrespect to the attorneys on City Council or at the table. So we will handle these one at a time. The first ordinance is for the Show Me Green Sales Tax Holiday for April 19 to April 25, and applies only to the purchase of new, energy efficient appliances during this one week period. On this one, the ordinance before us is to opt in to participate in the Sales Tax exemption. So, if we approve Bill No. 16-12, then we agree to participate in the temporary Sales Tax exemption for one week in April. So with that explanation, the First Reading of Bill #16-12..."

Item No. 11. On the Agenda. FIRST READING BILL NO. 16-12 An Ordinance allowing the "Show Me Green Sales Tax Holiday" to apply to the local sales taxes of the City of Gladstone between April 19 and April 25, 2016.

Councilmember J. Brian Hill moved Bill No. 16-12 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. 16-12, 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. 16-12, and enact the Bill as **Ordinance 4.341**. **Mayor Pro Tem Jean Moore** seconded.

Councilmember J. Brian Hill stated he can't help but comment. He knows that these are strange the way these two bills, how we have to vote to actually give our residents the Sales Tax Holiday, but he wanted to reflect that it is nice that in the good old days, the legislature would give us the option to opt out of foregoing revenue as opposed to now, where it appears legislature looks for ways to arbitrarily take away revenue, or impose additional costs. That was his only comment.

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).

Mayor Bill Garnos stated: *"The second ordinance is for the Back to School Sales Tax Holiday for August 5th to August 7th. On this one, the ordinance before us is to opt out or decline to participate in the Sales Tax exemption. If we approve Bill No. 16-13, then we decline to grant the temporary Sales Tax exemption for the August Sales Tax Holiday. Last year the Council chose to participate in the Tax Holiday by placing the Bill on its First Reading and then everybody voting no. So if you are in favor of granting the temporary Sales Tax exemption, then you are going to want to vote no on this Bill. With that explanation, ..."*

Item No. 12. On the Agenda. FIRST READING BILL NO. 16-13 An Ordinance to opt out of the State imposed Sales Tax Holiday between August 5th and 7th, 2016.

Councilmember Carol Suter moved Bill No. 16-13 be placed on its First Reading. **Councilmember R.D. Mallams** seconded. The Vote: All “nay” – Councilmember R.D. Mallams, Councilmember J. Brian Hill, Councilmember Carol Suter, Mayor Pro Tem Jean Moore, Mayor Bill Garnos. (0-5). The Bill failed.

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 8:00 pm.

Respectfully submitted:


Ruth E. Bocchino, City Clerk

Approved as submitted: ☒
Approved as corrected/amended: ☐


Mayor Bill Garnos