

CITY COUNCIL MEETING MINUTES

1-12-81 to 12-27-82

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Mr. Wickham explained that this property was originally planned for single family development but was not now economically feasible. He feels there is a need for the townhouse development planned.

He noted that the Planning Commission had expressed concern for drainage from the project. A retention pond is proposed and drainage will be engineered to meet the City Engineer's specifications. He further noted that the Planning Commission vote had been a 3-3 tie. Mr. Wickham stated that they would agree to the five original stipulations of the Planning Commission but feel the additional two stipulations would reduce the feasibility of the entire project. Those stipulations were:

1. That there be underground drainage tubes for this development, which is agreeable to the developers.
2. Where 62nd Terrace will front onto N Main be curbed and guttered.
3. Work with the City Engineer to be sure we get the right width for N Main.
4. That the tube that comes from the west be reviewed by the City Engineer.
5. North Main at the intersection might need a new grade.
6. Additional stipulations  
In place of 36 units, only 20 units be built.
7. A substantial water line be brought in to serve the increased usage of the area.

Mr. Dewey Fortner, 7745 N Garfield, developer of the project commented that this will be a good quality development particularly for the first-time home buyer who cannot afford a house.

Mr. Bussinger asked if there were any plans to improve No Main Steet. given the amount of traffic it carries. Mr. Achen responded that there were no improvement plans at the present time.

In response to Council questions, Mr. Wickham noted that the 98,000 sq. ft. open green area is more than ample to retain water from landscaped and parking area and no more runoff than presently exists should result.

Council questioned if setbacks shown on the plans meet the code requirements. Mr. Wickham responded that he believes they do.



Opposition

Ken Winkler, 100 NE 62 Terrace noted that he had resided in the area for 20 years and complimented Mr. Bussinger on his concern for traffic on N Main. He pointed out that the street (N Main) can barely handle the present traffic and keeping the asphalt in place on the street is already a problem without the additional traffic this project would generate.

Mr. Winkler expressed his concern for hazardous walking for children travelling to and from school and heavier water run-off the project would create. He contends that the project will be cheap housing and feels we have a responsibility to upgrade the city. He noted that there is single family housing for sale now in the same price range that isn't selling. He believes N Main is treacherous and without street improvements we will see more accidents.

Jamie Woolard, 6217 N Grand noted that he is a developer of property at 62 Place and N. Main of 36 units on 7 acres. He sees the proposed development as too dense and suggests 20 units as a better alternative. He commented that the development will increase existing water problems in the area. He also expressed concern for pedestrian on either Main or 62 Terrace due to lack of sidewalks. The street at 61st & N Main is only 16' wide which is 12' short of city requirements. In his opinion this is still low cost housing compared to the rest of the area and suggests that duplexes are more compatible with the rest of the area.

Charlie Eberspacher, 2 NW 64th, expressed concern for increased traffic and additional water runoff and suggested that single family or duplex development would be more stable.

Davy Hagen, 6204 N Main, also expressed concern for increased water runoff onto N Baltimore. He noted that Main is so narrow that if one car is parked on the street it creates a problem. He pointed out that 36 units could generate approximately 64 more vehicles on the street and is opposed for this reason. He suggested the need for "NO PARKING" on N Main at the present time.

Jean Hogan, 11 NW 61 Terrace expressed concern for traffic and noted that neighbors have had cars go off the road and into their yard due to the narrowness of N Main and further noted the danger of the curves on 61 Terrace and N Wyandotte.

Mayor Moore noted that the city receives 20-30 petitions a year for street lights which creates a financial hardship on the city. From an economical standpoint street lights should be put in while the subdivision is being developed. It would also solve the problem of location of the lights if put in prior to construction of homes.

Mr. Liggett commented that a fairer method would be to create a special benefit district where petitions have been received. In his opinion there will be less pressure to put them in if citizens have to pay for them.

Councilman Bussinger agreed that the city is 70-80 developed now and the street lighting should have been installed years ago. He pointed out that citizens are demanding street lights as a crime deterrent and if the city cannot afford to put them in they will have to do without them or pay for them in a special benefit district.

Mr. Liggett pointed out that if they are put in at the city's expense the entire citizenry is paying for the benefit of a small segment of the population which he feels is unfair. He does see the value of lighting in fighting crime but again feels a special benefit district method by petition as a better alternative.

There being no further discussion, Mayor Moore closed the public hearing.

Item 5 on the Agenda:                      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to R-3, Garden Apartment District, property described as area west of 62 Terrace and N Main. Owner: Dewey Fortner. Applicant: Larry Wickham. Owner: Dewey Fortner.

Mr. Larry Wickham, 405 NE 70th Street was present to represent this application. He explained the proposed development as construction of 36 unit townhouses on an approximate 4+ acre tract. The tract is surrounded by residential and the Broadway Village and Key Apartments. 62nd Terrace from North Main will be constructed as a cul de sac with 50' ft. wide right-of-way and 30' wide streets. Thirty six units are proposed and due to the topography of the land falling from north to south, fifteen units on the north will have attached garages and twenty-two units on the south will have basement access garages. Units will provide approximately 1,024 sq. ft. in two-stories with upstairs bedrooms and downstairs living quarters and priced in the low 50's. Exterior maintenance and snow removal will be provided by a Homeowners Association.

March 1981

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

9 February 1981

The Gladstone City Council Meeting was called to order on February 9, 1981 by Mayor Rick Moore at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Moore, those in attendance were: Councilmen Lee Bussinger, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Councilwoman Wilma Ogden was absent.

Item 2 on the Agenda: Mayor Moore led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to accept the minutes of the January 26, 1981 city council meeting as submitted; Mr. Fairlie seconded. The vote: All "aye" - Ashcroft, Bussinger, Fairlie, Moore. (4-0)

Item 4 on the Agenda: CONTINUED PUBLIC HEARING:  
Proposed amendment to the Gladstone Subdivision Ordinance requiring developer installation of street lights in all new subdivisions.

Mayor Moore opened the public hearing explaining that the proposed ordinance would require developer installation of street lights in all new subdivisions at their expense. Mayor Moore invited persons favoring the proposed ordinance to speak followed by those opposed.

IN FAVOR

No one spoke in favor of the proposed ordinance.

OPPOSITION

Developer Terry Liggett, 7116 N Bellefontaine stated he opposed the ordinance as presently written because it penalizes new development in the city. He would favor street light installation in the entire city by a vote of the people or special benefit district method. Mr. Liggett said he does not feel the proposed ordinance is equitable with existing subdivisions. He further pointed out that sidewalks have been required in subdivisions for a number of years yet when the city improved North Oak and 72nd Street we did not put them in ourselves, and now we are requiring them of new commercial developers.

Developer Jamie Wollard, 6217 N Grand stated he is opposed to the proposed ordinance and feels it is inequitable to require street light installation in the last 20-30% of developable land in the city. Costs will be passed on to the home buyer but he does not believe it is a fair ordinance. He feels this ordinance and the proposed sign ordinance are ten years too late in coming.

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Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-2 and enact said bill as ordinance No. 2.377. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. (4-0)

Item 12 on the Agenda: BILL NO. 81-3, establishing a Citizen Advisory Committee to the Public Safety Department, providing for the selection of members and setting forth duties and time and place of meetings.

Ordinance redefines duties and powers of the committee and reduces membership from eight members to five, requiring annual meeting on the first Wednesday of May and special meetings at the call of the Chairman.

Mr. Ashcroft moved to place Bill NO. 81-3 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill no. 81-3, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. Mr. Bussinger seconded. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-3, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill no third and final reading. Mr. Bussinger seconded. The vote: All "aye" - The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-3 and enact said bill as Ordinance No. 2.378.

Item 13 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-81-8 authorizing execution of a contract for electrical service installation at the animal shelter facility with Hagen Electric Co. in the amount of \$7,865.40. Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. (4-0)

Item 13-a on the Agenda: Mr. Moore moved to adopt Resolution No. 81-9, authorizing settlement of a claim against the city in the amount of \$158.38, Claimant: Richard D. Beagle, 100 NW 59th Place, Gladstone, Missouri involving an incident on April 4, 1980. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. (5-0)

Item 14 on the Agenda: Mr. Fairlie moved to approve the financial reports as follows: (a) Statement of Cash Receipts and Disbursements for January, 1981. (b) Cash Disbursements for January, 1981; (c) Financial Statement for all city funds, 7 months ending 1-31-81. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. (4-0)

Item 9 on the Agenda:

Communications from the City Council.

Mayor Moore indicated he had been contacted about the city's policy of charging commercial property owners for delinquent water bills left by tenants. He requested clarification of the city's policy. Mr. Achen advised that a report indicating policy of area water companies had been submitted to council but had not yet been discussed in study session and would be earmarked for discussion in the near future.

Mr. Bussinger requested drafting of an ordinance regulating hours of operation and conduct of operation for amusement establishments (arcades). City Manager advised he would research the subject.

Mr. Fairlie advised that Mr. Rod Jones of P.J.'s Carpets would replace Dr. Frank Carrella on the business community's ad hoc committee to study the sign ordinance with council. Council agreed to meet with the committee at 6:30 pm on Monday, February 16 and requested that committee members be notified of the meeting time.

Item 10 on the Agenda:

Communications from the City Manager.

Mr. Achen requested the addition of Resolution No. 81-9 authorizing settlement of a claim against the city. Mayor Moore designated the addition as agenda item 13-a.

Item 11 on the Agenda:

FIRST READING: BILL NO 81-2, declaring the results of the February 3, 1981 Gladstone Councilmanic Primary Election and designating the order of ballot for the April 4, 1981 general election as follows:

Wilma Ogden  
Jim Butler  
Ken Karns  
Larry Whitton

Mr. Ashcroft moved to place Bill NO. 81-2 on first reading: Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-2, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. The Clerk read the Bill.

Mr. Ashcroft moved to place Bill No. 81-2 on third and final reading and waive the appropriate paragraph of Ordinance No. 1.83. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. The Clerk read the Bill.

Item 7 on the Agenda:

Approval of Building Remodeling Plans

a. Buck Shear Hair Styling, 6704 N Oak

Mr. Harlin Buck, 6212 NE Normandy Lane reviewed plans with Council for exterior remodeling and roofline change to accommodate a new building face sign. Mr. Buck noted that he would construct sidewalks along the Oak Street frontage as required by the commercial sidewalk ordinance.

Mr. Fairlie moved to approve the building plans as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. (4-0)

b. McDonald's Restaurant, 7412 N Oak

Mr. Lee Waggy, Rt. 27 Box 283 Parkville, Mo. reviewed plans for drive-up window on the south side of the restaurant. He noted that they had gone to angle parking a year ago in anticipation of a future drive-up window. Mr. Waggy agreed that McDonald's would construct sidewalks along the Oak Street frontage to the city's specifications.

Mr. Ashcroft moved to approve the McDonald's remodeling plans as submitted with the stipulation that sidewalks be constructed on N Oak. Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore. (4-0)

Item 8 on the Agenda:

Communications from the Audience.

Barbara Beahm, 2311 Scandia Drive, Apartment Kill, requested waiver of the curb, gutter, sidewalk improvement requirements on property under construction on No. Tracy at 57th Terrace. In addition the water connection will be made to Kansas City's main per Gladstone's contract with them and utility billing provided by Gladstone.

In her request Ms. Beahm noted that her home will be built to accommodate her wheelchair and feels the costs of improvements at this time are prohibitive. No other curbs, gutters or sidewalks presently exist in the area and those built for her would not match any future construction. She is agreeable to build the improvements at such time in the future as the entire neighborhood builds them.

Following council discussion, Mr. Bussinger moved to grant Ms. Beahm's request for waiver of the curb, gutter and sidewalk improvements on the basis that this is an exceptional case and to accommodate her handicapped situation and that she agrees to accept any future assessment for curb, gutter and sidewalk improvements. The waiver is not to be construed as establishing a precedent for similar waivers along that section of N. Tracy. Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Moore.

Tom Laser, 3 NE 63 Terrace, recommended "NO PARKING" on Main, 62 Terrace and 63 Terrace.

Barbara Withrow, 106 NE 63rd Terrace, spoke in opposition to the proposed project stating that she feels if approved the city will be doing the neighborhood a disservice. She questioned the quality of the project and sees it as a lower income one similar to Parvin Estates.

Mr. Rodgers, 1 NW 64 Terrace opposes the project because of the increased traffic it would generate. For the last three weeks cars have been stuck in his yard due to the narrowness of the roads. In his opinion more people will create more problems. He opposes the density of the project and feels the quality of life suffers when too dense. The quality of life should be the Council's first consideration. He further noted there are already approximately 1,000 units in the area already.

Three being no further comments, Mayor Moore closed the public hearing.

Item 6 on the Agenda:                      Consideration of Preliminary Plat.  
R-1 development, 72nd Terrace and N. Indiana. Applicant:  
Bob Jones.

Mr. Bob Jones reviewed plans for construction of five single family residences of approximate 1,208 sq. ft. in the \$65,000 price range with Council members.

Council discussed with Mr. Jones possibility of purchasing adjacent property to incorporate into this plan providing for a larger development. Mr. Jones acknowledged that his brother owns ten acres to the north and has expressed no interest in selling it to him nor has the other adjacent owner Mr. Riley been willing to sell. Council also suggested the need for an east-west access to the adjacent Tail Timber Subdivision.

Mr. Ashcroft pointed out that this plat does not seem to have continuity with the rest of the area. He noted that if Council approves this plat without future access in mind we wind up with cul de sacs and deadend streets and have to live with it.

Mr. Bussinger moved to approve the preliminary plat of Indiana Way as submitted; Mr. Moore seconded. The vote: "Aye"- Bussinger, Fairlie, Moore. "No" - Ashcroft, (3-1)

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
January 12, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of December 22, 1980 city council meeting.
4. PUBLIC HEARING: Proposed Amendment to the Gladstone Sign Ordinance.
5. CONSIDERATION OF BUILDING/REMODELING PLANS: - Banzadu Limited, 6401 N Prospect (former Bonanza Restaurant) Applicant: Susan Leslie
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. SECOND READING: BILL NO. 80-50, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property at 7219 N Oak (west 70 feet of Lot 4 & 5, Block H, Mosby Highlands Annex). Bruce Lambert
10. RESOLUTION NO R-80-1, endorsing the February 3, 1981 Clay County Bond Election for construction of Jail, courthouse and administrative offices.
11. RESOLUTION NO. R-80-3, endorsing the Mid-America Regional Council's Areawide Housing Opportunity Plan.
12. RESOLUTION NO. R-80-3, authorizing execution of a contract by and between the Kansas City Area Transportation Authority and the City of Gladstone.
13. RESOLUTION NO. R-80-4, authorizing acceptance of a Bill of Sale for water main constructed in Northhaven East Subdivision under Contract No. 175.
14. APPROVAL OF FINANCIAL REPORTS:
  - a. Financial Statement for General Fund, Combined Water & Sewer Fund, and Municipal Pool.
  - b. Statement of Cash Receipts & Disbursements for December, 1980.
15. Other Business
16. Questions from the News Media
17. Adjournment

*Agenda additions:*

- Item 13a. Clerk Terina Healey Files, 7408 N Oak  
Item 13b. Res 81-5, \$1,500 appropriation for Big County Annex. Inqul.  
Item 13c. Res 81-6, Sunset Forest Hill (Hwy), \$900,000 (6 mo) & \$900,000 (12 mo)  
Item 13d. Bill 81-1 Joint Resol. N. Broadway n.e. & 22nd St.



MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

12 January 1981

The Gladstone City Council was called to order on January 12, 1981 by Mayor Rick Moore at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Moore, those in attendance were: Councilman Lee Bussinger, Councilman Bob Fairlie, Councilwoman Wilma Ogden, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Councilman Bob Ashcroft was absent from the city.

Item 2 on the Agenda: Mayor Moore led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mrs. Ogden moved to accept the minutes of the December 22, 1980 city council meeting as submitted. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 3a on the Agenda: Gladstone Chamber of Commerce President Mark Degenhardt presented a trophy to Captain John Fields in recognition of the Gladstone Public Safety Department's efforts in connection with the November 1, 1980 Fall Festival Parade. Mr. Degenhardt commented that the parade and other activities went smoothly due to the assistance provided by the department. The Chamber is hopeful that the Fall Festival will become an annual event in the city of Gladstone.

Item 4 on the Agenda: Public Hearing: Proposed amendment to the Gladstone Sign Ordinance.

Mayor Moore opened the public hearing explaining that a bill which would prohibit new pole signs in commercial areas throughout the city has been given two readings and is currently tabled. The Council will hear comments from those in favor of the proposed amendment followed by those in opposition.

IN FAVOR

Sandra Vincent, 7202 N Woodland said she she is in favor of elimination of pole signs from commercial areas because it will help beautify the city and rid the commercial areas of the "cluttered" appearance the signs provide. In her opinion building face signs are better maintained. In reference to concern for removal of existing signs she pointed out that homeowners are expected to comply with new laws therefore businesses should also.

Mayor Moore clarified that the proposed amendment only deals with new signs. The ordinance if passed would disallow erection of new pole signs after the effective date of the ordinance. He said that there had been discussion among council members that if this ordinance passes another amendment might be introduced to address the existing pole signs.

OPPOSITION.

Mr. Jim Mason, General Sales Manager for Fred Angle Datsun-Pontiac, 5900 N Oak road a letter from Fred C. Angle, President expressing his opposition (attached to minutes).

Mr. Angle's letter opposed the proposed sign ordinance as it now stands. He noted that several years ago retail merchants were forced to remove roof mounted signs to improve the appearance of the city but he believes the removal of all identification of retail businesses is pushing the beautification a bit too far. By the very nature of retail business some type of identification is mandatory to help direct the traffic to the merchants place of business that has been generated by considerable advertising expense by local merchants. North Oak is very hilly and busy and thousands of people that merchants attract are strangers to the area and without some type of proper identification they could create a safety hazard while attempting to locate their destination. Mr. Angle urged consideration of appointing a committee to try to find a middle ground that perhaps will allow us to have our cake and eat it too.

\* \* \*

Mayor Moore again clarified that the proposed amendment only addresses pole signs and does not deal with ground or building face signs.

\* \* \*

Ann Baker, 7405 N Central, commented that she appreciates the signs and uses them as a gauge in knowing how much time she has to slow down or make a turn in to the businesses. She feels the proposed amendment is unfair to new businesses and is also opposed to any increase in taxes to support the city if sales tax is lost as a result of the new ordinance.

\* \* \*

Suzanne Ballew Karns, 4342 Claymont Drive, representing Century 21 Realty said she is fairly new to the area but suggests if the city is concerned with aesthetics they should look at the elimination of power line poles along the commercial arteries.

\* \* \*

Mike Jents, 1708 Club House Drive, North Kansas City, Missouri is the operations manager for Vikers and commented that their signs represent a national logo and it is their intent to leave the signs as they are.

\* \* \*

Cordon Davis, 7931 Harrison representing Shoney's Restaurant commented that he cannot understand why the council has encouraged the business growth and now proposed a change which will hurt business because of their concern for "Noland Road" image in our city. People have worked for years to make a living at their business. He suggests widening the streets for additional lanes. He further protested the "phoney" pictures that appeared in the paper depicting the commercial area signs within a short distance when in fact the signs pictured take in a several block area.

Charles Doolittle, 3415 NE 100th Street operator of a business at 7208 N Oak commented that his business is in the oldest shopping center in Gladstone. He stated that the city is well run but you can't have a self supporting "bedroom community". It will not support itself you must have the business community to support it. He is of the opinion that the present sign ordinance would take care of most of the problems if properly enforced.

\* \* \*

John Chezik, 5606 N Oak stated that he would not be in business if he did not have adequate signs. He feels the issue is whether Gladstone wants to continue to be a progressive community as they have been for the past number of years. He wants the signs to stay and wants Gladstone to be progressive. He would have to move somewhere else if he did not have a sign.

\* \* \*

Dr. Frank Carella, 180 NE 72nd Street presented a letter from the Gladstone Chamber of Commerce officially opposing the proposed ordinance or any ordinance amending the city's sign ordinance which would restrict, ban, prohibit, or order removal of any signs, displays or advertisements in any manner. The Chamber's letter went on to say that such an ordinance would tend to dilute, destroy, or harm the present and future economic stability of the city of Gladstone. (Letter attached to minutes)

\* \* \*

Mark Degenhardt, 6915 N Broadway stated that he believes pole signs are necessary and suggests a meeting of business representatives and council to discuss the issue. He commented that the business community wants to work with the council to keep Gladstone the great community that it is. He pointed out that sales tax revenue has been supporting the city's capital improvements and although real property is expected to generate \$600,000 this budget year, sales tax is projected at over a million dollars and a considerable loss of sales tax revenue could result if business is hurt because of the proposed sign ordinance. He further commented that although he has a lot of respect for each member of the city council he does not believe this issue can be decided by five people and again urged that a meeting of representatives of the business community and council be arranged.

\* \* \*

Lee Waggy, McDonald's Restaurant, 7412 N Oak stated that he had supported the widening of N Oak and Sales Tax elections because he felt they were needed. Now that we have four-laned N Oak we have created a commercial artery in a bedroom community. For the commercial community to be financially successful he believes pole signs are necessary. He pointed out that in retrospect if we had not widened N Oak it would not have attracted businesses and we would not be here tonight engaged in this discussion.

\* \* \*

Gary Madsen, owner of Gary and Joe's Barbershop, 7301 N Oak commented that although he does not have a pole sign at his business establishment it would be desirable because it sits back off the street and is difficult to see. He urged the Council to reconsider the proposed ordinance and not make it any harder on businesses. Removal of the power lines would greatly beautify the commercial areas and should be the city's #1 priority.

Mr. Madsen also commented that the picture in the paper earlier referred to was misleading because it took several blocks of business signs and made it appear they were in a much shorter distance.

Mayor Moore clarified that contrary to some insinuations made, the Gladstone City Council had nothing to do with the picture in the paper.

\* \* \*

Mr. Mark Degenhardt, 6915 N Broadway emphasized that signs tell people what you have to sell or rent or the service you have to offer. If you have something to sell you have to advertise it and presented a picture offering property for rent to make his point. Mr. Degenhardt further commented that it is regrettable that Councilman Ashcroft was absent this evening as he understands he introduced the proposed sign ordinance amendment. Council advised that Mr. Ashcroft was attending a swearing-in ceremony for his brother, Attorney General John Ashcroft otherwise he would have been in attendance.

\* \* \*

Duane Hubble, 612 NW 44th Street stated that his pole sign in his way of reaching the people. He commented that his experience with his business in another city has proven to him that the signs definitely represent an increase in business. He feels signs are necessary and can benefit in appearance. His business in Gladstone is at 56th and N Oak.

\* \* \*

Fred Fleming, 2516 NE 77th Street, General Manager of Metro Gas on Antioch Road asked if the proposed ordinance would allow reerection of a sign that blew down. Counselor John Dods stated that the intent of the ordinance as presently written would not allow it.

He suggested that the city put stop signs and street signs on one pole as a means of eliminating some poles. He noted that the City of Kansas City uses this method.

\* \* \*

Frank Pittala, 6807 N Woodland pointed out that the consensus from the remarks made this evening seems to be that people will work with the Council if they want to better enforce or police the existing sign ordinance. He suggests the business community be approached and asked for their cooperation in this matter. He further commented that if we are trying to beautify Gladstone the first step we should take is to take down power poles and recognizes how expensive that would be. Mr. Pittala said he has driven down the street and noted signs that did not conform to the code but feels that if the business community were approached the city would get good cooperation.

Mr. John Hall, 2406 NW 84th Terrace pointed out that in today's economy many businesses are closing. If 10% of your business is generated from signs, the loss of that 10% could be just enough to close your business.

\* \* \*

Mayor Moore noted that many cities share Gladstone concern for the sign pollution problem. We need to plan for the future of our community and there was never any intent to penalize businesses.

\* \* \*

Russ Mahoney, 1608 NE Rosewood stated that he opposes anything government does to affect businesses.

\* \* \*

Mr. Gordon Davis, Shoney's Restaurant suggested that all businessmen want to work with the city but there does have to be concessions made on both sides and commented that the city would not be able to maintain the current tax rate if they lose business as a result of the new ordinance. He also suggested a meeting with the business community.

\* \* \*

Ruby Kenworthy, owner of business property at 6504 N Oak, <sup>commented</sup> on the importance of signing and the expense of signs. She is opposed to the taxpayers bearing any expense of reimbursing businesses for taking down their signs if the Council ultimately proposes such an ordinance.

\* \* \*

Dale Sapp, representing Ray Sapp Hardware, 72nd & N Oak spoke in opposition to the proposed ordinance and pointed out that when N Oak was widened it was costly to move the sign which costs were paid by the property owner not the city.

\* \* \*

Mike Powell, Burger King, 60th and Antioch Road pointed out that in Minnesota an ordinance similar to that proposed was passed and had a devastating affect on businesses when signs were taken down. To counteract the loss of business, businesses added more building signs and then decorated businesses with increased lighting which became more unsightly.

\* \* \*

Bill Bardwell, Farm and Home Savings Association, 6927 N Oak commented that they had spent over \$200,000 in refurbishing and redecorating their building and had installed sidewalks at council request even though few pedestrians used them and is very much opposed to the proposed ordinance. He further commented that Farm and Home will feel hurt if the new ordinance is passed.

Rod Jones, 2012 NE 68th and owner of a business at 73rd and N Oak pointed out that signs are essential to the small or medium sized business. He noted that the Old Towne complex at 67th and N Oak is an example of lack of signing. He passes by every day and he cannot not tell you what businesses are located there because he does not have time to take his eyes off of the four-lane thoroughfare to look closely. He would like to go on record as being very much opposed to the proposed ordinance.

\* \* \*

There were no other persons to speak on this issue, whereupon Mayor Moore closed the public hearing. Mayor Moore announced that the proposed bill is presently tabled and will be brought off the table and voted on at the next council meeting.

Councilwoman Ogden advised that she would not be present at the next council meeting and requested that it be left on the table until February 9th.

Councilman Bussinger stated that he personally opposes the proposed bill. He is for beautifying the commercial areas but feels such an ordinance will take business away. He feels that many good points were made this evening and that the fact that only one resident spoke in favor of the ordinance tells him that there is not a lot of citizen concern for signs. He regrets that Mr. Ashcroft was not able to attend to see the large number of persons who were in attendance. If the sign amendment passes he would favor an ordinance that prohibit R.V's and campers from being parked in residential areas. If we are going to beautify the commercial areas lets beautify the residential areas as well. He does think that we need to take a serious look at the proposed ordinance and hopes his fellow council members will take the points made tonight in consideration. He further hopes that if we pass an ordinance amending the existing sign ordinance that it will be more flexible and livable than presently proposed.

Mr. Fairlie pointed out that the clutter of signs on N Oak street is not as evident on Antioch Road because businesses are on larger tracts. Many N Oak tracts used to be private residences and therefore smaller in size. He pointed out that there are a number of questions that need to be answered such as, should a business on a small tract have the same size sign as a larger one such as a shopping center? Should signs be every 70 - 80 feet? He stressed that the council is trying to have the vision to address a matter that is becoming a problem and will be worse 10-15 years from now. The present sign ordinance has some inequities. The Council needs the help of the business community to establish "aesthetic" laws to allow the business community to advertise their business and still maintain the aesthetics of the commercial areas. The Council needs help in establishing that equitable point. Gladstone has to have the business community to provide services for our citizens and he feels we can work together on this matter. Mr. Fairlie again stressed that he has not made a decision on whether he will support the proposed ordinance and again solicited the help and input from the business community.

Mrs. Ogden stated that she is opposed to the ordinance as presently written. She commented that she knows the amount of tax dollars generated by the business community. She also pointed out that council members know full well the importance of signs having used them in their campaigns.

Mayor Moore said he has been accused of being anti-business lately and stressed that he has always been pro-business and campaigned on that platform. He stressed that this is a good city with a good staff and he cares about the city and what it will look like in the years ahead. He said if nothing else, the proposed ordinance has made the community aware the council is concerned about sign pollution but he again stressed that the council does not want to do anything to drive business from Gladstone. The council wants to hear from the business community on this matter.

Item 5 on the Agenda:

Consideration of Building/Remodeling Plans.  
Banzadu Limited, 6401 N Prospect  
Applicant: Susan Leslie

Mrs. Susan Leslie and her attorney, Perry M. Toll were present to represent this application.

Mr. Toll explained that Banzadu, Ltd. is a newly formed Missouri corporation owned by Susan Leslie and her husband, Stephen Leslie, M.D. Banzadu is entering a long-term lease for the Bonanzu Restaurant building at 64th & N Prospect. Banzadu will be furnishing amusement, entertainment and recreational activities to the general public of all ages. It will establish a setting not involving the sale of beer, wine or other alcoholic beverages. Hours of operation are 7 days a week, 10:00 am - 11:00 pm and until 1:00 pm on Saturday. Live band will perform for dancing in the evening hours. Soft drinks, hot dogs, popcorn, candy, etc. will be served. Armed, uniformed security will be on duty in the evenings. Morning programs are geared for mothers and their pre-schoolers and kindergarten children. Anyone under the age of thirteen must be accompanied by an adult. \$1.00 cover charge per person will be collected.

Mr. Fairlie moved to approve the building remodeling plans for Banzadu, 6401 N Prospect as submitted with the stipulation that escrow funds in an amount equal to \$1.75 per square foot for sidewalk installation along the N Prospect frontage be paid in compliance with the commercial sidewalk ordinance. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Ogden, Fairlie. (4-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. Dean Gromer, 2401 NE 72nd Street stated that he was opposed to the council passing Resolution NO. R-81-1 on the agenda endorsing the February 3, 1981 Clay County Bond Election for construction of jail, courthouse and administrative offices.

Item 7 on the Agenda:

Communications from the City Council.

Mr. Fairlie moved to appoint Ann Shannon, 1604 NE 65th Terrace and Larry Mooney, 701 NE 67th Place to one year terms ending 12-31-81 on the Planning Commission. Mrs. Ogden seconded. The vote: All "aye".

Mr. Fairlie introduced Mrs. Shannon and Mr. Mooney and welcomed them to the Planning Commission on behalf of the council.

Mayor Moore expressed concern for the delays by the Department of Interior and the State of Missouri over the ASB Bridge construction due to a question of placement of a bicycle path. He requested letters be sent to members of Congress on this issue.

Mayor Moore further noted the lack of adequate signing at entrances to Maple Woods Preserve and Hobby Hill Park. He suggested allocating funds for this purpose following review of the matter with the Park Board at their next meeting on the 28th. In addition the subject of a parking lot for the Maple Wood Preserve will be discussed with the Park Board.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Achen invited the public to a reception honoring Cy Carney, III Assistant City Manager who has accepted the position of Assistant Economic Development Coordinator for the City of Fort Worth, Texas and will be leaving the city's service January 16, 1981. The Reception will be held on Friday, January 16, 1981 from 3:00 pm to 5:00 pm in the council chamber area of the Gladstone City Hall.

Mr. Achen requested the addition of Clark Service Station building plans and Resolutions 81-5 and 81-6 to the agenda. Mayor Moore designated the items as agenda items 13-a, b, and c, respectively.

Item 9 on the Agenda:

SECOND READING: BILL NO. 80-50, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property at 7219 N Oak (west 70 feet of Lot 4 and 5, Block H, Mosby Highlands Annex). Bruce Lambert.

Mrs. Ogden moved to accept the first reading of Bill NO. 80-50, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Fairlie seconded the motion. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) The Clerk read the Bill.

Item 10 on the Agenda:

Mr. Bussinger moved to adopt Resolution No. R-81-1 endorsing the February 3, 1981 Clay County Bond Election for construction of jail, courthouse and administrative offices. Mr. Fairlie seconded.

Mr. Bussinger advised that he plans to vote yes on this resolution. His feeling is that we have to get the jail built and it is time to "get on with it". Mr. Moore commented that he is not totally pleased with the issue but agrees with Mr. Bussinger that we need a jail and will also vote in favor. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)



Item 11 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-81-2, endorsing the Mid-America Regional Council's Areawide Housing Opportunity Plan; Mr. Bussinger seconded.

Council questioned what the MARC plan suggests as far as housing assistance for Gladstone. Mr. Achen clarified that the plan states that Gladstone's housing needs are currently being met and Gladstone sees itself as a low priority for housing assistance. Gladstone's endorsement of the regional plan will allow HUD funding when available to other communities who have identified needs. Mayor Moore questioned the continual intervention of the federal government into local areas. The vote on the resolution: "Aye" - Bussinger, Fairlie, Ogden. "no" - Moore. (3-1)

Item 12 on the Agenda: Mrs. Ogden moved to adopt Resolution No. R-81-3, authorizing execution of a contract between the Kansas City Area Transportation Authority and the City of Gladstone for a one year period ending December 31, 1981 for a Gladstone subsidy share of an amount not to exceed \$7,330.00. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 13 on the Agenda: Mr. Bussinger moved to adopt Resolution No. 81-4 authorizing the City Manager to accept a Bill of Sale from Damon Pursell Construction Co. and North Haven East, Inc. for water main constructed under Contract No. 175 in Northaven East subdivision. Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 13-a on the Agenda: Consideration of Building Plans - Clark Service Station, 7408 N Oak.

Council reviewed plans for the installation of additional 10,000 gallon fuel tank.

Mr. Bussinger moved to approve the plans of Clark Service Station at 7408 N Oak as submitted with the stipulation that sidewalks be constructed along the Oak Street frontage in compliance with the city's sidewalk ordinance in commercial areas. Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) Mr. Bussinger asked that the City Manager advise representatives of Clark of the sidewalk stipulation and that sidewalks should be constructed within sixty days.

Item 13-b on the Agenda: Mrs. Ogden moved to adopt Resolution No. R-81-5, authorizing an appropriation of \$1,500 from the General Fund Contingency for use by the Clay County Investigative Squad. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Mr. Achen explained that the Clay County Investigative Squad is managed by and composed of chiefs of all law enforcement agencies in the county and receive contributions from all cities in the county as well as the funds from Clay County. Primary use of funds is for purchase of narcotics.

Item 13-c on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-81-6 authorizing the City Manager to accept a quotation for investment return on city funds at the Wall Street Journal's published rates as of January 15, 1981 with the First National Bank of Gladstone. \$900,000 for six months and \$900,000 for twelve months. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ashcroft, Moore.

Mayor Moore noted that the city does negotiate for the best rate on all investments.

Item 13-d on the Agenda: FIRST READING: BILL NO. 81-1, authorizing acceptance of right-of-way and easement conveyances and authorizing payments for such easements all in connection with the North Broadway/Salt Rock Road reconstruction project.

Mrs. Ogden moved to place Bill No. 81-1 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. The Clerk read the Bill.

Mrs. Ogden moved to accept the first reading of Bill No. 81-1, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. The Clerk read the Bill.

Mrs. Ogden moved to accept the second reading of Bill No. 81-1, waive the appropriate paragraph of 1.83 and place said bill on third and final reading. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. The Clerk read the Bill. Mrs. Ogden moved to accept the third and final reading of Bill No. 81-1 and adopt said bill as Ordinance No. 2.375. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore.

Mr. Achen advised that the conveyances are for twelve different tracts and represents \$3,6000 in right-of-way payments.

Item 14 on the Agenda: Mrs. Ogden moved to accept the financial reports as submitted for (a) Financial Statement for General Fund, Combined Waterworks and Sewer Fund and Municipal Pool. (b) Statement of Cash Receipts and Disbursements for December, 1980. Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore.

Council commented that financial reports are generated earlier in the month since going to computer although the reports take some getting use to in the new form.

Item 15 on the Agenda: Other Business.

Mrs. Ogden asked that an estimate be made of laying an asphalt path along N. Flora for access to the Oakwood Manor School. She noted that future plans call for sidewalks in that area but it may be several years.

Mayor Moore asked that a resolution be prepared stipulating that Revenue Sharing Funds be placed in escrow for capital improvements at a rate of 1/3 of the receipts in 1982 and 2/3 in '83 and all receipts in '84. He stressed that we have to start budgeting without Revenue Sharing Funds because the city must learn to be less dependent on the federal government because it is just a matter of time before Revenue Sharing will be phased out.

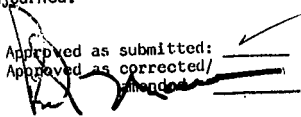
Mr. Bussinger asked that the staff research for an ordinance addressing parking of recreation vehicles, trucks and boats in residential areas. He stated that he plans to introduce such a bill if the proposed sign ordinance passes.

There were no questions from the news media.

There being no further business to come before the January 12, 1981 city council meeting the meeting was adjourned.

Submitted by:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld City Clerk

Approved as submitted: 

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

\_\_\_\_\_  
MAYOR



## FRED ANGLE DATSUN-PONTIAC

5900 No. Oak Trafficway Phone (816) 454-5900

KANSAS CITY, MISSOURI 64118

January 9, 1981



To Mayor Rick Moore and the Gladstone City Council:

I am sorry that I cannot be with you tonight to discuss this most important issue as I will be out of the city to attend an important Datsun meeting, but would like to express my views concerning the proposed Gladstone Sign Ordinance.

I am opposed to the proposed sign ordinance as it now stands.

Several years ago you forced the retail merchants to remove our roof mounted signs which we went along with all in the interest of improving the appearance of the city, but I believe that the removal of all identification of retail businesses is pushing the beautification a bit too far.

By the very nature of a retail business some type of identification is mandatory to help direct the traffic to the merchants place of business that has been generated by considerable advertising expense by the local merchants.

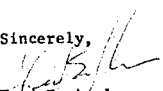
North Oak has become a very busy business street, but by it's very nature remains very hilly and many of the thousands of people that we merchants attract here yearly are strangers to the area and without some type of proper prior identification they could very well create a safety hazard as they poke and pause on a busy thoroughfare in an attempt to locate their destination.

I would urge you to consider appointing a committee of merchants to try to find a middle ground that perhaps will allow us to have our cake and eat it too.

Many thanks for listening to my views on this most important issue.

Best wishes.

Sincerely,

  
Fred E. Angle  
President



FEA/cd

4/12/81

January 8, 1981

In an emergency board meeting held on January 8, 1981, the Gladstone Chamber of Commerce, a group of over 125 member businesses and employing over 500 persons in the City of Gladstone, the following was unanimously adopted:

- WHEREAS, it has become necessary for the Gladstone Chamber of Commerce to officially oppose any ordinance or proposed ordinance amending the city's sign ordinance to restrict, ban, prohibit, or order removal of any signs, displays or advertisements in any manner;
- WHEREAS, such ordinance would tend to dilute, destroy or harm the present and future economic stability of the City of Gladstone;
- BE IT RESOLVED that the Gladstone Chamber of Commerce does officially oppose any such ordinance or proposed ordinance so amending the city's sign ordinance.

  
Mark Degenhardt, President

  
Frank Carella, President Elect

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CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
January 26, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 12, 1981 city council meeting.
4. PROCLAMATION: Designate week of February 8-14, 1981 as "JAYCETTE WEEK" in the city of Gladstone.
5. PUBLIC HEARING: Proposed revision to the Gladstone Subdivision Ordinance requiring developer installation of street lights in subdivisions.
6. Communications from the Audience.
7. Communications from the City Council.
8. Communications from the City Manager.
9. THIRD READING: BILL NO. 80-50, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property at 7219 N Oak (west 70 feet of Lot 4 & 5, Block H, Mosby Highlands Annex). Bruce Lambert, applicant.
10. RESOLUTION NO. R-81-7, authorizing execution of a grant agreement with the Missouri State Department of Natural Resources for the 1981 Youth Conservation Corps Program in the city of Gladstone.
11. APPROVAL OF FINANCIAL REPORTS:
  - a. Cash Disbursements for the month of December, 1980.
12. Other Business
13. Questions from the News Media
14. Adjournment

*Minute Book*

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

26 January 1981

The Gladstone City Council Meeting was called to order on January 26, 1981 by Mayor Rick Moore at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Moore, those in attendance were: Councilman Lee Bussinger, Councilman Bob Ashcroft, Councilman Bob Fairlie, Councilwoman Wilma Ogden, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda:  
Flag in which all joined.

Mayor Moore led the Pledge of Allegiance to the

Item 3 on the Agenda:      PROCLAMATION - Mayor Moore read a proclamation designating the week of February 8-14, 1981 as "Jaycette Week" in the city of Gladstone. Mayor Moore commended the Gladstone Jaycee Women for their dedication and ongoing contributions to the community and support of such projects as Camp Wonderland for Muscular Dystrophy, Mayor's Christmas Tree Program and others. Ms. Karen Campbell accepted the proclamation on behalf of the Gladstone Jaycee Women organization.

Item 4 on the Agenda:      Mr. Bussinger moved to accept the minutes of the January 12, 1981 city council meeting as submitted; Mrs. Ogden seconded. The vote: "aye" - Bussinger, Fairlie, Ogden, Moore. "pass" - Ashcroft. (4-0)

Item 5 on the Agenda:      PUBLIC HEARING: Proposed revision to the Gladstone Subdivision Ordinance requiring developer installation of street lights in all new subdivisions.

Mayor opened the public hearing explaining that the proposed ordinance would require installation of street lights in new subdivisions at developer expense. He explained that it is virtually impossible for the city to provide street lights after subdivisions are built because the cost is prohibitive. He further commented that most people want street lights but not in their yard. This problem could be solved if lights were placed prior to sale of the lots. Buyers could then choose lots based on their preference for lighting.

There were no persons in the audience to speak for or against the proposed ordinance, whereupon Councilman Fairlie suggested continuation of the public hearing until the February 9th council meeting. Mr. Fairlie commented that a similar ordinance was proposed several years ago but did not pass. Since that time approximately \$75,000 - \$100,00 has been spent by the city in street lighting.

Mr. Achen pointed out that the Home Builders Association annual convention is being held this week which may account for absence of builders and developers. He noted that a letter had been received from Acuff Homes opposing such an ordinance. In his letter Mr. Acuff points out that street lights would add

approximately \$300 to each home to be passed on to the buyer making Gladstone builders less competitive with builders in surrounding areas, questioned if all citizen help pay maintenance expense; suggested petition for a Benefit District; that way those benefitting will pay for installation and maintenance.

Mr. Achen advised that Terry Liggett had telephoned his objection to the proposed ordinance stating that the Proposed ordinance would penalize new development in the city and also suggested a special benefit district or taking the issue to a vote of the people.

Council agreed to continue the public hearing on this matter until the February 9th council meeting and directed that builders/developers and the press be so advised.

Item 6 on the Agenda:

Communications from the Audience.

Dr. Frank Carrella, 500 NW 66th Street, President Elect of the Gladstone Chamber of Commerce read a letter of commitment from the Chamber to work with the Council in exploring alternatives to the proposed sign ordinance, and strategy for improving the appearance of commercial areas as well as alternatives for financing underground utilities, and enforcement of the present sign ordinance.

\* note: Additional item under agenda item 6-a on page Two-a of the minutes  
Item 7 on the Agenda: Communications from the City Council.

Council announced that the third reading of Bill eliminating free standing pole signs will be tabled indefinitely pending results of meetings scheduled for February 16 and March 2 to explore alternatives to the proposed ordinance. A committee including Lee Wagy, Doug Day, Frank Carrella and Frank Pittala will meet with the council on these dates.

Councilman Fairlie commented that we are not doing a good job of enforcing or policing the present sign ordinance and business community needs to police themselves and be aware of present and future sign clutter. He further commented that he is not comfortable with the present ordinance (proposed) unless it is modified to be equitable with new business. The Committee will be charged with bringing feedback from the business community to implement any changes. Mr. Fairlie noted it is time to begin planning for the future.

Mr. Ashcroft commented he is not sure that the business community is aware of the restrictions under the existing sign ordinance and he is anxious to see what alternatives the Chamber comes up with.

Mayor Moore stated that a number of highly visible business leaders have sign violations and if everyone in the business community is willing to make a commitment to enforce the existing ordinance the proposed ordinance can be tabled for the present.

Responding to earlier comments, Lee Wagy (McDonald's Restaurants) stated he is most willing to serve on the committee and work to resolve the issues but stressed that neither he, the committee or the Chamber of the Commerce has any authority over another business as far as policing the existing sign ordinance.



Item 6 on the Agenda:  
(continued)

Communications from the Audience.

Susan Leslie, operator of Banzadu, Ltd. 6401 N Prospect requested City Council waiver of the sidewalk stipulation imposed by council at the time of building plan approval at the January 12, 1981 council meeting. Council had received copy of January 21, 1981 letter from her attorney, Perry M. Toll detailing her request.

Following discussion of grade problems at that location and the uncertain timetable for road improvement to North Prospect (Highway #1), Council determined that sidewalk construction waiver would not be granted.

Mrs. Leslie stated that the Bonanza Company, would put up a bond in lieu of cash. Following discussion Counselor Dods agreed that a surety bond extending for the length of the lease would satisfy the sidewalk construction requirement. Mrs. Leslie noted that she has an eleven year lease on the property. Mr. Dods said the terms of the bond would have to be worked out. He further commented that such a surety bond might be difficult to obtain.

Council agreed to discuss the bond requirements with Counselor Dods and respond in writing to Mrs. Leslie.

Communications from the City Council ( continued )

Advisory Commission Appointments

Mrs. Ogden moved to reappoint Dean McCammon, 5981 N Kansas and Edith L. McDaniel, 3518 NE 61 Terrace to terms on the Gladstone Park Board expiring December 31, 1983. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

\* \* \*

Mr. Bussinger advised that Public Safety Advisory Committee appointments are made on a yearly basis. The present composition of the committee is eight members including a student member. Council will make five appointments at this time as an ordinance changing the number of committee members from eight to five will be introduced at the next regular council meeting on February 9th. The proposed ordinance will also address the frequency of meetings for the committee.

Mr. Bussinger moved to appoint the following for one year terms on the Citizen's Advisory Committee to the Public Safety Department expiring December 31, 1981:  
Virginia Bauman, 1400 NE 67th Place  
James Furlong, 6819 N Euclid  
Robert Glover, 1504 NE 64  
Marvin McIntyre, 7531 N Wayne  
George McCuiston, 6600 N McGee

Mrs. Ogden seconded the motion. The vote all "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

Mayor Moore announced that Mr. Marvin McIntyre would serve as Chairman of this Committee.

\* \* \*

Mr. Ashcroft moved to reappoint Frank Scully, 503 NE 67th Street to a term on the Gladstone Special Road District expiring January 1, 1984. Mr. Fairlie seconded. The vote: "Aye" - Ashcroft, Fairlie, Ogden, Moore. "Pass" - Bussinger. (4-0)

\* \* \*

Mr. Fairlie moved to appoint Pam Walsh, 6712 N Baltimore to a term on the Planning Commission expiring December 1983; Richard Davis to a term expiring December 1982. Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

\* \* \*

Mayor Moore moved to appoint Derrell Cunningham, 3505 NE 62 Terrace and Rev. Lloyd Contry, 7305 N Euclid to terms on the Cable TV Advisory Committee expiring December 1983. Mr. Fairlie The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore.

Item 8 on the Agenda:

There were no communications from the City Manager.

Item 9 on the Agenda:

THIRD READING: BILL NO. 80-50, rezoning from R-1, Single Family Dwelling District, property at 7219 N Oak (west 70 feet of Lot 4 and 5, Block H, Mosby Highlands Annex). Bruce Lambert, applicant.

Mrs. Ogden moved to accept the second reading of Bill No. 80-50, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. The Clerk read the Bill.

Mrs. Ogden moved to accept the third and final reading of Bill No. 80-50 and enact said Bill as Ordinance No. 2.376. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore.

Item 10 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. R-81-7, authorizing execution of a grant agreement with the Missouri State Department of Natural Resources for the 1981 Youth Conservation Corps Program for the city of Gladstone. Federal funds allocated \$11,182.00 with a local share of in-kind services and materials totalling \$5,522.40. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

Item 11 on the Agenda:

Approval of Financial Reports.

Mr. Bussinger moved to accept the Cash Disbursements for the month of December, 1980 as submitted. Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

There being no further business to come before the January 26, 1981 city council meeting, the meeting was adjourned.

Submitted by:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: X

Approved as corrected/  
amended

Mayor  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
February 9, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 26, 1981 city council meeting.
4. CONTINUED PUBLIC HEARING: Proposed amendment to the Gladstone Subdivision Ordinance requiring developer installation of street lights in all new subdivisions.
5. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to R-3, Garden Apartment District, property described as area west of 62 Terrace and N. Main. Owner: Dewey Fortner. Applicant: Larry Wickham.
6. CONSIDERATION OF PRELIMINARY PLAT: R-1, development, 72nd Terrace and N. Indiana. Applicant: Bob Jones
7. APPROVAL OF BUILDING REMODELING PLANS:
  - a. Buck Shear Hair Styling, 6704 N. Oak
  - b. McDonald's Restaurant, 7412 North Oak
8. COMMUNICATIONS FROM THE AUDIENCE
9. COMMUNICATIONS FROM THE CITY COUNCIL
10. COMMUNICATIONS FROM THE CITY MANAGER
11. FIRST READING: BILL NO. 81-2, declaring the results of the February 3, 1981 Gladstone Councilmanic Primary Election.
12. FIRST READING: BILL NO. 81-3, establishing a Citizens Advisory Committee to the Public Safety Department, providing for the selection of members and setting forth duties and time and place of meetings.
13. RESOLUTION NO. R-81-8, authorizing execution of a contract for electrical service installation at the animal shelter facility.
14. APPROVAL OF FINANCIAL REPORTS:
  - a. Statement of Cash Receipts & Disbursements for January, 1981.
  - b. Cash Disbursements for January, 1981.
  - c. Financial Statement for all city funds, 7 months ending January 31, 1981.
15. Other Business
16. Questions from the News Media
17. Adjournment

Item 15 on the Agenda:

Other Business.

Councilman Bussinger requested the Manager to check to ensure that the electrical contractor for the animal shelter (Hagen Electric) holds an city occupation license and that a remodeling permit was obtained for the Wizard Arcade remodeling project (72nd & N Oak).

There being no further business to come before the February city council meeting, the meeting was adjourned.

Submitted by:

Approved as submitted: \_\_\_\_\_

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
City Clerk

Approved as corrected/  
amended \_\_\_\_\_

*[Signature]*  
\_\_\_\_\_  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 23, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance led by West Englewood School Blue Bird Troop.
3. Acceptance of Minutes of February 9, 1981 city council meeting.
4. PROCLAMATION: Designating the week of March 15 - 21 as "NATIONAL CAMPFIRE WEEK" in the city of Gladstone.
5. PUBLIC HEARING: Request to rezone from R-1, Single family dwelling district to CP-0, Planned non-retail business district, property described as 5708-14 N Antioch Road. (Lots 1-4, 17 & 18, Block 3, Resurvey of Englewood). Applicant: Douglas A. Meyer. Owner: John Hutcherson
6. PUBLIC HEARING: Request to rezone from R-3, Garden Apartment District to RP-4, Planned Apartment House District, property described as 7000-56 N. Olive (Lots 1 & 1A, Grenoble Park). Applicant/Owner: L. Robert McLaughlin.
7. Communications from the Audience.
8. Communications from the City Council.
9. Communications from the City Manager.
10. FIRST READING: BILL NO. 81-4, rezoning from R-1, Single Family Dwelling District to R-3, Garden Apartment District, property located west of 62nd Terrace & N. Main. Applicant: Larry Wickham. Owner: Dewey Fortner.
11. FIRST READING: BILL NO. 81-5, an ordinance approving the final plat of INDIANA WAY SUBDIVISION, 72nd Terrace & N. Indiana. Applicant/Owner: Robert Jones.
12. FIRST READING: BILL NO. 81-6, an ordinance amending the Gladstone Subdivision Ordinance and providing for the installation of street lighting by developers in all new subdivisions within the city of Gladstone.
13. FIRST READING: BILL NO. 81-7, an ordinance amending Chapter 16-14 of the City Code providing for the placement of refuse for pick-up in the city of Gladstone.
14. FIRST READING: BILL NO. 81-8, an ordinance amending Section 27-9.1 of the City Code providing for construction of sidewalks in commercial use zones in the city of Gladstone.
- 14a. Other Business *Street Lighting Bill No. 81-7. Applying even parity/dominant clause for payment in new thing*
15. Questions from the News Media
17. Adjournment

14b. Res 81-10 - urge City Council select Hays site for Western Big Country Business Center  
15c. Res 81-11 - Approve Project of Appleton North Ave. - St. Louis - Architects & Designers Authority Inc.

Stimule Bird

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

23 February 1981

The Gladstone City Council Meeting was called to order on February 23, 1981 by Mayor Rick Moore at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Moore those in attendance were: Councilmembers Lee Bussinger, Bob Ashcroft, Bob Fairlie and Wilma Ogden. City Manager Mark Achen, City Counselor Dick Woods and the City Clerk were also in attendance.

Item 2 on the Agenda: The Pledge of Allegiance to the Flag was led by the West Englewood School Blue Bird Troop.

Item 3 on the Agenda: Mr. Bussinger moved to accept the minutes of the February 9, 1981 city council meeting as submitted. Mr. Fairlie seconded. The vote: "aye" - Bussinger, Ashcroft, Fairlie, Moore. "pass" - Ogden.

Item 4 on the Agenda: PUBLIC HEARING: Request to rezone property at 5708-14 N Antioch Road from R-1, Single Family Dwelling District to CP-0, PLanned Non-retail business district. Applicant: Douglas A. Meyer. Owner: John Hutcherson.

Mr. Hutcherson reviewed plans with Council for two-level office building with approximately 20,000 sq. ft. of rentable space. Plans call for two entries - south and west. West entry will face their own parking lot rather than Antioch Road and will provide insulation from noise and traffic. A sign designating the building name is proposed but would not bear a listing of tenants. Negotiations are taking place on Lot 16 for future parking with agreement that present owners will continue to reside on property as long as they desire. At the present time this lot is not included in the rezoning request but they did want Council to be aware of future plans.

Mr. Hutcherson reviewed changes to original plan submitted to the Planning Commission which have been reviewed with interested parties at neighborhood group meetings. Plan changes have been mutually agreed upon by the developer and neighborhood group and include: curb and gutter back to their entryway rather than sidewalk leading "nowhere"; traffic directory sign directing traffic back to Antioch Road rather than residential streets; chainlink fencing with natural screening of trees and shrubs as shown on the plan; buffer changes using 15 ft. of property immediately adjacent to their property to insulate parking lot and then 10 ft. strip of trees - neighbors had preferred this to large expanse of parking lot.

Mary Stum, 2407 NE 58th Street, neighborhood spokesperson agreed that revisions to the plan had been agreed upon by the neighborhood group.

Mr. Hutcherson noted that residents had expressed concern for drainage and he assures that drainage will be engineering to satisfaction of the City Engineer. He stated that the building had been moved to set 22 ft. back from Antioch Road and will line up with the Carver property to the south. He noted that there were two front lines to match - building on the north and building on the south and both were different. Theirs will match south building more closely.

Mr. Bussinger noted that a primary concern at the Planning Commission meeting was drainage and asked if project would be drainage engineered to the City Engineer's specifications. Mr. Hutcherson said that drainage was also a concern of theirs and assured that it would be engineered to the City's specifications.

In discussion with Council on requested setback variances, Mr. Hutcherson pointed out that all are seen desirable to make the construction more compatible with adjacent R-1 properties by moving the building forward to Antioch Road, thus farther from residential. The building has been planned to utilize every sq. ft. because of the economics.

#### OPPOSITION:

Mary Stum, 2407 NE 58th Street, spokesperson for the neighborhood group stated that residents are generally opposed to the depth of commercial encroachment on residential area but do agree that the proposed office building is preferable to other types of commercial that could be put there as example fast-food businesses. She said that Mr. Hutcherson had met and worked with property owners to address their concerns. She asked if Council could assure that the revised plan would be the plan that would ultimately be constructed if approved by the Council.

Council clarified that the "P" in the zoning assures that any substantial modifications to the plan will be brought back to the Planning Commission and Council.

Mr. Bussinger noted that the enlargement of the plan resulting in deeper commercial was encouraged by the Council because it was felt larger development would be more to the resident's liking. He now questions if Council read the residents wrong.

Mr. Ashcroft also asked if the larger development was not aesthetically a better project for the area.

Mrs. Stum again acknowledged that what is proposed is better than smaller fast-food type business but the larger plan encroaches on residential.



Mrs. Stum further noted that if this zoning passes and proposed building built, she would encourage similar type construction on Antioch Road.

Mr. Hurbert Gable, 2410 NE 57th Street spoke in opposition noting the Antioch Road development is encroaching more and more to residential area to the west. The original proposal for this property was 150 ft. deep now it is 300 ft. With regard to the variances proposed, he noted that homeowners must abide by building setback regulations and feels in fairness commercial developers should also. His major concern is for increased drainage from the project because drainage is a problem now.

Mr. Fairlie responded that the Council does have some latitude within "P" zoning to allow setback variances where warranted. Council had encouraged deeper commercial feeling that it would result in more stable commercial development. The Master Plan suggests 300 ft. depth or larger as opposed to smaller tracts in that area that would encourage fast food type business.

Mayor Moore agreed with Mr. Gable that at times setback requirements have not been uniformly applied to residents and builders and Council would keep that in mind.

There being no further comments, Mayor Moore closed the public hearing.

Item 6 on the Agenda: PUBLIC HEARING: Request to rezone from R-3, Garden Apartment District to RP-4, Planned Apartment House District, property described as 7000-56 N Olive. Applicant/Owner: L. Robert McLaughlin.

Mayor Moore opened the Public Hearing requesting those in favor of the application to speak followed by those opposed.

Mr. L. Robert McLaughlin, owner of the property reviewed his proposal for conversion of the present two & 1/2 story garden apartments to a retirement complex. He explained that combining the buildings and proposed addition of a dining room for residents and their guests necessitate this rezoning application for RP-4 zoning. He noted that the majority of the residents will be in their seventies and as transportation is provided as a part of their program no increase in traffic is foreseen.

Mr. Bussinger asked if Mr. McLaughlin understood that if this project falls through for some reason that any new application on the property will go back through the process to the Council. Mr. McLaughlin acknowledged that that was his understanding.

Mr. Bussinger also asked if Mr. McLaughlin was in agreement with the City Engineer's recommendations that 70th Street on the south and 71st on the north be constructed as shown on the plan to the west line of tract #1. And that the streets be 30' back to back curb and guttered and sidewalks. Mr. McLaughlin again acknowledged that he had agreed to the recommendations.

Mr. McLaughlin pointed out that the project is not a nursing home but rather a retirement center. In response to questions from Mrs. Ogden on timetable for the project, he indicated that the bond underwriters are ready once the project is approved. All of the present tenants are on a month to month basis now and will be given ample notice to relocate.

The building will have smoke detectors installed in each apartment unit and connected to a central control center. In addition sprinklers will be installed in hallways. Smoke alarms will also be installed in all public areas. The actual building plans will detail the fire protection installations.

Opposition:

Charles Hill, 7100 N Olive stated that he believes the proposed project will upgrade the area and favors the proposal but does question the opening of 71st Street into N Olive when it will only benefit AppleBrooke.

Mr. McLaughlin noted that the opening of 71st Street was planned primarily to accommodate fire safety needs. Mr. Achen noted that Highway #1 plans show that street opening to Prospect. Mr. Hill pointed out that the street opening might downgrade his property and he opposes it.

Mr. Achen said that there is a possibility that instead of the public street a parking lot marked for emergency equipment only could be utilized. He emphasized that it is impossible to depend on the parking habits of residents and there is substantial risk on the west side if fire apparatus cannot get access.

Council agreed that the street issue would be looked into and a response back to Mr. Hill.

There being no further discussion, Mayor Moore closed the public hearing.

Item 7 on the Agenda:                    Communications from the Audience.  
Mr. Ken Winkler, 100 NE 62 Terrace presented petitions protesting the 62 Terrace & N Main rezoning. He noted that one was a legal petition and the other a neighborhood petition. Mayor Moore advised that the legal petition would need to be notarized and then submitted to the City Engineer's office for verification.

Item 8 on the Agenda:                    Communications from the City Council.  
Mr. Bussinger requested staff check on possible junk vehicle violations at the Key apartment complex.

Mayor Moore requested the addition of Resolution No. R-81-10 to the agenda urging the Clay County Court and members of the Site Selection Committee to support a Gladstone location for the Western Clay County Service Center. Mayor Moore noted that vague promises were made sometime ago that if Gladstone voters supported the bond election a Gladstone site would be sought. He noted that the City of North Kansas City and the Northland Chamber of Commerce is urging location of the facility in their city which he feels would not be fair and equitable with North Kansas City's population of 5,000 versus Gladstone's 25,000.

Item 9 on the Agenda:                    Communications from the City Manager.  
Mr. Achen requested the addition of Bill No. 81-9 regulating coin-operated amusement devices to the agenda. Mayor Moore designated the item as agenda item 14-a.

Item 10 on the Agenda:                    FIRST READING: BILL NO. 81-4,  
rezoning from R-1, Single Family Dwelling District to R-3, Garden Apartment District, property located west of 62nd Terrace and N Main. Applicant: Larry Wickham. Owner: Dewey Fortner.

Mrs. Ogden moved to place Bill No. 81-4 on first reading; Mr. Fairlie seconded.

Mayor Moore announced that the applicants had submitted changes to the plan reducing the number of units and proposing the extension of 62nd Terrace through to connect to 63 Street at N Wyandotte.

Mr. Wickham and Mr. Fortner were present and invited interested residents to view the proposed changes whereupon the group adjourned to the Council conference room to review the plans.

The vote on the first reading: "All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Item 11 on the Agenda:      FIRST READING: BILL NO. 81-5,  
an ordinance approving the final plat of INDIANA WAY SUBDIVISION  
72nd Terrace & N Indiana. Applicant/Owner: Robert Jones.

In reviewing the final plat with Mr. Jones, Council again expressed concern that the plan does not include an east-west street for future access as discussed at the public hearing on February 9th.

Mr. Jones stated that he had discussed the possibility of a larger development with both his brother who owns property to the north and Mr. Riley who owns property to the south and west at one time but had not been successful in the negotiations. At the present time he only plans to develop five residences on his acre and one-half. He suggested that an east-west access could be put through at the time North Indiana is extended at some future date.

Mr. Ashcroft submitted a plan that had been prepared by Aylett Co. which included both Mr. Robert Jones' property and Floyd Jones and James Riley. Mr. Ashcroft clarified that he presents this plan because Mr. Jones had stated at a prior meeting that he had not been able to negotiate with the other two landowners to come up with a larger project.

Mr. Jones advised that the plan Mr. Ashcroft had in his possession was prepared by Aylett Co. for Mr. James Riley but again stated that he had not been able to come to an agreement with the other two property owners.

Council pointed out that their concern is that developments fit in with a master plan to prevent half-streets and cul de sacs that landlock adjacent property and again stressed the need for east-west access for future needs. Public Safety access vital.

Mr. Ashcroft again stressed that there were other alternatives than the plat submitted by Mr. Jones and stated that if the first reading of the bill approving the plat passes tonight he wants Mr. Jones to be aware that he opposes the plat in its present form and suggests Mr. Jones approach the property owners to explore alternatives which would result in an east-west access street.

Mr. Bussinger moved to place Bill No. 81-5 on first reading; Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Fairlie, Ogden, Moore. "Pass" - Ashcroft. (4-0) The Clerk read the Bill.

Item 12 on the Agenda:      FIRST READING: BILL NO. 81-6,  
an ordinance amending the Gladstone Subdivision Ordinance and  
providing for the installation of street lighting by developers in  
all new subdivisions within the City of Gladstone.

Mr. Ashcroft moved to place Bill No. 81-6 on first reading: Mrs.  
Ogden seconded. The vote: All "aye" - Ashcroft, Bussinger,  
Fairlie, Ogden, Moore. (5-0). The Clerk read the Bill.

Item 13 on the Agenda:      FIRST READING: BILL NO. 81-7,  
an ordinance amending Chapter 16-14 of the City Code providing  
for the placement of refuse for pick-up in the City of Gladstone.

Mr. Fairlie moved to place Bill No. 81-7 on first reading;  
Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft,  
Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Item 14 on the Agenda:      FIRST READING: BILL NO. 81-8,  
requiring construction of sidewalks in commercial use zones and  
providing for payments in lieu thereof.

Mr. Bussinger moved to place Bill No. 81-8 on first reading;  
Mr. Fairlie seconded. The vote: All "aye" - Bussinger,  
Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Item 14-a on the Agenda:      FIRST READING: BILL NO. 81-9, an  
ordinance regulating coin-operated amusement devices in the  
City of Gladstone, Missouri.

Mr. Bussinger moved to place Bill No. 81-9 on first reading: Mr.  
Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft,  
Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Council pointed out that the ordinance applies to any business  
operation involving the display, exhibit or offer for play or  
operation of any coin-operated amusement device; except those  
businesses that obtain no more than twenty percent of their monthly  
gross receipts from such devices.

Mr. Bussinger noted that the hours of operation in the ordinance  
are from 8:30 am until midnight and questioned if midnight might  
be too restrictive for Friday and Saturday nights.

According to Mr. Fairlie, the City of N. Kansas City's ordinance  
is applicable to all businesses having amusement devices with  
respect to the midnight limitation on the operation of machines.

Mr. Fairlie further questioned that the ordinance would be  
all that effective.

Mr. Bussinger moved to accept the first reading of Bill No. 81-9, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Ashcroft seconded. The vote: "Aye" - Bussinger, Ashcroft, Ogden, Moore. "No" - Fairlie. (4-1) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-9, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Ashcroft seconded. The vote: "Aye" - Ashcroft, Bussinger, Moore, Ogden. "No" - Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-9 and enact said ordinance as Ordinance No. 2.379. Mr. Ashcroft seconded. The vote: "Aye" - Bussinger, Ashcroft, Ogden, Moore. "No" - Fairlie.

Item 14-b on the Agenda: Mayor Moore moved to adopt Resolution No. 81-10 urging the Clay County Court and members of the Site Selection Committee to support a Gladstone location for the Western Clay County Service Center. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden.

Item 14-c on the Agenda: Mrs. Ogden moved to adopt Resolution No. R-81-11 recommending that the Industrial Development Authority of the County of Clay proceed to approve the AppleBrooke North Inc. Retirement Center Project application for issuance of Industrial revenue bonds in the approximate amount of \$6,800,000. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore.

Item 15 on the Agenda: Other Business.

Councilman Ashcroft questioned the long term parking of cars on streets and asked that staff check to see if this was a code violation. He explained that the cars were licensed and appeared operable but had been parked on the street for sometime.

Item 16 on the Agenda: Questions from the News Media.

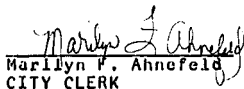
Under communications from the City Council Mayor Moore had briefed the news media on the status of the proposed sign ordinance eliminating free standing signs. As conveyed in meetings with the ad hoc business committee present Council thinking is that within six to twelve months there will be no permits issued for free standing signs, instead Monument-type signs will be encouraged. When a business changes the existing pole signs must be removed. In addition the present sign ordinance will be made more stringent and strictly enforced. Mayor Moore announced that the committee and council will meet again on Monday, March 2 and encouraged interested parties to communicate with council members and

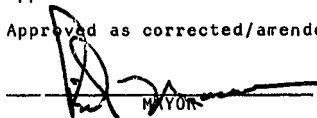
There being no further business to come before the February 23, 1981 City Council Meeting, the meeting was adjourned.

Approved as submitted

Approved as corrected/arended

Submitted by:

  
Marilyn F. Ahnefeld  
CITY CLERK

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 9, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of February 23, 1981 city council meeting.
4. PROCLAMATIONS: \*Designating the week of March 7-14 as "GIRL SCOUT WEEK". \*Designating month of April as "CAMPING CONNECTION MONTH".
5. CONSIDERATION OF SITE PLAN: Tract "G", MEADOWBROOK MANOR 8TH PLAT  
Applicant: Byers Co., Bob Danneberg
6. APPROVAL OF PRELIMINARY PLAT: \*North Broadway Center, 69th & N Broadway. Applicant/Owner: Susan Rose \* 6200 N Oak, (tract south of Perkins Rest. Applic: Jamie Woolard
7. Communications from the Audience.
8. Communications from the City Council
9. Communications from the City Manager
10. SECOND READING: BILL NO. 81-4, rezoning from R-1, Single Family Dwelling District to R-3, Garden Apartment District, property located west of 62nd Terr. & N. Main. Applicant: Dewey Fortner
11. SECOND READING: BILL NO. 81-5, approving the final plat of INDIANA WAY SUBDIVISION, 72nd Terrace & N. Indiana.  
Applicant/Owner: Robert Jones
12. SECOND READING: BILL NO. 81-6, amending the Gladstone Subdivision Ordinance providing for the installation of street lighting by developers in all new subdivisions.
13. SECOND READING: BILL NO. 81-7, an ordinance amending Chapter 16-14 of the City Code providing for placement of refuse for pickup.
14. SECOND READING: BILL NO. 81-8, amending Section 27-9.1 of the City Code providing for construction of sidewalks in commercial use zones and providing for payment in lieu thereof.
15. FIRST READING: BILL NO. 81-10, rezoning property at 5708-14 Antioch ROAD from R-1, Single Family Dwelling District to CP-0, PLanned non-retail business district. Applic. Douglas A. Meyer; Owner John Hutcherson
16. FIRST READING: BILL NO. 81-11, rezoning property at 7000-56 N. Olive from R-3, Garden Apartment District to RP-4, Planned Apartment House District. Applicant/Owner: L. Robert McLaughlin
17. FIRST READING: BILL NO. 81-12, approving the final plat of NORTH BROADWAY CENTER. Applicant: Susan Rose.
18. FIRST READING: BILL NO. 81-13, adopting the 1979 edition of the UNIFORM BUILDING CODE for the City of Gladstone.



19. RESOLUTION NO. 81-12, authorizing installation of heating equipment at the Animal Shelter facility.
20. RESOLUTION NO. 81-13, authorize the City Manager to engage Peat, Marwick, Mitchell & Co, to conduct the annual audit for the fiscal year ending June 30, 1981.

21. RESOLUTION NO. 81-14, authorize acceptance of a bid for re-wiring of the softball field lighting in Central Park.

22. APPROVAL OF LIQUOR LICENSE:

Class "C" - Package Liquor License, Heartland Stores dba  
SHOP-N-GO. 7125 N Broadway. Managing Officer: Mark E. Stanley

23. APPROVAL OF FINANCIAL REPORTS:

- a. Cash Disbursements for February, 1981
- b. Financial Reports for eight months ending February, 1981  
for all city funds.

24. Other Business
25. Questions from the News Media
26. Adjournment

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

9 MARCH 1981

The Gladstone City Council Meeting was called to order on March 9, 1981 by Mayor Rick Moore at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Moore those in attendance were: Councilmembers Lee Bussinger, Bob Fairlie, Wilma Ogden, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Councilman Ashcroft was absent.

Item 2 on the Agenda: Mayor Moore led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to accept the minutes of the February 23, 1981 city council meeting as submitted; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 4 on the Agenda: Mayor Moore read a proclamation delivered by representatives of Cadet Troop #180 designating the week of March 7-14 as "GIRL SCOUT WEEK" in the City of Gladstone. The Troop extended an invitation to all Gladstone citizens to view the exhibits and Birthday Week activities at Metro North Shopping Center from 10:00 am to 6:00 pm, Saturday, March 14.

Mayor Moore also proclaimed month of April as "Camping Connection Month" explaining that Camping Connection provides a summer camp learning experience for underprivileged children.

Item 5 on the Agenda: CONSIDERATION OF SITE PLAN.

- a. Tract "G", Meadowbrook Manor 8th Plat  
Applicant: Byers Company, Bob Danneberg

Due to the absence of a Byers Company representative, Mr. Fairlie moved to table the item; Mr. Bussinger seconded. The vote: "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 6 on the Agenda: APPROVAL OF PRELIMINARY PLATS.

1. NORTH BROADWAY CENTER, 69th and No. Broadway  
Applicant: Susan Rose

Mr. Achen explained that platting is required on all commercial properties where "Planned" zoning is approved, and is also a requirement of the City of Kansas City within which a major portion of this project lies.

Mr. Achen further noted that this is the preliminary plat and approval of the final plat is item 17 on the agenda.

Following review of the plat, Mr. Fairlie moved to approve the preliminary plat of Broadway Center as submitted; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

2. Preliminary Plat - Henry Creek Plaza (south of approximately 6200 N. Oak. Applicant: Jamie Woolard

Mr. Woolard reviewed the plat with Council members explaining that the plat includes Tract A and B. Tract A includes the Perkins site and the remainder is under contract at present for a Hardees Restaurant. Negotiations are taking place for office buildings on a portion of tract B but nothing has been finalized at the present time.

Mr. Fairlie moved to approve the preliminary plat for Henry Creek Plaza as submitted. Mrs. Ogden seconded. The vote: All "aye"- Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 7 on the Agenda: There were no communications from the Audience.

Item 8 on the Agenda: Communications from the City Council.

Councilman Fairlie reported that the ad hoc Sign Committee and Council were in the process of putting together language to identify nuisance areas. He noted that his continual observation of signs causing visual clutter pointed out that perhaps definitions in the Sign Code were not finely tuned making enforcement difficult. Informational signs, as example, are not addressed in the ordinance and he sees such signs as the biggest problem area.

Councilman Bussinger expressed concern for acting on the tabled sign ordinance by March 23, which he knows the Mayor would hope to do. He feels this is a serious matter and needs, slow, careful consideration since it can alter a man's business. He emphasized that he is certainly willing to work on a new ordinance but again stressed the need for careful consideration.

Mr. Fairlie emphasized that he did not mean to imply that all the problems will be answered in two weeks and agreed that continual study is necessary.

Mayor Moore stated that he thought members of the business community were supportive of looking at alternatives to pole signs as example monument signs and ground signs. His intent was that when a business changed from one type to another pole signs, would not be erected but instead a monument type sign so that in 10-15 yrs, sign pollution would be decreased resulting in a more attractive commercial area.

Item 9 on the Agenda:  
The City Manager.

There were no communications from

Item 10 on the Agenda: SECOND READING: BILL NO. 81-4, rezoning from R-1, Single Family Dwelling District to R-3, Garden Apartment District, property located west of 62nd Terrace and N Main. Applicant: Dewey Fortner.

Mayor Moore explained to the audience present that it is customary for the Council to approve the Bill for purposes of advancing it to the third reading particularly when Councilman Ashcroft is absent tonight and there is a legal protest petition against the rezoning which will require a 3/4 majority vote for passage.

Mrs. Ogden noted that she will vote yes tonight for purposes of advancing the bill only.

Mr. Kenneth Winkler, 100 NE 62nd Terrace asked when it was appropriate to request that the rezoning request be amended to "Planned" Zoning.

Council agreed that the rezoning request should include "P" zoning, whereupon Mr. Bussinger moved to amend Bill No. 81-4 to request RP3 zoning; Mrs. Ogden seconded. The vote: All "aye" .

Mr. Bussinger moved to accept the first reading of Amended Bill No. 81-4, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on Second Reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) The Clerk read the Bill.

Item 11 on the Agenda: SECOND READING: BILL NO. 81-5, approving the final plat of INDIANA WAY SUBDIVISION, 72nd Terrace & N. Indiana. Applicant/Owner: Robert Jones

Mr. Fairlie moved to accept the first reading of Bill No. 81-5, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) The Clerk read the Bill.

Mr. Fairlie pointed out that the applicant, Robert E. Jones had submitted a new plan that includes a future 73rd Street running east-west from the present end of N. Indiana. Although 73rd Street is not a part of the Indiana Way Plat before the council presently, Mr. Robert Jones has worked out the plan with Mr. Jim Riley (property owner to the west) and Mr. Floyd Jones (north property owner) in an attempt to satisfy the interests of the landowners as well as Council's concern for a future east-west street.

Item 12 on the Agenda:      SECOND READING: BILL NO. 81-6, amending the Gladstone Subdivision Ordinance and providing for the installation of street lighting by developers in all new subdivisions.

Mrs. Ogden moved to accept the first reading of Bill No. 81-6, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading: Mr. Fairlie seconded. The vote:

"Aye" - Ogden, Moore. "No" - Bussinger, Fairlie (2-2)

Mayor Moore announced that Bill No. 81-6 was dead having failed to receive three votes for a second reading.

Item 13 on the Agenda:      SECOND READING: BILL NO. 81-7, an Ordinance amending Chapter 16-14 of the City Code providing for placement of refuse for pickup.

Mrs. Ogden moved to accept the first reading of Bill No. 81-7, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading: Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Ogden, Moore. "No" - Fairlie. (3-1)  
The Clerk read the Bill.

Item 14 on the Agenda:      SECOND READING: BILL NO. 81-8, amending Section 27-9.1 of the City Code providing for construction of sidewalks in commercial use zones and providing for payment in lieu thereof.

Mr. Bussinger moved to accept the first reading of Bill No. 81-8, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) The Clerk read the Bill.

Item 15 on the Agenda:      FIRST READING: BILL NO. 81-10, amending property at 5708-14 N. Antioch Road from R-1, Single Family Dwelling District to CP-0, Planned Non-Retail Business District. Applicant: Douglas A. Meyer; Owner: John Hutcherson.

Mr. Fairlie moved to place Bill No. 81-10 on first reading; Mrs. Ogden seconded.

Mayor Moore noted that there was a legal protest petition against this rezoning and in fairness to new Council in April, he requests Council consideration of both second and third readings at the March 23, 1981 city council meeting. He clarified that the legal petition would require 4 votes for passage of the bill.

Mr. Bussinger commented that in this instance he disagreed with the Planning Commission's denial of this rezoning. He feels the office complex plan was what the Council encouraged in their request that the developer bring in a larger plan last year.

Mr. Bussinger further commented that with regard to the Commission's concern for the buffer zone exceptions that the Council does have the latitude to approve variances within the P zoning to be compatible with the surrounding area.

He feels we need to make some determination as to depth because last year we encouraged deeper projects and last Council Meeting there was discussion that the 300 ft. depth was too much.

Councilman Fairlie commented that he feels the Planning Commission feared more encroachment into residential and he personally sees 300 ft. depth the maximum. He does like the move to break up the parking area on the project and feels the result would be more tasteful than a large expanse of asphalt.

The vote on the First Reading: "Aye" - Bussinger, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Item 16 on the Agenda: FIRST READING: BILL NO. 81-11, rezoning property at 7000-56 N. Olive from R-3, Garden Apartment District to RP-4, Planned Apartment House District. Applicant/Owner: Robert McLaughlin.

Mrs. Ogden moved to place Bill No. 81-11 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) The Clerk read the Bill.

Mr. Charles Hill, 7100 N Olive indicated that he still had not been contacted regarding the rationale for opening up 71st Street in connection with this project. Mr. Achen advised that the Directors of Public Safety and Public Works need to meet on this question and assured Mr. Hill that he will be contacted.

Item 17 on the Agenda: FIRST READING: BILL NO. 81-12,  
an ordinance approving the final plat of NORTH BROADWAY CENTER,  
Applicant: Susan Rose.

Mr. Bussinger moved to place Bill No. 81-12 on first reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 81-12, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-12, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-12, and adopt the bill as Ordinance No. 2.380; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 18 on the Agenda: FIRST READING: BILL NO. 81-13, adopting the 1979 edition of the UNIFORM BUILDING CODE for the City of Gladstone.

Mr. Fairlie moved to place Bill No. 81-13 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0) The Clerk read the Bill.

Item 19 on the Agenda: Mr. Bussinger moved to adopt Resolution No. R-81-12 authorizing Fox Furnace Company to install heating equipment at the new animal shelter facility for a total contract price of \$2,300.00. Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 20 on the Agenda: Mr. Bussinger moved to adopt Resolution No. R-81-13, authorizing the City Manager to engage Peat, Marwick, Mitchell & Company to conduct the annual audit for the fiscal year ending June 30, 1981 for an amount not to exceed \$17,000. Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 21 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-81-14, authorizing acceptance of a bid from Brandy Electric Company in the amount of \$4,800 for re-wiring of softball field lighting in Central Park. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 22 on the Agenda: Mr. Bussinger moved to approve a Class "C" liquor license for Heartland Stores dba Shop-N-Go, 7125 N. Broadway. Managing Officer, Mark E. Stanley. Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore. (4-0)

Item 23 on the Agenda: Mr. Fairlie moved to approve the financial reports for the following funds as submitted; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Fairlie, Ogden, Moore.

- a. Cash Disbursements for February, 1981
- b. Financial Reports for eight months ending February, 1981 for all city funds.

Item 24 on the Agenda:      Other Business.

Mr. George Smith, 6104 N Flora addressed the Council on the proposed temporary asphalt path leading to Oakwood Manor School. He noted letters of protest had been submitted earlier objecting to a temporary asphalt path rather than installation of a permanent sidewalk.

Neighborhood spokespersons for proponents of the temporary path were also present and cited that 22 children will be travelling on N Flora to Oakwood Manor School in the next five years and stated that any delay or curtailment of the project could endanger their lives.

Mr. Achen explained that the asphalt walk following the terrain is estimated to cost \$2,500 while concrete walk constructed to city standards is estimated to cost \$11,200 and require substantial disturbance and resloping of yards.

Following discussion with residents present, Council agreed to an on sight meeting with Area representatives, the City Engineer and City Manager. Council requested interested parties to leave their names and telephone numbers for contacting.

\* \* \*

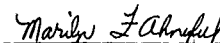
There being no further business to come before the March 9, 1981 city council meeting the meeting was adjourned.  
Time: 9:10 PM.

Approved as submitted ✓

Approved as corrected/  
amended \_\_\_\_\_

  
\_\_\_\_\_  
MAYOR

Submitted by:

  
\_\_\_\_\_  
Marilyn F. Ahnefeld  
City Clerk



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 23, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of March 9, 1981 city council meeting.
4. PUBLIC HEARING: Request for a Special Use Permit for purpose of Dog Breeder's License in an R-1, Single Family Dwelling District. Owner/Applicant: Darlene Burrus, 7004 N. Highland
5. Consideration of Site Plan. (Tabled 3/9/81) Tract G, MEADOWBROOK MANOR 8TH PLAT, Applicant: Byers Const.
6. Building Plan Approval: Long John Silver Restaurant, 7017 N Oak
7. Communications from the Audience.
8. Communications from the City Council
9. Communications from the City Manager
10. THIRD READING: BILL NO. 80-47, an ordinance amending certain sections of Chapter 25 of the City Code regulating signs and outdoor advertising structures. (Tabled 12/22/80)  
*See Substituted Bill No 81-16 requesting 5 yr*
11. THIRD READING: BILL NO. 81-4, rezoning from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District property located west of 62nd Terrace & N. Main. Applicant: Dowdy Fortner.
12. THIRD READING: BILL NO. 81-5, approving the final plat of INDIANA WAY SUBDIVISION, 72nd Terrace & N. Indiana. Applicant/Owner: Robert Jones.
13. THIRD READING: BILL NO. 81-7, an ordinance amending Chapter 16-14 of the City Code providing for placement of refuse for pickup.
14. THIRD READING: BILL NO. 81-8, amending Section 27-9.1 of the City Code providing for construction of sidewalks in commercial use zones and providing for payment in lieu thereof.
15. SECOND READING: BILL NO. 81-10, rezoning property at 5708-14 N. Antioch Road from R-1, Single Family Dwelling District to CP-O, Planned Non-Retail Business District. Applicant: Douglas A. Meyer

16. SECOND READING: BILL NO. 81-11, rezoning property at 7000-56 N Olive from R-3, Garden Apartment District to RP-4, Planned Apartment House District. Application/Owner: L. Robert McLaughlin
17. SECOND READING: BILL NO. 81-13, adopting the 1979 edition of the UNIFORM BUILDING CODE for the city of Gladstone, MO.
18. FIRST READING: BILL NO. 81-14, authorizing execution of a reciprocal agreement with the Southern Platte Fire Protection District.
19. FIRST READING: BILL NO. 81-15, approving the final plat of HENRY CREEK PLAZA, Applicant: Jamie Wollard  
*add on Bill 81-15. Re: Maple Wood Farming and Ag Center.*
20. Approval of Liquor License
  - a. RON'S PIT BBQ, 7507 N Oak, Class "F" License  
(Corporation name change - C&M, Inc. dba Ron's Pit BBQ)  
Managing Officer - Ron McCombs
21. Other Business
22. Questions from the News Media
23. Adjournment

## M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

23 March 1981

The Gladstone City Council Meeting was called to order on March 23, 1981 by Mayor Rick Moore at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Moore, those in attendance were: Councilmembers Lee Bussinger, Bob Ashcroft, Bob Fairlie and Wilma Ogden. City Manager Mark Achen, City Counselor John Dods and the City Clerk were also in attendance.

Item 2 on the Agenda: Mayor Moore led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mrs. Ogden moved to adopt the minutes of the March 9, 1981 city council meeting as submitted; Mr. Fairlie seconded. The vote: "aye" - Bussinger, Fairlie, Ogden, Moore. "pass" - Ashcroft. (4-0)

Item 4 on the Agenda: Public Hearing: Request for a Special Use Permit for purpose of Dog Breeder's License in an R-2, Single Family Residential Dwelling District on property at 7004 North Highland. Owner/Applicant: Darlene Burrus.

Mayor Moore opened the public hearing requesting those in favor of the application to address the Council followed by those in opposition.

Darlene Burrus, applicant, 7004 North Highland explained that she breeds Alaskan Malamutes for show and has been doing so for seven years. She has resided at the property in question for nine years. She requests a special use permit to allow her to maintain more than three dogs. The dogs are provided six foot dog runs on an acre that is separate from her residence to the rear of her property. Future plans call for construction of a 20' x 24' building to house the dogs at night. She has three dogs at present and stated she would agree to the Planning Commission's recommendation that the special use permit, if granted, limit the number of dogs to six.

Mr. Herb Watson, 1600 NE 69th Terrace, stated he has no objections to people owning dogs if the animals are controlled. Mrs. Burrus' dogs are noisy now and particularly react to the sound of sirens.

Mr. Don Bell, 1604 NE 69th Terrace (1 block south of proposed kennel) stated he objects to such an operation in a residential district. He noted that several years ago a multi-family proposal was turned down in that area but feels it would be more desirable than the dog kennel. He noted that the applicant proposes keeping six animals which will mean quite a few pups and feels it could get out of hand. This is a residentially zoned district and should be kept as such.

Rose Taylor, 1600 NE 70th Terrace stated she is the former owner of the subject property and does not think the proposed operation is compatible with a residential area. She also noted that she has problems sleeping and is frequently disturbed by the excessive barking.

Walter Donahue, 1500 NE 70th Terrace objects to the proposed special use permit because the animal control ordinance limits the number of dog to three and he feels three is sufficient. He further noted that the dogs are possibly mis-named as they are certainly not "mute".

Henry Wiss, 1503 NE 70th Terrace, stated the present dogs "howl" not bark and the neighborhood needs no additional disturbance.

John Henderson, 1505 NE 70th Terrace presented a petition signed by 70 individuals protesting granting a special use permit for the subject property. Signators to the petition feel the breeding operation is a commercial business and therefore not appropriate for a residential neighborhood. He also noted that the dogs don't bark but "howl and whine". He pointed out with six dogs plus pups at every 63 days this could amount to possibly 89 dogs in a year. There are approximately 10 dogs in the neighborhood now which is sufficient. He also noted that if the dogs are selling for \$300-350 taxes should be paid on the sales in fairness to other merchants doing business in Gladstone.

Carol McKinney, 1704 NE 69th Terrace pointed out that the dogs are being raised for commercial purposes not for companionship. She and her family use their home for their relaxation and object to any infringement on their rights as homeowners. Her family cannot utilize their patio area because of the excessive barking. She asks why this permit would be granted to only benefit one person at the expense of her family and the neighborhood. There are a number of dogs now and although the Animal Control personnel are very responsive during the day she has found the public safety department unresponsive after the animal control department's

normal office hours when she has called on an animal control problem. She asked who she should call if the permit is granted for the breeding operation, because she sees the present situation worsening. Mrs. McKinney noted that they run a small fan at night in their bedroom to drown out the sound of barking dogs.

Mr. John Henderson advised that when he had talked to the Animal Control Officer about the complaints of the Alaskan Malamutes barking she stated she does not have record of any complaints about Mrs. Burrus's dogs. He questions where the complaints are going.

There being no further comments, Mayor Moore closed the public hearing and announced that the first reading of the bill granting a special use permit would be given on April 13th. He further noted that the petition presented would be verified and if it contained signatures of 10% of the homeowners within 185 feet of the subject property, a 3/4 majority vote of the Council would be necessary for passage of the bill.

Item 5 on the Agenda:

Consideration of Site Plan.  
Meadowbrook Manor 8th Plat, Tract "G"  
Applicant: Byers Construction

Mr. Ivan Little, Aylett Enterprises was present to represent this application. The proposal is for eight townhouse units on private streets maintained by the Byers Company. The townhouses would be individually owned and private drives provided as well. Following Council review of the site plan, Mr. Ashcroft moved to approve the site plan dated 1-5-81 as submitted. Mrs. Ogden seconded. The vote: All "aye" - Ashcroft, Bussinger, Fairlie, Ogden, Moore. (5-0)

Item 6 on the Agenda:

Building Plan Approval: Long John  
Silver Restaurant, 7017 North Oak

Mr. Steve Herman, Olathe, Ks., Field Engineer for Long John Silver was present to review plans with Council for the 36' x 52' masonry building. Mr. Herman noted that the facility is standard throughout the country although 2' wider than they usually build. Mayor Moore discussed the use of a monument-type sign rather than a pole sign, Mr. Herman and Mr. Joel Brummel agreed to consider that possibility. Mr. Ashcroft moved to approve the building plans as submitted; Mr. Fairlie seconded. Mr. Bussinger advised that he would be voting no as he does not feel that "fast food operation" is the highest and best use of the property. The vote: "Aye" - Ashcroft, Fairlie, Ogden, Moore. "No" - Bussinger. (4-1)

Item 7 on the Agenda:

Communications from the Audience.

Ken Winkler, 100 NE 62nd Terrace reiterated opposition of residents to the rezoning request (Item 11) at 62nd Terrace and North Main. The Developer has stated that 34 units is the fewest number that can be considered. He expressed confidence in the Council's judgement to act in the best interests of the citizens and suggested that they keep in mind the density, traffic problems (both vehicular and pedestrian) in their deliberations.

Mayor Moore advised that the developer had revised their plans and reduced the number of units to 32. He suggested that 14 duplexes is an alternative but sees advantages to individually owned townhouses over rental duplexes.

Mr. Winkler commented that he had not been aware of the revised plan for 32 units. He further stated that residents are willing to risk the alternatives in requesting Council denial of the rezoning application.

Mr. Jamie Woolard, 6217 North Grand noted at one time there was a plan for 13 single family residences on the property. He commented that the developers had made no real attempt to explore alternatives with the neighboring residents and still opposes the rezoning.

\* \* \*

Mary Scoggins, 6106 North Flora thanked the Council for taking time to meet with residents concerned with the issue of temporary sidewalks on North Flora. She asked if a decision had been made.

Mr. Achen advised that the staff is preparing plans for construction of a temporary concrete walkway on the east side of the street. Concrete is proposed as a better alternative to asphalt.

Mrs. Scroggins pointed out the problem area is down by the school and the block from Normandy Lane to 62nd Street and asked that the Council recognize problems with the terrain there. Mayor Moore acknowledged that the City was aware of that problem area and are exploring possibility of running the temporary sidewalk along the park property to meet the existing school sidewalk. When the street is improved at some future date, a permanent sidewalk will be built.

\* \* \*

Mary Sturn, 2407 NE 58th Street requested assurance that the proposed office complex (57th & Antioch Road, Item 15) be built as per Council approved plans. She also asked how residents would know when drainage plans were ready for viewing. Council pointed out that the "P" assures that the approved plan be followed and suggested that Mrs. Sturn contact Dave Anderson, City Engineer as the project progresses on the drainage engineering.

Mr. Charles Hill, 7100 North Olive expressed his objection to the proposed opening of 71st Street in connection with the Applebrooke rezoning (Item 16) and asked what the fate of the bill would be since the Clay County Industrial Development Authority had voted to approve the project as a private facility.

Mayor Moore advised that the City had not received formal communications from the Clay County Industrial Development Authority and would probably defer action on the item tonight pending further information.

\* \* \*

Mr. Wayne Alexander, 6220 NE Normandy stressed the need for sidewalks along North Flora and encouraged the Council to view the safety of the children as a top priority.

Item 8 on the Agenda:

Communications from the City Council.

In response to a question from Mr. Bussinger, Mr. Achen advised that the North Broadway Improvement Project would be completed by the end of the Summer.

Mayor Moore commented that he had been told that he took the Council Meetings too lightly. He clarified that he tries not too take himself too seriously and had only wanted to make people feel comfortable in approaching the Council. He apologized if he had offended anyone. Mayor Moore said he had enjoyed serving on the Council the past three years and felt that all five Council members had tried to be fair in dealing with issues.

Item 9 on the Agenda:

Communications from the City Manager.

Mr. Achen requested the addition of Resolution No. R-81-15 to the agenda. Mayor Moore designated the addition as Agenda Item 19-a.

Item 10 on the Agenda:

Third Reading: Bill No. 80-47,  
an ordinance amending certain sections of Chapter 25 of the City Code regulating signs and outdoor advertising structures. (Tabled 12-22-80)

Mr. Ashcroft moved to remove Bill NQ80-47 from the table; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore.

Mr. Ashcroft moved to substitute Bill No. 81-16 in place of Bill No. 80-47, Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

Mr. Ashcroft moved to place <sup>Substitute</sup> Bill No. 81-16 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

Mr. Ashcroft noted that the sign ordinance has been a very intense issue and the substitute bill is the result of a lot of research both inside and outside the Kansas City area as well as input from many individuals and sign committee members. He believes the substitute bill is one every one can live with. The new bill will put teeth into the present ordinance and allow better enforcement of problem areas i.e. signs on vans/trucks, informational signs, etc.

Mr. Ashcroft highlighted the major points of the new bill as follows: Pole signs will be prohibited after October 1, 1981. Business which are granted building permits prior to October will have one year to put signs up (October 1982) Existing pole signs are not affected and will be allowed to remain until such time as a business changes hands, or replaces the existing sign, at which time another type of signs will have to be substituted (as example monument sign). New definitions will allow better enforcement of sign ordinance.

Mr. Ashcroft thanked the Chamber of Commerce and Dr. Frank Carella for their input and encouraging the council to better enforce the ordinance we have now. He stressed that signs will be available to businesses but will be ground type or monument signs rather than pole signs after October 1, 1981.

Mr. Fairlie pointed out that in addition the new bill will increase the signage area on business fronts. The square footage allowance will increase from 10% to 15% of a business' wall surface. He noted that in driving around he has noted that one of the biggest problems is signs being added to signs and the ordinance will address this. He never felt they were going to eliminate signs but that there was an alternative to all the add-on signs.



Mrs. Ogden noted that the present economy the way it is she feels it is very tough for businesses. She personally has no objections to pole signs and feels if the existing sign ordinance was better enforced it would take care of the existing sign problems along the business streets. In her opinion sometimes governing bodies tend to "over-govern" the people they serve and she feels the elimination of pole signs is an example.

Mr. Bussinger stated that he was probably one of the strongest opponents when the original bill was introduced as he did not think it was fair to the business community. He believes the substitute bill is a workable ordinance and can now support it. The new ordinance will allow a pole sign of sorts but be a monument type sign and much better looking. The Chamber of Commerce need to work with the business community to clean up shabby signs that now exist. He thinks the ordinance is a compromise on the part of both the council and the business community and a good workable solution but will require the cooperation of all.

Mayor Moore said that he hoped the business community realizes the Council not trying to penalize them and sees this ordinance as a progressive step.

Mr. Ashcroft moved to accept the first reading of Substitute Bill No. 81-16, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Ashcroft, Fairlie, Moore. "no" - Ogden. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-16, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Ashcroft, Fairlie, Moore. "No" - Ogden. (4-1) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Substitute Bill No. 81-16 and enact said bill as Ordinance No. 2.381. Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Ashcroft, Fairlie, Moore. "No" - Ogden. (4-1)

Item 11 on the Agenda: THIRD READING: BILL NO. 81-4,  
rezoning from R-1, Single Family Dwelling District to RF-3,  
Planned Garden Apartment District, property located west of 62nd  
Terrace and N. Main. Applicant: Dewey Fortner.

Mr. Fairlie moved to accept the second reading of Bill No. 81-4, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Ashcroft seconded.

Mr. Fairlie pointed out that the developers have reduced the number of units in this plan to 32. In referencing Mr. Ken Winkler's request earlier for fairness on the part of the Council, Mr. Fairlie said that being "fair" works two ways and must be applied both to the area residents and the developers. In his view R-2 is a natural buffer between single family and apartments. R-3 is the highest possible use and would allow 48 living units. In response to concerns expressed at the public hearings, the developers have improved the street pattern over the original plan as well as satisfied the 35 ft. buffer requirement with the exception of one small area. In his opinion individually owned townhouses have advantage over rented duplexes, and he will vote for the rezoning application.

The vote: "Aye" - Bussinger, Ashcroft, Fairlie. "No" - Ogden, Moore. (3-2)

Mr. Fairlie moved to accept the third and final reading of Bill No. 81-4, and enact said Bill as Ordinance No. 2.382; Mr. Ashcroft seconded. The vote: "Aye" - Bussinger, Ashcroft, Fairlie. "No" - Ogden, Moore. (3-2) BILL NO. 81-4 DENIED ON THIRD READING. NOTE: LEGAL PROTEST PETITION REQUIRES 4-1 VOTE FOR PASSAGE.

Item 12 on the Agenda: THIRD READING: BILL NO. 81-5,  
approving the Final Plat of INDIANA WAY SUBDIVISION, 72nd Terrace  
& N. Indiana. Applicant/Owner: Robert Jones.

Mrs. Ogden moved to accept the second reading of Bill No. 81-5, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading; Mr. Fairlie seconded.

Council discussed <sup>pass for</sup> east-west 73rd Street when property to the west and north of this plat is eventually developed. It was noted that the street is not a part of this plat but is a future need.

The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mrs. Ogden moved to accept the third and final reading of Bill No. 81-5, and enact said bill as Ordinance No. 2.382; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

COUNCILMAN FAIRLIE ASKED THAT THE PUBLIC RECORD SHOW THAT MR. ROBERT JONES HAD SUBMITTED A PLAN SHOWING A FUTURE 73RD STREET (EAST-WEST) FROM THE PRESENT END OF NORTH INDIANA WHICH IS ON HIS PROPERTY, ALTHOUGH NOT A PART OF THE INDIANA WAY PLAT. THE STREET PROVIDES ACCESS FOR FUTURE DEVELOPMENT TO THE WEST AND NORTH OF THE INDIANA WAY PLAT.

Item 13 on the Agenda: THIRD READING: BILL NO. 81-7,  
an ordinance amending Chapter 16-14 of the City Code providing for  
placement of refuse for pickup.

Mr. Bussinger moved to accept the second reading, waive the  
appropriate paragraph of Ordinance No. 1.83 and place said Bill  
on third and final reading; Mrs. Ogden seconded.

Mr. Fairlie stated that he was not comfortable with the hours  
that refuse can be stored on the front building line for pickup  
(12:00 noon of the day preceding pickup and 10:00 pm the day  
of the scheduled pickup). He foresees situations when the  
hauler is late and problems in the city's enforcement as well.  
For these reasons he will vote against the bill.

The vote: "Aye" - Bussinger, Ashcroft, Ogden, Moore. "No" -  
Fairlie. (4-1) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading  
of Bill No. 8107 and enact said Bill as Ordinance No. 2.383.

Item 14 on the Agenda: THIRD READING: BILL NO. 81-8,  
amending Section 27-9.1 of the City Code providing for construction  
of sidewalks in commercial use zones and providing for payment in lieu  
thereof.

Mr. Bussinger moved to accept the second reading of Bill No. 81-8,  
waive the appropriate paragraph of Ordinance No. 1.83 and place  
said Bill on third and final reading. Mrs. Ogden seconded.

The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore.

Mr. Bussinger moved to accept the third and final reading of Bill  
No. 81-8 and enact said bill as Ordinance No. 2.384. Mrs. Ogden  
seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie,  
Ogden, Moore. (5-0)

Item 15 on the Agenda: SECOND READING: BILL NO. 81-10,  
rezoning property at 5708-14 N. Antioch Road from R-1, Single  
Family Dwelling District to CP-O, Planned Non-Retail Business  
District. Applicant: Douglas A. Meyer.

Mr. Ashcroft moved to accept the first reading of Bill No.  
81-10, waive the appropriate paragraph of Ordinance No. 1.83 and  
place said Bill on second reading; Mr. Bussinger seconded. The  
vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)  
The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-10, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-10 and enact said Bill as Ordinance No. 2.385 WITH THE STIPULATION AGREED TO BY COUNCIL AND THE DEVELOPER THAT THE PLANS DATED 2-12-81 REFLECT CHANGE IN ANTIOCH ROAD SETBACK FROM 22' TO 27'. Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

Item 16 on the Agenda: SECOND READING: BILL NO. 81-11,  
rezoning property from R-3, Garden Apartment District to RP-4,  
Planned Apartment House District at 7000-56 North Olive.  
Applicant/Owner: L. Robert McLaughlin.

Mr. Ashcroft moved to table Bill No. 81-11; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) BILL NO. 81-11 IS TABLED.

Item 17 on the Agenda: SECOND READING: BILL NO. 81-13,  
adopting the 1979 edition of the Uniform Building Code for the  
City of Gladstone, Mo.

Mr. Bussinger moved to accept the first reading of Bill No. 81-13, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-13, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-13 and enact said Bill as Ordinance No. 2.386. Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

Item 18 on the Agenda: FIRST READING: BILL NO. 81-14,  
authorizing execution of a reciprocal agreement with the  
Southern Platte Fire Protection District.

Mr. Bussinger moved to place Bill No. 81-14 on first reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 81-14, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-14, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-14 and enact said bill as Ordinance No. 2.388.

Item 19 on the Agenda: BILL NO. 81-15, approving the final plat of HENRY CREEK PLAZA, Applicant: Jamie Woolard.

Mr. Ashcroft moved to place bill No. 81-15 on firstreading; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-15, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-15, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-15 and enact said bill as Ordinance No. 2.387; Mr. Fairlie seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

Item 19-a on the Agenda: Mrs. Ogden moved to adopt Resolution No. R-81-15 authorizing the City Manager to accept a proposal for construction of Maple Woods parking lot from Damon Pursell Construction Company in the amount of \$14,505; Mr. Bussinger seconded. The vote: "No" - Bussinger, Fairlie; "Aye" - Ogden; "Pass" - Ashcroft, Moore. RESOLUTION 81-15 FAILED (2-2 vote).

Item 20 on the Agenda:

Approval of Liquor License.

Mr. Bussinger moved to approval a Class "F" liquor license for C&M, Inc. dba Ron's Pit BBQ, 7507 North Oak. Named Managing Officer: Ron McCombs Mrs. Ogden seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0)

There being no further business to come before the April 23, 1981 city council meeting, the meeting was adjourned.

Submitted by:

*Marilyn Ahnefeld*  
Marilyn Ahnefeld  
City Clerk

Approved as submitted: ☒

Approved as corrected/amended

*Rich Moore*

*Minute Book*

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 13, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of March 23, 1981 city council meeting
4. FIRST READING: BILL NO. 81-16, an ordinance declaring the results of the April 7, 1981 Gladstone General Councilmanic Election.
5. OATH OF OFFICE - Councilman-elect Ken Karns
6. OATH OF OFFICE - Councilman-elect Larry Whitton
7. ELECTION OF MAYOR
8. OATH OF OFFICE - Mayor
9. ELECTION OF MAYOR PRO-TEM
- \* RECESS - LOBBY RECEPTION \*
10. PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-3, Commercial District, property at 7406 North Oak. Applicant: Thomas L. Sims.
11. APPROVAL OF BUILDING PLANS
  - a. Gladstone Square Investment, 6833-37 North Oak remodeling plans
  - b. Harold Jury, 5606 N. Antioch Rd. - remodeling plans
12. Communications from the Audience
13. Communications from the City Council
14. Communications from the City Manager
15. FIRST READING: BILL NO. 81-17, granting a special use permit for a dog breeding operation to Darlene Burus, 7004 North Highland.
16. FIRST READING: BILL NO. 81-18, requiring the City Collector to prepare a land and lot delinquent list.
17. FIRST READING: BILL NO. 81-19, an ordinance accepting right-of-way and easement conveyance in connection with the North Broadway/Northwest 68th Street Improvement Project.
18. RESOLUTION NO. R- 81-16, assuring the Environmental Protection Agency of the City of Gladstone's compliance with EPA regulations governing user charges for sewage treatment.
19. RESOLUTION NO. R-81-17, authorizing the sale of surplus city property.

20. RESOLUTION NO. R-81-18, authorizing the City Manager to execute an Emergency Medical Services Project Agreement with the Missouri Division of Health.
21. Approval of Financial Reports
  - a. General Fund Cash Disbursement for the month of March, 1981.
  - b. Financial Statements for all funds - 9 months ending March 31, 1981.
22. Other Business
23. Questions from the News Media
24. Adjournment.



*Minute Book*  
*approved*  
*4/27/81*

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

13 April 1981

The Gladstone City Council Meeting was called to order on April 13, 1981 by Mayor Rick Moore at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Moore, those in attendance were: Councilmembers Lee Bussinger, Bob Ashcroft, Bob Fairlie and Wilma Ogden. City Manager Mark Achen, City Counselor John Dods and the City Clerk were also in attendance.

Item 2 on the Agenda: Mayor Moore led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes. Mrs. Ogden moved to accept the minutes of the March 23, 1981 city council meeting as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore.

Item 4 on the Agenda: FIRST READING: BILL NO. 81-16, an ordinance declaring the results of the Tuesday, April 7, 1981 Gladstone Councilmanic Election.

Mr. Fairlie moved to place bill No. 81-16 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill No. 81-16, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 81-16, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Bussinger, Ashcroft, Fairlie, Ogden, Moore. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 81-16 and enact said bill as Ordinance No. 2.389 declaring the election of Ken Karns and Larry Whitton to three year terms on the Council of the City of Gladstone, Missouri.

Item 5 and 6 on the Agenda: The City Clerk administered the Oath of Office to Messrs. Ken Karns and Larry Whitton for three year terms on the City Council.

Mayor Moore congratulated the new councilmembers and expressed appreciation to the council, city manager, city attorney and city staff for making his job as mayor easy.

Councilwoman Ogden thanked Gladstone citizens for six very worthwhile years and also congratulated the new council.

Councilman Bussinger thanked both Mrs. Ogden and Mr. Moore for the excellent jobs they had done in serving the city and wished them good luck in their future endeavors.

\* \* \*

As his final official acts the Mayor presented City Manager Mark Achen with a birthday cake and named Councilman Ashcroft as the presiding officer over the meeting to elect a Mayor and Mayor Pro-tem.

\* \* \*

Item 7 on the Agenda:

Election of Mayor.

Mr. Ashcroft called for nominations for the office of Mayor. Mr. Whitton moved that Councilman Fairlie be nominated for the position of Mayor; Mr. Karns seconded.

Mr. Ashcroft called for additional nominations; hearing none he called for motion that the nominations cease. Mr. Bussinger moved that the nominations cease; Mr. Karns seconded. The vote: All "aye" - Bussinger, Karns, Whitton, Ashcroft, Fairlie. (5-0)

The vote on the nomination of Mr. Fairlie as Mayor: All "aye" - Bussinger, Karns, Whitton, Ashcroft, Fairlie. (5-0)

Item 8 on the Agenda:

The City Clerk administered the Oath of Office to Councilman Robert J. Fairlie to serve as Mayor of the City of Gladstone.

Mayor Fairlie thanked his fellow councilmembers for the honor they bestowed and said he looked forward to serving again as the Mayor of the city. He noted that the members of the previous councils have dedicated themselves to holding the line on tax increases and tried to maintain the level of services we now have. The City has been fortunate to attract the kind of city employees and city managers who have given the benefit of their efforts to perform the duties of the city well. We can keep the level of services because of management techniques employed in the city and the capable leadership of our city manager and responsible department heads. The dedication of employees can give us a great deal of service for the dollars spent. We are fortunate that in prior years capital improvement acquisitions were made and because of previous Council's foresight we can now enjoy a period where major capital improvements will not be required. Mayor Fairlie commended the public safety department for their efforts in rebuilding a 1962 Ford firetruck.

Mr. Fairlie further commented that City Manager Achen has shown his leadership capabilities and the Council has the responsibility of giving as much support as possible for the continuation of his fine work.

Mayor Fairlie expressed thanks to Rick Moore and Wilma Oyden for their dedication and efforts in paving the way for this Council. He noted that Council will not be looking for new ways to spend money next year but will work diligently for projects such as access ramps on 68th Street, Flora-Troost corridor, encourage development of future M-1 Highway as well as the improvements to Englewood Road.

Item 9 on the Agenda:

Election of Mayor Pro-tem.

Mayor Ashcroft called for nominations for the office of Mayor Pro-tem. Mr. Whitton moved to nominate Councilman Bob Ashcroft as Mayor Pro-tem; Mr. Karns seconded. No further nominations were heard, whereupon Mayor Fairlie called for the vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

\* \* \*

Following a surprise singing congratulatory telegram, Mayor Fairlie announced a short recess for a lobby reception.

\* \* \*

Item 10 on the Agenda:

PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-3, Commercial District, property at 7406 North Oak. Applicant: Thomas L. Sims.

Mr. Thomas L. Sims explained that he proposes to do tune-ups and tire repairs but has no plans for motor overhauls or automatic transmission work. All work will be done inside the building. The present zoning would allow the work only in connection with pumping gas or a new car dealership. He would prefer not to pump gas thus the necessity for the rezoning application. Mr. Sims said he would like to do some remodeling at a later date. He is aware of the sidewalk provisions and is agreeable.

There were no persons to speak in opposition to the rezoning request or further comments whereupon Mayor Fairlie closed the public hearing.

Item 11 on the Agenda:

Approval of Building Plans.

A. Gladstone Square Investment, 6833-37 North Oak - remodeling plans.

Mr. Lee Horstman of D.I. Construction Company was present to review remodeling plans with Council. He noted that the plans call for conversion of a former laundromat at that location to office space.

Council discussed what portion of North Oak frontage should be sidewalked in compliance with the commercial sidewalk ordinance when this application represented approximately 10% of the total Gladstone Square complex.

Councilman Bussinger suggested that Council take a step forward and require the property owner to sidewalk the entire North Oak frontage.

Mr. Bussinger moved that the building remodeling plans for the Gladstone Square Investment Co., 6833-37 North Oak be approved as submitted with the stipulation that the owner sidewalk the North Oak frontage of the entire Gladstone Square complex and further that the owner and tenants be notified of sign ordinance restrictions; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

B. Harold Jury, 5606 North Antioch Road - remodeling plans.

There were no representatives of this application present. Following Council discussion of application of Commercial Sidewalk Ordinance to this remodeling project and penalty assessed for commencing construction without a permit, Mr. Bussinger moved to table the application until the applicant could meet with Council; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)  
REMODELING PLANS FOR 5606 NORTH ANTIOCH ROAD TABLED.

Item 12 on the Agenda:

There were no communications from the audience.

Item 13 on the Agenda:

Communications from the City Council.

Councilman Karns thanked everyone who worked for his election to the City Council and stated that he will try to do a good job.

Mr. Bussinger commended the drainage engineering on the Salt Rock Road/ 68th Street project he encouraged Council who had not viewed it to do so. Mr. Achen advised that Larkin and Associates had done the engineering on the project and he would pass on the compliment to the firm.

Mr. Whitton also expressed appreciation to supporters and said he would try to live up to his platform for an efficient and strong Council. Mr. Whitton asked the City Manager to review a \$65 alignment fee paid to Wayne Croy Care Care and determine the use of three boxes of worms purchased by the recreation department as shown on the cash disbursements listing. Mr. Achen agreed to review those expenditures.

Mayor Fairlie announced Council representation on the City's advisory boards for the coming year, as follows:

Planning Commission - Councilman Ken Karns  
Citizen's Advisory Committee to the Public Safety Department - Councilman Bussinger  
Park Board - Councilman Whitton  
Board of Zoning Adjustment and Cable TV Advisory - Councilman Ashcroft  
Special Road District- Councilman Bussinger

Item 15 on the Agenda: FIRST READING: BILL NO. 81-17, granting a special use permit to Darlene Burrus, 7004 North Highland for a dog breeding operation.

Mr. Bussinger moved to place Bill No. 81-17 on first reading; Mr. Ashcroft seconded. Mr. Bussinger advised that he would be voting against this special use permit application after carefully considering the effect of the proposed operation on the surrounding residential area.

Mr. Ashcroft also advised that he would be voting no but clarified that it is customary for Council to approve the first reading for purpose of advancing the bill to a second reading.

The vote on first reading: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill NO. 81-17, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Ashcroft seconded. The vote: All "No" - Whitton, Karns, Bussinger, Ashcroft, Fairlie (5-0 AGAINST) BILL NO. 81-17 FAILED ON SECOND READING.

Item 16 on the Agenda: FIRST READING: BILL NO. 81-18, requiring the City Collector to prepare a land and lot delinquent list.

Mr. Ashcroft moved to place Bill NO. 81-18 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-17, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill NO. 81-18, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" The Clerk read the Bill.

Mr. Ashcroft noted the delinquent listing includes developers and applicants for recent rezonings as well as J.A. Peterson Company's many properties which has become a yearly situation.

Mr. Bussinger questioned that the penalties applied really compensated for the staff time and paperwork involved in handling the delinquencies and asked if there was anything further that could be done. He noted that year after year the Peterson Company waits until the August deadline for selling the properties on the County courthouse steps before payment is made. Mr. Dods advised that the City is doing all that legally be done under the statutes.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-18 waive the appropriate paragraph of Ordinance No 1.83 and enact said Bill as Ordinance No. 2.390.

Item 17 on the Agenda: FIRST READING: BILL NO. 81-19,  
an ordinance accepting right-of-way and easement conveyance in connection with the North Broadway/Northwest 68th Street Street Improvement Project.

Mr. Bussinger moved to place Bill No. 81-19 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 81-19, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Karns, Whitton, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Achen requested that Council consider three readings of the ordinance as it was necessary to expedite the payment for the easement following negotiations with the property owner.

Mr. Bussinger moved to accept the second reading of Bill No. 81-19 and place said bill on third and final reading. Mr. Ashcroft seconded. The vote: All "aye" - The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of bill No. 81-19 and enact said bill as Ordinance No. 2.391. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie. (5-0)

Item 18 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-81-16, assuring the Environmental Protection Agency of the City of Gladstone's compliance with EPA regulations governing user charges for sewage treatment. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Achen advised that he had received notice from Kansas City that sewer service charge rates will be increased but did not have the particulars as to the amount.

Item 19 on the Agenda:

Mr. Bussinger moved to adopt Resolution No. 81-17, authorizing the sale of four surplus public safety department vehicles to the highest bidder. Mr. Ashcroft seconded.

Council questioned if sale would be advertised and conducted by sealed bid. Mr. Achen advised that would be the process.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 20 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. 81-18, authorizing the City Manager to execute an agreement with the Missouri Division of Health for purchase of a 1981 ambulance on a matching grant basis for a city share of \$11,649.50. Mr. Bussinger seconded.

Council discussed the fact that the proposed sale of the 1977 Dodge Ambulance to Mid Continent Conversion for \$5,000 when it was worth \$12,000 when purchased six months prior was not realistic. Council asked if the new purchase must be made through Mid Continent Conversion. Mr. Achen advised that the state grant is based on a contract with Mid Continent Conversion therefore the department had no option as to where the purchase could be made.

Council questioned if there was a market for the used ambulance and if the City would be better off to sell it outright by competitive bid.

Mr. Achen advised that the used ambulance could be sold by competitive bid and possibly bring more than \$5,000; he could not give an educated guess as to what it might bring. He pointed out that there were funds in the public safety department's budget for the city share of \$11,649.50, the grant could be entered into and then prior to delivery of the unit the City could backout of the grant if Council so desired. He noted that he was certain the state would agree to this although he had not researched the terms of the grant but would assume there were other municipalities that would want the new ambulance.

Mr. Whitton advised that given the uncertainty of the state's willingness to let us back out of the grant and prospects of selling the used unit for more than \$5,000 he would vote against the resolution.

The vote: "no" - Whitton, Karns, "aye" - Bussinger, Ashcroft, Fairlie. (3-2)

Item 21 on the Agenda:

Mr. Bussinger moved to approve financial reports for (a) General Fund Cash Disbursement for the month of March, 1981 and (b) Financial Statements for all funds for 9 months ending March 31, 1981. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

There being no further business to come before the March 13, 1981 city council meeting, the meeting was adjourned.

Respectfully submitted

*Martha Adorf*  
City Clerk

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

*John Fairlie*  
MAYOR

July 82

✓ July 13, 1981

✓ July 27, 1981

✓ Aug 10, 1981

✓ Aug 24, 1981

✓ Sept 14, 1981

✓ Sept 26, 1981

✓ Oct 12, 1981

October 24, 1981

✓ Nov 9, 1981

✓ Nov 23, 1981

✓ Dec 14, 1981

✓ Dec 26, 1981

✓ Jan 14, 1982

✓ Jan 26, 1982

✓ Feb 6, 1982

No mfg

No mfg

No mfg

No mfg

March 8, 1982

March 15, 1982

March 22, 1982

April 12, 1982

April 24, 1982

May 10, 1982

May 24, 1982

June 14, 1982

June 28, 1982

July 12, 1982

July 26, 1982

Aug 9, 1982

Special

No mfg

~~Commonly~~ No mfg



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 27, 1981

A G E N D A

1. Meeting called to order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of April 13, 1981 City Council Meeting.
4. PROCLAMATIONS
  - Designating the first day of May as "LOYALTY DAY".
  - Designating May 9-17 as "AGING AWARENESS WEEK" and the month of May as "OLDER AMERICANS MONTH".
  - Designating May 11-17 as "PUBLIC ADMINISTRATION WEEK".
5. APPROVAL OF BUILDING PLANS
  - a. Remodeling plans, 5606 Antioch Road. Applicant: Harold Jury, Praisewater, Jury and Yeatman. (Tabled 4-13-81)
  - b. Building Plans, King Super Stores, S.W. Corner 72nd & Antioch Road.
  - c. Building Permit, Jehovah's Witness Church, 1501 N.E. 65th Street.
6. SITE PLAN ALTERATION: Englewood Plaza: northwest corner of N. Broadway & Englewood Rd. Applicant: Varnum, Armstrong & Deeter.
7. Communications from the Audience.
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL NO. 81-20, rezoning from C-2, General Business District to CP-3, Commercial District, property located at 7406 North Oak. Applicant: Thomas L. Sims.
11. RESOLUTION NO. R-81-19, authorizing the City Manager to accept a proposal for construction of the Maple Woods Parking area.
12. LIQUOR LICENSE APPROVAL:
  - a. Type "C" liquor license, King's Super Stores, S.W. 72nd & Antioch. Managing Officer: Charles Pack.
  - b. Type "D" to "F", Pizzu Inn, 7000 North Oak, Managing Officer: Carl Hummel.
  - c. Type "F", C & M Bar-B-Q Inc., 7507 North Oak, Managing Officer: Toya M. Colbert.
13. Other Business
14. Questions from the News Media
15. Adjournment

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

27 April 1981

The Gladstone City Council Meeting was called to order on April 27, 1981 by Mayor Bob Fairlie at 7:30 pm in the council chambers of the Gladstone City Hall. In addition to Mayor Fairlie, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger and Bob Ashcroft.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes. Mr. Ashcroft moved to accept the minutes of the April 13, 1981 city council meeting as submitted; Mr. Ashcroft seconded. The vote: All "Aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 4 on the Agenda: Mayor Fairlie read proclamations designating the following:

- . May 1, 1981 as "LOYALTY DAY"
- . May 9 - 17, 1981 as "AGING AWARENESS WEEK"
- . May 11-17, 1981 as "PUBLIC ADMINISTRATION WEEK"
- . Month of May as "OLDER AMERICANS MONTH"

Item 5 on the Agenda: Approval of Building Plans.

a. Remodeling Plans, 5606 Antioch Road. Applicant: Harold Jury, Praisewater, Jury and Yeatman. (Tabled 4-13-81)  
Mr. Ashcroft moved to remove this item from the table; Mr. Bussinger seconded. The vote: All "aye" (5-0) Mr. Harold Jury reviewed remodeling plans with Council members for insurance office at 5606 North Antioch Road. Applicant proposes to remodel interior, paint the exterior at the present time and does agree to construction of exterior masonry in approximately a two-three year period of time as outlined in his April 27, 1981 correspondence to the City Council. Mr. Jury noted that the request to delay the exterior masonry work is made because of financial restraints of the partnerships at present.

Mr. Ashcroft moved to approve the building plans as submitted with the stipulation that sidewalks be constructed on the Antioch frontage or escrow funds provided and that exterior masonry be constructed within a two-three year period as agreed to in applicant's letter dated 4-27-81.

5a. Building Plans, King Super Stores, 7170 N. Antioch Road

Mr. Rick Anglin, 698 E Valley, Blue Springs, Missouri and Mr. Fred King, Rt. 1, Kearney, Missouri, Vice President of King's Super Stores were present to review plans with Council. Convenience store of 1500 sq. ft. similar to 7-11 or Quick Trip stores is proposed with self serve gas. Donuts and chicken will also be sold.

In reviewing plans, Mayor Fairlie noted that although the plans meet code requirements in all respects proposed building is metal. He pointed out that Council has been adamant in requiring some type of masonry construction on the exposed portions of the building in recent years and that the engineering/inspection department is aware of Council philosophy in this regard. Council discussed sidewalks on Antioch frontage as required by commercial sidewalk ordinance. Mr. Bussinger questioned if the engineering department had pointed out the need for exterior masonry. Applicants stated they were unaware of the requirement and pointed out that the land and building represented a \$300,000 investment and they needed timely approval of plans.

Mayor Fairlie suggested that the item be tabled to allow applicants time to modify plans to include masonry exterior and discussed the various types of finishes that would meet the masonry requirement. Mayor Fairlie advised that once revisions to the plans were submitted Council would meet in special session if necessary and would attempt to expedite the plan approval in light of the situation.

Mr. Achen apologized for delay of plan approval and inconvenience to the applicants.

Mr. Ashcroft moved to table the building plans for King Super Stores, 7170 North Antioch Road. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie. (5-0)

5c. Building Plans, Jehovah's Witness Church, 1501 NE 65th Street

Roy Thomas, representing Jehovah's Witness Church was present to review plans for addition to the church of approximately 9' to each side of the existing building which would increase the capacity from the present 120 members to 216.

Following plan review, Council discussed desirability of sidewalks on the 65th Street frontage. It was noted that sidewalks are on the north side of the street from Flora to Antioch Junior High with temporary asphalt path from Antioch Junior to North Prospect.

Mr. Thomas stated that the congregation would certainly be agreeable to sidewalk construction at some time in the future but limited funds would present a hardship in immediate construction.

said  
Mr. Bussinger, although he advocates sidewalks he is not as adamant in this instance.

Mr. Ashcroft suggested rather than compromise the City's position on the need for sidewalks in all areas that the City and Church jointly bear the expense of sidewalk construction.

Council discussed the equity of financial participation by the City in this instance when commercial property owners must bear the entire expense and also the fact that sidewalks were constructed in front of another church on 65th Street as part of the City's sidewalk construction project in the areas of schools. The latter was at no expense to the Church.

MR. ASHCROFT MOVED TO APPROVE THE BUILDING PLANS FOR JEHOVAH'S WITNESS CHURCH, 1501 NE 65TH STREET AS SUBMITTED WITH EXPENSE OF SIDEWALK CONSTRUCTION TO BE SHARED BY THE CHURCH AND THE CITY. Mr. Bussinger seconded.

Mr. Bussinger advised that six months is the usual length of time allotted for construction.

Mayor Fairlie commented that he is not comfortable in requiring sidewalks when this is not zoned commercial but rather R-1.

The vote: "Aye" - Ashcroft, Bussinger. "No" - Whitton, Karns, Fairlie.  
(3-2 AGAINST) MOTION FAILED

\* \* \*

MAYOR FAIRLIE MOVED TO APPROVE THE BUILDING REMODELING PLANS AS SUBMITTED (NO SIDEWALKS REQUIRED) -- MOTION DIED FOR LACK OF SECOND.

\* \* \*

MR. BUSSINGER MOVED TO APPROVE THE JEHOVAH'S WITNESS CHURCH REMODELING PLANS AS SUBMITTED WITH EXPENSE OF SIDEWALK CONSTRUCTION TO BE SHARED EQUALLY BY THE CHURCH AND THE CITY WITH CONSTRUCTION TO BE COMPLETED WITHIN A TWO YEAR PERIOD. Mr. Bussinger seconded. The Vote: "Aye" - Bussinger, Ashcroft, Fairlie. "No" - Whitton, Karns. (3-2)

Item 6 on the Agenda: Site Plan Alteration, Englewood Plaza:  
northwest corner of N. Broadway & N. Englewood Road. Applicant: Varnum, Armstrong, Deeter

Mr. Ron Smith was presented to review the site plan alterations with Council. He noted that the had taken over the responsibilities of Rusty Baltis (Varnum-Armstrong-Deeter) on this project.

He noted that plan revisions are a result of meetings with Don Hurlbert, City of Kansas City Engineering Department, Larkin and Associates, City Manager Mark Achen and City Engineer Dave Anderson to ensure that the plan incorporates proper setbacks and dimensions.

Mr. Smith reviewed site plan changes which include location of the sidewalks outside of the right-of-way rather than inside which will necessitate an easement for construction. Alteration of the site plan to provide for re-location of the building on the southeast corner to now meet the 30 ft. setback requirements of the Building Code.

Additional southbound only 30' entrance with raised median to facilitate traffic control and provide a protected left turn stacking lane for northbound traffic into the center. Additional entrance will keep people from the rear of the shopping center and away from congestion of delivery trucks. Entrances changed from two 20' drives with a 5' island to two 30' drives with a 6' island. Also, an easement to utilize part of the permanent slope easement will be required.

Mayor Fairlie noted that the previously approved site plan called for developer construction of approximately 1250 feet of curb, gutter and sidewalk on both sides along North Broadway.

Mr. Smith advised that this had not been a subject of discussion in the revision but acknowledged that they would be constructed as agreed to in the original site plan.

Mayor Fairlie clarified that the first 600 ft. of North Broadway will be curbed, guttered and sidewalked as part of the Englewood Road project and the developer had agreed to construct the remainder of their Broadway frontage on both sides of the street to the northern Broadway limits of their project.

Following plan review, Mr. Bussinger moved to approve the site plan alteration for Englewood Plaza as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Ashcroft, Fairlie. (5-0)

Item 7 on the Agenda:

Communications from the Audience.

Mrs. Theresa Sciolaro, 7103 North Tracy addressed the Council on the matter of street light installed but not yet hooked up on her street. She stated that the original petition submitted to the City requesting the installation bore her name as well as her spouse's. Neither she or her husband signed the petition and they do not know who signed their names but the signatures are not theirs. Mrs. Sciolaro advised that area residents do not want and see no need for a street light on their street and had recently petitioned the city to remove it.

Mr. Charlie LaMont, 7107 North Tracy also advised that someone signed his name to the original petition and echoed Mrs. Sciolaro's sentiments that the street light was not needed or desired.

Council acknowledged having received a petition for removal of the street light dated April 14, 1981. The light was installed at a cost of approximately \$1,100 and expense of removal would be approximately \$100.00. Mr. Whitton commented that he agreed there was no need for the light on a dead-end street one block long. Mr. LaMont said he would pay \$100 to get rid of it.

Mayor Fairlie pointed out that many times citizens will sign a petition just to be supportive without knowing what the petition requests. He said the City had a similar problem recently in another subdivision where some residents had signed both a petition requesting a light as well as opposing it. In that instance Council determined the general feeling of the residents was that they did not want street lights so they were not put in.

Mr. Bussinger moved to remove the street light in the 7100 block of N. Tracy and place it elsewhere given the fact that 6 residents favored the light, 6 opposed and 2 did not care. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 8 on the Agenda:

Communications from the City Council.

Councilman Whitton stated he had been contacted by some citizens who had been critical of the delays in the case of a former City official pending in Municipal Court (Paul Degenhardt, Jr.). In their view, justice is not as swift for all. He requested the City Manager to compile a written report on the matter.

City Manager Achen said he was aware there was a lot of concern in this matter and he would respond now if Council desired. Mr. Achen explained that the party was arrested in a traffic stop in January and charged with driving while intoxicated. The defendant's case was set for February 14 in the Gladstone Municipal Court. Another case involving a felony charge will be tried in the Circuit Court of Clay County. Gladstone has no control over this matter which is handled by the Clay County Prosecutor.

Mr. Achen went on to explain that it is the practice of the Gladstone Municipal Court to grant defendant's one or two continuances, the first without question, the second for good cause. It is not common for cases to be continued for three or four months however at the present time there are several cases pending for that length of time.

The second court date was set for March 14. By that date, the City had not been able to name a Judge due to the fact that the three Municipal Court Judges all disqualified themselves for possible conflict of interest. Several other Judges also declined to sit on the case for the same reason.

The Missouri Bar Association has established some pretty strict guidelines as to who does and who does not have a conflict of interest. Mr. Achen explained that it is his understanding that if you practice in a law firm and any of the partners or lawyers in the law firm have practice or a case involving the defendant, even though you yourself are not involved, you should disqualify yourself. Therefore given the defendant's long activity in the community with any number of local attorneys, by March 14 the City still was unable to obtain a Judge.

A Judge was named and the case set for April 16. On April 16 the case was postponed because the Judge named was involved in trial in Jackson County and detained by the Judge in that case.

Mr. Achen advised from discussions with the Prosecuting Attorney it is hopeful that the case will set for the latter part of this week (April 30). He has not had an opportunity to verify the actual court date as yet.

Mr. Karns asked if there was some reason why the public safety officer who was dismissed was not notified until 6:00 pm of the continuance.

Mr. Achen pointed out that there was not an officer dismissed. The officer who resigned was not notified on the April 16 date we were to hear the case because it was anticipated the case would be settled and it was the opinion of the Prosecuting Attorney that the testimony of that officer was not essential to the case. We were not aware that the officer was out of town. If testimony is needed, officer would be subpoenaed. He has not given any indication of unwillingness to appear. There were two officers involved at the scene who are both witness to all events that occurred. A third officer administered the breathalyzer test.

Mr. Whitton asked if the personnel records of the three officers could be made available. Mr. Achen advised that he would be happy to discuss the matter with Council members.

Item 9 on the Agenda:

There were no communications from the City Manager.

Item 10 on the Agenda:

FIRST READING: BILL NO. 81-20,  
rezoning from C-2, General Business District to CP-3, Commercial Dist. (Planned)  
property located at 7406 North Oak. Applicant: Thomas L. Sims.

Mr. Bussinger moved to place Bill No. 81-20 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mayor Fairlie asked the City Manager to advise applicant that submission of a site plan will be required for "P" Planned zoning.

Item 11 on the Agenda:

Mr. Bussinger moved to adopt RESOLUTION NO. 81-19, accepting a proposal from Damon Pursell Const. Co. for construction of the Maple Woods Parking area in the amount of \$13,505. No City funds are required as the Nature Conservancy has allocated \$13,000 for the project and Mr. Henry E. Wurst, 701 North Woodland Drive has pledged to donate up to \$1,000 for the project. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda:

Liquor License Approval.

Mr. Bussinger moved to approve liquor license listed below. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Type "F" Liquor License for Pizza Inn, 7000 North Oak,  
Managing Officer: Carl Hummel. Council noted that establishment is present holder of Class "D" license which will be returned to the City.

Class "F" License C&M Bar-B-Que Inc., 7507 North Oak, Managing Officer:  
Toya M. Colbert.

Note: Council tabled action on Class "C" liquor license for King's Super Stores, S.W. Corner 72nd & Antioch Road pending approval of building plans (see Agenda Item 5-b)


Item 13 on the Agenda:

Other Business.

Mayor Fairlie announced that the Public Hearing to receive input from citizens on location of the west side county annex facility will be held at the Gladstone City Hall on Tuesday, April 28 at 7:30 pm. All citizens are invited to provide input to the Committee appointed by the Clay County Court to make recommendations on the site selection.

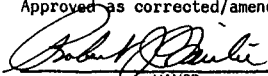
Councilman Whitton moved to appoint Sherman D. Harries, 6218 N Garfield to fill the vacancy created on the Planning Commission by the resignation of Mrs. Anita Duncan such term to expire 12-31-81; Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Ashcroft, Fairlie. Mr. Bussinger passed noting he did not know Mr. Harries. There being no further business to come before the April 27, 1981 City Council Meeting, the meeting was adjourned.

Respectfully submitted,

Approved as submitted: 

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

  
Marilyn Ahnefeld  
City Clerk

  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 11, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of April 27, 1981 City Council Meeting
4. PROCLAMATION: Designating week of May 10-17, 1981 as:  
"GLADSTONE NURSING HOME WEEK". Requested by Kendallwood Trails Nursing Home.
5. PRESENTATION OF CERTIFICATES OF SERVICE TO FORMER COUNCILMEMBERS WILMA J. OGDEN AND RICK MOORE.
6. PUBLIC HEARING: Request for a Special Use Permit in an R-1, (Single Family Dwelling District) zone, property located at 2302 NE 58th Terrace. (Lot 16, Block 1, Englewood North Subdivision) for the operation of a day care center.  
Owner/Applicant: Sharon Sudduth.
7. APPROVAL OF BUILDING PLANS
  - a. Building Plans for King's Super Stores, 7170 N. Antioch Rd. (Tabled 4/27/81)
8. APPROVAL OF LIQUOR LICENSE
  - a. Type "C" Liquor License, King's Super Stores, 7170 N. Antioch Rd. (Tabled 4/27/81)
9. SITE PLAN APPROVAL: Medical Office Building, 2920 NE 60th Street.  
Lot N, Kendalwood Commercial Center. (CP-3 zoning) Applicant: F. Dean McCammon
10. Communications from the Audience
11. Communications from the City Council
12. Communications from the City Manager
13. SECOND READING: BILL NO. 81-20, rezoning from C-2, General Business District to CP-3, Commercial Business District, property located at 7406 N. Oak.  
Applicant: Thomas L. Sims
14. FIRST READING: BILL NO. 81-21, approving the Land and Lot Delinquent List entering a record thereof in the Journal, and crediting the amount thereof to the account of the City Collector.
15. RESOLUTION NO. 81-20, authorizing the City Manager to execute a contract with the Missouri Division of Highway Safety for Selective Enforcement Grant Funds for the City of Gladstone, Mo.
16. RESOLUTION NO. R-81-21, supporting the Kansas City Area Transportation Authority's application for Federal Operating Assistance Grant Funds.
17. RESOLUTION NO. R-81-22, authorizing execution of Change Order No. 2 to the North Broadway/Salt Rock Road Construction Project.
18. ACCEPTANCE OF FINANCIAL REPORTS: (a) Financial Statements for all funds - Ten months ending April 30, 1981. (b) General Fund Cash Disbursements for April, 1981.
19. Other Business
20. Questions from the News Media.
21. Adjournment.

## M I N U T E S

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

11 May 1981

The Gladstone City Council Meeting was called to order on May 11, 1981 by Mayor Bob Fairlie at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Fairlie, those in attendance were: Councilmembers Larry Whitton and Ken Karns, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Councilmembers Bob Ashcroft and Lee Bussinger were absent from the meeting.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes. Councilman Whitton moved to adopt the minutes of the April 27, 1981 city council meeting as submitted. Mr. Karns seconded. The vote: All "Aye" - Whitton, Karns, Fairlie.

Item 4 on the Agenda: Mayor Fairlie read a proclamation designating the week of May 10-17 as "GLADSTONE NURSING HOME WEEK in the City of Gladstone as requested by the Kendallwood Trails Nursing Home.

Item 5 on the Agenda: Mayor Fairlie presented Service Placques to former Councilmembers Wilma Ogden and Rick Moore in recognition of their contributions to the Gladstone community during their respective six and three years as members of the City Council and year as Mayor.

Item 6 on the Agenda: PUBLIC HEARING: Request for a Special Use Permit in an R-1 (Single Family Dwelling District) zone, property located at 2302 NE 58 Terrace. (Lot 16, Block 1, Englewood North Subdivision) for the operation of a day care center. Owner/Applicant: Sharon Sudduth.

Mayor Fairlie opened the public hearing requesting comments from those in favor of the application followed by those against.

Sharon Sudduth, 2302 NE 58th Terrace, applicant advised that she proposes operation of a day care facility for 15-20 clients from infants to 10 years of age. She will operate the facility with two partners and although she has teaching experience will not license as a school. She noted that the approval of a special use permit is a prerequisite to obtaining a state license for the operation of a day care facility. Based on state guidelines for number of clients she has sufficient square footage to care for 20 children and will meet all state regulations for the operation such as fencing, play area, organized activities, nutritional meal requirements, etc.

Councilman Karns asked if separate bathroom facilities are required by the State.

Mrs. Sudduth advised that it was a requirement and that she plans to build an additional bathroom.

Mayor Fairlie asked if she had discussed her proposed business with the neighborhood and what their reaction was. Mrs. Sudduth responded that she has received no negative comments from her residents.

There were no other persons to speak for or against the special use permit application, whereupon Mayor Fairlie closed the public hearing. He advised that the first reading of the bill providing for the special use permit would be given on May 26, 1981. Mayor Fairlie noted that the council meeting would be held on Tuesday since Monday, May 25 is Memorial Day.

Items 7 and 8 on the Agenda: Approval of Building Plans and Type "C" Liquor License for King's Super Stores, 7170 North Antioch Road. (Tabled 4/27/81)

City Manager Mark Achen advised that the applicant, Rick Anglin had advised that King Super Stores is withdrawing their application due to Council stipulations for curb, gutter and sidewalk improvements on both Antioch and 72nd Street frontages. Counselor John Dods advised that no Council action is necessary on the tabled items.

Item 9 on the Agenda: Site Plan Approval: Medical Office Building, 2920 NE 60th Street. Lot N, Commercial Business District. Applicant: F. Dean McCammon for Dr. John Balhuizen.

In the absence of the applicant or representative, Mr. Jim Younger of the Curry Company reviewed the site plan with Council for a 15,000 sq. ft. single story medical office building. Mr. Younger noted that the plans call for brick construction with a more residential appearance. Plans call for 26 parking spaces which more than exceed the 14 spaces required. Council noted that the applicant has been advised of the commercial sidewalk construction requirement as noted on the Engineering Staff report. Plans also call for enclosed trash area.

Mr. Whitton moved to approve the site plan as submitted for medical offices at 2920 NE 60th Street with the stipulation that sidewalks be constructed on the Kendallwood Parkway on NE 60th Street frontages; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie. (3-0)

Item 10 on the Agenda:

Communications from the Audience.

Wilma Ogden, 15 NE 60th Terrace, asked that Councilmembers recognize Mrs. Virginia Bauman for her work in connection with the CPR NOW Program.

Mayor Fairlie asked Mrs. Bauman to stand and be recognized and thanked her for the good work she is doing with CPR. He commented further that this project is of course close to Mrs. Ogden's heart because she also was instrumental in providing CPR training in the Gladstone community long before the funding of the CPR NOW project by Mr. and Mrs. Ewing Kaufmann.

Item 11 on the Agenda:

Communications from the City Council.

Mr. Whitton asked Mr. Achen to look into the City's use of AAA Lawnmower Company for mower repairs. He stated that it has been asserted that the company's business has been "taken away" about the time Mr. Whitton filed for the City Council seat since Mr. Whitton and the AAA owner are acquainted.

Mr. Achen responded that the AAA owner had telephoned him and he had assured that Councilman Whitton's election and friendship with Mr. Powell had had no bearing on the business relationship with AAA.

Mr. Achen explained that the City had done a great deal of business with the company during the past few years and as Mr. Powell had pointed out the City had even created business for him because of some of our own problems in maintaining equipment and methods of operation. The last repair work that was done was done with another company because the City obtained a lesser quote and was able to get a faster turn-around time in the repair of the mowers.

Mr. Achen again assured that business was not taken away from AAA for the reasons asserted.

\* \* \*

Mr. Whitton also commented on an incident reported in the Kansas City Star. The newspaper article had been critical of the Public Safety Department's issuance of a summons at 2:00 am in the morning. Mr. Whitton said he questions if we need to wake people up at that time and if we could have handled the matter differently.

\* \* \*

Mayor Fairlie noted that that former Assistant City Manager Cy Carney had served as Gladstone representative on the University of Missouri Extension Service Board of Governors and advised he was appointing Mr. Carl L. Lanio 7050-A North Olive to fill that vacancy.

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May 11, 1981  
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Item 12 on the Agenda:

Communications from the City Manager.

Mr. Achen requested the addition of approval of Change in Managing Officer for Class A & B Liquor License for Guthries Restaurant & Bar, 6415 N Oak. Mayor Fairlie noted the agenda addition would be Item 17-A on the agenda.

Item 13 on the Agenda:

SECOND READING: BILL NO. 81-20, rezoning from C-2, General Business District to CP-3, Commercial Business District, property located at 7406 N Oak. Applicant: Thomas L. Sims.

Mr. Karns moved to accept the first reading of Bill No. 81-20, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie. (3-0) The Clerk read the Bill.

Item 14 on the Agenda:

FIRST READING: BILL NO. 81-21, approving the Land and Lot Delinquent List as submitted by the City Collector.

Mr. Whitton moved to place Bill NO. 81-21 on first reading: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie. (3-0)  
The Clerk read the Bill.

Mayor Fairlie noted that the same familiar names show up on the delinquent property tax listing but that penalties are applied and the city is doing all it legally can under state statute.

Item 15 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-81-20 authorizing execution of a contract with the Missouri Division of Highway Safety for grant funds for 100% funding of a public safety department traffic vehicle and \$14,750 in grant funds towards the purchase of (2) police motorcycles, visibar, radios and PA system. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie. (3-0)

Mayor commented that the grant funds allow the City to acquire equipment valued at \$14,750 for \$3,750.

Item 16 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-81-21 supporting the Kansas City Area Transportation Authority's application for Federal Operating Assistance grant funds; Mr. Whitton seconded. It was noted that the grant funds sought include \$10,600 for use in subsidizing service to Gladstone. The vote: All "aye" - Whitton, Karns, Fairlie.

Item 17 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-81-22 authorizing execution of Change Order No. 2 to the North Broadway-Salt Rock Road Construction Project. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie. (3-0)

Mayor Fairlie pointed out that the change order adds \$1,392.73 to the contract with Tri City Construction for contract changes within the Kansas City, Missouri limits of the project. Gladstone is administering the contract however Kansas City will reimburse us for that amount.

Item 17-a on the Agenda: Mr. Whitton moved to approve Mr. Daniel Paul Eiting as new managing officer for Guthries Restaurant and Bar, 6415 North Oak holder of Class A&B liquor license. Mr. Achen advised that the Public Safety Department had made their routine investigation of the applicant had recommends approval. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie. (3-0)

It was noted that questionnaires have been sent to Class A&B liquor license holders requesting documentation of their compliance with the 60-40, food/liquor ratio sales. These are due June 1. Guthries new managing officer is also aware that the questionnaire must be submitted.

Item 18 on the Agenda: Mr. Whitton moved to accept financial reports as submitted for (a) Financial Statements for all funds - ten months ending April 30, 1981. (b) General Fund Cash Disbursements for April 1981. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie. (3-0)

Mr. Karns commented on the \$2296 charge for long distance for the period April-May shown on the financial reports and asked if the City had looked into the MCI telephone service rates. Mr. Achen advised that was being done. He also questioned the \$4,300 expenditure to Shook, Hardy. Mr. Achen advised that the firm acts as the City's legal counsel and conducts research on preparation of ordinances as well as attend the regular City Council meetings.

Mr. Whitton questioned the price of dog food at \$23/100 lbs. as shown on the report. He noted that the City has purchased from his establishment at a price of \$17/100 lbs. and asked that we check to ensure that we are getting the best price available.

Mr. Whitton also asked if the City had authorized additional work with the Hagan Company on the animal shelter listed on Page 10 of the report. Mr. Achen advised that he would look into it but that the contractor could not go over the contract amount without city authorization.

Mr. Karns asked if construction contracts are awarded on a bid base and if the city has those bids on file. He referenced Tri-City's contract on the Broadway improvement project. Mr. Achen responded that sealed bids are obtained and are on file for review.

Mayor Fairlie noted that the County Court had designated the site of the western satellite facility as the property owned by the North Kansas City School District on 48th Street in the area of Northgate Junior High. He commended the site selection committee for hearing the requests of the Council and the Gladstone community in requesting a site within a reasonable distance.

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May 11, 1981  
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He is pleased that citizens won't have to fight traffic and sees the proposed site as highly accessible to Cladstone citizens.

There being no further business to come before the May 11, 1981 City Council Meeting, the meeting was adjourned.

Respectfully submitted,

Marilyn Ahnefeld  
Marilyn Ahnefeld  
City Clerk

Approved as submitted: X

Approved as corrected/amended:

Boz 11 Corp  
MAYOR Ro Tam

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 26, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 11, 1981 City Council Meeting.
4. Approval of Building Plans
  - a. Kendallwood Nursing Home Addition, 2900 Kendallwood Parkway.  
Applicant: Donald Costazo
5. CONSIDERATION OF PRELIMINARY PLAT OF KENDALLWOOD PLACE.  
Brooktree Lane and Kendallwood Parkway. Applicant: Curry Investment Co.
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
10. THIRD READING: BILL NO. 81-20, rezoning from C-2, General Business District to CP-3, Commercial Business District, property at 7406 N. Oak.  
Applicant: Thomas L. Sims.
11. SECOND READING: BILL NO. 81-21, approving the Land and Lot Delinquent List.
12. FIRST READING: BILL NO. 81-22, granting a Special Use Permit for the operation of a Day Care Center to Sharon Sudduth, 2302 NE 58th Terrace.
13. FIRST READING: BILL NO. 81-23, establishing rate change for monthly sewer service and commodity charges for residential, commercial and industrial customers.
14. RESOLUTION NO. R-81-23, authorizing execution of a Cooperative Agreement with the City of Kansas City, Missouri for use of their detention facilities.
15. RESOLUTION NO. R-81-24, authorizing the City Manager to transfer funds from the General Fund to the Building Construction Fund.
16. Other Business.
17. Questions from the News Media
18. Adjournment



M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

26 May 1981

The Gladstone City Council Meeting was called to order on May 26, 1981 by Mayor Pro-Tem Bob Ashcroft at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to the Mayor Pro-Tem, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen City Counselor John Dods and the City Clerk. Mayor Bob Fairlie was absent from the meeting.

Item 2 on the Agenda: Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.  
Mr. Whitton moved to accept the minutes of the May 11, 1981 city council meeting as submitted. Mr. Karns seconded. The vote: "aye" - Whitton, Karns. "pass" - Bussinger, Ashcroft.

Item 4 on the Agenda: Approval of Building Plans - Kendallwood Trails Nursing Home Addition, 2900 Kendallwood Parkway. Applicant: Donald Costazo.

Council reviewed plans with Mr. Donald Costazo for a 120 bed addition to the existing 150 bed facility. Council pointed out that the Engineering Staff Report discloses that 35 parking spaces are proposed for a total of 81 spaces which is 9 short of the required ratio of 1 parking space per three beds for a total of 90 spaces. The staff report further points out that the original plan approved in 1978 called for 120 bed unit with 81 parking spaces whereas 150 bed unit was actually constructed with 46 parking spaces. Mr. Costazo stated he was not involved in the original construction and was unaware that the nursing home had been short the required parking spaces all this time. He clarified that there had been no alteration of the original construction plans but had merely been an internal rearrangement of rooms to accomodate 150 beds which had been approved by the state. The state licensed them for 150 beds in 1978 based on the number and proximity of nurses stations to the beds.

Mr. Ashcroft said that was the City's fault for not monitoring the 1978 construction to ensure that final construction was in compliance with approved plans in terms of parking spaces.

Mr. Bussinger moved to approve the building addition plans for Kendallwood Trails Nursing Home, 2900 Kendallwood Parkway with the stipulation that 44 additional parking spaces be built for a total of 90 spaces in compliance with the City Code. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 5 on the Agenda:

There were no communications from the Audience.

Item 6 on the Agenda:

Communications from the City Council.

Mr. Bussinger referenced the City Manager's report in the City Council Newsletter of May 22, 1981 that George Satterlee, District Engineer for the Missouri State Highway Department has indicated that until the Missouri Highway Department's funding is increased, no construction will be contracted for the Highway 169 northern ramps.

Mr. Bussinger stated that this really upsets him because we have been working on this for a number of years and he sees it as a priority for the convenience of the citizens. He proposes a letter pleading for funding of the project or another trip to Jefferson City to the Highway Commission if that is what it takes.

Item 7 on the Agenda:

There were no communications from the City Manager.

Item 8 on the Agenda:

THIRD READING: BILL NO. 81-20, rezoning from C-2, General Business District to CP-3, Planned Commercial Business District, property at 7406 North Oak. Applicant: Thomas L. Sims.

Mr. Bussinger moved to accept the second reading of Bill No. 81-20, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-20 and enact said Bill as Ordinance No. 2.392. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft.

Item 9 on the Agenda: SECOND READING: BILL NO. 81-21, approving the Land and Lot Delinquent List.

Mr. Bussinger moved to accept the first reading of Bill No. 81-21, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. The Clerk read the Bill.

Mr. Achen advised that if Council would consider passage of the Bill this evening it would accept the City Collector's delinquent property tax listing and allow her to proceed with the next step in the collection process.

Mr. Bussinger moved to accept the second reading of Bill No. 81-21, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-21 and enact it as Ordinance No. 2.393. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 10 on the Agenda: FIRST READING: BILL NO. 81-22, granting a Special Use Permit for the operation of a Day Care Center in a single family residential zone to Sharon Sudduth, 2302 NE 58th Terrace.

Mr. Whitton advised for audience information that it has been the Council's practice to give a favorable vote on the first reading of the Bill for purposes of advancing the Bill for further discussion.

Mayor Ashcroft asked Counselor Dods if it was necessary to follow the procedure Mr. Whitton just outlined. Mr. Ashcroft pointed out that it can give the false impression that Council favors a Bill when they may desire to give it a negative vote.

Mr. Dods pointed out that the Bill is not publically "displayed" for Council consideration until it is publically read on the first reading, Council then may approve or deny it on subsequent readings.

Mr. Bussinger moved to place Bill No. 81-22 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 81-22, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mr. Karns seconded. The vote: All "No" - Whitton, Karns, Bussinger, Ashcroft. BILL NO. 81-22 UNANIMOUSLY DENIED (4-0 AGAINST).

Item 11 on the Agenda: FIRST READING: BILL NO. 81-23, establishing a rate change for monthly service and commodity charges for residential, commercial and industrial customers.

Council requested additional background information prior to introduction of the Bill. City Manager Achen suggested that Council bypass this item and comeback to it later in the agenda and he would then have the information they requested.

Council determined they would rather table the bill, whereupon Mr. Bussinger move to table Bill NO. 81-23; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 12 on the Agenda: Mr. Whitton moved to adopt Resolution No. 81-23 authorizing execution of a Cooperative Agreement with the City of Kansas City, Missouri for use of their detention facilities at a per diem rate of \$26.50 per prisoner confined at the institution. Mr. Bussinger seconded.

Mr. Karns asked if we have any prisoners confined at the Kansas City facility at the present time. Mr. Achen advised that we did not and would continue to utilize our own facilities whenever possible.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 13 on the Agenda: Mr. Whitton moved to adopt Resolution No. 81-24, authorizing the City Manager to transfer funds in the amount of \$8,500 from the General Fund to the Building Construction Fund for the Animal Shelter Facility construction. Mr. Bussinger seconded.

Councilman Karns questioned how we got from an initially proposed cost estimate of \$45,000 to the final cost of \$53,000 on the construction of the animal shelter facility.

City Manager Achen explained that the \$45,000 figure covered construction of the shell exterior without finishing the interior office space. The \$8,500 additional expense covered installation of a heat pump rather than propane heating system, security fencing, sheet rocking, false ceiling, walls, doors, framing for the office and food preparation areas and heating of the animal portion.

Mr. Karns asked if this did not also include airconditioning of the facility. Mr. Achen clarified that the heat pump included the airconditioning system and further clarified in response to Council question that the airconditioning is for the office portion not the animal detention portion.

Mr. Karns further noted that the kennel panels cost \$3,400 when \$2,900 was anticipated. He questioned if we did not anticipate the increased cost or was it something Mr. Anderson added later.

Mr. Achen explained that the original proposal for fencing was obtained by a previous employee and did not include fencing on the animal cages. When the installation was made it became very apparent to the Public Works Director that if we left the cages in that state the animals would chew the building, so fencing was put on the ends of the cages where the cages abut the building.

Mr. Karns questioned why Council was not approached on the need for an additional \$8,500 on the project. Mr. Achen agreed that very definitely should have been done.

Mr. Karns further commented that on a recent Council tour of the facility the temperature was about 75 degrees in the animal area. He questioned the need for that degree of warmth.

Mr. Achen responded that some additional heating is necessary in the winter months because the City is liable for the safety and condition of the animals until claimed, but agreed the infrared light should not be run unless necessary. He pointed out that it is always a hard question of how far you go in terms of providing for the animal's welfare.

Mr. Karns asked if there was any way to utilize the old kennel, or could the building or any of the fencing have been used in the new construction.

Mr. Achen said using the old building had been considered but based on preliminary estimates it was the staff's determination that use of the old kennel was not feasible. The primary issue at the time had been the building so he is not sure about the fencing.

Mr. Karns asked if we have any other alternative to approving the \$8,500. Mr. Achen answered that we could try to sell some of the finishing materials.

Mr. Whitton said that from discussions with former Council members he understands that the initial figure for the construction was \$29,000 with additional of \$6,000 for interior work which would make us \$14,500 over not \$8,500.

Mr. Achen stated that he wanted to make the public aware that this is not the normal way the staff operates and apologizes to the Council because the situation is unwarranted. He explained that the normal procedure is to submit a proposal for additional funds to the Council. There is no reasonable explanation for this situation, proper financial control was not exercised which is his responsibility.

The vote on Resolution NO. R-81-24: "Aye" - Bussinger, Ashcroft.  
"No" - Whitton, Karns. RESOLUTION FAILED FOR LACK OF MAJORITY VOTE (2-2)

Item 14 on the Agenda:

Other Business.

Councilman Bussinger commented that while he fully understands Councilmembers Whitton and Karns vote on the last item and also is not particularly happy with the situation, he is concerned about what they want to do to recoup the \$8,500 expended. He is hopeful they can come up with some reasonable alternative to recoup the \$8,500, he does not believe we can go in there and tear out what has been done.

Mr. Karns responded that he thinks the burden to come up with some alternative lies with the guys who spent the money; possibly look into selling the fencing that is there and the kennels. He does not think you can arbitrarily spend \$8,500 and force it on the Council. Mr. Achen and Mr. Anderson should come up with alternatives.

Mr. Achen pointed out the intent of the resolution tonight was that alternative. The operating budget of the City will have expended about \$188,000 less and it is his recommendation that this additional \$8,500 expense for the animal shelter be funded out of that savings. The alternative of selling equipment already in place and installed would be to the city's detriment on a value basis because we would probably lose 50¢ on the dollar.

Mr. Achen again apologized for having to submit this problem to Council and recognizes the position it puts the Council in.

Mr. Karns again pointed out that the old kennels and fencing are just sitting there and questioned why they would be worth nothing when the new is worth \$4,900. Mr. Achen admitted that some of the fencing material might have been used but stressed that it would have only been a small portion of that needed.

Mayor Pro-Tem Ashcroft commented that he foresees this resolution being brought up again when there is a full Council in attendance.

\* \* \*

Councilman Ashcroft asked that research on the feasibility of leasing the concession stand operation at Happy Rock Park be conducted. He also mentioned that lights have been on when the Happy Rock courts are not in use and asked that staff look into our methods of controlling this problem.

Mr. Ashcroft requested Counselor Dods to draft an ordinance regulating the sale of drug paraphernalia in the city of Gladstone. He displayed an item found by his nine year old son in a culvert a block from their residence. He feels the Council should do all within their power to keep such items off the market in our city.

Mr. Dods agreed that the Gladstone community is certainly not immune from the drug problem but explained that there has been considerable litigation all across the nation. Some community's ordinances have been upheld while others have run into legal difficulty. The issue of constitutionality presents a problem. The City of Independences' is being tested at present. Mr. Dods advised he would draft such an ordinance for Council consideration.

Mr. Ashcroft again expressed concern that the public be aware that we are trying to do something on this issue.

Item 15 on the Agenda:

Questions from the News Media.

Representative of the press asked why Council denied the application for a special use permit for the operation of a day care center (Agenda Item 10). Mr. Ashcroft responded that the Council did not feel such an operation in a single family residential zone was in the best interests of the community.

\* \* \*

There being no further business to come before the May 26, 1981 meeting of the the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

Approved as submitted: X

Martha LaHue  
City Clerk

Approved as corrected/amended \_\_\_\_\_

Robert J. Miller  
MAYOR

A G E N D A

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 8, 1981

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 26, 1981 city council meeting
4. PROCLAMATION: "Honor America" - 21-day salute from June 14, 1981 to July 4, 1981. Requested by the American Historic and Cultural Society, Inc.
5. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property located at Brooktree Lane and Kendallwood Parkway. Applicant: Woodlands Investment Association.
6. PUBLIC HEARING: Request to rezone from C-3, Commercial District to RP-3, Planned Garden Apartment District, property located at the southwest corner of NE 72nd Street & Antioch Road. Applicant: Larry Wickham.
7. PUBLIC HEARING: on the adoption of the 1981-82 annual fiscal budget, including proposed use of General Revenue Sharing Funds for the City of Gladstone, Missouri.
8. Approval of Building Plans: Hardees Food System, 6250 N Oak.
9. Communications from the Audience.
10. Communications from the City Council
11. Communications from the City Manager
12. FIRST READING: BILL NO. 81-23, establishing rate change for monthly sewer service and commodity charges for residential, commercial and industrial customers. (Tabled 5-26-81)
13. FIRST READING: BILL NO. 81-24, defining Drug Paraphernalia and other relevant terms; prohibiting the possession, use, manufacture or delivery of drug paraphernalia; and providing for penalty for violations.
14. RESOLUTION NO. R-81-25, authorizing acceptance of a proposal for purchase of de-icing salt.
15. RESOLUTION NO. 81-26, authorizing an agreement with Honeywell Co. for maintenance of Water Treatment Plant Instruments.
16. RESOLUTION NO. 81-27, authorizing renewal of Special Use Permit for the operation of a Group Day Care Facility at 1312 NE 69 Terr. Applicant: Ida M. Musick and Kathy Meinhardt.
17. RESOLUTION NO. 81-28, adopting the 1981-82 annual operating budget for the City of Gladstone.
18. RESOLUTION NO. 81-29, of intent to comply with the State Law on setting the annual property tax levy for the City of Gladstone.
19. RESOLUTION NO. 81-30, recommending that the Industrial Development Authority of Clay County issue Industrial Development Bonds for construction of Kendalwood Nursing Center expansion.
20. CONSIDERATION OF APPLICATION FOR LIMITED BEER LICENSE  
July 4, 1981, 5PM - 11PM  
Applicant: Gladstone Jaycees
21. Approval of Financial Reports:
  - a. General Fund Cash Disbursements for May, 1981.
  - b. Financial Report for all funds - 11 months ending 5/31/81
22. Other Business
23. Questions from the News Media
24. Adjournment



*Minute Book*

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

8 June 1981

The Gladstone City Council was called to order on June 8, 1981 by Mayor Bob Fairlie at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

MR. Ashcroft moved to accept the minutes of the May 26, 1981 city council meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 4 on the Agenda: Mayor Fairlie read a Proclamation designating the period from June 14 (Flag Day) through July 4 (Independence Day) as a period to HONOR AMERICA in the City of Gladstone. Proclamation was requested by the American Historic and Cultural Society.

Item 5 on the Agenda: PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property located at Brooktree Lane and Kendallwood Parkway. Applicant: Woodlands Investment Association.

Mr. Ron Talcott, Tuttle Ayers, Woodward reviewed artist rendering of plans for the project located at Brooktree Lane and Kendallwood bounded on the north by Meadowbrook North Subdivision and on the west by the Red Lobster Restaurant. The detention facility constructed by the Curry Company separates this tract from Carriage Hills Subdivision.

The proposal calls for the construction of 160 units on the 32 acre tract (10 Single Family; 86 Single Family Attached; 64 Townhomes) with a density of 4.98 units/acre. The proposal leaves the large green area undisturbed on the property. The site itself has a ridge and water drains into a small tributary at Rock Creek and eventually enters the detention facility inside the project. The site contains a nice stand of foliage which will be left undisturbed. Old Oak and Hickory trees about the Meadowbrook North Subdivision and the project will intrude on this area as little as possible.

Club house, tennis courts and recreation facilities are proposed for the very edge of this treed area. There are no distinct drainage problems. Vehicular controlled access to the complex is proposed with the main entrance dual lane with gate house and 24-hour guard, the other entrance will be controlled by a mechanical facility with "knock down" gate for emergency purposes.

The concept includes private streets and has been laid out for minimal intrusion on commercial areas by buffering. The developer proposes one master water meter for the complex and would handle their own sewer. This has been discussed with the City staff and they have no objections.

Mr. Mike Shaughnessy, Shaughnessy, Fickel and Scott Architects, Inc. 20 West 9th Street, Kansas City, Missouri reviewed the architectural plans for the project explaining that there are three basic types of units; town homes, cluster housing and single family. Townhomes will contain 1,200 sq. ft. while single family will have 3,000 - 4,000. Price range of the units in the complex is from \$90,000 - \$300,000. All units will have two-car garages. The Club House at the edge of the wooded area will include an exercise area, lockers, equipment room, billiard room, card room, lounge area and small bar area on two levels with a series of terraces up to the pool.

The units will be constructed in a courtyard setting and although private streets are proposed the streets will meet City specifications. The only variation from the City Codes is the proposal for an internal trail system rather than sidewalks. However in response to Planning Commission concern a revised plan has been submitted which includes sidewalks.

Mr. Talcott assured the Council that all of the improvements meet City requirements and there has been no attempt to violate City codes but the very concept of the project for a controlled area prompted the proposal for private streets.

Mr. Ashcroft commented that the Planning Commission had questioned the density in the NW corner that abuts R-1. Mr. Talcott said it is 40 ft. from the nearest single family dwelling in that area.

In discussing the Planning Commission's recommendation that a street connection between 63rd Street and Brooktree Lane is necessary, Councilman Whitton commented that he did not see a need for the street connection because it spoils the concept of the project.

Mr. Fairlie asked how normal deliveries to residents would be accommodated. Mr. Talcott stated they would be made through the guarded gate and pointed out that it is manned 24-hrs. with closed circuit TV. In response to Mayor Fairlie's concern for emergency vehicle access, Mr. Talcott noted that there are no gates at the two 30 ft. streets at the guarded entrance and also that the other entrance has a "knock down" gate that could be used in emergencies. Regular mail will be delivered to the guard house at the main entrance.

City Council Meeting Minutes  
Page Three  
June 8, 1981

Responding to Mr. Karns question if the project would have street lights, Mr. Talcott advised that street lighting and well as lighting of the trail system would be constructed at no cost to the City.

Mr. Bussinger asked if the owners would be willing to contribute money for a much needed traffic light at the Antioch Road and Brooktree intersection. Mr. Talcott suggested that the principals in the project would be more than happy to negotiate as long as other developments benefitting from the light would also contribute. He does not think it fair for this project to bear the entire expense. The Missouri State Highway Department had estimated the light installation at \$35,000. He will discuss the matter with the principals and have an answer prior to the next Council meeting. Mayor Fairlie offered that the "fair share" could be determined by the impact this project has on the traffic at the intersection. He further noted that it was interesting that the Highway Department feels the light is not warranted from accident statistics at that location. It appears to him that it should be installed to prevent accidents not justified only after the accidents have happened.

Bernie Jozak, 1611 NE 68th Place, former Councilmember and presently a member of the Park Board noted that with one water meter serving 160 homes they would be receiving a cheaper rate than individual customers. He also suggested the need for dedication of the detention facility to the City. If it was to be maintained as parkland property. He noted that parkland in the Brooktree area was to be maintained by the Home Association and after several years they decided they did not want to maintain it and asked the city to do so.

Mr. Jim Youngers, 7324 N Bellefontaine representative of the Curry Company, present owners of the property stated that the City had previously agreed to maintain the detention basin. On the subject of the street light at Antioch/Brooktree intersection, Mr. Youngers stated that he was not saying that the Curry Company would not contribute to the lighting expense but hoped that the city would consider the thousands of dollars spent on the detention basin by this company.

There was no additional discussion or persons to speak for or against this rezoning application, whereupon Mayor Fairlie closed the public hearing and announced that the first reading of the Bill rezoning this property would be scheduled for the June 22nd meeting of the City Council.

\* \* \*

Item 6 on the Agenda:

PUBLIC HEARING: Request to rezone from C-3, Commercial District to RP-3, Planned Garden Apartment District, property located at the southwest corner of NE 72nd Street and Antioch Road. Applicant: Larry Wickham. Owner: Ron Topham

Larry Wickham, 405 NE 70th Street, architect for the project reviewed plans for construction of 42 unit townhouse development on a lease/equity concept. Tenants would initially lease the units but a portion of the rent paid would be building equity in the townhouse. After fifteen months, tenants would have the option to purchase outright. Tenants would have built 20% equity within five years towards the purchase of the \$50,000 townhomes. Rental is proposed at \$400/month. Units will contain two bedrooms with approximately 1,056 square feet. Yard maintenance will be under a Homeowner's Association. Standard 30 ft. streets per City specifications will be built with 40 ft. right-of-way requested. Front yard setback of 27 ft. which is a variance from the ordinance is also proposed. Curbs, gutters and sidewalks per the ordinance are shown on the 72nd Street frontage. He personally questions curband gutter improvements for the 227 ft. stretch of Antioch Road and has not shown these on the plans.

Red brick and real stucco will be used with west and south units having three story fronts and basement garages while units on the north and east sides will be single story with attached garages.

Councilman Bussinger questioned if there was adequate water supply to serve this project and the previous agenda item that involved 160 units. Mr. Achen advised that there had not been a study made to determine the impact the developments would have on the city's supply but noted that they probably wouldn't help our situation. Last year we experienced a problem during peak demand periods getting water to the north and east sections of the city primarily due to undersized lines. Obviously new development contributes to the problem.

Mr. Karns questioned why the City should vary from the ordinance with respect to the front building lines. Mr. Whitton responded that with today's prices for the improvements required in connection with a project it takes 42 units for the project to pay for itself.

Mr. Ashcroft questioned if the Dinner Play House proposed is a part of this plan. Mr. Wickham clarified that it was not.

Mr. Fairlie noted that there is some merit in downzoning from the high commercial zoning the property now has, but questions the affect the project has on adjacent commercial property (Croy Care Center).

Mr. Wickham pointed out that the owner has been working since 1977 to put a commercial use on the property but that financiers are of the opinion that a commercial use can't be supported on that property without more development on the east side of the city. Financing for 1/3 of the project has been obtained and the balance will be borrowed.

Mr. Larry Mooney, Planning Commissioner pointed out that it had been announced that the City Council Public Hearing on this proposal would be held on June 22 at the last Planning Commission Meeting. Because of this mix up in dates the Council may have citizens present at the June 22 meeting assuming that is the date of the public hearing.

Mr. Claude Woods, 3610 NE 72nd Street stated he objects to spot zoning and feels the developer should improve Antioch Road with curbs, gutters and sidewalks as part of this project. Otherwise the taxpayers will ultimately have to pay for it. He objects to "piecemealing" and feels it should all be done at once. He noted that when he developed his project in Claywood he did not want to put in the sewers but was required to do so by the City likewise this developer should construct necessary improvements on Antioch Road frontage of the project. There being no further discussion, Mayor Fairlie closed the public hearing.

Item 7 on the Agenda:

PUBLIC HEARING: On the adoption of the 1981-82 annual fiscal budget including proposed use of General Revenue Sharing Funds for the City of Gladstone, Missouri.

Mayor Fairlie opened the public hearing and requested City Manager Mark Achen to review the proposed budget for the benefit of Council and audience present.

Mr. Achen noted there were copies of the proposed budget on the chairs in the front of the Councilroom for audience review. The proposed budget is a balanced budget and includes \$3,049,538 in general operating revenues; \$3,018,420 of operating expenditures. Revenues are projected to increase in the coming fiscal year 3.3% above that projected for the current fiscal year. Expenditures are projected to increase 7.3% over the current fiscal year. As in previous years, revenue sharing monies are proposed to be expended for public safety salaries and fringe benefits. The overall budget represents an austere budget. It is the second year that sales tax revenues have not been used to subsidize general operating expenses which represents a savings collected in two years of close to a million dollars that is now going to major capital improvements.

Full time employee positions have been reduced from 113 in fiscal year 1979 to 99 in this budget.

The franchise tax continues to grow as the most important source of financing general operating expenses. The projected budget includes 42% of total General Fund revenue from this source. Last year at budget time the franchise fee was increased from 5 to 7% which is the City's statutory limit.

Property tax revenues are based on projected assessed valuation next year of \$96 million and will generate 26% of the revenue.

On the expenditure side, public safety expenditures continue to be the major item in general fund expenditures and account for 57% of all expenditures for general operations. No new additional capital improvements are proposed for next year, the engineering design for North Troost arterial collector system is nearly completed and during the fiscal year Council will want to make a decision on proceeding with that construction. The Englewood west section project is anticipated in the coming year and right of way acquisition is partially completed now and Kansas City, Missouri hopes to go to work on the project sometime this summer. No Broadway reconstruction project should be completed by the end of the summer. No additional sidewalk construction on thoroughfares is included in this budget. The primary reason that no new projects are proposed is because there are several projects that Council has on the "back burner" such as Flora-Troost and a decision needs to be made on those projects before committing funds for additional projects.

As of June 30 of this year we will have an outstanding General Obligation Debt of \$4.6 million dollars; \$830,000 of this total is funded by special assessments for sewer improvements, the balance of \$3.8 million is serviced by sales tax revenue fund that will require approximately 56.7% of estimated sales tax collected assuming that an additional \$1.5 million dollars of bonded indebtedness is sold during the next fiscal year to finance the Englewood Road project and the Flora-Troost improvement. The swimming pool enterprise fund is projected to continue to generate sufficient revenue to fund principal and interest of bonded indebtedness.

The combined water and sewer system enterprise fund is based on the assumption of the sale of 731 million gallons of water. Total expenditures are projected at \$1,272,395 and revenues totalling \$1,349,610. The expenditures represent operating expenditures and on top of that are expenditures for debt service and depreciation, the latter not being a cash outlay. The bottom line of the water and sewer fund is a loss to retained earnings of \$130,627 and a zero cash flow. It will not be a negative cash flow, we will not be financing depreciation.

Councilman Bussinger commended Mr. Achen for the amount of work spent on the budget which he feels is conservative yet provides the services Gladstone citizens have come to expect. He feels it is a good budget and one we can live with. Special note should be made of the reduction of personnel to 99, which is quite a cut yet continues the level of services.

Mr. Karns asked if the City will be able to continue not using sales tax monies for general operating subsidy. Mr. Achen advised that for the next fiscal year no funds will be transferred but for the fiscal year thereafter it will be increasingly difficult to balance the operating budget without additional revenues.

Last year the Council gave direction to prepare a budget without sales tax money which required increase of the franchise fees. Any further reduction of personnel may result in reduction of city services as well. Mr. Achen projected that next year would be a difficult one without an additional revenue source or use of sales tax.

Mr. Karns asked what personnel salary increases are proposed in the budget. Mr. Achen noted that a cost of living of 8% is proposed and in addition approximately 60% of the classified employees are eligible for 5% merit increases on their anniversary date. Also, the budget proposes an increase in the present life insurance of \$3,000 combination term/whole life benefit to a \$20,000 term benefit. The City also proposes absorbing the anticipated \$20-25/mo. increase in the health insurance benefit provided employees.

Mr. Karns questioned the amount of revenue generated by the franchise increases last year. Mr. Achen stated that the increase generated \$360,000 - \$380,000. At the same time Council adopted an ordinance providing for monthly payment of franchise fee rather than semi-annual which resulted in a windfall of approximately \$50,000.

Mr. Karns asked how Gladstone salary increases compared to those granted by other communities. City Manager said area survey showed salary increases in the metro area ranged from 7-9%. In addition most cities operate under a merit plan such as Gladstone's that provides merit increases in addition to cost of living.

Mr. Karns noted that personnel service costs are \$2,072,559 which by his calculation makes the average salary of a city employee including fringe benefits approximately \$25,000. Mr. Achen emphasized that the personnel service category includes; unemployment costs, health insurance premiums, pension benefits, social security, workmen's compensation as well as parttime and overtime expense.

Mayor Fairlie questioned the affect on the City if Revenue Sharing Funds were discontinued in the future. Mr. Achen pointed out that during the current fiscal year projected expenditures will fall below that budgeted by only \$30,000. Revenue Sharing receipts are projected at under \$200,000 which represents 1/6 or 1/7 of the revenue so if revenue sharing was lost next year we would not have to absorb it all but would have to pick up approximately \$170,000. Revenue Sharing receipts are again projected for use in the Public Safety Department operations.

There being no further comments, Mayor Fairlie closed the public hearing on the adoption of the 1981-82 annual fiscal budget.

Item 8 on the Agenda:

APPROVAL OF BUILDING PLANS - HARDEES FOOD SYSTEM  
6250 N Oak

Mr. Dan Ringer, Norman, Oklahoma was present to represent this building plan application in behalf of Hardees Food System.

Mr. Ringer reviewed plans with Council for the proposed facility. Council noted the Public Works Department staff report indicated that the concrete flume at the southwest corner of the parking lot should be replaced by a catch basin and the storm water piped directly into the proposed 60" culvert. Mr. Ringer agreed this would be done.

Mr. Bussinger asked if Mr. Ringer understood that directional signs are not permitted under the present sign ordinance. Mr. Ringer said the south exist would be limited to a right-hand turn to increase the safety and insure proper traffic flow.

Mr. Ashcroft moved to adopt the building plans for Hardees Food System, 6250 N Oak with engineering staff stipulations as noted on the staff report dated June 4, 1981. Mr. Bussinger seconded. The vote: "aye" - Whitton, Karns, Ashcroft, Fairlie. "no" - Bussinger. (4-1)

Mr. Karns questioned why the final plat which includes this property (HENRY CREEK PLAZA) had not yet been recorded. Mr. Achen explained that recording of the plat is the responsibility of the developer and suspected it had not been recorded due to the sudden death recently of the developer, Nancy Callahan.

Item 9 on the Agenda:

Communications from the Audience.

Mr. Bert Rothschild, 202 NW 65th Street addressed the City Council on behalf of the Gladstone Chamber of Commerce to request \$500.00 contribution for expense of the second annual Fall Festival and parade to be held on Saturday, October 10 at 10:00 am. The Chamber is hopeful for even greater participation this year than last and are planning on 150 parade entrants. 102 units participated last year. The funds requested would help defray expense of banners, parade insurance, trophies and other parade expense. He advised that the Chamber would again be looking to the City for manpower contribution for traffic control, etc. and invited Councilmembers to again ride in the parade. He stressed the importance of the Fall Festival activities in promoting the City of Gladstone and promised the best parade north of the river.

Mr. Ashcroft moved that the City Manager appropriate \$500 in the 1981-82 operating budget for this activity. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)



Mrs. Ann Shannon, 1604 NE 65th Terrace passed on a compliment. to the Council regarding the Public Safety Department's handling of an accident at 65th & N Michigan that involved our Paramedics.

Item 10 on the Agenda:  
the City Manager.

There were no communications from

Item 11 on the Agenda:

Communications from the City Council.

Councilman Whitton noted that the mens restroom at Happy Rock Park lacked supplies and attention. The faucet has been dripping for several weeks. He requested that City staff look into this matter.

Mr. Bussinger asked that Resolution No. 81-31 be added to the agenda authorizing transfer of \$8,500 from the General Fund to the Building Construction Fund. for the animal shelter construction. He noted that Resolution No. 81-24 dealing with the same matter had failed on a 2-2 tie vote May 26th. Mayor Fairlie designated the item as item 19-a.

Item 12 on the Agenda: FIRST READING: BILL NO. 81-23,  
establishing rate change for monthly sewer service and commodity charges for residential, commercial and industrial customers.

Council noted this item was tabled 5-26-81 and would remain tabled.

Item 13 on the Agenda: FIRST READING: BILL NO. 81-24,  
defining Drug Paraphernalia and other relevant terms; prohibiting the possession, use, manufacture or delivery of drug paraphernalia; and providing for penalty for violations.

Mr. Ashcroft moved to place Bill No. 81-24 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 14 on the Agenda: Mr. Bussinger moved to adopt Resolution No. R-81-25, authorizing acceptance of a proposal for purchase of approximately 1,000 tons of de-icing salt from American Salt Company at a price of \$7.05/ton plus applicable freight rate for delivery on an as needed basis. Mr. Whitton seconded.

Mr. Ashcroft stated that he was against the use of salt because of the deteriorating affect on streets and driveways and would encourage a greater use of sand which is the practice in many northern cities.

The vote: "Aye" - Whitton, Karns, Bussinger, Fairlie. "No" - Ashcroft. (4-1)

Item 15 on the Agenda:

Mr. Ashcroft moved to adopt Resolution NO. 81-26 authorizing an agreement with Honeywell, Inc. for maintenance of instruments at the water treatment plant and related locations for the period July 1, 1981 through June 30, 1982 at a cost of \$11,152.00. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 16 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. 81-27, authorizing renewal of Special Use Permit for the operation of a Group Day Care Home at 1312 NE 69th Terrace operated by Ida M. Musick and Kathy Meinhardt for a period of one year expiring on June 8, 1982. Mr. Bussinger seconded.

Council asked if the City had received any complaints regarding the operation during this past year. Mr. Achen advised that none had come to his attention.

Mayor Fairlie noted that at the public hearing last year prior to the original granting of the permit neighbor residents had expressed some concern that the operation might create traffic problems on the street. He noted that he does live close by and has not been aware of any traffic problems.

Mr. Whitton commented that in general he is opposed to any type of business activity in a residential zone but had heard good comments about this operation from patrons.

The vote: "Aye" - Whitton Bussinger, Ashcroft, Fairlie. "No" - Karns. (4-1)

Item 17 on the Agenda:

RESOLUTION NO. 81-28, adopting the 1981-82 annual operating budget for the City of Gladstone.

Council advised resolution would not be introduced as there were a few budget decisions yet to be made. Action on this resolution is anticipated at the June 22nd City Council Meeting.

Item 18 on the Agenda:

RESOLUTION NO. 81-29, of intent to comply with the State Law on setting the annual property tax levy for the City of Gladstone.

Resolution not introduced. Action anticipated at the June 22nd City Council Meeting.

Item 19 on the Agenda:

Mr. Bussinger moved to adopt Resolution NO. 81-30, recommending that the Industrial Development Authority of Clay County issue \$2,500,000 in Industrial Development Bonds for construction of Kendallwood Nursing Center expansion. Mr. Ashcroft seconded.

Mr. Ashcroft stated he is opposed to issuance of industrial development bonds because in effect the new businesses are being federally subsidized and the older businesses penalized because they would have to arrange private financing.

Mr. Fairlie commented that although he shared the same concerns as Mr. Ashcroft, he had recently had occasion to visit the Kendallwood Nursing Home facility and is very much impressed with their operation.

The vote on Resolution No. 81-30: "Aye" - Bussinger, Fairlie.  
"No" - Whitton, Karns, Ashcroft. FAILED 3-2 AGAINST.

\*(see Item 19-a below.

Item 20 on the Agenda:

Consideration of Limited Beer License.

Gladstone Jaycees: July 4, 1981, 5PM - 11PM  
710 NE 76th Street

Mr. Larry Mooney requested approval of the limited license on behalf of the Gladstone Jaycees. Sales are proposed for the parking lot area of the Colony Point Company at 710 NE 76th Street, west of Oak Grove Park. Written property owner permission has been obtained.

Council discussed the need for signage advising customers that beer purchases could not be brought to the Oak Grove Park for consumption and the need for monitoring of debris. Mr. Mooney assured that the Jaycee organization would be responsible for both.

Mr. Bussinger moved to approve the license as requested. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

\* Item 19-a on the Agenda:

Mr. Bussinger moved to adopt Resolution NO. R-81-31 authorizing the City Manager to transfer funds in the amount of \$8,500 from the General Fund to the Building Construction Fund in connection with the animal shelter construction project. Mr. Ashcroft seconded. The Vote: "Aye" - Bussinger, Ashcroft, Fairlie; "No" - Karns, Whitton.

Item 21 on the Agenda:

Mr. Bussinger moved to adopt the financial reports for: (a) General Fund Cash Disbursements for May 1981; and (b) Financial Report for all funds - 11 months ending 5/31/81 as submitted. Mr. Ashcroft seconded. the Vote: All "aye" - (5-0)

Item 22 on the Agenda:

Other Business.

Mr. Whitton moved to appoint Mr. Jim Smith, 7105 N Baltimore and Mr. Tim Ruth, 7101 N Wyandotte to fill unexpired terms ending December 1981 on the Gladstone Planning Commission created by the recent resignations of Commissioners Duane Hubble and Bob Szepanski. Mr. Karns seconded.

Mr. Whitton noted both gentlemen were long-time residents of the city.

Mr. Bussinger commented that it had been past practice as a courtesy that all Councilmembers were advised of possible nominees to the City's boards and commissions. He has not met the nominees and the nomination this evening provides pretty short notice.

The vote: "Aye" - Whitton, Karns, Ashcroft, Fairlie. Mr. Bussinger said with all due respect he would vote "no" because he did not know the gentlemen. (4-1)

Mr. Fairlie advised that it had come to his attention that Planning Commissioner George Chapman's job would be taking him from the city creating an additional vacancy on the Commission although no written resignation had been received from Mr. Chapman.

Mr. Karns said he recently became aware that the City of Blue Springs operates a State Vehicle Licensing Bureau in their city hall and asked that the staff look into the feasibility of such an operation for Gladstone.

Mr. Dods pointed out that customarily license bureau managers are political appointments made by the Governor of the State. As there is presently such a facility within the Gladstone city limits it would be doubtful that the City could make such arrangements. Mr. Achen agreed to research the question.

Mr. Karns also requested drafting of an ordinance requiring the licensing and leashing of cats prior to the next Council meeting. Mr. Achen agreed to confer with Counselor Dods on the request.

\* \* \*

There being no further business to come before the June 8, 1981 City Council Meeting, the meeting was adjourned.

Respectfully submitted:

Marilyn L. Ahnfeldt  
City Clerk

Approved as submitted: ✓

Approved as corrected/amended: Robert D. Bussinger  
MAYOR

# AGENDA

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

June 22, 1981

1. Meeting Called to Order
2. Pledge of Allegiance
3. Acceptance of Minutes of June 8, 1981 City Council Meeting.
4. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to to RP-3, Planned Garden Apartment District and CP-1, Planned Local Business District, property located at 500 NW 72nd. Applicant: Main Enggas.
5. Approval of Building Plans: Long John Silver Building Relocation Plans  
7107 North Oak CP-3 zone
6. Preliminary Plat Denial Appeal: Preliminary Plat of KUHN ESTATES, west side of NE 73rd Street & N Troost. Applicant: William F. Kuhn. (Planning Commission denial 6-1-81)
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL NO. 81-23 (Tabled 5-26-81), establishing rate change for monthly sewer service and commodity charges for residential, commercial and industrial customers.
11. FIRST READING: BILL NO. 81-25, rezoning from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property located at Brooktree Lane and Kendallwood Parkway. Applicant: Woodlands Investment Association.
12. APPROVAL OF PRELIMINARY PLAT OF "KENDALLWOOD PLACE", Brooktree Lane & Kendallwood Parkway. Applicant/Owner: Curry Investment Co.
13. FIRST READING: BILL NO. 81-26, Request to rezone from C-3, Commercial District to RP-3, Planned Garden Apartment District, property located at the southwest corner of NE 72nd Street & Antioch Road. Applicant: Larry Wickham. Owner: Ron Topham
14. SECOND READING: BILL NO. 81-24, defining Drug Paraphernalia and other relevant terms; prohibiting the possession, use, manufacture or delivery of drug paraphernalia; and providing for penalty for violations.
15. Resolution No. 81-28, adopting the 1981-82 annual operating budget for the City of Gladstone.
16. Resolution No. 81-29, of intent to comply with the State Law on setting the annual property tax levy for the City of Gladstone.
17. Resolution No. 81-32, authorizing acceptance of a proposal for the purchase of mowing equipment.
18. Resolution No. 81-33, authorizing execution of a modified agreement with the City of Kansas City, Missouri for use of detention facilities.
- 81-a Resolution No. 81-34, authorizing the closing of certain uncollectible water accounts.

*Minute Book*

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

22 June 1981

The Gladstone City Council Meeting was called to order on June 22, 1981 by Mayor Bob Fairlie at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilman Larry Whitton, Ken Karns, Lee Bussinger, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Bussinger moved to accept the minutes of the June 8, 1981 city council meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 4 on the Agenda: PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District and CP-1, Planned Local Business District, property located at 500 NW 72nd Street. Applicant: Main Enggas.

Mayor Fairlie opened the public hearing explaining the procedure that first those persons in favor of the rezoning application are invited to speak followed by those in opposition.

Gary Courser, Landscape Architect and Land Planner, 8124 Rosehill Road, Lenexa, Kansas was present to represent this application on behalf of owner, Main Enggas, 500 NW 72nd Street.

Mr. Courser explained that the property in question is bounded by 72nd Street on the south; 169 Highway on the west; and on the east by N. Broadway. The northern boundary is approximately 74th Street. The 30 acre site has been owned by the Enggas family for fifty years. Of the 30 acres; 5.5 is in Gladstone and 24+ in Kansas City, Missouri. The Kansas City, Missouri City Planning Commission has approved the rezoning application and is now pending before the Kansas City, Missouri City Council.

Two different land uses are proposed. 3.3 acres at 72nd & N. Broadway (C-1) for a 3-story office building of approximately 35,000 sq. ft. RP-3 (Planned Garden Apartment District) is requested for the remainder for construction of 312 apartment units and 48 townhomes. A recreation area is also planned for the project.

The acreage is divided by two drainage swalls with three different grades on the property. It is impossible to cross drainage swalls with a street pattern. Mr. Courser noted that placement of the offices at the western boundary provides a good buffer for future residential. Townhouse units will have two-story fronts with three-story backs and constructed similar to the Bircairn Apartment complex. The density is 14.2 units per acre. The project is seen as the highest and best use of the land.

Mr. Bussinger expressed concern for the amount of traffic the 360 units plus office space would generate on North Broadway and noted that the Council would have to study the matter carefully. Because the project straddles both cities Gladstone will be the "villain" if they don't pass it.

Mr. Courser admitted that no traffic engineering had been done but that they will develop one-half of the street width of the Broadway frontage of the project.

Mr. Bussinger further commented that with 4 exits on Broadway he wonders if a frontage road along Broadway is possible that would ultimately channel traffic to 72nd Street. He note the terriffcgrades on North Broadway.

Mr. Ashcroft pointed out that Kansas City often fails to realize that Gladstone streets have to maintain the project and the Engineering Staff concerns addressed in their May 12 staff report with regard to density of the project, parking ratio and jurisdictional problems, building height, and traffic signal need for 72nd & N Broadway intersection.

Mr. Courser said that the density meets Kansas City's code but units could be reduced from 57 to 41 to meet Gladstone's requirements. They would be willing to relocate buildings to avoid straddling the two city limits and to provide parking in compliance with Gladstone's code.

In response to Mr. Whitton's question as to willingness of owners to share in traffic signal expense, Mr. Course advised that although this project would not fund the entire cost the owner would probably be willing to contribute at least one-fourth of cost.

Mr. Karns questioned the fate of the project if Gladstone denied the zoning application. Mr. Courser said the Enggas family had owned and lived on the subject property for 50 years and would be willing to work with Gladstone to resolve the problems.

Mayor Fairlie also discussed the frontage road issue or other alternatives to feeding traffic onto Broadway. Mr. Courser noted that the amount of fill necessary for a frontage road along 169 makes it cost prohibitive.

Mr. Les Smith, 6100 NW 49th Terrace, advised that his family owns the Gladstone Bowl property as well as property south of the proposed project behind the Post Office. His family gave 7 ft. of right-of-way on North Broadway when the Bowling Alley was constructed as well as donation of right-of-way when 72nd Street was improved. He is in favor of the proposed project and sees it as an opportunity to bring sales tax dollars in to the City of Gladstone. Traffic on Broadway could be served if developed with 44' street and traffic signal installation together with the Broadway-68th Street widening.

Mr. Bussinger questioned if there would be a homes association. Mr. Courser advised that the portion for sale would have a homes association while the rental units would have a management association.

Mr. Karns questioned when the developer would address the traffic pattern. Mr. Courser advised that the plans at present are preliminary and it has not been determined if a 44' or 36' street will be proposed.

#### OPPOSITION TO THE REZONING APPLICATION:

Linda Hoppers, 307 NW 74th Street submitted a protest petition to Council. Mayor Fairlie acknowledged the petition had advised that the petition would be reviewed and if certified as legal would require 3/4 majority vote of the Council for passage of the rezoning bill. Mrs. Hoppers asked that Council consider the effect of the project on increased enrollment at Linden West School. She also questioned who would pay for a crossing guard for the safety of the children walking. She expressed opposition to the project due to the amount of traffic already on Broadway.

Bonnie Niederwimmer, 301 NW 73rd Street and also owner of property at 308 NW 73rd Street expressed concern for additional water runoff that could result from the project. She also questioned if the development could be all built in Kansas City and only parking in Gladstone if Gladstone voted down the rezoning application. Mrs. Niederwimmer asked if there were plans to extend Pennsylvania north and south to 68th street. Mr. Fairlie responded that there were no plans for the extension of Pennsylvania Street at present.

William Brady, 7417 North Broadway questioned the north traffic generated from the project. He foresees 816 parking spaces in the project and would hate to see even one-fourth of the residents going north.

Jack Hoppers, 304 NW 74th Street expressed concern for traffic backup and increased accidents at the offramps at 68th Street that could be a result of this project. It is a bad situation at present and the additional traffic could worsen the situation. Mr. Fairlie pointed out that the 169/68th Street intersection would be improved with completion of the Broadway-68th Street improvement project that would allow more continuous flow of traffic off of 169.



Myrtle Hundley, 305 NW 73rd Street questioned which municipality would handle firefighting and police enforcement at the recreation area of the proposed complex. Mr. Fairlie clarified that Kansas City would handle their own calls, Gladstone would not respond. Gladstone does have a mutual aid agreement with Kansas City but we don't just routinely handle their calls.

Jill Fox, 7400 North Broadway stated she has a pond on her property which is on the west side of Broadway and will be in the proximity of the recreation area for the proposed project. She is concerned about apartment trespassers onto her property. She can't be liable for them and feels it unfair for her to have to fill up her pond to prevent problems.

There were no further comments whereupon Mayor Fairlie closed the public hearing and explained that the first reading of the rezoning bill is scheduled for July 13, 1981. He explained that it is customary to give an affirmative vote on the first reading for purposes of advancing the bill for further discussion.

Item 5 on the Agenda:

Approval of Building Plans - Long John Silver relocation plans, 7107 North Oak CP-3 zone

Mr. Joel Brummel, 11201 NW 58th Street, Parkville, Missouri was present to review building relocation plans with Council. He explained that Rax Roast Beef is currently negotiating for release from the contract for a long term lease on this property and these plans call for moving the proposed Long John Silver facility north approximately 57 ft. from previous plans approved by Council. The revisions to the plan would provide an additional 10 ft. frontage and provide more parking and better traffic pattern. The balance of the property is owned by Dr. Steckleberg who is negotiating lease of the property. Mr. Brummel said it is his understanding it will not be another fast-food facility.

Following Council review of the plans, Mr. Ashcroft moved to approve the building relocation plans for Long John Silver, 7107 North Oak as submitted. Mr. Bussinger seconded. The vote: All "aye" - Whilton, Karns, Bussinger, Ashcroft, Fairlie.

Item 6 on the Agenda:

Preliminary Plat Denial Appeal. Preliminary Plat of KUHN ESTATES, west side of NE 73rd Street & North Troost. Applicant: William F. Kuhn. Planning Commission Denial 6-1-81

Mr. William F. Kuhn, 7413 North Central, addressed the Council on his appeal of the Planning Commission's denial of the Preliminary Plat of Kuhn Estates. He explained that he felt he had adhered to all City Subdivision Ordinances. The Planning Commission was of the opinion that the 1.5 acre site was not sufficient size and shape. Mr. Kuhn pointed out that the Subdivision Ordinance states the minimum size of a lot is 8,400 sq. ft. - his smallest lot is 9,900 sq. ft. The zoning is proper and he feels it (single family) is an appropriate use of the property. He does not understand the reason for the

denial. He feels that he meets all the ordinance requirements. Mr. Kuhn further stated that the Subdivision Ordinance provides that the Chairman of the Planning Commission state in writing reasons for the Commission's denial of the plat. This was not done.

Mr. Karns noted that the Planning Commission had suggested that the developer acquire additional property adjacent to the property in question. He stated that he agrees with Mr. Kuhn that the denial was unfair and that it was not the City's role to question the salability of the proposed five new homes when surrounded by homes in the \$30-\$45 price range.

In response to Mr. Ashcroft's questions, Mr. Kuhn acknowledged that he would agree to the Engineer's recommendations that the cul-de-sac street be named NE 73rd Street and to stand the expense of the power pole relocation as well as the improvements to North Troost in front of Lot 1.

Following review of the plat, Mr. Ashcroft moved to approve the preliminary plat of Kuhn Estates with stipulations that 5-12-81 staff recommendations be adhered to. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie.

Item 7 on the Agenda:                    Communications from the Audience.  
There were no communications from the audience.

Items 8 and 9 on the Agenda: There were no communications from the City Council or City Manager.

Item 10 on the Agenda:                FIRST READING: BILL NO. 81-23, establishing rate changes for monthly sewer service and commodity charges for residential, commercial and industrial customers. (Tabled 5-26-81)

Mr. Ashcroft moved to remove Bill No. 81-23 from the table and place it on first reading; Mr. Whitton seconded. The vote: All "Aye".  
The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill NO. 81-23 and place it on second reading. The vote: All "no" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (0-5) BILL NO. 81-23 DENIED ON SECOND READING.

Council stated that the City will absorb the increased costs (approximately \$22,000) but will review the entire water and sewer billing structure next year.

Item 11 on the Agenda:                FIRST READING: BILL NO. 81-25, rezoning from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property located at Brooktree Lane and Kendallwood Parkway.

Mr. Ashcroft moved to place Bill No. 81-25 on first reading; Mr. Whitton seconded.

Council discussed willingness of owners, developers and other to contribute not less than \$20,000 toward the cost of the required traffic signals at Antioch Road and Brooktree Lane and incorporated this commitment into

Section 2 of Bill No. 81-25 prior to first reading.

Mr. Ron Talcott noted that the figure of \$35,000 may not be a true cost figure it may be closer to \$77,000. The Woodlands Investment Association would save money if there were able to close the sale of the property by July 1 but the closing was contingent on final action on the rezoning ordinance. Mr. Achen advised that uncommitted sales tax funds could finance the balance of the light expense.

Mr. Jim Youngers, Curry spokesman said that the Curry Company would contribute \$6,000 and other affected property owners would also be contacted regarding a contribution.

Mr. Talcott also discussed need for some timetable on the light installation. Mr. Achen and Council discussed problems in obtaining a time commitment from the Missouri State Highway Department for completion of the engineering and installation.

The vote on the first reading: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 81-25, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - (5-0) Whitton, Karns, Ashcroft, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-25, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Whitton seconded. The vote: All "aye" (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-25 and enact said bill as Ordinance No. 2.394. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda: APPROVAL OF PRELIMINARY PLAT OF KENDALLWOOD PLACE. Brooktree Lane and Kendallwood Parkway. Applicant/Owner: Curry Investment Co.

Mr. Jim Youngers, Curry Company noted that the name on the preliminary plat has been changed to THE WOODLANDS and the file should contain a corrected plat. A replatting of Tract A will be submitted in connection with the development of the Woodlands project just rezoned under the previous agenda item.

Following review of the plat, Mr. Bussinger moved to approve the preliminary plat of THE WOODLANDS as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie. (5-0)

Item 13 on the Agenda:      FIRST READING: BILL NO. 81-26, request to rezone from C-3, Commercial District to RP-3, Planned Garden Apartment District, property located at the southwest corner of NE 72nd and Antioch Road. Applicant: Larry Wickham. Owner: Ron Topham

Mr. Kenneth Meidinger, owner of property adjacent to this rezoning request stated that he had been able to attend the public hearings before the Planning Commission and City Council and wished to publically state his opposition to the rezoning. He does not think the applied for rezoning (RP-3) is appropriate and suggests that both sides of Antioch Road be C-3 zoning.

Mayor Fairlie acknowledged receipt of a legal protest petition against this rezoning which will require 4 positive council votes for passage of the rezoning bill.

Mr. Bussinger moved to place Bill No. 81-26 on first reading. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie. (5-0) The Clerk read the bill.

Item 14 on the Agenda:      SECOND READING: BILL NO. 81-24, defining Drug Paraphernalia and other relevant terms; prohibiting the possession, use, or delivery of drug paraphernalia; and providing for penalty for violations.

Mr. Karns moved to accept the first reading of Bill NO. 81-24, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 15 on the Agenda:      Mr. Bussinger moved to adopt Resolution No. 81-28, adopting the 1981-82 annual operating budget for the City of Gladstone. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 16 on the Agenda:      Mr. Whitton moved to adopt Resolution No. R-81-29 of intent to comply with the State Law on setting the annual property tax levy for the City of Gladstone. Public hearing setting the property tax levy will be held on July 27, 1981. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 17 on the Agenda:      Mr. Ashcroft moved to adopt Resolution No. 81-32 authorizing acceptance of a proposal from Clay County Tractor Company for the purchase of one B-7100 DT Kubota Tractor with 48" mower in the amount of \$5,035; and purchase of one 15-foot three section batwing rotary mower from Rock Ford Tractor in the amount of \$6,494. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 18 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-81-33, authorizing acceptance of a modified agreement with the City of Kansas City, Missouri for use of their detention facilities at a per diem rate of \$15.00 per prisoner confined at the institution. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Achen pointed out that the earlier proposed rate of \$26.50 per diem had been reduced by City of Kansas City following concern expressed from other entities who would be greatly affected by the increase due to their high use. Although Cladstone would be affected by the earlier proposed rate, we do not have a high use of the facility and would continue to use our own facilities whenever possible.

Item 18-a on the Agenda: Mr. Whitton moved to adopt Resolution No. R-81-34 authorizing the closing of certain uncollectible water accounts in the amount of \$1,266.71 representing accounts delinquent and uncollectible prior to July 1, 1980. There are a total of 93 accounts which represents 0.113% of total water and sewer billings for the fiscal year 1979-80. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Mr. Karns asked if raising the water deposit to \$40 - \$45 would eliminate a lot of the write-offs. Mr. Achen acknowledged that he did have some information on the amount of deposits neighboring communities charge and that is an item for review at a study session to determine if a deposit increase is in order. Mr. Achen also emphasized that a listing of these write-offs is maintained and if persons move back into the city they are required to pay the unpaid account before new service is provided.

Item 19 on the Agenda: Mr. Ashcroft moved to approve liquor license renewals for the following: Bob's IGA, 5945 N Antioch Road, Class "C"; Red Lobster Restaurant, 6221 N Antioch Road, Type A&B; Pizza Hut, 6420 North Oak, Type "F". Mr. Karns seconded. The vote: All "aye" (5-0) Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 20 on the Agenda: Consideration of Request to Hold Outdoor Concert.  
JR's Dining Hall and Saloon, 6840 North Oak  
Saturday July 11, 1981

Mr. Bill Hoffman explained that the outdoor concert is proposed for noon - 4:00 pm and two bands will perform. Beer, hotdogs and soda pop will be sold and Wendy's and Captain D's restaurants are participating and will allow use of their parking lots. Mr. Hoffman noted that he had visited with Director Ken Francis regarding the event and 5-6 officers will be used for the traffic, crowd control etc. He does understand that he is responsible for reimbursement at one and one-half times the direct salary expense of officers utilized. Mr. Ashcroft moved to approve the outdoor concert request for JR's Dining Hall and Saloon with the stipulation that officer expense be reimbursed at one and one-half times direct salary expense for personnel used in connection with the event. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 21 on the Agenda:      Other Business.


Mr. Whitton moved to appoint Mr. Tim Kristl, 7233 N Indiana to a term on the Board of Zoning Adjustment ending June 1986. Mr. Karns seconded. The vote: Aye" - Whitton, Karns, Ashcroft, Fairlie. Bussinger "No" - (4-1)

Mr. Whitton moved to adopt Mr. Ken Winkler, 100 NE 62nd Terrace to a term on the Planning Commission expiring December 31, 1981. Mr. Karns seconded. the vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie (5-0)

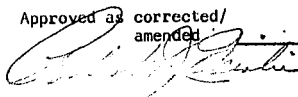
There being no further business to come before the June 22, 1981 meeting of the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

Approved as submitted: ✓

  
City Clerk Marilyn Ahnefeld

Approved as corrected/  
amended

  
MAYOR

A . . . . .

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

July 13, 1981

1. Meeting Called to order
2. Pledge of Allegiance
3. Acceptance of Minutes of June 22, 1981 city council meeting
4. Presentation of Service Placques to Retiring City Commission Members
  - Robert Sczepanski - Planning Commission
  - Walter Robohn - Board of Zoning Adjustment
  - George Chapman - Planning Commission
  - Duane Hubble - Planning Commission
5. PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-3, Planned Commercial District, property located at 301 NW 72nd Street. Applicant/Owner: Lawrence D. Whitton
6. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property located west of NE 62nd Terrace and N Main. Applicant: Larry Wickham. Owner: Dewey Fortner.
7. Approval of Building Remodeling Permit: Easy Sleep Water Beds, 6600 N Oak Applicant: Mark Wheat
8. Communications from the Audience
9. Communications from the City Council *(See 81-39 and 1st delinquent list)*
10. Communications from the City Manager *(See 81-40 thru 169 pages before finance committee)*
11. THIRD READING: BILL NO. 81-24, defining Drug Paraphernalia and other relevant terms; prohibiting the possession, use, manufacture or delivery of drug paraphernalia; and providing for penalty for violations.
12. SECOND READING: BILL NO. 81-26, an ordinance rezoning from C-3, Commercial District to RP-3, Planned Garden Apartment District, property located at the southwest corner of NE 72nd and Antioch Road. Applicant: Larry Wickham. Owner: Ron Topham
13. FIRST READING: BILL NO. 81-27, rezoning from R-1, Residential District to RP-3, Planned Garden Apartment District, and CP-1, Planned Local Business District, property at 500 NW 72nd St. Applicant/Owner: Main Enquas.
14. FIRST READING: BILL NO. 81-28, an ordinance approving the application of Communications Services, Inc. to acquire and become controlling owner of Clay County Communications Company, franchisee of the Community Antenna Television System.
15. RESOLUTION NO. R-81-35, authorizing acceptance of a proposal for purchase of six 1980 public safety patrol vehicles and sale of seven used vehicles to the highest bidder.
16. RESOLUTION NO. R-81-36, authorizing acceptance of proposal for purchase of two police motorcycles.
17. RESOLUTION NO. R-81-37, recommending that the Clay County Industrial Commission issue Industrial Development Bonds for construction of a day care center at approximately 72nd & N Wyandotte. Applicant: Gladstone Dental Group, Inc.

NR 81-79  
86/RM-40

18. RESOLUTION NO. R-81-38, authorizing the City Manager to accept a quotation for investment return on certain city funds.

19. RENEWAL OF LIQUOR LICENSES

- a. Cocos/Baxters, 6129 N Antioch Road, Class A&B  
New Mgr. Officer - Charles A. Williams
  - b. Bobby Bell's Bar-B-Que, 7013 N Oak, Class A&B
  - c. Cuthries Restaurant & Bar, 6425 N Oak, Class A&B
  - d. Godfathers Pizza, 328 NE 72nd Street, Class A&B
  - e. Twenty-One Twenty-One, Inc., 5941 N Antioch, Class A
  - f. Los Barreras Restaurant, 6467 N. Prospect, Class A
  - g. Quik Trip #156, 7603 N Oak; Quik Trip #181, 2000 NE 72nd St.;  
Quik Trip #188, 6401 N Antioch Rd - all Class C
  - h. Balls Super Food Stores, 7503 N Oak, Class E
  - i. Pizza Hut of America, Inc. 6420 N Oak, Class F
  - j. Northland Party Shop #2, 6313 N Prospect, Class C
  - k. Shop N Co Market #66, 7125 N Broadway, Class C
  - l. Gladstone Party Center, 7201 N Oak, Class C
  - m. Zarda Dairy Store #16, 6211 N Chestnut, Class G; Zarda Dairy Store  
#6, 7417 N Oak, Class C
  - n. Pizza Inn, 7000 N Oak, Class G
  - o. John Lloyds Pizza Factory, 6311 N Antioch Rd. Class F
  - p. A&P Food Stores, 6449 N Prospect, 6316 N Oak, Class C
  - q. Happy Rock Liquor, 6100 N Oak, Class C
  - r. ~~Lincoln Oaks~~ *Class A*
  - s. *Williams Super Class C*
20. Summer Carnival Application -Central Park 12:00 noon - 4:00 PM  
Saturday, July 25, 1981  
Applicants: Gladstone Jaycee Wives
21. Other Business
22. Questions from the News Media
23. Adjournment



M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

13 July 1981

The Gladstone City Council Meeting was called to order on July 13, 1981 in the Council Chambers of the Gladstone City Hall at 7:30 pm by Mayor Bob Fairlie. In addition to Mayor Fairlie, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Ashcroft, City Manager Mark Achen, City Counselor Dick Woods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Karns moved to adopt the minutes of the June 22, 1981 city council meeting as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie. (5-0)

Item 4 on the Agenda: Presentation of Service Plaques to Retiring City Commission Members.

Mayor Fairlie presented service plaques to Mr. George Chapman, former Planning Commission, who has recently moved to Springfield, Missouri, for his service from January 1980 thru June 1981; and Mr. Walter Robohn for his service on the Board of Zoning Adjustment from December 1977 thru June, 1981. Mayor Fairlie thanked the recipients for their contributions to the residents of the Gladstone community and noted that Mr. Robohn had served some eight years on the Gladstone Planning Commission prior to his term on the Board of Zoning Adjustment.

Former Planning Commissioners Robert Sczepanski and Duane Hubble were not present to receive their plaques which will be forwarded to them.

Item 5 on the Agenda: PUBLIC HEARING: Request to rezone from C-2, Commercial Business District to CP-3, Planned Commercial District, property located at 301 NW 72nd Street. Applicant/Owner: Lawrence D. Whitton.

Mayor Fairlie opened the public hearing explaining that persons in favor of the rezoning application are requested to address the Council followed by those in opposition.

Mr. Larry Whitton, 6400 North Highland was present to represent his rezoning application for Planned Commercial District (CP-3) zoning which will allow auto repair work at his service station at 301 NW 72nd Street (72nd & N. Broadway). Mr. Whitton noted that he has operated and engaged in repair work at the station for the past thirteen years and was notified in December that the auto repair work was not allowed in his present C-2 zone and would require C-3 zoning to bring him into compliance.

Mayor Fairlie noted that the first reading of the rezoning bill would be given at the next formal City Council meeting on August 10, 1981. He pointed out that as a Councilmember, Mr. Whitton must abstain from voting on the rezoning bill. Mr. Whitton acknowledged he was aware of the "conflict of interest" and had not planned to vote.

There were no further comments from the petitioner or persons to speak for or against this rezoning application, whereupon Mayor Fairlie closed the public hearing.

Item 6 on the Agenda: PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property located west of NE 62nd Terrace and N. Main. Applicant: Larry Wickham. Owner: Dewey Fortner.

Mr. Larry Wickham, 405 NE 70th Street, was present to represent the application for 32 townhouse units on 9.2 acres. The application is a resubmittal of an application denied in March. The original was to have a dead end cul de sac coming off of Main Street and in response to citizen concerns for traffic conditions on Main, a small tract of land has been acquired which enables the developers to provide a thru street. In addition, the engineering department expressed concern for the inadequate 2" water main on Main Street. The acquisition of the additional land enables the developers to hook onto the existing 6" or 8" line and extend it thru the property thereby increasing the pressure to that of the 6" main throughout the subdivision. Another variation from the original living units is the reduction of the number of units from 36 down to 32. This change also resolved the problems of setbacks from property line. Only two locations in the new plan will need variance from the setback requirements. The overall density has been reduced from 11.3/acre to 9.2/acre. Drainage and sewers will be engineered in the construction phase of the project but essentially drainage will be from the north to the south. Units on the north side will have attached garages and units on the south will have basement garages. Proposed parking spaces comply with the ordinance. Square footage of the two-story units is approximately 10,050.

Councilman Karns asked if the units would be owner occupied and what the income level of qualifying owners would be.

Mr. Whitton explained that the owners would buy and live there. If they should buy and rent it out they are limited to purchasing only one unit therefore the ownership is vested in 32 individual property owners.

Mr. Dewey Fortner, 7345 North Garfield (owner of the project) noted that income levels would be approximately \$25,000/\$30,000 annually with payments on the low to mid \$50's homes of \$600-700 per month.

Mr. Ken Winkler, 100 NE 62nd Terrace, stated that the developers and architects had addressed most of the prior objections of affected residents to the proposal.

He pointed out that comment was made at the on-sight subdivision committee meeting of the Planning Commission that perhaps the residents had lost interest in the project since Mr. Winkler was the only one present. Not all residents were aware of the meeting and also felt defeated since the application was denied by Council some months ago and is now back.

The neighborhood has pretty well accepted the fact that RP-3 zoning is probably the most viable alternative for the area. The developers have basically relieved all previous objections except that residents now propose a temporary cul de sac based upon the improvement of North Main rather than the thru street proposed in the developer's plan. While residents recognize that the improvement of North Main may be a long way off and the cul de sac may become a permanent one, it is preferable to the residents.

Mayor Fairlie commented that the changes on the part of the developer as a result of the citizen's concerns and reduction of the number of townhouse units is proof that the "system" works. He would say the revised plan represents a "victory" for the citizens.

Mr. David Hayden, 6204 North Main, stated he opposes the access to North Main - it is not wide enough. He commented that he does not care what goes on in that property as long as it is a credit to the neighborhood.  
alleviate

Mr. Karns asked if the proposed thru street would help traffic on North Main. Mr. Hayden responded that in his opinion it would not help.

In response to how water drainage would be handled. Mr. Wickham noted that it has not been engineered yet but would be done by a licensed engineer and would meet the specifications set by the city.

Mr. Hayden again stressed that the drainage would have to be looked at because it is not adequate at present and that North Main is too narrow to accommodate the increased traffic the project would generate which could be as many as 64 additional cars given for 32 units.

There being no further comments, Mayor Fairlie closed the public hearing and noted that the first reading would be given at the next formal council meeting on Monday, August 10. Mayor Fairlie advised that there would be no council meeting on Monday, July 27 as there were only a few agenda items which could be carried over to the August 10 meeting. Extra "catch up" readings would be afforded rezoning bills due to the cancellation of the July 27 meeting.

Item 7 on the Agenda:

Approval of Building Remodeling Permit.  
Easy Sleep Water Beds, 6600 N Oak  
Applicant: Mark Wheat

Mr. Mark Wheat noted this property was formerly occupied by Hoover's Dry Cleaners and no remodeling of the building itself had taken place only replacement of peg board with new sheet rock. Mr. Wheat advised that his sheetrock had called city hall and been advised that no permit was necessary. Upon inspection by the City Engineering Department, Easy Sleep was advised that a permit should have been obtained.

Mayor Fairlie asked if Mr. Wheat knew who the sheetrock had spoken with and if he was certain the city hall was contacted. Mr. Wheat responded that he was certain the city had been called but did not know the name of the person he spoke with only that it was a lady.

Mr. Karns asked for the name of the sheetrock. Mr. Wheat indicated he did not have the name with him.

Mr. Karns also asked if Mr. Wheat is aware of the sidewalk requirement. Mr. Wheat stated that he had not been made aware of the requirement.

Mr. Fairlie asked if Mr. Wheat's sheetrock has a Gladstone Occupation License. Mr. Wheat advised that he did not know but knows that he has a license with the City of Independence where he does considerable work.

Mr. Wheat pointed out that it sounded logical to him that no permit was necessary because there really wasn't that much work done only replacement of the peg board which was falling down.

Mr. Achen advised that sidewalk money may have been escrowed at the time the building permit was granted to the former occupant Hoover Cleaners. If this is the case, Mr. Wheat would be relieved of the sidewalk construction responsibility.

remodeling  
Mr. Bussinger moved to approve the building/permit for Easy Sleep Water Beds, 6600 North Oak as submitted based upon investigation of the Administration of the files to determine if sidewalk construction money has been escrowed; if not Mr. Wheat will have six months to install sidewalks. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.  
(5-0)

Item 8 on the Agenda:

Communications from the Audience.

Mr. Larry Wickham, 405 NE 70th Street advised Council Members that he had a letter from Mr. Wayne Croy regarding his signature on a protest petition relative to item 12 on the agenda. Mr. Croy was concerned about residents of the proposed project at 72nd & Antioch Road having access day or night to his Car Care Center property. The developer has agreed to provide fencing between the Croy property and the proposed project and Mr. Croy now wishes to delete his signature from the protest petition.

Mr. Ken Winkler, 100 NE 62nd Terrace, asked if there was an ordinance regulating distance vehicles must be parked back from the street. He pointed out problems with vehicles creating a visual obstruction at Petes "66" Service station at the NW corner of 64th & North Oak.

Mayor Fairlie thanked Mr. Winkler for bringing the matter to the Council's attention and indicated Mr. Achen would look into the problem.

Mr. Ben Bolt, 13100 NW 81st Street, President of the Northland Machinery Company, owners of the shopping center and amusement center at 72nd and North Oak. Mr. Bolt introduced his associate, Mr. Roger Bufford, 8136 NW Prairie View, Secretary/Treasurer of the company.

Mr. Bolt advised that he was present to follow up on his recent letter to the Council requesting a change in the ordinance that limits such amusements to a midnight closing. Mr. Bolt asked that Council consider changing the ordinance to allow the establishment to remain open until 1:30 pm. He acknowledged that there had been problems prior to passage of the ordinance when his previous tenant was operating the establishment but feels the Public Safety Department will vouch for few problems since the Fun & Games Arcade took over in March of 1981.

In Mr. Bolt's opinion, the Fun & Games Arcade provides an activity for after football games and movies in a well controlled environment. He noted that his company operates similar establishments in Westport and Tiffany Springs which are open past midnight. Mr. Bolt also pointed out that it is difficult from a businessman's view to make any money with so many regulations.

Mayor Fairlie pointed out that prior to the ordinance the majority of the problems had been between midnight and 3:00 PM.

Mr. Bolt said that he attributed the fact that that the Public Safety Department was no longer having problems with the establishment to the change in management rather than the limitation of 12:00 midnight for closing.

Mr. Bussinner said it was his feeling that the kids should be home by midnight. He feels we can count on problems if the hours are extended.

Mr. Bolt pointed out that there were many individuals between the ages of 18 - 25 who were patrons of the facility. He asked that the Council in reviewing their request consider their longstanding business reputation. They have a sizeable investment in the entire shopping center and feel their record speaks for itself.

Item 9 on the Agenda:

Communications from the City Council.

Councilman Whitton requested review of the North Oak traffic light system to determine if lights can be put on a flashing pattern after 11:00 PM.

Councilman Bussinger asked if street striping will be done this year.

Item 10 on the Agenda:

Communications from the City Manager.

Mr. Achen requested addition of the following to the agenda: Resolutions 81-39, 81-40, Jaycee Wives carnival permit and liquor license renewals for Linden Oaks Racquetball Club and Williams United Super.

Item 11 on the Agenda:

THIRD READING: BILL NO. 81-24, defining Drug Paraphernalia and other relevant terms, prohibiting the possession, use, manufacture or delivery of drug paraphernalia; and providing for penalty for violations.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-24, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the bill.

Mr. Ashcroft moved to accept the third and final reading of bill No. 81-24 and enact said bill as Ordinance No. 2.395; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda:

SECOND READING: BILL NO. 81-26, an ordinance rezoning from C-3, Commercial District to RP-3, Planned Garden Apartment District, property located at the southwest corner of NE 72nd and Antioch Road. Applicant: Larry Wickham. Owner: Ron Topham

protest  
Mayor Fairlie acknowledged that there was a legal/petition on this rezoning application and even though written request from one of the signators that his name be withdrawn from the petition had been received the petition is still legal thus requiring a 4-1 vote of the council for passage of the bill.

Mr. Bussinger moved to accept the first reading of bill No. 81-26, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded.

Mr. Bussinger pointed out that this particular zoning request is to downzone from a commercial use to the proposed garden apartment use and believes it reflects the desires of the majority of the citizens on the east side of Gladstone for the use of this property.

The vote on second reading: "Aye" - Bussinger, Fairlie; "No" - Whitton, Karns, Ashcroft. (3-2 AGAINST - DENIED ON SECOND READING  
FAILING TO RECEIVE 4 AFFIRMATIVE VOTES REQUIRED BY LEGAL PROTEST PETITION)

Item 13 on the Agenda: FIRST READING: BILL NO. 81-27, rezoning from R-1, Residential District to RP-3, Planned Garden Apartment District and CP-1, Planned Local Business District, property at 500 NW 72nd Street. Applicant/Owner: Main Lnggas.

Mr. Whitton moved to place bill No. 81-27 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 14 on the Agenda: FIRST READING: BILL NO. 81-28, an ordinance approving the application of Communications Services, Inc. to acquire and become controlling owner of Clay County Communications Company, franchisee of the Community Antenna Television System.

Mr. Phil Snowden, 6218 North Bales, reviewed the credentials and experience of the applicant, Communications Services, Inc. with Council noting that the company is headquartered in Hutchinson, Kansas and has been in the cable system business for twenty-three years with a substantial financial statement with assets of over 50 million dollars. Mr. Snowden introduced Mr. Dick Theisen, Executive Vice President of the company and Mr. George Carr, the new Manager of the Gladstone area office.

Mr. Dick Theisen explained that the present cable system format will be continued as well as the current rate schedule. All of the recitations of the cable franchise ordinance are accepted by the new stockholders and all information required under the ordinance has been submitted and reviewed by City Manager Achen and Director of Administrative Services Harlow as well as the cable television advisory committee.

City Manager Achen noted that the cable television advisory committee has recommended approval of Communications Service, Inc.'s application and the staff review indicates that the company is a reputable firm and has an excellent ability to maintain if not enhance the Gladstone cable television system.

Mr. Ashcroft moved to place Bill No. 81-28 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-28, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The Vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-28, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-28, and enact said bill as Ordinance No. 2.396. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie. (5-0)

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution NO. 81-36, authorizing acceptance of a proposal for the purchase of (6) 1980 public safety patrol vehicles from Lakeside Investments, Jefferson City, Missouri for a total purchase amount of \$23,700 and further authorizing the sale to the highest bidder of (7) used public safety department vehicles. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution No. 81-36, authorizing acceptance of a proposal from Northland Kawasaki, Gladstone, Missouri for the purchase of (2) Kawasaki police motorcycles for a total amount of \$9,120.00. Mr. Karns seconded.

It was noted that the Missouri Division of Highway Safety has allocated grant funding of 75% of the purchase price leaving the city share of \$2,275 as earlier authorized by Council.

Councilman Bussinger suggested that if \$2,275 was not expended for the motorcycles it could be utilized toward the purchase of an additional public safety car.

Mr. Karns questioned if the City would have to give back the car acquired under the federal grant if the motorcycles were not purchased. Mr. Achen responded that he did not know if that would be the case because it had all been one package under the federal grant and the City had not been given the opportunity to pick and choose the items

The vote on the resolution: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)



Item 17 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. 81-37, recommending that the Clay County Industrial Commission issue Industrial Development Bonds for construction of a day care center at approximately 72nd & N. Wyandotte. Applicant: Cladstone Dental Group, Inc. Mr. Karns seconded. The vote: "AYE" - Whitton, Karns, Bussinger, Fairlie. "NO" - Ashcroft. (4-1)

Item 18 on the Agenda: Mr. Whitton moved to adopt Resolution No. 81-38, authorizing the City Manager to accept a quotation from North American Savings Association for investment of city funds as follows: \$350,000 for six months at 17.12% per annum; \$550,000 for twelve months at 17.3469% per annum. Mr. Bussinger seconded. The vote: "Aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) (note: Mayor Fairlie was temporarily absent from the meeting when vote was taken).

Item 19 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. 81-39, authorizing the City Collector to publish the land and lot delinquent list. Mr. Karns seconded. The vote: All "aye" - Bussinger, Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 19-a on the Agenda: Mr. Bussinger moved to adopt Resolution No. 81-40, urging the Missouri Highway and Transportation Commission to give highest priority to appropriation of construction funds for Route 69/68 Street North Ramps. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 20 on the Agenda: Approval of Liquor License Renewals.

Mr. Ashcroft moved to approve liquor license renewals for the following establishments:

- a. Cocos/Baxters, 6129 N. Antioch Road, Class A&B, New Mgr Officer Charles A. Williams.
- b. Bobby Bell's Bar-B-Que, 7013 N. Oak, Class A&B
- c. Cuthries Restaurant & Bar, 6425 N Oak, Class A&B
- d. Godfather's Pizza, 328 NE 72nd Street, Class A&B
- e. Twenty-One Restaurant, Inc. 5941 N. Antioch Rd., Class A.
- g. Quick Trip #156, 7603 N. Oak, Class E
- h. Ball's Super Food Stores, 7503 N Oak, Class E
- i. Pizza Hut of America, 6420 N Oak, Class F
- j. Northland Party Shop #2, 6313 N Prospect, Class C
- k. Shop N Co Market #66, 7125 N Broadway Class C
- l. Gladstone Party Center, 72011 N Oak, Class C
- m. Zarda Dairy Store #16, 6211 N Chestnut  
Zarda Dairy Store #6, 7417 N Oak, Class C
- n. Pizza Inn, 7000 N Oak, Class G
- o. John Lloyds Pizza Factory, 6311 N Antioch, Class F
- p. A&P Food Stores, 6449 N. Prospect, Class C  
A&P Food Stores, 6316 N Oak, Class C
- q. Happy Rock Liquor, 6100 N Oak, Class C
- r. Linden Oaks Racquetball Club, 7001 N Locust, Class A
- s. Williams United Super, 7219 N Oak, Class C

Mr. Karns seconded the motion. Council discussed the renewal application of Los Barreras Restaurant, 6467 North Prospect, holder of a Class A license. Mr. Achen advised that the restaurant had not submitted statements of their compliance with the "60-40" provisions under the alcoholic beverage ordinance. For this reason Council determined no action would be taken on their renewal application at this meeting.

The vote: "Aye" - Whitton, Karns, Ashcroft, Fairlie. "Pass" - Bussinger. (4-0)

Item 21 on the Agenda:

Summer Carnival Application.

Requested by Gladstone Jaycees Wives.

Mrs. Theresa Kuhlanski, 6236 North Flora requested Council approval of the Gladstone Jaycees Wives application for a Summer Carnival to be held in Central Park on Saturday, July 25, 1981 from noon until 4:00 pm. Half of the proceeds received by the J.C. Wives organization will be donated to the City of Gladstone for use in repairing the roof of the Oak Grove Park shelterhouse or repairs to the wooden bridge at Oak Grove.

Mr. Bussinger moved to approve the summer carnival application; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 22 on the Agenda:

Other Business.

Mr. Bob Randolph, Chairman Village of Oakview, requested that Council proceed to obtain sewer easements from the four Gladstone residents necessary in connection with the Village's sewer construction contract to be let soon. Mr. Achen advised that it was not his understanding of the cooperative agreement with the Village that Gladstone was responsible for securing the easements needed. Mayor Fairlie suggested that this matter could be taken up by Council at the study session planned for 8:30 am Tuesday morning and thanked Mr. Randolph for bring this matter to Council's attention.

Item 23 on the Agenda:

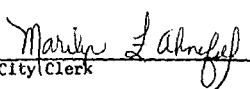
There were no questions from the news media.

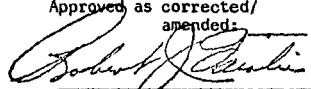
There being no further business to come before the July 13, 1981 meeting of the Gladstone City Council, Mayor Fairlie adjourned the meeting.

Respectfully submitted:

Approved: 

Approved as corrected/  
amended:

  
City Clerk

  
MAYOR

NOTE: NO JULY 27, 1981 C L MEETING

A G E N D A

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 10, 1981

1. Meeting Called to Order
2. Pledge of Allegiance
3. Acceptance of Minutes of July 13, 1981 city council meeting.
- 3a. PRESENTATION: "CERTIFICATE OF CONFORMANCE IN FINANCIAL REPORTING" to City of Gladstone
4. PUBLIC HEARING: On setting the annual rate of levy for 1981 real and personal property taxes for the City of Gladstone.
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. CONSIDERATION OF PRELIMINARY PLAT: LINDEN WEST SUBDIVISION, property located at NW 74th Terrace - North Main to North Wyandotte. Applicant/Owner: North Kansas City School District No. 74
9. APPROVAL OF BUILDING PLANS:
  - a. Balhuizen Medical Building Plans , 2920 NE 60th Street  
Owner: Dr. Balhuizen.
  - b. Old Pike Country Club-Swimming Pool Construction Plans  
5101 Old Pike Road. Applicant: David Wharton, President
10. SECOND READING: TABLED BILL NO. 81-11, an Ordinance rezoning from R-3, Garden Apartment District to RP-4, Planned Apartment District, property described as 7000-56 North Olive. Applicant: L. Robert McLaughlin (APPLEBROOKE NORTH)
11. SECOND READING: BILL NO. 81-27, rezoning from R-1, Residential District to RP-3, Planned Garden Apartment District, and CP-1, Planned Local Business District, property at 500 NW 72nd Street. Applicant/Owner: Main Enggas.
12. FIRST READING: BILL NO. 81-29, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property located at 301 NW 72nd Street. Applicant/Owner: Lawrence D. Whitton.
13. FIRST READING: BILL NO. 81-30, rezoning from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property located west of NE 62nd Terrace and N. Main. Applicant: Larry Wickham. Owner: Dewey Fortner
14. FIRST READING: BILL NO. 81-31, fixing the annual rate of levy for the 1981 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.
15. FIRST READING: BILL NO. 81-32, authorizing acquisition of interests in Real Property by purchase or condemnation for construction and improvement of the Englewood West Section Construction Project.
16. FIRST READING: BILL NO. 81-33, approving the final plat of THE WOODLANDS. Applicant: Curry Investment Co.
17. RESOLUTION NO. 81-41, authorizing the City Manager to accept a proposal for the purchase of (2) motorcycle radios for the Public Safety Department.
18. RESOLUTION NO. R-81-42, amending the Rules and Regulations of the Combined Water and Sewer Utility relative to residential customer deposits.
19. RESOLUTION NO. R-81-43, authorizing execution of Water Main Extension Contract 176.
20. RESOLUTION NO. R-81-44, authorizing acquisition of right-of-way and easements in connection with the North Troost/NE 68th Street/ North Flora improvement project.

21. APPROVAL OF LIQUOR LICENSES

- a. Carrollton Bowl Lounge, Inc., 300 W. 72nd Street, Class A & B
- b. Steve's BBQ, 7507 N Oak, Class F
- c. My Three Sons, 6825 N Oak Trafficway, Class A&B
- d. Los Barreras, 6467 N. Prospect, Class A
- e. Aldi Discount Foods, 6577 N Oak, Class C - new Managing Officer:  
Michael E. Natonski
- f. Cellarmaster Wines of Missouri, Inc., 6942-42½ N. Oak, Class C - New License  
Managing Officer: Clarence Raymond Day

22. APPROVAL OF FINANCIAL REPORTS

- ..Cash Disbursements - June, 1981
- ..Cash Disbursements - July, 1981
- ..Financial Statements - All Funds, 12 months ending June 30, 1981
- ..Financial Statements - All Funds - 1 month ending July 31, 1981

- 23. Other Business
- 24. Questions from the News Media
- 25. Adjournment

19. APPROVAL OF LIQUOR LICENSES:

- a. Renewal - Bob's IGA, 5945 N Antioch Road, Type "C"
- b. Renewal - Red Lobster Restaurant, 6221 N. Antioch Road, Type "A&B"
- c. Renewal - Pizza Hut, 6420 North Oak, Type "F"

20. CONSIDERATION OF REQUEST TO HOLD OUTDOOR CONCERT: Saturday, July 11, 1981  
12:00 Noon - 4:00 PM., 6840 North Oak, JR's Dining Hall and Saloon  
Applicant: William Hoffman

- 21. Other Business
- 22. Questions from the News Media
- 23. Adjournment

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

10 August 1981

The Gladstone City Council meeting was called to order on August 10, 1981 in the Council Chambers of the Gladstone City Hall at 7:30 p.m. by Mayor Bob Fairlie. In addition to Mayor Fairlie, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and recording secretary. Councilmember Lee Bussinger was not able to attend.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Ashcroft moved to adopt the minutes of the July 13, 1981 City Council meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 3a on the Agenda: Presentation of "Certificate of Conformance in Financial Reporting" to City of Gladstone.

Mayor Fairlie presented the Certificate of Conformance that had been awarded to the City of Gladstone by the Municipal Finance Officers' Association for the annual budget for FY 1980-1981. Mr. Jim Harlow, Administrative Services Director, was present to receive the award for the city. Mayor Fairlie noted that this was the fourth consecutive year that Gladstone has received this award, which is a very significant accomplishment.

Item 4 on the Agenda: PUBLIC HEARING: Setting of the annual rate of levy for 1981 real and personal property taxes for the City of Gladstone.

City Manager Achen addressed the Council and audience and explained that the annual rate of 82¢/\$100 valuation remains the same for the 24th consecutive year. Total Gladstone assessed value of \$94,901,154 will generate \$778,189 which will be used for city's general operations, or 20% of the total general operating budget.

There were no further comments or questions and Mayor Fairlie closed the public hearing.

Item 5 on the Agenda:

Mr. Larry Wickham, 405 N.E. 70 Street, addressed the City Council. He requested that, in light of the fact that the second City Council meeting in July had been cancelled, the items on the agenda receive two readings so that the schedule of these items could be maintained.

Mayor Fairlie said that this would be determined as each item is brought up on the agenda.

Mrs. Vonnie Niederwimmer, 301 N.W. 73 Terrace addressed the Council with a request pertaining to Bill 81-27, rezoning at 500 NW 72 Street. She indicated that residents of the area adjoining the subject address would like to be put on record as not objecting to the development if the proposed plans be changed from apartment complexes to privately-owned condominiums. She also suggested that the developer be required to pay for one-quarter of the cost of the stop light at the intersection and one-quarter of cost for widening the road at the intersection into a four-lane thoroughfare. She asked the Council if the residents of this area would be notified that their children would be required to walk to the corner of 72nd and Broadway and cross at the light on their way to school at Linden West?

Item 6 on the Agenda:      Communications from the City Council

Mr. Karns asked City Manager Achen if the new sign ordinance would be explained in detail to business owners in the community? Mr. Achen said that copies will be sent out to all business owners and then they will be contacted individually to explain the ordinance and answer questions they might have.

Mr. Whitton asked if the Engineering Department had a recommendation on the traffic signalization as yet? Mr. Achen said that investigation is underway. Signals are designed so that they can be operated either by traffic count detection or by putting them on flashing intermittently yellow or red.

Mr. Whitton asked if the animal shelter had been torn down? Mr. Achen said that the city received no satisfactory bids and that the shelter had been demolished with city personnel.

Mayor Fairlie asked about the status of J.R.'s restaurant which had burned. Mr. Achen said that no demolition had occurred as yet, but notice has been served requiring the building to be razed.

Item 7 on the Agenda:      Communications from the City Manager

Mr. Achen said that the owners of the proposed development at 7609 North Oak were present and they asked that the City Council consider their request for a commercial building permit on the agenda. Mayor Fairlie indicated that the request would be added as Item 9c on the agenda.

Item 8 on the Agenda:      CONSIDERATION OF PRELIMINARY PLAT: LINDEN WEST SUB-DIVISION, property located at NW 74 Terrace - North Main to Norty Wyandotte. Applicant/Owner: North Kansas City School District No. 74.

Mayor Fairlie indicated that approval is requested for providing building lots for the building trade vocational instruction at this location. He noted that the Planning Commission voted to approve the request as submitted.

Mr. Ashcroft questioned why the governmental school district is entering into the platting of subdivisions for building in competition with the private sector? City counselor Dods said that there is no legal problem preventing this, but it would be a policy decision for the District. Vocational class students will building one home each year.

Mr. Ashcroft moved to approve the request as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 9 on the Agenda:      APPROVAL OF BUILDING PLANS:

(a) Balhuizen Medical Building Plans, 2920 N.E. 60 Street. Owner: Dr. Balhuizen.

Dr. Balhuizen plans to erect a new medical building at this location. Mr. Ashcroft moved to approve the building plans as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)



Item 9 - Approval of Building Plans

(b) Old Pike Country Club - swimming pool construction plans, 5101 Old Pike Road, Applicant: David Wharton, president.

Minor changes are anticipated to the pool to enlarge it to olympic-size dimensions. Mr. Ashcroft moved to approve the building plans of Old Pike Country Club as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

(c) Naugel's Restaurant, 7609 North Oak Street.

Alan Bronfman, owner, and George Linn, general contractor, were present to answer questions the council might have. They indicated that no changes would be made in the elevation of the site, but proposed to move the curb cut back to the east for safety reasons and also put in a new sidewalk to the west of the building. They requested that council waive the sidewalk requirement on 76th Terrace, as it is a dead-end street that is only one block long. He said that he would be more than pleased to do his share if the remainder of the street had sidewalks installed.

Mr. Achen noted that the City Ordinance requires sidewalks be installed on the frontage of all development and that the applicant desired to request a waiver of the frontage on the north property line entering into the trailer park on 76th Terrace.

The applicant asked who would be responsible for installation of curbs?

Mr. Achen said that all developers are responsible for curb and gutter on present streets to standard right-of-way width to conform to specifications obtained from the Engineering office.

Mr. Ashcroft moved to approve the building plans for Naugel's project contingent upon compliance with all city codes and ordinances, pending engineering approval. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 10 on the Agenda: SECOND READING: TABLED BILL NO. 81-11 An ordinance rezoning from R-3, Garden Apartment District to RP-4, Planned Apartment District, property described as 7000-56 North Olive. Applicant: L. Robert McLaughlin (Applebrooke North)

Mayor Fairlie noted that Mr. Charles Hill, a resident who had inquired about the need for the street on the north, should be notified before any final action on this item be considered.

Mr. Ashcroft moved to take Bill 81-11 off the table; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Mr. Ashcroft moved to accept the first reading of Bill 81-11 and place said Bill on its second reading. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0) The clerk read the Bill.

Item 11 on the Agenda: SECOND READING: BILL NO. 81-27, rezoning from R-1, Residential District, to RP-3, Planned Garden Apartment District, and CP-1, Planned Local Business District, property at 500 N.W. 72nd Street. Applicant/Owner: Main Enggas.

Mr. Ashcroft moved to accept the first reading of Bill 81-27 and place said Bill on its second reading. Mr. Whitton seconded the motion.

Mr. Achen read a letter from Mr. Enggas indicating that the development will be privately-owned condominium units rather than apartment units. The CP-1, Planned Local Business District, portion of the request remains the same.

Mr. Gary Corser, 8124 Rosehill, Lenexa, was present representing Mr. Main Enggas. He said that it is a matter of record that the developer will pay for one-half of the street development and a proportional share of the traffic light. He is aware of the requirement for sidewalks.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 12 on the Agenda: FIRST READING: BILL NO. 81-29, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property located at 301 N.W. 72nd Street. Applicant/Owner: Lawrence D. Whitton.

Mr. Ashcroft moved to place Bill 81-29 on its first reading; Mr. Karns seconded. The vote: Mr. Whitton, "abstain"; Mr. Karns, "aye"; Mr. Ashcroft, "aye"; Mayor Fairlie, "aye". (3-1)

Mayor Fairlie noted that the usage of this property has been as a service station that should have been rezoned years ago to a C-3, but was overlooked. Mr. Whitton has now requested that the zoning be brought into conformance with the actual use that has been in effect for a number of years.

Item 13 on the Agenda: FIRST READING: BILL NO. 81-30, rezoning from R-1, Single Family Dwelling District, to RP-3, Planned Garden Apartment District, property located west of N.E. 62 Terrace and North Main. Applicant: Larry Wickham. Owner: Dewey Forner.

Mr. Ashcroft moved to place Bill 81-30 on its first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 14 on the Agenda: FIRST READING: BILL NO. 81-31, fixing the annual rate of levy for the 1981 Real Estate and Personal Property Taxes within the corporate limits of the City of Gladstone, Missouri.

Mr. Whitton moved to place Bill 81-31 on its first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0) The clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill 81-31 and place said Bill on its second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0). The clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill 81-31, waive the appropriate paragraph, and place said Bill on its third and final reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 14 (continued)

Mr. Ashcroft moved to accept the third and final reading of Bill 81-31 and enact same as Ordinance 2397; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 15 on the Agenda: FIRST READING: BILL NO. 81-32, authorizing acquisition of interests in Real Property by purchase or condemnation for construction and improvement of the Englewood West Section construction project.

Mr. Whitton moved to place Bill 81-32 on its first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0). The clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill 81-32 and place said Bill on its second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0). The clerk read the Bill.

Mr. Ashcroft moved to accept the 2nd reading of Bill 81-32, waive the appropriate paragraph, and place said Bill on its third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0) Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 81-32 and enact same as Ordinance 2398; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 16 on the Agenda: FIRST READING: BILL NO. 81-33, approving the final plat of THE WOODLANDS, Applicant - Curry Investment Co.

Mr. Ashcroft moved to place Bill 81-33 on its first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0) The clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill 81-33 and place said Bill on its second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0). The clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill 81-33, waive the appropriate paragraph, and place said Bill on its third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0) The clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 81-33 and enact said Bill as Ordinance 2399; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Item 17 on the Agenda: Mr. Whitton moved to adopt Resolution R-81-41, authorizing the City Manager to accept a proposal for the purchase of (2) motorcycle radios for the Public Safety Department. Mr. Ashcroft seconded the motion. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 18 on the Agenda: Mr. Whitton moved to adopt Resolution R-81-42, amending the Rules and Regulations of the Combined Water and Sewer Utility relative to residential customer deposits. Mr. Karns seconded the motion. This resolution will increase the deposit from the present \$15 to \$25 for residential customers. It is anticipated that this would reduce uncollectible accounts substantially. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Item 19 on the Agenda: Mr. Whitton moved to adopt Resolution R-81-43, authorizing execution of Water Main Extension Contract 176 (Brooktree area); Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Item 20 on the Agenda: Mr. Ashcroft moved to adopt Resolution R-81-44, authorizing acquisition of right-of-way and easements in connection with the North Troost/N.E. 68th Street/ North Flora improvement project. Mr. Karns seconded the motion.

Mr. Whitton asked if this improvement project extends past 72nd Street? Mr. Achen said that the project only goes to 72nd Street. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Item 21 on the Agenda:

Mr. Ashcroft moved to approve liquor licenses as follows:

- (a) Carrollton Bowl Lounge, Inc., 300 West 72nd Street, Class A and B.
- (b) Steve's BBQ, 7507 North Oak, Class F.
- (c) Los Barrera's, 6467 North Prospect, Class A.
- (d) Aldi Discount Foods, 6577 North Oak, Class G (new managing officer, Michael E. Natonski).

Mr. Karns seconded the motion. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Mr. Ashcroft moved to approve the application for liquor license of (f) Cellarmaster Wines of Missouri, Inc., 6942-42 1/2 North Oak, Class C (new license - managing officer, Clarence Raymond Day). Mr. Karns seconded the motion. Mr. Achen noted that the background investigation by the Public Safety Department indicated nothing derogatory. Cellarmaster Wines is a subsidiary of a wholly-owned Florida corporation in Des Plaines, Illinois. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Council discussed the application of My Three Sons, 6825 North Oak Trafficway, Class A and B license renewals. Mayor Fairlie indicated that establishments are required to meet a ratio of 60% food sales to 40% liquor sales. There is a report in the renewal file that indicates that the applicant has met this requirement. The Council is concerned that the bulk of business at this establishment on Sundays appears to be package liquor sales.

Mr. Ashcroft commented that the original intent of the ordinance to allow liquor sales on Sunday was to allow families to have alcoholic beverages with their dinner or food. It was not the intent to allow package liquor sales. This puts those persons who do not have a restaurant connected with their package liquor store at a disadvantage.

Mr. Ashcroft moved to approve liquor license 21(c) for My Three Sons, 6825 North Oak Trafficway, Class A license only. Mr. Karns seconded the motion. Mayor Fairlie said that while the Council reviews the Sunday sales activities, the Class B license request will be taken under advisement. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Item 22 on the Agenda: Approval of Financial Reports.

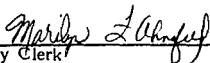
Mr. Ashcroft moved to approve financial reports of: Cash Disbursements for June, 1981; Cash Disbursements for July, 1981; Financial Statements for all funds, 12-month period ending June 30, 1981; and Financial Statements for all funds for one month ending July 31, 1981, as submitted. Mr. Karns seconded the motion. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0).

Item 23 on the Agenda: There was no other business brought to the Council's attention.

Item 24 on the Agenda: There were no questions from the News Media.

There being no further business to come before the August 10, 1981 meeting of the Gladstone City Council, Mayor Fairlie adjourned the meeting at 9:25 p.m.

Respectfully submitted:

  
\_\_\_\_\_  
City Clerk

Approved:  \_\_\_\_\_

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

  
\_\_\_\_\_  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 24, 1981

1. Meeting Called to Order
  2. Pledge of Allegiance
  3. Acceptance of Minutes of August 10, 1981 City Council meeting
  4. PROCLAMATIONS:
    - (a) September 6-13 designated as N.A.W.I.C. week, requested by National Association of Women in Construction.
    - (b) September 1-7 as Bowling Week, requested by Sher, Jones, Shear & Assoc., Inc. in conjunction with National Bowling Week.
  5. PUBLIC HEARING: Request to rezone from R-3 to CP-2, northwest corner of 72nd & N Euclid. Applicant: Cities Service. Owner: J.A. Peterson.
  6. Communications from the Audience
  7. Communications from the City Council
  8. Communications from the City Manager
  9. APPROVAL OF BUILDING PLANS:
    - (a) 5601 Antioch Road, interior finish. Applicant: George Croasdale for Drs. Mary and Terry Calhoun.
    - (b) 2900 Kendallwood Parkway, addition to Kendallwood Nursing Home. Applicant: George Croasdale, contractor, for Kendallwood Nursing Home.
    - (c) 6401 North Prospect, remodeling of existing building. Applicant: George Croasdale, contractor, for Dr. Stephen Leslie.
    - (d) 6420 North Oak, addition to Pizza Hut. Applicant: Pizza Hut of America, Inc.
  10. THIRD READING: BILL 81-11, An Ordinance rezoning from R-3, Garden Apartment District to RP-4, Planned Apartment District, property described as 7000-56 North Olive. Applicant: L. Robert McLaughlin (APPLEBROOKE NORTH)
  11. THIRD READING: BILL 81-27, rezoning from R-1, Residential District, to RP-3, Planned Garden Apartment District, and CP-1, Planned Local Business District, property at 500 NW 72 Street. Applicant/Owner: Main Enggas.
  12. SECOND READING: BILL 81-29, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property located at 301 NW 72 Street. Applicant/Owner: Lawrence D. Whitton.
  13. SECOND READING: BILL 81-30, rezoning from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property located west of NE 62 Terrace and N. Main. Applicant: Larry Wickham. Owner: Dewey Fortner.
  14. FIRST READING: BILL 81-34, approving the Final Plat of Linden West. Applicant: North Kansas City School District.
  15. FIRST READING: BILL 81-35, amending Section 21.4 of the City Code pertaining to Emergency Medical Fees.
  16. RESOLUTION R-81-43, authorizing execution of Change Order No's 3 and 4 to the North Broadway-Salt Rock Road Construction Project.
  17. RESOLUTION R-81-46, authorizing execution of contract for negotiating services for right-of-way acquisition for North Troost/Northeast 68th Street/North Flora Street Improvement Project.
- add - Resolution R-81-47, urging inclusion of Division 8 (10 Circuit Court in new County solidified facility.
18. Other Business
  19. Questions from the News Media

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

24 August 1981

The Gladstone City Council meeting was called to order on August 24, 1981, in the Council Chambers of the Gladstone City Hall at 7:30 pm by Mayor Bob Fairlie. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk. *Lie Buehner*

Item 2 on the Agenda:  
to the Flag in which all joined.

Mayor Fairlie led the Pledge of Allegiance

Item 3 on the Agenda: Mayor Fairlie read proclamations designating the following: September 6 - 13, 1981 as "National Women in Construction Week", and September 1-7, 1981 as "National Bowling Weeks" in the city of Gladstone, Missouri.

Item 4 on the Agenda: PUBLIC HEARING: Request to rezone from R-3 to CP-2, northwest corner of 72nd & N. Euclid. Applicant: Cities Service. Owner: J.A. Peterson Co.

Andrew J. Schlagel, 9611 Knox, Overland Park, Kansas, representing Cities Service Company reviewed plans with Council and audience for the proposed combined gas station and convenience store at the northwest corner 72nd & N. Euclid. He noted that the Quick Mart concept was developed in 1972 and presently there are over 300 stores nationwide with a projection of 500 within 2 years. Quick Mart facilities have been developed to complement suburban residential areas and offer a limited variety of convenience-type items and self serve gas. Hours are generally between 7:00 am - 11:00 pm, however there are times when various local standards, criteria or neighborhood desires warrant modification of the hours.

In response to concerns addressed at previous meetings, he clarified for the record that there are no soft or liquid goods that are dispensed in plastic or paper containers that can be carried out of the facility, everything is in bottles. Concern was expressed for loitering and trash that might be result of video or arcade-type games. Quick Mart does not plan nor will they entertain the inclusion of arcade-type facilities for this project.

The Quick Mart would occupy one-half acre of the 3 acre parcel presently zoned R-3 and would be located on the northwest corner of the site. The remaining 2½ acres would be developed in some kind of multi family residential by the Peterson Co. and he presented a copy of a plan that had been laid out that proposed 14 townhouse units that would surround the Quick Mart facility.

Mr. Schlagel pointed out that the proposed facility complies with basic planning principles used across the country where commercial uses are buffered from the residential by layers or levels of land use.

With respect to storm drainage, their engineering study indicates that water produced on their site would be taken to 72nd Street and on west past the existing ditch to the inlet that occur on the east and west side of North Woodland. There is another channel west of Woodland, so that storm drainage as a result of this development is not a concern.

In reference to traffic, they are aware that both 72nd Street and N Euclid do carry a considerable traffic load and this project will not change that. 72nd Street has been improved and at the time of such improvement, the present zoning pattern existed. 72nd Street has considerable crests and valleys but again the street has been improved, the grades are set and the 35 mph speed limit assumably takes into account the street grade variations.

In summarizing his remarks, Mr. Schlagel pointed out that each Quick Mart is approached on an individual basis and is planned to address the questions and concerns of the individual community. He has attempted to address all the concerns that have been put to him to date and wants to work with the City and is willing to address further questions.

Councilman Bussinger commented that he would love to have the project on that corner because it would be a moneymaker but is concerned what it will look like. Mr. Schlagel reviewed the plans and explained that the facility will contain a cooler for dairy products and shelving for the convenience drygoods.

Mr. Bussinger said that the existing store at 72nd & N. Euclid should not have been allowed and also feels the multi family zoning on that tract is a mistake. He agrees that 72nd Street would be a good commercial street but stated that the residents of the city of Gladstone don't want it commercial.

Mr. Schlagel stated that he is aware of neighborhood concern for the amount of commercial and R-3 that exists at that location and suggested that a more tenable land use pattern could be discussed with the property owner, J.A. Peterson.

Mayor Fairlie asked if Mr. Schlagel meant he would explore the possibility of reducing the amount of existing commercial zoning. Mr. Schlagel said he meant he would be willing to go back to the owner and explore the possibility of reducing the existing commercial and coming up with an acceptable buffer for the area. He pointed out that obviously there are other parties involved but his company would pursue the matter.

Mr. Karns asked how many of the Quick Mart facilities have failed across the country and why they chose the 72nd & Euclid location. Mr. Schlagel said none had failed that he was aware of and in choosing locations they look at certain criteria such as radius of the service area, arterial and collector streets, etc.



In response to Mr. Karn's question as to why the location was chosen when service stations on Oak and Antioch have failed, Mr. Schlager stated that we see self service stations combined with convenience goods coming back into the marketplace. They have been tested for the past ten years and are the market of the future.

Mr. Karns further noted that he and the other new councilmembers had run on a platform of no commercial in R-1 areas. Mr. Schlager said he can appreciate that but their proposed facility is not looked at as a major intrusion of the residential area.

Mayor Fairlie stated that he had worked with the Planning Commission at the time that body and the Council set guidelines for commercial development in Gladstone. One of the guidelines was that Oak Street would be commercial as well as 72nd Street, west of Oak, and Antioch Road up to the present 64th Street would be the main thrust of commercial area. M-1 Highway at 72nd Street or the intersection of 72nd & Prospect had commercial possibilities, either or but not both.

It was agreed at the time, that 72nd Street east of Oak would remain residential in nature and the street improvements would aid the residents not a commercial strip. The land use map reflects those feelings and he will have to be "sold" that the proposed project is an important, necessary use.

Mr. Schlager commented that he appreciated the frankness of Councilmembers and asked if the idea of reduction of existing commercial zoning in this area is something that they would work towards. Mr. Fairlie said it was, but not in exchange for something else. Mr. Schlager suggested that it is possible that everyone could benefit and said he would explore the issue.

#### Opposition

Mr. John Woody, 7201 N Woodland, noted that Quick Trips's hours were shorter in the beginning and since their opening have added the convenience food items, his point being that the way a store starts out is no guarantee the operation will always remain the same. With respect to land usage, realistically plans can change at some time in the future because of economics, etc. It had been indicated that the land behind the Quick Trip would be developed as a park area and that has not been done. With respect to drainage from the proposed site, there are three inlets at the corner of Woodland & 72nd. Two are part of the same tube, if it fills up problems will result back up stream. If business fails, they will move on and we will be left with a closed facility. Just because the street has been 4-laned does not mean it should be a commercial strip. Oak and Antioch are ample for the commercial developments. Mr. Woody advised that he would later submit to Council pictures of a six year old Quick & Easy facility in Lebanon, Tenn. which lacked shrubbery, and had refuse and bottles on the premises.

Dr. Frank Carella, 180 NE 72nd Street, President of the Gladstone Chamber of Commerce commented that until Oak Street and Antioch Road are fully developed, he does not think the city should consider opening up another street for commercial development. In his opinion it will deteriorate the R-1 areas.

Sandy Vincent, 7202 N Woodland, commented that her basement floods everytime we get 2 inches of water and she is opposed to the project because it will increase water runoff. She also noted that the gasoline sales will probably raise insurance rates of area homeowners.

Yvonne Peterson, 7208 N Woodland, stated she is opposed and questioned if something else can be put on the property once rezoned if for some reason Cities Service does not build the proposed facility. Mayor Fairlie explained that once the zoning is approved as Planned Zoning("P" zoning), it does have to be built as proposed on the plan. If the plan changes it goes back to the planning commission and city council.

Mr. Joe Soltis, 7203 N Woodland submitted a<sup>protest</sup> petition signed by property owners within 185 feet of the property. Mr. Soltis commented that with two added entrances to the proposed development, there would be a total of four exits to 72nd Street from the present Quick Trip to his facility. Mayor Fairlie advised that the petition would be checked to be certified as a legal protest petition containing 10% of the property owners within 185 ft.

Stan Holmes, 1800 NE 76th Street, commended the Council for their questions of the applicant. He commented on the debris on his street now from Quick Trip. He noted that this property has been zoned for 15 years. He would hate to see this zoning approved as he sees no advantage to it, the area has well maintained homes and there are a number of vacant facilities on Oak and Antioch Road. He further suggests that if this zoning application is approved, where do you stop. The present Council may oppose additional zoning but there will be new councils to consider. They will make decisions based on this and previous council's decisions. It is time that the Council take a firm hand. He definitely opposes this zoning application.

Don Treichel, 7205 North Woodland, commented on the traffic accidents at the corner of 72nd & North Euclid and noted that an additional left turn from 72nd Street will increase the traffic problems. He wished that a zoning request required signatures of adjacent property owners before the application could be considered.

Mr. Andrew Schlagel commented that every city has their bad area or Noland Road type problems and it is something they also are against. They see their proposed development as an opportunity for an integrated, planned commercial area.

There being no further comments, Mayor Fairlie closed the public hearing and advised that the first reading of the rezoning bill will be scheduled for the September 28, 1981 council meeting. He clarified that the City Council will be out of town on September 14, therefore that council meeting will not be held.

Item 6 on the Agenda:

Communications from the Audience.

Larry Wickham, 405 NE 70th Street, requested that Council give consideration to two readings this evening to Bill No. 81-30 (Item 13 on the agenda).

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Mr. Bruce Lambert, 7219 North Oak, owner of Williams United Super addressed the Council noting that he has been a Gladstone merchant for 27 years. He is proud to be in Gladstone and is here tonight representing Gladstone merchants who came and talked to him about some conditions that they would like to see changed. The merchants in Gladstone have worked very closely with the business community, the social organizations, churches and schools. They have sponsored various Little League programs and have helped senior citizens raise funds. These merchants desire to keep the City of Gladstone beautiful. He feels the interest of the city council has been to make Gladstone a beautiful city. He sees a "tent city" growing in Gladstone. Although these tent merchants are in competition with him this is not his main complaint. He does not like to see the city of Gladstone become a place where anyone who wants to start a business can come and put up a tent. They do not provide the facilities and parking that most of the Gladstone merchants provide for their customers. Merchants should have the right to have the same operating conditions that these merchants have. He asked that Council consider adoption of ordinances that will address this matter to prevent it from happening next year.

\* \* \*

Mr. Jim Youngers, Curry Investment Company, advised that they have a parcel containing 15.4 acres which serves as a detention basin which they would like to formally convey to the City of Gladstone for park purposes. Mayor Fairlie noted that he had occasion to view the effectiveness of the detention basin during the last rain and thanked Mr. Youngers and the Curry Company for the conveyance and their continued involvement in the development of our city.

\* \* \*

Sandy Vincent, 7202 North Woodland, submitted a signed petition by neighboring residents requesting drainage improvements in the vicinity of 72nd & N. Woodland/Highland. She noted that city crews have filled the creek with rock, but this has not alleviated the flooding problems experienced by her and neighbors. She has experienced 8 ft. of water in her yard.

Mayor Fairlie advised that the Council recognizes that there are water problems in that area but must consider expenditure of millions of dollars to benefit a few. With limited funds, Council must carefully consider where monies should be spent. Should you cut off other programs to fund this improvement? Generally the people on top of the hill are not supportive of improvements that benefit only the people being flooded at the bottom of the hill which is one of the problems in getting public support for a special benefit district.

Mr. Bussinger suggested that perhaps it is time to explore the feasibility of a benefit district.

Mayor Fairlie noted that since the May, 1974 flood, Council and Planning Commission have required on site detention to hold water runoff on all new developments in the city. The Tuttle, Ayers study addressed the whole watershed in a long range view and recommended a series of detention basins and structural improvements that was estimated at approximately 3½ million dollars, 4 years ago. No improvements in the area being discussed have been made to date due to budget constraints.

Mr. Karns suggested that it is hard for citizens to understand that in our flood control we started backwards and protected Brooktree first when they have had flooding problems the longest.

Mr. Achen noted that there happened to be development in the Brooktree area at the time and the Council was in a position that we could obtain some assistance from the developer. In fact that is the detention basin that was deeded to the city for park purposes by the Curry Company earlier in the meeting. No new developments have occurred in the area under discussion. From a practical engineering standpoint we are constantly reminded that we need to start from the out flow in so that we don't make more problems coming down the channel. An engineering study has been commissioned to address the drainage problems in the area under discussion which will take 6-8 months for completion. He has no assurance that this study will produce any alternatives that will be less costly.

B.A. Munpower, 7208 North Highland, advised that she has had 14 inches of water in her family room. She noted that there was more water taken this last rain even though there was less actual rainfall than previous times.

Mr. Achen noted that the City was only aware of two houses actually being flooded in the house during the last rain. Members of the audience voiced that was not correct, many more homeowners experienced flooding. Mr. Achen asked that homeowners call City Hall and advise when flooding occurs so that the city can be aware of the affected properties.

Mr. Charles Riley, 7204 North Forest, complained that a neighbor had constructed a fence which obstructed the water flow and asked if this was legal. City Counselor Dods advised that this would be a civil case and his only recourse would be the courts. It is not a matter for city enforcement. Council assured that the City would send a letter to the offending property owner with a copy to Mr. Riley explaining the city's position on the matter.

Councilman Whitton questioned if the City should have issued a fence permit if we had knowledge that it would obstruct the drainage flow. He asked that we look into the situation.

Mr. John Minor, 1600 NE Rosewood, also spoke on drainage concerns. He has observed a lot of dumping upstream from his residence and feels that is contributing also to the water problems. The stream has contained papers, logs, toys, tree limbs, garbage and anything you can think of. He suggests the city look into this and also the eroding culverts in the area.

Stan Holmes, Jr., 6744 North Park, stated that he has been employed by Ball's Market for 15 years and stated that 95% of their employees live within the city of Gladstone. He is concerned with the produce sales operating out of tents. He feels that it detracts from the appearance of the city and is a detriment to the business community.

\* \* \*

Mr. Stan Holmes, Sr., spoke on the same matter echoing previous comments that the produce tents detract from the city.

\* \* \*

Terry O'Hara, 1628 Rosewood, stated that he too has had water in his house and sees the need for a special benefit district to correct the problems.

\* \* \*

Russ Mahoney, 1608 NE Rosewood, expressed concern for the size of the tube at the bridge in Rosewood. He does not feel the drainage tube is adequate and stated that 4 years ago the city had replaced the existing tube with a smaller one that has increased the problem.

Item 7 on the Agenda:

Communications from the City Council.

Councilman Whitton asked if city staff had researched the possibility of changes in the traffic lights at 72nd & Oak yet. (Change to flashing light after 11:00 PM). Mr. Achen advised that this report had not yet been prepared due to the illness of the City Engineer.

Mr. Karns noted that the City is lax in posting informational signs on properties where rezoning applications have been made. Mr. Achen advised attention would be given to this matter.

Item 8 on the Agenda:  
City Manager.

There were no communications from the

Item 9 on the Agenda:

Approval of Building Plans.

- (a) 5601 Antioch Road, interior finish. Applicant George Croasdale for Drs. Mary and Terry Calhoun.

Mr. George Croasdale was present to review building plans with council and explained that remodeling generally consists of partitions in an unfinished building area.

Mr. Ashcroft moved to approve the building plans as submitted including the city staff's recommendation that double building permit fee be imposed for construction without permit. Mr. Bussinger seconded.

Mr. Bussinger asked that the minutes show that Council further agrees with staff recommendation that sidewalks are not conducive to the area and will not be required. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

APPROVAL OF BUILDING PLANS (CONTINUED)

- (b) 2900 Kendallwood Parkway, addition to Kendallwood Nursing Home.  
Applicant: George Croasdale, contractor, for Kendallwood Nursing Home.

Mr. George Croasdale explained that the plans are for an addition for lounge area to the earlier approved 120 bed addition to the Nursing Home.

Mr. Karns questioned why Mr. Croasdale started construction without a building permit. Mr. Croasdale indicated he thought this lounge area was included in the previously approved plans for the addition but found that he was mistaken after conversation with Mr. Schick. Only a 12" trench was dug before the error was discovered. The double fee building permit will apply.

Mr. Bussinger moved to approve the building plans for Kendallwood Nursing Home as submitted. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) (Mr. Whitton seconded the motion).

- (c) 6401 North Prospect, remodeling of existing building. Applicant: George Croasdale, contractor, for Dr. Stephen Leslie.

Mr. Croasdale advised that change in lighting, new entrance and partitioning are what the remodeling consists of.

In response to Mr. Bussinger's question on sidewalk construction, Mr. Achen advised that a surety bond was provided by the property owner for the term of the lease with the Leslie's at the time the Banzadu plans were approved. The surety bond was in lieu of cash escrow for sidewalks.

Mr. Ashcroft moved to approve the building plans as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

- (d) 6420 North Oak, addition to Pizza Hut. Applicant: Pizza Hut of America, Inc.

Mr. Chris Kittlewell reviewed plans with Council explaining they consist of addition of pre-fabricated self-supporting cooler with addition of quarry floor and steam cleanable wall system. The changes are basically public health improvements and do not consist of actual structural changes. He has been made aware of the sidewalk construction requirement and asks that the requirement be waived at present and included in their major remodeling project planned for next year.

Mr. Bussinger moved that the building plans be approved with stipulation that sidewalks be constructed or escrow funds paid prior to issuance of the building permit. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda: SECOND READING: BILL NO. 81-29, rezoning from C-2, General Business District to CP-3, Planned Commercial District property located at 301 NW 72nd Street. Applicant/Owner: Lawrence D. Whitton.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-29, and place said bill on second reading. Mr. Karns seconded. The vote: Whitton, "abstain". "Aye" - Karns, Bussinger, Ashcroft, Fairlie. (4-"aye"; 1-"abstain". The Clerk read the Bill.

Item 13 on the Agenda: SECOND READING: BILL NO. 81-30, rezoning from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property located west of NE 62nd Terrace & N Main. Applicant: Larry Wickham. Owner: Dewey Fortner.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-30, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-30, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-30, and enact said bill as Ordinance No. 2.400. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 14 on the Agenda: FIRST READING: BILL NO. 81-34, an ordinance approving the Final Plat of Linden West Subdivision.

Mr. Bussinger moved to place bill No. 81-34 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Item 15 on the Agenda: FIRST READING: BILL NO. 81-35, amending Section 21.4 of the City Code pertaining to providing Emergency Medical Services and establishing fees therefore.

Mr. Karns moved to place bill No. 81-35 on first reading. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Karns moved to accept the first reading of Bill No. 81-35, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Bussinger, Ashcroft, Fairlie. The Clerk read the bill.

Mr. Karns moved to accept the second reading of bill no. 81-35, waive the appropriate paragraph of Ordinance No. 81-35 and place said bill on third and final reading. Mr. Bussinger seconded. The vote: All "aye". The Clerk read the Bill.

Mr. Costanza (Kendallwood Nursing Home) asked that Council reconsider their denial several months ago of an application for industrial development bonds to the Clay County Industrial Development Authority for expansion of the Kendallwood Nursing Home facility. The existing facility is 100% occupied and in addition to the need for additional beds in the northland area, the addition will provide 200-225 jobs for area residents. Bonds would likely be 2/3% prime and float as prime changes on IRB's versus long term of 18-19% on the market.

Dr. Frank Carella, speaking in Mr. Costanza's behalf, noted that the facility is at full capacity and urged Council's reconsideration of Kendallwood's application. He noted that 4% of the people in Clay County are over 65 years of age and facilities such as Kendallwood are lacking in the northland area. This not a speculative venture and he thinks it is a mistake not to take advantage of the program (IRB's) set up by the federal government.

Council advised that this matter would be taken up at the next Council study session.

Item 10 on the Agenda: THIRD READING: BILL NO. 81-11, an ordinance rezoning from R-3, Garden Apartment District to RP-4, Planned Garden Apartment District, property described as 7000-56 North Olive. Applicant L. Robert McLaughlin. (Applebrooke North)

Mr. Charles Hill, 7100 N Olive inquired about the grade changes in connection with the street construction and how it would affect his property. He also expressed concern for potential drainage problems resulting from the project. Applicant was not present to respond and Mr. Achen advised that Mr. Hill's concerns would be addressed in the street plans which have yet to be engineered.

Due to absence of the applicant and unresolved issues, Mr. Ashcroft moved to defer action on tabled Bill No. 81-11 until the September 28th Council Meeting. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) (DEFERRED UNTIL 9/28/81 COUNCIL MEETING)

Item 11 on the Agenda: THIRD READING: BILL NO. 81-27, rezoning from R-1, Residential District to RP-3, Planned Garden Apartment District, and CP-1, Planned Local Business District, property at 500 NW 72nd Street. Applicant/Owner: Main Enggas.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-27, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Whitton seconded.

Mr. Whitton commented that he had lived at the corner of 73rd Terrace & N Broadway for a short period of time. The traffic situation was bad at that time and that was prior to Metro North Shopping Center. The developer submitted revised plans for condominiums at the last council meeting but the City has no assurance that condominiums would ultimately be built, for this reason he will vote against this rezoning bill.

The vote: "Aye" - Bussinger, Ashcroft, Fairlie. "No" Whitton, Karns.  
BILL 81-27 DEFEATED, DUE TO LEGAL PETITION REQUIRING 3/4 MAJORITY VOTE.



Upon recommendation of the City Counselor, Mr. Ashcroft moved to amend Bill No. 81-35 by adding the phrase "And the Fees Therefore" to the title of the ordinance thus the title would read: "AN ORDINANCE AMENDING SECTION 21.4 OF THE CODE OF THE CITY OF CLADSTONE, PERTAINING TO PROVIDING EMERGENCY MEDICAL SERVICE, AND THE FEES THEREFORE". Mr. Karns seconded. The vote: All "aye".

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-35 as amended and enact said bill as Ordinance No. 2. ~~301~~. The vote: All "aye".  
Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) (Mr. Bussinger seconded).

Item 16 on the Agenda:

Mr. Bussinger moved to adopt Resolution No. 81-45, authorizing execution of Change Order No's 3 and 4 to the North Broadway Salt Rock Road Construction Project. Mr. Bussinger seconded. The vote: "no" Whitton, "Aye" - Karns, Bussinger, Ashcroft, Fairlie. (4-1)

Item 17 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. 81-46, authorizing execution of contract for negotiating services for right-of-way acquisition for North Troost/Northeast 68th Street/North Flora Street Improvement Project. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft., Fairlie. (5-0)

Item 17-a on the Agenda:

Mr. Bussinger moved to adopt Resolution No. 81-47, supporting the Clay County Administrative Court's opposition to proposed relocation of Clay County Circuit Court Office Facilities. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 18 on the Agenda:

Other Business.

Mr. Bussinger asked that staff ensure letters are sent to property owners in regard to the fence erected which has obstructed the water flow brought up earlier in the meeting. (Charles Riley, 7204 N Forest) Mr. Achen acknowledged that would be done.

Council discussed roadside vendors issue and directed that staff look into required legislation that would limit such business to seasonal activity and require present roadside "lent" operations to cease their activity after October 1st.

Mayor Fairlie announced a public hearing before the City Council at 4:00 PM, September 17, 1981 regarding demolition of J.R.'s restaurant as required by the dangerous building ordinance.

There being no further business to come before the August 24, 1981 City Council Meeting, the meeting was adjourned.

Respectfully submitted:

*Marion F. Ashcroft*  
City Clerk

Approved as submitted: 

Approved as corrected/  
amended:

*Robert J. Fairlie*  
MAYOR

NOTE: NO SEPTEMBER 14, 1981 COUNCIL MEETING

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 28, 1981

A G E N D A

1. Meeting Called to Order
2. Pledge of Allegiance
3. Acceptance of Minutes of August 24, 1981 City Council Meeting
4. PROCLAMATION: Designating October 18-24 as "LUPUS AWARENESS WEEK"  
Requested by Lupus Erythematosus Foundation of America, Inc.
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. THIRD READING: BILL NO. 81-11, an ordinance rezoning from R-3, Garden Apartment District to RP-4, Planned Apartment District, property described as 7000-56 North Olive. Applicant: L. Robert McLaughlin (Applebrooke North) (Tabled 8-24-81)
9. THIRD READING: BILL NO. 81-29, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property located at 301 NW 72nd Street. Applicant/Owner: Lawrence D. Whitton.
10. SECOND READING: BILL NO. 81-34, approval of final plat of LINDEN WEST SUBDIVISION. Applicant/Owner: No. Kansas City School District.
11. FIRST READING: BILL NO. 81-36, rezoning from R-3, Garden Apartment District to CP-2, Planned General Business District, property located at the northwest corner of NE 72nd Street & N Euclid. Applicant: Cities Service. Owner: J.A. Peterson
12. FIRST READING: BILL NO. 81-37, authorizing acceptance of conveyance of sewer easements in connection with the Village of Oakview, Missouri Sewer Construction Project.
13. FIRST READING: BILL NO. 81-38, authorizing acceptance of temporary and permanent right-of-way and authorizing payment for such conveyances for the North Flora/NE68th Street/N. Troost reconstruction project.
14. FIRST READING: BILL NO. 81-39, authorizing acceptance of a Quit-Claim Deed conveying certain property to the City of Gladstone for park purposes.
15. RESOLUTION NO. 81-48, authorizing acceptance of a proposal for tow service needs of the Public Safety Department.
16. RESOLUTION NO. 81-49, authorizing acceptance of a proposal for purchase of hand-held transceiver/receiver radios for the Public Safety Department.
17. RESOLUTION NO. 81-50, authorizing acceptance of Water Main Extension Contract No. 177 .
18. RESOLUTION NO. 81-51, finding facts and making orders regarding a dangerous building at 6840 North Oak Trafficway, pursuant to Chapter 6 of the City Code.  
*18. a. Bldg. Plans - 6840 N. Oak. New building. Dr. Charles Hudson*
19. LIQUOR LICENSE RENEWALS:
  - a. My Three Sons , 6825 N Oak, renewal of Class "B" license (Deferred 8-10-81 council meeting)
  - b. China Plaza Restaurant, 7521 N Oak, renewal of Class "A & B"

*add: one  
8/11/81-40  
checked*

*Minute Book*

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

28 September 1981

The Gladstone City Council meeting was called to order on September 28, 1981 in the Council Chambers of the Gladstone City Hall at 7:30 pm by Mayor Bob Fairlie. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Councilman Bob Ashcroft was absent from the meeting.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to approve the minutes of the August 24, 1981 city council meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 4 on the Agenda: Mayor Fairlie read a proclamation designating October 18-24, 1981 as "Lupus Awareness Week" in the City of Gladstone as requested by the Lupus Erythematosus Foundation of America, Inc.

Item 5 on the Agenda: Communications from the Audience.

Mr. Bert Rothschild, Gladstone Chamber of Commerce, invited Mayor and Councilmembers to ride in the 2nd annual Fall Festival Parade on October 10, 1981.

\* \* \*

Mr. Ed Moran, attorney for My 3 Sons, (Hogue & Hogue Investments), advised that he had a Petition to present to Council bearing signatures of 500 persons petitioning a change in the Gladstone liquor ordinance should Council deny renewal of Class "B" license for My Three Sons, 6825 North Oak under item 19(a) on the Agenda.

\* \* \*

Mr. Frank Scully, 503 NE 67th Street, presented a check in the amount of \$11,931.11 to Mayor Fairlie explaining that the money represents proceeds from sale of property formerly owned by the now dissolved Bolling Heights Homeowners Association. The donation is to be used specifically to refurbish and repair the Gladstone Community Building.

Mr. Scully introduced homeowner association officers, Carl DeVore, Vice President; Jane Pickernell, Treasurer, Liz Scully, Secretary and board members Clayton Petterson and Kenneth Wise.

Mayor Fairlie noted that many Bolling Heights residents were involved in the initial building of the Community Building Facility and assured that the donation was most appreciated and would be used for upgrading of the community building as requested.

Mr. Bussinger also expressed the gratitude of the city for the generous donation and offered to "bird dog" the use of the funds to ensure the wishes of the Bolling Heights Homeowners Association were met.

\* \* \*

Mr. John Woody, 7201 North Woodland, submitted photos of a Cities Service convenience store /station in Tennessee, relative to the rezoning request under item 11 on the agenda (72nd & N Euclid)

\* \* \*

Item 6 on the Agenda:                      Communications from the City Council.

Councilman Whitton again requested staff report on feasibility of change in traffic signal modes (change to flashing after 11:00 PM). City Manager Achen advised he would followup on this matter.

Item 7 on the Agenda:                      Communications from the City Manager.

Mr. Achen requested the addition of a Building Permit Application for remodeling of an existing facility at 6583 North Oak to the agenda. Mayor Fairlie designated the addition as item 20-a.

Mr. Achen also advised that the City has sent an expression of sympathy to the family of Melvin Williams, Village of Oakview Alderman who passed away this week.

Mayor Fairlie expressed the sympathy of the City Council to the family of Mike Riordan, former city employee who passed away this week. Mr. Riordan had been employed as a Public Safety Department Communications Officer for the past twelve years and a dedicated city employee.

Item 8 on the Agenda:                      THIRD READING: BILL NO. 81-11, an ordinance rezoning from R-3, Garden Apartment District to RP-4, Planned Apartment District, property described as 7000-56 North Olive. Applicant: Robert L. McLaughlin. (Applebrooke North) (Tabled 8-24-81)

Mr. Bussinger moved to remove Bill No. 81-11 from the table; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie.

Mr. Bussinger moved to accept the second reading of Bill No. 81-11, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Achen advised that he has received questions from Mr. Charles Hill, 7100 N Olive relative to the street and drainage plans for this project. No engineering design work has been developed on street and drainage.

Mrs. Charles Hill, 7100 N Olive, stated that her husband was hospitalized and unable to attend this meeting. She stated that they were supportive of the Applebrooke project but were concerned how the new street would affect them with respect to drainage.

Mayor Fairlie noted that the project appears to be welcome in the community and that the applicant, Robert McLaughlin has indicated he does not want to create problems and will be a good neighbor. Mayor Fairlie stated that the Council will request that storm drainage be addressed at the time of building plan approval for this project.

Mrs. Connie Steinbeck, 7101 North Olive, also expressed concern for increased drainage problems from the project. She experiences water in her garage now during heavy rains.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-11, and enact said bill as Ordinance No. 2.402; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Mr. McLaughlin commented to Mrs. Hill, that his project will not solve any existing problems with respect to drainage that adjacent residents have, but the project will not create any new problems.

Item 9 on the Agenda: THIRD READING: BILL NO. 81-29, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property located at 301 NW 72ND Street. Applicant/Owner: Lawrence D. Whitton.

Applicant, Councilman Whitton asked that this item be deferred until a full council was present. Councilmembers acknowledged his request and agreed to defer the item until the next council meeting.

Item 10 on the Agenda: SECOND READING: BILL NO. 81-34, approval of final plat of LINDEN WEST SUBDIVISION. Applicant/Owner: North Kansas City School District.

Mr. Whitton moved to accept the first reading of Bill No. 81-34, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

A member of the audience noted that one foundation has already been poured of the 9 lots included in this plat and questioned if this was premature to approval of the final plat. Mr. Achen pointed out that the one foundation start is allowable under the Subdivision Ordinance and that it was started to coincide with the School District's vocational training classes under which the house will be built.

Item 11 on the Agenda: FIRST READING: BILL NO. 81-36, rezoning from R-3, Garden Apartment District to CP-2, Planned General Business District, property located at the northwest corner of NE 72nd & N. Euclid. Applicant: Cities Service. Owner: J.A. Peterson

Mr. Bussinger moved to place Bill No. 81-36 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger requested that the Council consider giving two readings to the Bill this evening rather than delay for two weeks. Council agreed.

Mr. Bussinger moved to accept the first reading of Bill No. 81-36, waive the appropriate paragraph of Ordinance No. 1.86 and place said Bill on second reading. Mr. Karns seconded. The vote: All "No" - Whitton, Karns, Bussinger, Fairlie. (DEFEATED 0-4)

Item 12 on the Agenda: FIRST READING: BILL NO. 81-37, authorizing acceptance of conveyance of sewer easements in connection with the Village of Oakview, Missouri Sewer Construction Project.

Mr. Bussinger moved to place Bill No. 81-37 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 81-37, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-37, and place said Bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-37, and enact said bill as Ordinance No. 2.403; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 13 on the Agenda: FIRST READING: BILL NO. 81-38, authorizing acceptance of temporary and permanent right-of-way and authorizing payment for such conveyances for the North Flora/NE 68th Street/N. Troost reconstruction project.

Mr. Bussinger moved to place Bill NO. 81-38 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mayor Fairlie pointed out that the ordinance accepts 81 right-of-way conveyances which represents approximately 90% of the right-of-way needed for this street improvement project.

Mr. Bussinger moved to accept the first reading of Bill NO. 81-38, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Mr. Bussinger moved to accept the second reading of Bill NO. 81-38, and place said Bill on third and final reading; Mr. Whitton seconded, The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-38, and enact said Bill as Ordinance No. 2.405. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 14 on the Agenda: FIRST READING: BILL NO. 81-39, authorizing acceptance of a Quit Claim Deed for conveyance of certain property to the City of Gladstone from the Curry Investment Co. for park purposes.

Mr. Bussinger moved to place Bill No. 81-39 on first reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mayor Fairlie explained that this action conveys the Carriage Hills Detention Basin to the city for park purposes and city maintenance.

Mr. Bussinger moved to accept the first reading of Bill No. 81-39, waive the appropriate paragraph of Ordinance No. 1.83 and place the bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-39 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-39 and enact said Bill as Ordinance No. 2.405.

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution NO. 81-49, authorizing acceptance of a proposal from Colonial DX Station, 6104 NE Antioch Road for tow service needs of the Public Safety Department for one year period beginning September 29, 1981. Mr. Karns seconded.

Mr. Whitton questioned awarding the tow business to Colonial DX, when they do not have a fenced lot within our city limits. It is his impression that a fence lot is an ordinance requirement. He further suggested that the City might operate the fenced lot in the area of the public works building. It is his feeling that citizens should not have to go out of the city to reclaim their vehicles. He noted that the previous Saturday night a towed vehicle was stolen from Colonia DX's lot which reaffirms his position that the tow lot should be fenced.



Mr. Whitton also suggested that using a rotation method would give all tow companies some of the city's business. This method was used at one time by Public Safety although he does not know what problems the department might have with the rotation method.

Following further discussion, Council agreed to defer action on this item whereupon Councilman Whitton withdrew his motion to approve Resolution No. 81-49 and Councilman Karns withdrew his second.

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-81-49, accepting the proposal of General Electric, Overland Park, Kansas for the purchase of (7) handheld receiver/transceiver radios, including charges, spare batteries and wall mounted charger for a total bid price of \$4,374. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 17 on the Agenda: Mr. Whitton moved for the adoption of Resolution No. 81-50, authorizing execution of Water Main Construction Contract No. 177 with James M. Campbell Construction Company for construction of main in the area of 60th and Kendallwood Parkway to serve the Balhuizen Medical Clinic. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 18 on the Agenda: Mr. Whitton moved for the adoption of Resolution No. R-81-51, requiring the owner, occupant, mortgagee, lessee, and all other persons having any interest in property at 6840 North Oak (J.R.'s Dining Hall and Lounge) to repair or demolish such building and remove trash and debris within 30 days of this order. Mr. Karns seconded.

City Counselor Dods explained that this resolution and order follow the hearing held before the Gladstone City Council on September 17, 1981 as required by Section 6-22 of the City Code addressing dangerous buildings. As of this date, no resolution has been reached between the insurance company and the property owner as to decision to repair the building or demolish.

Mr. Bussinger questioned if the tax payers must bear the expense incurred in this matter. Mr. Dods noted that special tax billing procedures provide that engineering and attorney fees will be passed on to the property owner however city staff time must be absorbed by the city.

The vote: All "aye"- Whitton, Karns, Bussinger, Fairlie. (4-0)

FIRST READING:

Item 18-a on the Agenda:

BILL NO. 81-40, an ordinance authorizing the execution of a contract to acquire land in connection with the construction and improvement of North Troost/NE 68th Street/North Flora from Sheridan Development Co., Inc. for \$25,000.00.

Mr. Bussinger moved to place Bill No. 81-40 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill. (4-0)

Mr. Bussinger moved to accept the first reading of Bill No. 81-40, waive the appropriate paragraph of Ordinance NO. 1.83 and place said bill on second reading. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-40, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The Vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-40, and enact said bill as Ordinance No.2.406. Mr. Whitton seconded The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 19 on the Agenda:

Liquor License Renewals.

- a. My Three Sons, 6825 North Oak, renewal of Class "B" license (deferred 8-10-81 council meeting)

Attorney Ed Moran requested that Council defer action on the Class "B" license until the next Council Meeting noting that Mr. Phil Snowden has been retained as co-counsel.

Mayor Fairlie noted that in a hearing before Judge Elliott of the Clay County Circuit Court on September 9, 1981, in response to the licensee's Petition for an injunction, the Judge entered a judgment and order dismissing the Petition, dissolving the Temporary Restraining Order, and finding all issues in favor of the City. He noted that Transcripts of the Hearing state actual percentage of liquor/food Sunday sales is undetermined and asked Mr. Moran if they have any new information to present. Mr. Moran responded that they did not.

Mr. Fairlie explained that the intent of the ordinance was that the "B" license would allow Sunday liquor sales for consumption on the premises and suggested perhaps there is a need to amend the language of the ordinance to state that no carry out sales are allowed (package liquor).

Mr. Whitton commented that in his opinion it is not fair to let one establishment sell package liquor when the other package liquor establishments are not allowed to sell on Sunday. He suggests clarification or amendment of the ordinance to allow package liquor sales for all or none.

Council unanimously agreed to defer action on My Three Sons Class "B" liquor license renewal until the October 12, 1981 council meeting. It was pointed out that the establishment will not operate on Sunday until Council action on the license is taken.

Item 19(b) China Plaza Restaurant, 7521 N Oak, renewal of Class "A" and "B" license.

Mr. Bussinger moved to approve renewal of the above license; Mr. Karns seconded. The vote: "Aye" - Karns, Bussinger, Fairlie. "No" - Whitton (3-2)

Mr. Achen pointed out that although this establishment had paid for liquor licenses when they opened for business, no beer/liquor sales were made and they have attested to this fact on the certification form submitted to the City with the license renewal. The establishment is now ready to dispense liquor/beer and propose to do so following the City's renewal of their license.

Item 20 on the Agenda: Mr. Whitton moved to approve the (a) Cash Disbursements for August 1981 and (b) Financial statements for two months ending August 31, 1981.

Item 21 on the Agenda: Other Business.

Councilman Bussinger requested a report on the sidewalk construction fund for commercial areas and status of the improvements on N Oak to date.

Mr. Whitton submitted a petition given to him from residents in the area north of 72nd & N. Prospect requesting Gladstone water service.

Mayor Fairlie noted that the John Hutcherson rezoning approved by Council some months ago was for a commercial project at 57th & Antioch Road. It is his understanding that this project will not be built and questions whether downzoning should be initiated since the rezoning involved several single family residences. He asked Counselor Dods to look into the matter.

Mr. Anderton, 6408 North Flora, asked that Council look into problems of a sewer tightline overflow in his rear yard which has resulted in raw sewage from time to time. Mr. Bussinger acknowledged that he had visited the Anderton property when such a situation existed and had been under the impression that the problems had been corrected. Mayor Fairlie assured that the matter would be looked into.

Item 20-a on the Agenda: Commercial Building Permit for Dr. Charles Hudson, 6583 North Oak, Gladstone Plaza Shopping Center.

Following review of plans, Mr. Bussinger moved to approve the remodeling plans as submitted with the stipulation that sidewalks be constructed along the N Oak frontage of the shopping center complex. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

City Council Meeting Minutes  
September 28, 1981  
Page Nine

There being no further business to come before the September 28, 1981  
City Council Meeting, the meeting was adjourned.

Respectfully submitted:

Marlene J. Ahnfeld  
City Clerk

Approved: \_\_\_\_\_

Approved as corrected/  
amended: X

Robert J. Panti  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 12, 1981

A G E N D A

1. Meeting Called to Order
2. Pledge of Allegiance
3. Acceptance of Minutes of September 28, 1981
4. PROCLAMATION: Designating October 19-25, 1981 as:  
"NATIONAL HIGH SCHOOL ACTIVITIES WEEK"
5. APPROVAL OF PRELIMINARY PLAT - "TRACY ESTATES SUBDIVISION", 74th  
and North Park. Applicant: Larry Mitchell
6. APPROVAL OF REVISED SITE PLAN - 69th & N. Broadway, CP-2 zone.  
Owner/Applicant: Susan Rose
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. THIRD READING: BILL NO. 81-34, an ordinance approving the Final Plat of  
Lingen West Subdivision. Applicant/Owner: North Kansas City School  
District.
11. THIRD READING: BILL NO. 81-29, rezoning from C-2, General Business  
District to CP-3, Planned Commercial District, property located at  
301 NW 72nd Street. Applicant/Owner: Lawrence D. Whitton.
12. FIRST READING: BILL NO. 81-41, an Ordinance amending Section 15  
(Code Section 21-31) of Ordinance No. 1.697, pertaining to the offense  
of stealing by making the theft of property with a value of less than  
\$150.00 a misdemeanor.
13. FIRST READING: BILL NO. 81-42, an ordinance authorizing acceptance of  
temporary and permanent right-of-way and authorizing payment for such  
conveyances for the North Flora/NE 68th Street/N. Troost reconstruction  
project.
14. RESOLUTION NO. R-81- 52, authorizing acceptance of a proposal from the  
Reliable Overhead Door Company, for the installation of new overhead fire bay  
doors at Station No. 1.
15. RESOLUTION NO. R-81 53, authorizing execution of Supplement No. 1 to the  
Cooperative Agreement for Public Improvement by and between the Cities of  
Gladstone and Kansas City, Missouri.
16. LIQUOR LICENSE RENEWAL
  - a. My Three Sons, 6825 N. Oak, renewal of Class "B" license  
(Deferred from 8-10-81 and 9-28-81 council meeting)
17. APPROVAL OF FINANCIAL REPORTS:
  - a. Cash Disbursements for September, 1981
  - b. Financial Statements for 3 months ending September 30, 1981 - all funds.
18. Other Business
19. Questions from the News Media
20. Adjournment

*Minute Book*

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

12 October 1981

The Gladstone City Council Meeting was called to order on October 12, 1981, in the Council Chambers of the Gladstone City Hall at 7:30 pm by Mayor Bob Fairlie. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to adopt the minutes of the September 28, 1981, city council meeting as submitted. Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Bussinger, Fairlie. "Pass" - Ashcroft. (4-1)

Item 4 on the Agenda: Mayor Fairlie read a proclamation designating October 19-25 as "NATIONAL HIGH SCHOOL ACTIVITIES WEEK" in the City of Gladstone, Missouri. Mr. Dick Powers, Oak Park High School activities counselor was present to accept the proclamation.

Item 5 on the Agenda: Approval of Preliminary Plat of Tracy Estates  
Subdivision, 74th & North Park. Applicant:  
Larry Mitchell.

Mr. Mitchell explained that plans call for initial development of four lots with an additional nine lots in the future for a total of thirteen lots in this plat. Although there are several possibilities to handle the drainage, at this time they are planning to construct a 30 x 30 x 2 foot retainage pond complete with landscaping that would be designed for a 100 year rain.

Mr. Whitton asked if that size would be adequate. Mr. Achen advised that from the rough sketch that was submitted, it was the opinion of the Engineering Staff that it would be, however the actual size of the detention basin would have to be engineered and reflected on the final plat submitted for approval.

Mr. Achen also noted that it was his understanding that the intent of the Planning Commission was to allow development of Lots 1 thru 4 at this time and allow the developer some time to look at other alternatives for utilities and streets for the remaining lots and even the possibility of further subdivision or cooperative agreements with neighboring property owners.

Mr. Ashcroft expressed concern that the City could be left to handle storm drainage problems if proper engineering is not done for the total project. Problems have resulted when projects have been "piece-mealed" in the past.

Mr. Mitchell stated that Aylett Engineering firm does not view the water retention as a problem. The City Engineer suggested that water retention may be a problem which prompted them to do the limited engineering that has been done to date.

Mr. Ashcroft pointed out that engineers have been mistaken in the past and the City has to live with the project, therefore adequate engineering must be done.

Mr. Mitchell clarified that he originally applied for platting of only 4 lots, and then pursued the platting of all 13 at the urging of the Planning Commission. Tonight he finds that Council assumes the platting is for only 4 lots. Mr. Ashcroft pointed out that platting of 4 lots is what is shown on the engineering Staff Report.

Mr. Achen explained that the City Engineer and Planning Commissions' intent was that any immediate development and platting could only occur on 4 lots until the drainage issue is reconciled.

Following further Council review of the plat with Mr. Mitchell, Mr. Ashcroft moved to approve the preliminary plat as submitted with the stipulation that total engineering for storm drainage be done to the satisfaction of the City Engineer prior to approval of the final plat. Mr. Karns seconded.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 6 on the Agenda:

Approval of Revised Site Plan - 69th & N.  
Broadway, CP-2 zone. Owner/Applicant:  
Mrs. Susan Rose

Mrs. Rose reviewed the change in previously approved site plan with Council members. Basically, the change is elimination of three large rectangular commercial retail buildings and in lieu thereof a miniature golf course with a hexagon-shaped gazebo building. She pointed out that the Engineering Staff Report dated 9-18-81 (Item 2) noted the elimination of a commercial building on the south side, this is incorrect. She further explained that she had come in to obtain a building permit and is confused why the matter is shown on the agenda as approval of site plan when all she sought was a building permit.

Mr. Achen explained that the staff cannot issue a building permit for plans that are not in conformance with the originally approved site plan. The structural addition of the gazebo is a modification to the site plan and also the lines as shown on the original plan will be modified by the gold course. Under the definition of "P" zoning, those changes to the original site plan require council approval.

Council questioned that fact that the new site plan dated 7-1-81 does not depict the entire project. Mrs. Rose explained that the architect had only shown the relationship of the gazebo to the remainder of the project. The plan had been drawn at the request of the Engineering staff.

Mr. Ashcroft noted that the original plans were presented very attractively and it was expressed that the project would be similar to the Westowne complex with offices around the perimeter. Mrs. Rose noted that the way the financial conditions are it would have been years before the space was rented unless the market changed considerably. It is her feeling that it will certainly look better to drive down Broadway and see attractive landscaping and green grass than undeveloped land.

On the question of why this site plan revision requires Council action, Counselor Dods stated that it was his understanding that under the planned zoning no permit can be issued except for that which is shown on the original plan as approved or a plan which the Council could modify.

Following counsel with Mr. Dods as to the proper motion, Mr. Ashcroft MOVED THAT THE SITE PLAN BE AMENDED BY DELETING THAT WHICH IS MARKED EXHIBIT (1) ON THE PLAN DATED (12-13-79) AND APPROVING IN LIEU THEREOF THAT WHICH IS MARKED EXHIBIT (2) ON THE NEW PLAN DATED (7-1-81). Mr. Bussinger seconded.

#### Discussion:

Council discussed sidewalk requirement for this development. Mrs. Rose said she does not feel she should have to put sidewalks in along North Broadway and questioned why sidewalks were built on properties along the east side of Broadway at no expense to the property owners as part of the City's improvement of North Broadway. She noted that any developer who comes before the city on a subdivision project must curb, gutter and sidewalk both sides of the street, in her opinion the City should have done the same in the reconstruction of North Broadway. She suggested that it looks "funny" that the sidewalks stop at her project.

Mr. Achen responded that the rationale was that we had developable property along the whole frontage due to the change in the City's Master Plan and normally in a commercial development if the City were not included in the road, the developer would have to put in curbs, gutters and the additional widening of the road, power poles, cut the hill down and put in the driveway, which the City did as part of its roadway project. To put the sidewalks in would have been premature to the development. As example, when residential subdivisions are developed sidewalks are not put in by the developer at the time the street is built because they are anticipating coming back in with heavy equipment to put the actual improvement on the property. Therefore it was felt that the developers would put in sidewalks when the City was doing the rest of the work.

Mrs. Rose noted that the City has had her plans for some time and knew where the curbs cuts would be. She further noted that she had donated the right-of-way needed for the widening of North Broadway and although she does not recall sidewalks as being specifically discussed assumed the sidewalks would be put in as part of the street reconstruction.



Mr. Achen acknowledged tht the Rose's donated the right-of-way, however from the Staff's perspective the platting of all the commercial ground around there would have required dedication of right-of-way at the time of development and improvement of the property. He did not handle the right-of-way negotiations and is not aware of what commitments were made at the time of the right-of-way negotiations.

Mr. Karns agreed that commercial developers should not be penalized when the City put sidewalks in at no charge to the commercial duplexes across the street.

Mrs. Rose noted that the City built sidewalks along 72nd Street last year and when Wesco was asked to participate in the expense, they sent a check. She is not against sidewalks but wants the ordinance to be enforced nondiscriminately.

Council agreed it had been inconsistent with respect to sidewalk requirements and advised the sidewalk requirement for this property would be dealt with under Item 9-b (Approval of Building Permit.

The vote on the motion to approve the site plan revisions (see page three): All "Aye" - Whitton, Karns, Bussinger, Ashcroft. Fairlie. (5-0)

Item 7 on the Agenda:

Communications from the Audience.

Mayor Fairlie introduced Lieutenant Governor Kenneth J. Rothman who briefed Council on a proposed bill that will reorganize State Statutes that pertain to local government and do away with antiquated laws and expand the self-governing powers of local governments. The proposed bill has three goals: (1) Enactment of a "code of limitations". Rather than listing all the things local governments can do, the bill will list the things they can't do, leaving the rest "to your imagination". (2) General classification for all cities, regardless of size giving smaller cities many of the powers held only by large municipalities. He gave arrest powers for enforcement agencies as an example. (3) Update town and village laws. He pointed out that you have to face the space age of the eighties with literally horse and buggy laws. A rough draft of the bill has been completed and can hopefully be introduced by the first of December. The proposed legislation has the support of the Missouri Municipal League, Missouri Police Chiefs Association and the Association of Counties.

Item 8 on the Agenda.

Communications from the City Council.

Councilman Karns commented that a recent staff report on occupation licenses had indicated there are 435 business licenses issued with over 45 million dollars in gross receipts. They are pumping a lot of money into their businesses and we are glad to have them in our city.

Mr. Bussinger asked that the staff notify Long John Silver that the large dirt pile resulting from their construction should be removed.

Mr. Ashcroft asked that a Bill prohibiting sale of simulated drugs be prepared. Mr. Achen advised that the Counselor is looking at drafts from other cities and hopes to have a Bill prepared for introduction at the next Council meeting.

Mr. Whitton commented on the overwhelming success of the Fall Festival, parade and events and commended Steve Boswell, Park and Recreation Department and Bert Rothschild and Dean and Maxine Gromer, Gladstone Chamber of Commerce for their efforts in particular.

Mayor Fairlie agreed that it had been a fun time and also thanked the many individuals who contributed to its success.

Item 9 on the Agenda:                      Communications from the City Manager.

Mr. Achen requested that the Council add approval of building permit for Naugles Restaurant, 7605 North Oak to the agenda. Mayor Fairlie designated the addition as Item 9a.

Item 9a. on the Agenda:                      Approval of Building Permit, 7605 N. Oak  
Naugles Restaurant.

Following review of plans for 10' x 24' storage room addition on the rear of the existing remodeled building, Mr. Ashcroft moved to approve the plans as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 9b. on the Agenda:                      Request for waiver of sidewalk requirement  
on North Oak frontage - Gladstone Shopping  
Center as stipulated by Council in approval  
of remodeling plans for Dr. Charles Hudson,  
6583 N. Oak on 9-28-81.

Mr. Ray Byers was present to represent shopping center owner, Alan Wolff and requested that Council waive the sidewalk requirement imposed on September 28, 1981 until they build any new structures in the shopping center. He explained that the space occupied by Dr. Charles Hudson only represents approximately 2% of the shopping center.

Mr. Bussinger asked if Mr. Wolff would agree to escrowing 2% of the entire construction costs which would be approximately \$800. He hates to see the City backoff from our original requirement.

Mr. Byers objected to escrowing of \$800 indicating that the center hopes to build a new building hopefully next spring and requests they be allowed to defer sidewalk construction until that time.

Mr. Ashcroft agreed that the requirement for sidewalks should be addressed when the new building is built and commented that the city could spend more money just accounting for the escrows.

Mr. Karns commented that the \$800 escrow seemed reasonable to him.

Mr. Bussinger said the intent of the sidewalk ordinance was to provide pedestrian safety along North Oak and said the City had made a mistake in not constructing them as part of the Oak Street improvement. Now they are unaffordable to the city and they only way they will get built is to require developers and businesses to install them.

Council discussed their inconsistency if they grant this sidewalk waiver, citing their requirement of sidewalks along Gladstone Square recently and others. Mr. Ashcroft pointed out that being consistent does not mean you are right.

Mr. Ashcroft moved that the request for waiver of sidewalks on the North Oak frontage of Gladstone Shopping Center be approved. Mr. Bussinger seconded. The vote: "Aye" - Whitton, Bussinger, Fairlie, Fairlie. "No" Karns. (4-1)

Mr. Bussinger commented that the waiver is very unfair to Gladstone Plaza, however if he was Mr. Wolff he would not have hesitated to pay the \$800 escrow. Mayor Fairlie agreed with Mr. Bussinger's comment on the unfairness to Gladstone Plaza.

Item 9c. on the Agenda.

Approval of Building Permit for Gazebo  
on proposed miniature golf course at  
69 the & N. Broadway. Applicant; Susan Rose.

Council reviewed plans for the 480 sq. ft. gazebo building which is a part of the revised plan approved under previous agenda item 6.

Council discussed the question of a special use permit allowing the miniature golf course since that use is not currently addressed in the zoning ordinance.

Mr. Dods said the problem is that the ordinance does not encompass miniature golf in any zone and suggested that it could be treated as a special use permit or because it is in a "P" zone Council could treat it as part of the approved plan. He pointed out that special use permits must go through the process of public advertisement, hearings before the Planning Commission and Council, and passage of an ordinance and are subject to renewal by Council.

Mayor Fairlie pointed out that all sorts of new land usages will come to light that are not covered in the ordinance and he suggests treating the miniature golf use as part of the approved "Plan" rather than a special use permit.

Mr. Ashcroft moved to approve the building plans as submitted without sidewalks. Mr. Whitton seconded.

Mrs. Rose pointed out that she is not opposed to sidewalks but does not feel they should be required of her and not others. She noted there were new homes constructed just south of Salt Rock Road and they have no sidewalks. Yet they have been required in every subdivision she has built.

Mr. Ashcroft responded that the only time sidewalks were intentionally omitted to his knowledge since he has been on the Council was the action tonight. There is no intention of favoring any particular person or development.

Mrs. Rose said her point was that somewhere the requirement for sidewalks gets lost. She is not sure it is the Council's job to monitor compliance with the ordinance.

Mr. Bussinger suggested the need for Council to sit down with the City staff and set some guidelines on the sidewalk matter.

Mr. Ashcroft agreed commenting that the whole issue as presented tonight makes the Council look rather foolish.

The vote on the motion to approve without sidewalks: All "aye" - Karns, Whitton, Bussinger, Ashcroft, Fairlie. (5-0)

\* \* \*

At this time, Mayor Fairlie called for a short recess.

\* \* \*

Mayor Fairlie reconvened the October 12, 1981 meeting of the Gladstone City Council and suggested that Item 16 on the Agenda be brought forward on the agenda at this time.

Item 16 on the Agenda:

LIQUOR LICENSE RENEWAL.

My Three Sons, 6825 North Oak

Class "B" License (deferred from 8/10 & 9/28  
Council Meeting)

Mr. Ed Moran, attorney for the applicant stated that he client has questions regarding the applicability of Councilmembers Karns and Bussinger to vote on this issue. His clients first concern is that during Mr. Karns campaign for the city council he did conduct an extensive amount of campaigning at the establishment and received a substantial discount on purchases made at the establishment, approximately 50%. In addition in a business capacity Mr. Karns had approached Mr. Hogue about handling the sale of the business. Mr. Moran asked for clarification from the City Counselor on the propriety of Mr. Karns voting on the renewal application in light of these facts.

Counselor Dods stated that it is for Mr. Karns to make the determination as to whether or not he knows of any conflict of interest that would exist in connection with voting on the matter. It is for the Council as a whole to determine if there are questions raised. Mr. Dods said he had heard nothing stated that would demand any response unless Mr. Karns would like to make one because Mr. Karns is his own judge of his qualifications.

Mr. Moran stated that it was his understanding that Mr. Bussinger has an interest in the Lindy's Lounge establishment and he would raise the same question as to Mr. Bussinger's applicability to vote on the liquor license renewal.

Counselor Dods said that again it is for Mr. Bussinger to decide if he desires to make any response but as a matter of law in considering the ethics of the Council, the interest in or ownership of a business of the same or similar nature as the applicant in no way disqualifies the councilman from considering the merits of that application.

Counselor Dods pointed out that even assuming the truth of the statements about Mr. Karns, in his judgement no conflict exists and in no way affect Mr. Karn's qualification to vote on the application.

In response to Mr. Moran, Mr. Karns stated that he has never represented My Three Sons in the sale of the property however he was approached by Mr. Moran prior to the recent court case and asked if he would like to represent them and list the property for sale. Mr. Karns said he declined to do so.

Mr. Bussinger stated that he will abide by the law strictly to the letter, he is not open on Sunday although he would like to do so; but the way the law reads he is not legal to do so. He has not been here on any liquor violation hearing, he keeps his records strictly true, he knows right where he stands and on that basis he feels he is qualified and can vote on the matter without any conflict of interest.

Counselor Dods asked that the record reflect that when the incident Mr. Karns reported occurred he contacted both the City Manager and the City Counselor to raise the question if there would be any legal or ethical involvement if he undertook a representation in his business capacity as Mr. Moran was suggesting and that those matters were very fully and candidly discussed and that he understands that Mr. Karns decided independently decided to not undertake any such representation. The point being that when any ethical matter was raised he fully and candidly discussed that matter with both the City Manager and the City Counselor so there would be no such problem.

Mayor Fairlie also noted that Mr. Karns had asked him how he would view his representation of a real estate transaction with My Three Sons when they had a pending liquor license and he gave the opinion that if he (Fairlie) were in the real estate business and someone had a pending license he might feel that he could prejudice himself one way or another by becoming involved in another business matter.

Mr. Moran stated that he did talk to Mr. Karn's wife about possibly handling the sale of the business because his client had informed him that prior to that time Mr. Karns had approached his client about possibly handling the sale.

Mr. Ashcroft moved to approve the renewal of Class B Liquor License for My Three Sons, 6825 North Oak. Mr. Whitton seconded.

Discussion

Mr. Bussinger asked if any further evidence or information had been submitted for Council consideration. Mr. Achen said nothing had been received to his knowledge.

Mr. Karns said that it should be mentioned that the Judge ruled in favor of the City and by Mr. Hogue's own admission they were not adhering to the ordinance requirements.

Mr. Bussinger asked if the city had received any communication from Mr. Hogue assuring they will keep their books so they know where they stand. He commented that he has to issue reports and maintain his books so that he will be legal, what is good for one should be good for all.

Mr. Achen pointed out that the issue began when the City requested certifications from all liquor licenses (A&B) certified by a certified public accountant. My three Sons submittal was not from a certified public account which raised the issue and began the investigation into their compliance with the 60-40 requirement.

Mr. Moran said that Mr. Hogue is taking steps to establish his books and records so that hopefully he will qualify under the city's guidelines. He also points out that the City has never audited any of his records.

Mr. Bussinger commented that if he were Mr. Hogue he would have made every effort to establish an accounting procedure to prove to the Council that he wants to comply with the law, particularly when his license is on the line.

Mr. Moran advised that Mr. Hogue's aunt is critically ill and hospitalized and he apologizes that Mr. Hogue was not able to be present this evening.

Mr. Whitton stated that he has nothing against My Three Sons and certainly does not object to their serving liquor with dinner on Sunday, however the ordinance has been abused by selling liquor thru the window into the restaurant from the package liquor store and if there was anyway we could control that and the establishment would abide by the liquor laws like all of the other restaurants he would be in favor of granting the Sunday license.

Mr. Moran said that two holders of B liquor licenses have closed down (Sebastions and JR's) and the fact that one was selling package sales is material to this case. Mr. Moran further pointed out that My Three Sons has made no package sales on Sunday since the court hearing.

Mr. Whitton said the rest of the Council feels the same as he does that not only will My Three Sons not sell package liquor but neither will anyone else who tries to unless it comes before a vote of the people and they want it that way. He will never vote for another B-Sunday license if there is possibility of package liquor sales because if package liquor stores cannot sell on Sunday neither should restaurants holding B licenses.

Mayor Fairlie stated that his position is that the ordinance is specific that it requires 60% of food sales on Sundays and that evening with the information gained from the deposition there might even be some question as to the establishment's compliance for an A license. Mayor Fairlie said he hoped that Mr. Hogue will get his records in shape so the Council will know what the ratio is.

Mr. Moran assured that proper recordkeeping would be established.

The vote on approval of the B license: All "NO" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. CLASS B LIQUOR LICENSE DENIED (0-5 vote)

Mr. Moran presented a petition bearing 580 signatures showing support for change in the city ordinance to allow package liquor sales on Sundays.

In acknowledging the petition Mayor Fairlie commented that the liquor by the drink passed by the citizens in 1971 or '72 set the ratio for food/liquor sales and perhaps the attitude of the public has changed and they would accept a lesser percentage or no percentage at all as far as liquor sales. It is a matter that the Council will look into.

Mr. Moran pointed out that 95% of the signatures were obtained on the first Sunday they were closed and further noted that all signatures are not Gladstone residents and is My Three Sons' feeling that this proposed change in the ordinance could bring additional revenue into the city.

Council noted this is not a legal petition to bring liquor by the drink to a referendum vote but merely serves as an expression of support for an ordinance change.

Item 10 on the Agenda: THIRD READING: BILL NO. 81-34, an ordinance approving the Final Plat of Linden West Subdivision. Applicant/Owner: North Kansas City School District.

Mr. Bussinger moved to accept the second reading of Bill No. 81-34, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-34 and enact said bill as Ordinance No. 2.407. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 11 on the Agenda: THIRD READING: BILL NO. 81-29,  
an ordinance rezoning from C-2, General Business District to CP-3, Planned Commercial District, property located at 301 NW 72nd Street. Applicant/Owner: Lawrence D. Whitton.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-29, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: "aye" - Karns, Bussinger, Ashcroft, Fairlie. "Pass" - Whitton. (4-1) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-29 and enact said bill as Ordinance No. 2.408. Mr. Karns seconded. The vote: "pass" - Whitton. "aye" - Karns, Bussinger, Ashcroft, Fairlie. (4-1)

Item 12 on the Agenda: FIRST READING: BILL NO. 81-41, an ordinance amending Section 15 (Code Section 21-31) of Ordinance No. 1.697, pertaining to the offense of stealing by making the theft of property with a value of less than \$150.00 a misdemeanor.

Mr. Ashcroft moved to place Bill No. 81-41 on first reading; Mr. Whitton seconded. The vote: "Aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0) The Clerk read the Bill. note: Mr. Bussinger temporarily left the meeting.

Mr. Achen explained that this amendment to the Code brings us into conformity with State Law which provides that theft of property having a value of \$150.00 or more is a Class C felony and that loss under \$150.00 is a misdemeanor. Currently under the ordinance a gap exists between the City's amount of \$30.00 and the State's \$150.00 which has kept the City from getting prosecuting on thefts between \$30 and \$150.00.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-41, and place said bill on second reading; Mr. Whitton seconded. The vote: Aye - Whitton, Karns, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-41, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Whitton seconded. The vote: "Aye" - Whitton, Karns, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-41, and enact said bill as Ordinance No. 2.409. Mr. Whitton seconded. The vote: Aye - Whitton, Karns, Ashcroft, Fairlie. (4-0).



Item 13 on the Agenda:

FIRST READING: BILL NO. 81-42, an ordinance authorizing acceptance of temporary and permanent right-of-way and authorizing payment of conveyances for the North Flora/NE 68th Street/N. Troost reconstruction project.

Mr. Ashcroft moved to place Bill No. 81-42 on first reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-42 and place said bill on second reading; Mr. Karns seconded. The vote; All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-42, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-42 and enact said Bill as Ordinance No. 2.410. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Achen announced that the formal bid opening for the Flora-Troost reconstruction project will be Tuesday, October 27, 1981 at 10:00 am in the Council Chambers.

Item 14 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-81-52, authorizing acceptance of a proposal from Reliable Overhead Door Company for the installation of new overhead fire bay doors at Station No. 1 in the amount of \$3,591.60. Mr. Ashcroft seconded. The vote: Aye" - Whitton, Bussinger, Ashcroft, Fairlie. (4-0) note: Mr. Karns was absent for this agenda item.

Item 15 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. 81-53, authorizing execution of Supplement No. 1 to the Cooperative Agreement for Public Improvement by and between the Cities of Gladstone and Kansas City, Missouri relative to the Englewood Road Improvement Project. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 15a on the Agenda:

Mr. Whitton moved to adopt Resolution No. 81-48, authorizing acceptance of proposal from Colonial DX Station, 6104 NE Antioch Road for the Public Safety Department's tow service needs for one year period beginning September 29, 1981. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 15b on the Agenda: Mr. Whitton moved to adopt Resolution No. 81-54, authorizing execution of Water Main Extension Contract No. 178 with Woodland's Investment Associates for construction of 8" water main at 60th & N. Kendallwood Parkway. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 16 on the Agenda: Brought forward on the agenda after Item 9-c.

Item 17 on the Agenda: Approval of Financial Reports.

Mr. Whitton moved to accept financial reports for (a) Cash Disbursements for September, 1981 and (b) Financial Statements for 3 months ending September 30, 1981 for all funds as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 18 on the Agenda: Other Business.

Councilman Ashcroft noted that he had been contacted by Mr. Don Gregory relative to drainage problems and asked what the status was. Mr. Achen said he was familiar with that problem and would check into it although in the 2 1/2 years he has been here the City has done several things and nothing has solved the problem thus far. Mr. Ashcroft commented that at some time the City is going to have to appropriate some funds to address the drainage problems that have come to the Council's attention.

Mr. Whitton asked that the Staff check into the weed problem behind the Texaco Station at approximately 73rd & N Oak, weeds have only been mowed once this year.

Mr. Bussinger requested that a Council work session be scheduled to address the sidewalk questions raised this evening.

Mayor Fairlie announced that the work session will be held on Monday, October 19, 1981 at 6:00 PM.

Mr. Karns suggested the need for better communications and counseling from the City Engineer to the Planning Commission and citizens noting there is often confusion about City requirements.

Mayor Fairlie advised he had been contacted about the need for a STOP sign at 68th Terrace & N. Tracy and asked that the Staff review the request and need.

There being no further business to come before the October 12, 1981 City Council Meeting, the meeting was adjourned.

Respectfully submitted:

*Marlene J. Achen*  
City Clerk

Approved as submitted: ✓

Approved as corrected/

*Robert J. Achen*  
MAYOR

NOTE: NO OCTOBER 26, 1981 CITY COUNCIL MEETING

November 9, 1981

A G E N D A

1. Meeting Called to Order
2. Pledge of Allegiance
3. Acceptance of Minutes of October 12, 1981 City Council Meeting.
4. PRESENTATION OF SERVICE PLAQUE to retired Board of Zoning Adjustment Member Jack Kline. Service from June 1960 to October 1981.
5. ACCEPTANCE OF DONATIONS:
  - a. Donald Mason, Scout Troop 272
  - b. Gladstone Jaycee Women
6. ACCEPTANCE OF "PEDESTRIAN SAFETY CITATION" - presented to the City of Gladstone by Mr. Harold Bratcher on behalf of the American Automobile Association.
7. COMMUNICATIONS FROM THE AUDIENCE
8. COMMUNICATIONS FROM THE CITY COUNCIL
9. COMMUNICATIONS FROM THE CITY MANAGER
10. Approval of Building Plans: Gladstone Church of Christ  
57th & N. Flora
11. FIRST READING: BILL NO. 81-43, an ordinance approving the Final Plat of "TRACY ESTATES" Subdivision. Larry R. Mitchell
12. FIRST READING: BILL NO. 81-44, authorizing acceptance of temporary and permanent right-of-way for the North Flora/North Troost reconstruction project.
13. FIRST READING: BILL NO. 81-45, an ordinance defining and regulating the sale and delivery of simulated controlled substances or simulated drugs.
- add 13a. First Reading: Bill No. 81-46, authorizing N. Flora / N. Troost R.O.W. exceptions (Nagarty)
14. RESOLUTION NO. 81-55, authorizing execution of a contract with City Wide Asphalt Co. Inc. for the reconstruction of North Flora/ North Troost.
15. RESOLUTION NO. 81-56, authorizing execution of a contract for construction engineering services with Larkin & Associates, for the North Flora/Troost construction contract.
16. RESOLUTION NO. 81-57, authorizing acceptance of a bill of sale for Water Main Construction Contract No. 177.
17. RESOLUTION NO. R-81-58, appropriating funds from the General Fund Contingency for the installation of timing devices in North Oak traffic signals.
18. RESOLUTION NO. R-81-59, authorizing execution of a contract for a traffic safety grant with the Missouri Division of Highway Safety.
19. RESOLUTION NO. R-81-60, clarifying requirements of the Commercial Sidewalk Construction Ordinance.
20. APPROVAL OF CHRISTMAS TREE SALES PERMIT: Ararat Shrine, Applicant
21. APPROVAL OF NEW MANAGING OFFICER- Godfathers Pizza Liquor License, 328 NE 72nd  
Cash Disbursements, October 1981: Financial

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

November 9, 1981

The Gladstone City Council Meeting was called to order on November 9, 1981, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Bob Fairlie. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to accept the minutes of the October 12, 1981 City Council Meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 4 on the Agenda: Mr. Fairlie presented a service plaque from the City Council recognizing the service of retired Board of Zoning Adjustment Member Jack Kline from June 1960 to October 1981. Mrs. Pat Kline accepted the plaque for her husband.

Council commended Mr. Kline's 21 years of service and pointed out that it is hard to find individuals who will donate their personal time for so long and that Mr. Kline had served as Chairman for a number of years during his tenure.

Item 5 on the Agenda: Acceptance of Donations.

Donald Mason, Troop 272, Boy Scouts of America, presented Council with a check in the amount of \$50.00, representing earnings from paper collections and other jobs in the city performed for his service project towards his Eagle Scout rank. He requested that the funds be used for ambulance supplies.

Council Members thanked Mr. Mason for his generosity and promised to use the donation as requested.

\* \* \*

Mayor Fairlie presented Mr. Mason a Certificate of Appreciation on behalf of the Council for his community service project.

\* \* \*

Diane Enkleman, President of the Gladstone Jaycee Women presented a check from the organization in the amount of \$60.00 for the Mayor's Christmas Tree Fund. The funds are proceeds from the Beautiful Legs Contest held in connection with the Fall Festival.

Mayor Fairlie thanked the Jaycee Women for the donation and stated the funds would be put to good use this year in serving the needy.

Item 6 on the Agenda:

Acceptance of Pedestrian Safety Citation.

Mr. Harold Bratcher, American Automobile Association, presented the Citation to the City of Gladstone for no pedestrian deaths for two years and a low pedestrian injury rate for our population class.

Mr. Bussinger commented that in his opinion the Public Safety Department can be credited for contributing to the safety of our streets which has been a factor in Gladstone's receiving this award.

Item 7 on the Agenda:

There were no communications from the Audience.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Karns asked if the motorcycles were to be used for radar operations. It had been his understanding they would not. He has observed the officers using the radar gun and then pursuing the violator at a high speed which he feels is dangerous.

Mr. Achen advised that he would check into the question. However, the primary use of the cycles is for selective traffic safety enforcement but it is not our policy to pursue at 60mph.

Mr. Bussinger commented that the J.R.'s burned restaurant cleanup is looking good. He also commended the staff for the good job on the North Broadway reconstruction project from 72nd Street to Salt Rock Road.

Mr. Bussinger noted that the dirt pile north of Long John Silver is an eyesore and although he understands that they sold the dirt to Dr. Steckleberg the dirt should be cleaned up before Long John Silver opens. He does not think the city should have to live with the unsightly appearance of the dirt.

Mr. Whitton said he would have to agree with Mr. Karns that it was also his understanding that in discussions with Chief Francis the cycles were to be used for directing traffic when needed and observing traffic but not in the radar operations. In his view, citizens are anti-motorcycles anyway and find them more objectionable when used with the radar operation. He would like to review their use with Chief Francis. Citizens also object to the radar use because cycles are less conspicuous.

Mr. Achen noted that the grant funds from the State were specifically for traffic safety but does understand that cycles can be less conspicuous than patrol cars however the City has been criticized because the patrol cars are so conspicuous that they do not deter speeders. Use of motorcycles has allowed us to respond in these instances.

Mr. Bussinger suggested that Council meet with Francis to review the Departments policy.

Mr. Whitton asked if the ordinance requiring sidewalks for <sup>all</sup> residential building permits should have applied to the rebuilding of the house that burned on 67th Place last year. It is his understanding that the house was rebuilt without sidewalks and he would like the staff to look into the matter.

Mayor Fairlie advised that the Northland Christmas Bureau will meet next week to organize their operation for this year. He invites all citizen donations and involvement in this worthwhile effort to serve the needy.

Item 9 on the Agenda:

Communications from the City Manager.

Mr. Achen requested the addition of Bill No. 81-46 to the agenda. Mayor Fairlie designated the addition as agenda item 13-a.

Item 10 on the Agenda:

Approval of Building Plans - Gladstone Church of Christ, 57th & North Flora.

Mr. Larry Norris, Architect, 400 NW Sagamore Lane, reviewed plans for proposed construction of 50' x 75' all metal exterior and roof building for housing and maintaining the church's bus fleet. The building will be constructed 490 ft. from the street frontage and as a result not visible from the street. The structure will be visible from backyards of homes to the south and east of the church.

Mr. Bussinger questioned the validity of this use in an R-1 zone.

Counselor Dods advised that the proposed structure is a valid "accessory use" in an R-1 district under the Zoning Ordinance.

Mr. Bussinger stated that he had no objection to the building but is concerned with its location in an R-1 zone and the bus repair use. He pointed out that the City could be approached by other churches for maintenance buildings. He is concerned that the plans call for a metal building which the city has not allowed in the city. The Council has a responsibility to the surrounding residential area.

Mr. Norris pointed out that the proposed structure is quite attractive and is dark green in color with 20 yr. guarantee on the vinyl finish and will be much lower than any surrounding buildings and homes. In the Church's opinion it is much better to house the five buses in the building rather than have them parked on the lot. It is a butler-type building and will be attractively landscaped to dress it up.

Mr. Ashcroft asked if major overhaul work would be done in the building.

Mr. Norris responded that the primary use of the building is to house the buses and mostly routine maintenance would be performed on an as needed basis. So that is more of a garage than a maintenance building.

Mr. Bussinger again stressed that he had no objection to the building, he just did not want to get the Council in a bind by approving this application.

Mr. Ashcroft moved to approve the Building Plans for the Gladstone Church of Christ as submitted. Mr. Bussinger seconded.

Discussion:

Mayor Fairlie pointed out the Council has long discouraged metal buildings primarily due to history of poor maintenance and he would vote against this request if it were in a commercial zone. He does agree that it is a deep lot and the looks of the overall area will probably be enhanced by housing the buses.

Mr. Karns asked if there were alternatives to the butler building.

Mr. Norris said there are other types of materials that could be used, however brick is expensive, and he questions if masonry would be an improvement over the butler building. It will be set up on a concrete foundation and the church has a good history of maintaining their property. Members have always shown up on "work days" and he does not feel maintenance will be a problem.

Mr. Whitton said he is inclined to agree with the earlier comment that once the Council approves the metal building we could be faced with similar requests from other churches.

Mr. Fairlie asked if neighboring residents know of the plans for the metal construction.

A church spokesman said some neighbors had been contacted and had raised no objection. Although all neighbors had not been contacted.

Mr. Bussinger suggested that the neighbors be contacted to obtain their views on the metal construction since they have to view it. If they are for it fine, but he does think it important to obtain their comments.

Mr. Norris agreed that polling the neighbors was a fair request and they would be most willing to contact them.

Pending results of the poll, Mr. Bussinger withdrew his second of the motion.

Mr. Ashcroft said we may be comparing a garage to a commercial structure on North Oak. He pointed out the high construction costs of today and the fact that some metal building construction is much more attractive and more durable than some of the other seemingly more favorable building materials. The church is trying to build as economically as possible. He questioned the necessity of contacting the neighbors, pointing out that he could construct any kind of building he wanted on his own property if it met the setback requirements, etc. without neighborhood approval.

Mr. Bussinger said he would hate to see the Council vote this down tonight but rather table it and obtain neighborhood opinion because they have to look at it day in and day out.

Mr. Karns suggested that the matter be voted upon on and seconded Mr. Ashcroft's earlier motion.



The vote to approve the building plans as submitted. "NO" - Whitton, Karns, Bussinger, Fairlie, "AYE" - Ashcroft. BUILDING PLAN APPROVAL DENIED 4-1 AGAINST.

Mr. Bussinger clarified his "no" vote stating that this is not an ordinary situation for an R-1 zone and would like to see the church bring it back in two weeks with documented opinion of the neighbors.

Item 11 on the Agenda: FIRST READING: BILL NO. 81-43 an ordinance approving the Final Plat of "TRACY ESTATES" Subdivision. Larry R. Mitchell.

Council reviewed the final plat for construction of 4 single family residences. Mr. Mitchell noted that the remaining 9 lots will be incorporated into the 2nd plat of Tracy Estates which will be submitted to the Planning Commission shortly.

In response to Council question, Mr. Mitchell advised that the lots will sell for \$21-\$25,000.

Mr. Whitton moved place Bill No. 81-43 on first reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Item 12 on the Agenda: FIRST READING: BILL NO. 81-44, authorizing acceptance of temporary and permanent right-of-way for the North Flora/North Troost reconstruction project.

Mr. Bussinger moved to place Bill NO. 81-44 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill. (5-0)

Mr. Bussinger moved to accept the first reading of Bill No. 81-44, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-44 and place said bill on third and final reading. Mr. Whitton seconded. The vote: All "aye" (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of bill No. 81-44 and enact said bill as Ordinance No. 2.411. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 13 on the Agenda:

FIRST READING: BILL NO. 81-45, an ordinance defining and regulating the sale and delivery of simulated controlled substances or simulated drugs.

Mr. Ashcroft moved to place Bill No. 81-45 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-44, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. the vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-45, and place said bill on third and final reading. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-45 and enact said bill as Ordinance No. 1.412. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger thanked Mr. Ashcroft for introducing this ordinance and said he expects strict enforcement.

Mr. Karns asked Counselor Dods if he anticipated problems in enforcement. Mr. Dods said to his knowledge no judicial opinion has been handed down although suits have been filed in court challenging other city's similar ordinances. Our ordinance is patterned after Grandview, Independence and Kansas City ordinances.

Mr. Karns said he encourages a militant stand in enforcing the ordinance.

Item 13A on the Agenda:

FIRST READING: BILL NO. 81-46, and ordinance authorizing the City Manager to accept a Warranty Deed for conveyance of permanent right-of-way and temporary easements for the North Troost/North Flora reconstruction project.

Mr. Bussinger moved to place Bill No. 81-46 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Achen explained that this action authorizes payment of \$10,000 for the conveyance of a Warranty Deed from Mrs. Irene Dargatz on Tract 1 of this project.

Mr. Bussinger moved to accept the first reading of Bill No. 81-46, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. Mr. Whitton seconded. The vote: All "aye" (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-46, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Whitton seconded. The vote: All "aye" (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-46 and enact said bill as Ordinance No. 2.413. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 14 on the Agenda: Mr. Bussinger moved to adopt Resolution NO. 81-55, authorizing execution of a contract with City Wide Asphalt Co. Inc. in the amount of \$1,079,229.55 for the reconstruction of North Troost/North Flora. Mr. Ashcroft seconded.

Mr. Bussinger noted that the planned improvement of Flora/Troost was approved by voters in 1978 as a part of the Street Improvement Bond Election and included the 68th Street curve.  
The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution No. 81-56, authorizing a contract with Larkin and Associates for engineering services during construction of the North Troost/Flora construction contract for an amount not to exceed \$102,300. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution No. 81-57, authorizing acceptance of Bill of Sale for Water Main Construction Contract No. 177 for main constructed in the area of 60th & North Kendallwood. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 17 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. 81-58, appropriating \$3,450 from the General Fund Contingency for the installation of timers in North Oak signals and authorizing acceptance of proposal from Total Electric, Edwardsville, Kansas, for such installation. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie, (5-0)

It was noted that the North Oak signals will be put in a flashing mode after a certain hour to be determined by the City Engineer.

Mr. Karns asked if the addition of a timer will increase maintenance costs on the timers.

Mr. Achen pointed out that traffic signals are a high maintenance item but the timers should not inordinately increase the costs. Although any time you add a piece of equipment you have that much more to maintain.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 18 on the Agenda:

Mr. Karns moved to adopt Resolution No. 81-59, authorizing execution of a contract with the Missouri Department of Highway Safety for traffic grant funds for the Gladstone Public Safety Department in the amount of \$9,771.00 for the contract period October 1, 1981 through March 31, 1982. Mr. Ashcroft seconded. The vote: All "aye"-Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 19 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. 81-60, clarifying requirements of the Commercial Sidewalk Construction Ordinance as it pertains to properties such as shopping centers, that contain several businesses physically subdivided from one another. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft noted that the clarifying resolution will give direction to the Engineering office.

Item 20 on the Agenda:

Mr. Bussinger moved to approve the license to Ararat Shrine for Christmas Tree Sales at Bob's IGA Store parking lot, 59th & Antioch Rd. and to waive the occupation license fee. Mr. Karns seconded. The vote: All "aye" (5-0)

Item 21 on the Agenda:

Mr. Whitton moved to approve Mr. James B. Cowe as the named managing officer for liquor license of Godfather's Pizza, 328 NE 72nd Street. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 22 on the Agenda:

Mr. Karns moved to approve the Cash Disbursements for October, 1981, and Financial Report for all funds for 4 months ending October 31, 1981. Mr. Bussinger seconded.

Mr. Karns questioned asked that the City Manager provide information on Check No. 4224 in the amount of \$1,158.24 payable to Clay County that is described as a CETA audit adjustment on the cash disbursements listing.

Mr. Whitton commented on the amount of money spent on vehicle maintenance and questioned why the mechanic is working out of the fire station rather than the Public Works Building. Mr. Achen explained that one of the changes in this year's budget was to eliminate one mechanic and assign the remaining one to Public Safety Department for maintenance of their vehicle fleet. All other departments now contract out any major vehicle repair.

Mr. Whitton questioned that the mechanic was fully utilized under this arrangement. Mr. Karns commented that the average employee makes \$20,000 yearly with benefits and should do as much as possible for their salary.

Mr. Achen agreed to calculate the costs to date in sending major repairs out versus the former arrangement with two mechanics.

The vote on the financial reports: "AYE" - Karns, Bussinger, Ashcroft, Fairlie. "NO" - Whitton. (4-1)

Item 24 on the Agenda.

Other Business.

Mr. Karns asked the Manager to determine why a Gladstone Public Safety vehicle and a Kansas City Police Department vehicle were parked side by side in a field at Englewood Road recently. Mr. Achen said he would look into it.

Mr. Bussinger commented that he had been advised that Coco/Baxter Restaurant has said they will not contribute to the erection of a traffic signal at Shady Lane and Antioch Road. He pointed out that they initiated the request. Mr. Achen said that as far as other contributions we have not yet heard from the J.A. Peterson Company, However, the Curry Company is still working on the contributions with other parties along Antioch Rd.

Mr. Bussinger questioned that Coco/Baxters has the proper liquor food ratio to maintain their liquor license and suggested an audit prior to the next licensing period might be appropriate.

Mr. Bussinger also asked if the Manager would determine if changes in Managing Officer needed to have council approval. He has noticed a number of such applications because of personnel turnover in the establishments and wonders if City Manager approval might not suffice. Mr. Achen said he would review the liquor ordinance and respond to Council.

There being no further business to come before the November 9, 1981 meeting of the City Council, the meeting was adjourned.

Respectfully Submitted:

  
Marilyn Ahnerfeld  
CITY CLERK

Approved as submitted: 

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

  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 23, 1981

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of November 9, 1981 City Council Meeting.
4. APPROVAL OF BUILDING PLANS: Little King Sandwich Shop, 344 NE 72nd  
Applicant: Little King  
Property Owner: 72nd & N. Oak Associates
5. Sign Permit Appeal/Building Plans: Hardees Restaurant, 6250 N. Oak
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. SECOND READING: BILL NO. 81-43, an ordinance approving the final plat of TRACY ESTATES SUBDIVISION. Applicant/Owner: Larry P. Mitchell
10. FIRST READING: BILL NO. 81-47, an ordinance repealing Ordinance No. 1.447 (Chapter 14 of the Code) and enacting a new Chapter 14 regulating Food Service Sanitation in the city of Gladstone.
11. FIRST READING: BILL NO. 81-48, an ordinance amending Ordinance No. 1.126 (Code Section 16-13) regulating frequency and hours of refuse collection.
12. FIRST READING: BILL NO. 81-49, authorizing acceptance of temporary and permanent right-of-way for the North Troost (72nd - north city limits section) reconstruction project.
13. Other Business
14. Questions from the News Media
15. Adjournment

Minute Book

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

November 23, 1981

The Gladstone City Council Meeting was called to order on November 23, 1981, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Bob Fairlie. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to approve the November 9, 1981 City Council Meeting Minutes as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 4 on the Agenda: Approval of Building Plans: Little King Sandwich Shop, 344 NE 72nd Street. Property Owner: 72nd & N Oak Associates

Mr. Edward Zuroske, Director of Real Estate for Little King reviewed plans with Council for remodeling of the existing structure for the deli-type sandwich shop with 11 two-place tables for 22 patrons. Sandwiches are ordered by number and there are 20 different varieties. A similar shop is scheduled for opening December 1 at Indian Springs Mall and Executive Hills across from Corporate Woods later in the year. The company anticipates 35 such stores within three to four years. Hours of operation are 10:30AM - 9:30/10:00PM depending on the business. Some of their stores close at 6:00 PM.

7 parking spaces will be provided in front of the store with employee parking in the rear. In addition, Mr. Charles Doolittle, property owner to the north has authorized use of his property for customer parking when needed (7 spaces on North Oak and 3-4 in the rear).

Mr. Zuroske said in choosing this location they had taken into consideration the fact that the bulk of the donut shop's business is in the morning when Little King is not open and Godfather's business traditionally picks up at 5:00 pm which is King's worse hour.



City Council Meeting Minutes

November 23, 1981

Page Two

Little King's does a large lunch/<sup>time</sup> business which is less busy for Godfathers. They expect 50-60% of their business will be carryout and do not anticipate a parking problem but have made the arrangement with Mr. Doolittle if additional parking is needed.

Mr. Achen pointed out that the original structure developed there was approved with commercial office space parking as required under the ordinance. Since that time there has been food establishment occupancy which have greater parking requirements. The staff report points out that 127 spaces would be needed to serve the present occupancy of the complex and only 113 spaces are currently provided. That is why Little King was required to come in for alternative places for all 7 spaces and contacted Mr. Doolittle to meet the requirement of 3 parking spaces per seat.

Mr. Bussinger pointed out that there is presently a barrier between this complex and Mr. Doolittle's property and questioned how patrons would access the Doolittle property. Mr. Zuroske acknowledged that arrangements would have to be made at the time the additional parking need was determined. He stressed that he does not see it as a problem now but would address it with Mr. Doolittle when necessary.

Mayor Fairlie questioned who would make the determination when more spaces were needed.

Mr. Ashcroft noted that the 7 spaces required for this particular project seemed minimal and it appeared that some of the businesses in the complex are using more spaces than planned for. He questioned holding the last guy (Little King) hostage. Mr. Bussinger agreed with Mr. Ashcroft's point.

Mayor Fairlie again questioned who would make the determination that the additional parking was needed if for example Little King's business picked up in the evening and they were busy the same time as the other occupants of the complex. Mr. Zuroske stressed that Mr. Doolittle had been very receptive to the parking permission and the situation would be worked out when warranted.

Mr. Ashcroft moved to approve the building permit for Little Kings, 344 NE 72nd Street as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda:

Hardees Restaurant, 6250 N Oak,  
Sign Code appeal

Mayor Fairlie announced this item was deleted from the agenda.

Item 6 on the Agenda:

Communications from the Audience.

Mr. Larry Mitchell requested Council consider giving two readings to Bill NO. 81-43 approving the final plat of Tracy Estates (agenda item 9).

Mr. John Slough, 1508 NE 56th Terrace, stated he represented four families and is here to strongly oppose the building proposed by Gladstone Church of Christ. Mayor Fairlie indicated Council would hear their remarks under agenda item 8-a.

Item 7 on the Agenda:

Communications from the City Council.

Councilman Ashcroft noted that he had attend the State redistricting hearing in Jefferson City with Mayor Fairlie and Councilman Whitton last Monday evening. He would like the record to show that representatives of the Northland attended the hearing the night before and they had had responses from approximately 600 citizens. He heard that the members of the Northland community legislature voted against the Griffin plan but did so after the plan had passed. The legislators did not "speak out" against the plan in behalf of the northland area as far as what the Gladstone Council had expressed in their resolution and did not reflect the input they had from their constituents. He understands that one of the legislators purposely left the chambers so they he would not be there during the roll call vote. Mr. Ashcroft noted that he takes the position that we should do everything we can to elect people who will represent their constituents. Although the northland legislators voted against the plan they did it in such a way to protect their own interests. The legislators he references are Robb, Reeves, Thomas and Christian.

Mayor Fairlie announced that the Gladstone Plaza Shopping Center merchants have agreed to furnish a tree and lights for the "Mayor Christmas Tree" to be located in the shopping center. The lighting ceremony is scheduled for 7:00 PM, Saturday, December 5. Christmas will be provided for 15 needy families this year and he is hopeful that the "Mayor's Christmas Tree" activity this year will surpass levels of previous years. Mayor Fairlie presented a check for \$100.00 to the fund and indicated requests for contributions have been sent to all area businesses and participation by all Gladstone residents is encouraged, in the true spirit of Christmas.

Item 8 on the Agenda:

Communications from the City Manager.

Mr. Achen had no communications at this time.

Item 8-a on the Agenda:

Gladstone Church of Christ, 57th & Flora.  
Bus Storage Building Plans.

Mayor Fairlie noted that the building permit had been denied at the November 9, 1981 city council meeting and the applicant had been requested to review their plans with church property neighbors and report their results back to Council.

Mr. Larry Norris, architect requested that the Council withdraw their application for consideration tonight because it is a surprise to find that there is opposition to the plans. They would like an opportunity to meet with their neighbors and find out what the opposition is and see what might be resolved. Mr. Norris said he was unaware there would be opposition because they thought they had talked with everyone.

Mayor Fairlie noted that the November 23, 1981 letter from the Church indicates they are happy to report that that have obtained unanimous approval from their neighbors and attach a map showing the location of all homes that can view the proposed building and listing of names, addresses and telephone numbers of those contacted. Mayor Fairlie pointed out that Mr. Slough who is listed as being in favor of the building requested to discuss why he opposes the building with Council. This is confusing to him.

Mr. Bussinger acknowledged that he had received telephone calls from three of the names on the letter and one said they had not been contacted by the church. He also got a telephone call from a resident whose property adjoins the church who indicated he had not been contacted (Mr. Praetz, 1540 NE 56th Terrace). Mr. Bussinger agreed that the church does need to meet with the neighbors.

Mayor Fairlie clarified that at this point the building permit application has been denied and the next action would have to be taken by the church in resubmitting the plans.

Mr. John Slough, 1508 NE 56th Terrace pointed out that the church elders might not know that their area restrictions specifically point out that no "out" buildings are allowed.

Mayor Fairlie again pointed out that at the present time, due to the church's withdrawal, Council has no buildings plans to consider on the agenda tonight. He invites all interested parties to be present at such time as the matter is again brought before the Council.

Councilman Karns stressed that Mr. Norris had submitted a letter indicating he has the "blessing" of neighboring residents and he feels Council should hear from the residents who have taken the time and trouble to come to this meeting even though the church has withdrawn their request for discussion of the item tonight.

Mr. Lawrence Stobaugh, 1506 NE 56th Terrace, said the letter from the church may indicate he does not oppose the building but this is incorrect. He is not in favor of the proposed structure.

Mr. Bussinger stated that although Mr. Karns suggested the matter be discussed tonight he feels we might create more problems and possibly hardfeelings if action is taken tonight and he suggests the church meet with the neighbors to clarify their proposal.

Mr. Karns noted that although the City is not required to notify adjacent property owners of a building permit application, these residents have a large metal building about to be constructed in view of their property and he feels some method of notification should be provided for. It is obvious that the residents here tonight had no knowledge of what was to be built there.

At the request of residents present, Council agreed to mail copies of city council meeting minutes from the November 9, 1981 city council meeting and notify all persons in writing on the list if and when the church resubmits the building plans for a future council meeting. Mr. Joe Praetz, 1504 NE 6th Terrace will be added to the list.

A resident again pointed out the subdivision restriction against an outbuilding which would preclude the church from constructing their proposed storage building.

Counselor Dods said he had not seen the restriction which he understands is a part of the plat for that subdivision (Stonegate) and although whatever is contained in such a restriction would be evidence for the Council to consider it does not "bind" the Council because the City has no authority to enforce the deed restrictions.

A spokesman for the residents stressed that their primary concern is maintenance of property values

Mr. Rehmert, 5612 N Highland noted that church representatives had attempted to reach him but he was not home. Today is the first he has been aware of what is proposed. He does not necessarily oppose it but needs to be fully aware of the proposal before making a decision.

Council directed that all persons on the list be notified if the building permit is resubmitted to Council.

Item 9 on the Agenda:                      SECOND READING: BILL NO. 81-43, an ordinance approving the final plat of TRACY ESTATES SUBDIVISION.  
Applicant/Owner: Larry P. Mitchell.

Mr. Bussinger moved to accept the first reading of Bill No. 81-43, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-43 and place said Bill on third and final reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill. Mr. Bussinger moved to accept the third and final reading of Ordinance No. 81-43 and enact said bill as Ordinance No. 2.414; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

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November 23, 1981  
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Item 10 on the Agenda: FIRST READING: BILL NO. 81-47, an ordinance repealing Ordinance No. 1.447 (Chapter 14 of the Code) and enacting a new Chapter 14 regulating Food Service Sanitation in the City of Gladstone.

Mr. Bussinger moved to place bill No. 81-47 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Council noted this ordinance adopts the 1976 edition of the FDA Food Service Sanitation Ordinance as the official laws and regulations for food service establishments in the city. Currently Gladstone is operating under the 1962 edition. The Clay County Health Department is the designated health authority for the City of Gladstone.

Mr. Bussinger moved to accept the first reading of Bill No. 81-47, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-47, and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-47 and enact said bill as Ordinance No. 2.415

Item 11 on the Agenda: FIRST READING: BILL NO. 81-48, an ordinance amending Ordinance No. 1.126 (Code Section 16-13) regulating frequency and hours of refuse collection.

Mr. Ashcroft moved to place Bill NO. 81-48 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Achen noted that in 1978 the City staff sent a letter to all hours indicating they could not operate between the hours of 9:00 PM and 8:00 AM based upon a provision of the city code. These hours have been enforced by public safety, however, it has come to our attention that the code section cited is not enforceable. This bill clarifies the matter and puts hours limitations on the books. The bill proposes pick up only between the hours of 7:00 AM and 9:00 PM local time.

Mr. Whitton pointed out the hazardous practice of the some refuse haulers in driving down the middle of the street. He has asked Public Safety to enforce the ordinance in the past and suggests that when we notify the haulers of the new pick up time limitations we also caution them that summons will be issued for street blocking.

Mr. Ashcroft moved to accept the first reading of Bill No. 81-48 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-48 and place said bill on third and final reading; Mr. Bussinger seconded.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 81-48 and enact said bill as Ordinance No. 2.416. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda: FIRST READING: BILL NO. 81-49, authorizing acceptance of temporary and permanent right-of-way for the North Troost (72nd - north city limits) reconstruction project.

Mr. Ashcroft moved to place Bill No. 81-49 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill NO. 81-49 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 81-49 and place said bill on third and final reading; Mr. Whitton seconded. the Vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

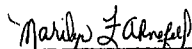
Mr. Ashcroft moved to accept the third and final reading of bill NO. 81-49 and enact said bill as Ordinance No. 2.417. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.


Mr. Achen advised that this bill accepts 44 right-of-way easements for the section of N Troost from 72nd - 77th with only \$350 paid for one easement required.

City Council Meeting Minutes  
November 23, 1981  
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There being no further business to come before the November 23, 1981 City Council Meeting, the meeting was adjourned.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: 

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

  
MAYOR

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CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 14, 1981

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of November 23, 1981 City Council Meeting
4. Communications from the Audience
5. Communications from the City Council
6. Communications from the City Manager
7. Appeal of Residential Sidewalk Construction requirements (Ordinance No. 2.372)  
Applicant: Art Hammen, Award Realty, Inc. RE: 906 NE 67th Place
8. FIRST READING: BILL NO. 81-50, an ordinance authorizing the issuance of \$2,500,000 general obligation bonds for street improvements.
9. FIRST READING: BILL NO. 81-51, authorizing acceptance of right-of-way conveyances for the future construction of N. Broadway at Englewood Rd.
10. RESOLUTION NO. R-81-61, authorizing Bill of Sale for water mains constructed under Contract No. 176 serving 6th Plat of BROOKTREE SUBDIVISION.
11. RESOLUTION NO. R-81-62, authorizing acceptance of Bill of Sale for water mains constructed under Contract No. 178 serving the WOODLANDS.
12. RESOLUTION NO. R-81-63, authorizing execution of Change Order No. 5 to the North Broadway construction contract and authorizing final payment.
13. RESOLUTION NO. R-81-64, authorizing execution of a contract with Kansas City Area Transportation Authority for period 1-1-82 - 3-31-82.
14. RESOLUTION NO. R-81-65, authorizing execution of an agreement with the Cities of Gladstone and Kansas City and Georgetown Medical Building Association, relative to the improvement of Englewood Road from 169 Highway to North Oak Trafficway.
15. RESOLUTION NO. R-81-66, authorizing execution of an Agreement between the City of Gladstone, Georgetown Medical Building Associates, John Chozik, and Norman Scharhag, relative to the improvement of North Broadway, north of Englewood Road..
16. RESOLUTION NO. R-81-67, designating the form of the ballot for the forthcoming Councilmanic election.
17. RESOLUTION NO. R-81-68, accepting certain streets for City maintenance.
18. RESOLUTION NO. R-81-68, extending delinquent date for payment of 1981 property taxes and sewer assessments
19. APPROVAL OF LIQUOR LICENSES
  - a. New License, Nadine's, 6821-25 N Oak, Class A&B  
Managing Officer: Nadine R. Webb
20. APPROVAL OF FINANCIAL REPORTS
  - a. Cash Disbursements for November 1981
  - b. Financial Report for all funds for 5 months ending November 30, 1981.
21. Other Business
22. Questions from the News Media
23. Adjournment



*Minute Book*

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

December 14, 1981

The Gladstone City Council Meeting was called to order on December 14, 1981, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Bob Fairlie. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to adopt the Minutes of the November 23, 1981 City Council Meeting as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Mayor Fairlie. (5-0)

Item 4 on the Agenda: Communications from the Audience.

Mrs. Ann Shannon, 1604 N.E. 65th Terrace, referring to an article by reporter Rich Hood in the Kansas City Star on December 9th, complained that the statutes prohibiting drunken driving are useless unless the public demands prosecution. Mayor Fairlie commented that he had been disappointed by the article Mrs. Shannon referred to because there are two sides to the law.

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Mr. Larry Norris, 400 NW Sagamore, architect for the Gladstone Church of Christ requested that council add to tonight's agenda reconsideration of the church's building plans for a bus storage building.

Mr. John Krebs, attorney for four adjacent Homeowners to the proposed church storage building requested that Council defer the item until the homeowners he represented had had an opportunity to review the changes in the building plans with church representatives. He pointed out that the homeowners had only been notified today that the Church intended to appear at the Council Meeting this evening which provided the homeowners no opportunity for prior review of plan changes.

Mayor Fairlie announced that the December 28th council meeting is cancelled due to a limited agenda and the Gladstone Church of Christ building plans will be placed on the January 11th meeting agenda. Deferring the item will better serve both the church and neighbors by giving them an opportunity to meet prior to bringing the matter back to the Council.

Item 5 on the Agenda:

Communications from the City Council.

Councilman Whitton suggested that the City consider hiring a mechanic rather than continue to send city vehicles out for repair when we have the facilities and equipment. He said that it had come to his attention that a recent brake job at Bill Allen in the amount of \$1,800 was necessary because of motor oil being poured into the master cylinder by mistake. He does not feel we can go on paying these high bills for outside repair.

Mayor Fairlie reported that the Mayor's Christmas Tree Program will assist 13 families with a total of 27 children. He noted there has been an excellent response from merchants and that the door to door canvass for can goods conducted by Scout Troop #180 had resulted in approximately 16 cases. Distribution is planned for the weekend.

Item 6 on the Agenda:

Communications from the City Manager.

Mr. Achen requested that Bill NO. 81-51, (agenda item 9) be deleted from the agenda.

Item 7 on the Agenda:

Appeal of Residential Sidewalk Construction requirements. (Ordinance No. 2,372)  
Applicant: Art Hammen, Award Realty, Inc.  
RE: 906 NE 67th Place

Mr. Hammen explained that the residence at 906 NE 67th was constructed to replace an existing house that was damaged by an explosion in a neighborhood that is approximately 30 years old. There are about 275 houses in this subdivision and none have sidewalks. He sees no benefit in constructing a sidewalk in front of only one house. He questions why this is brought to his attention now when the construction was completed a year ago. To construct now would cost 2-3 times more than if done at the time of the reconstruction.

Mr. Ashcroft pointed out that 67th Place is a dangerous street, it is narrow and there is no place to walk. It is his understanding that when that house was destroyed there was thought of reconstructing the house using the original foundation and later there were cracks in the foundation found. The original building permit was issued for reconstruction and somewhere in the process it became a new building rather than a reconstruction therefore the request for sidewalks was omitted at the time. In reviewing, Council feels that sidewalks should have been requested and that is the reason for the request for sidewalks at this time. He can sympathize that it would have been less costly at the time of construction. This is not the first case where sidewalks were required in an area where there are no other sidewalks and the ultimate goal is that there will eventually be sidewalks throughout all neighborhood.

Mr. Hammen clarified that as far as someone reconstructing the house he knows nothing about that; when he was thinking about purchasing the lot to build a new house on it he asked Mr. Anderson and Mr. Mauton to come out and meet with him at the foundation. He asked if it was a usable foundation. They told him they wanted a new foundation built. Subsequent to that he purchased the lot with the intention of building a new house and then came in and purchased a building permit.

If someone else was in earlier on a proposed "reconstruction" he knows nothing about it.

Mr. Bussinger asked what footage of sidewalk would be required.

Mr. Hammen said discounting the driveway it would be about 67 ft. and it would not have been an expensive proposition if done at the time the house was constructed. But now he will have to tear out existing landscaping and pay for a short load of concrete and the finishing is more for a small job. He would estimate \$250 - \$350 for the sidewalk construction. Mr. Hammen stressed that he was not trying to evade the ordinance but given the circumstances and the fact that the request comes a year after construction he feels a waiver of the sidewalk requirement is reasonable.

Mr. Fairlie asked if Mr. Hammen had constructed sidewalks on his property on North Troost. Mr. Hammen said sidewalks were not mentioned at the time he obtained a building permit for the construction on North Troost and subsequently it has been published in the paper that the City is widening Troost and putting in sidewalks at no expense to the property owner which is one of the reasons he signed a voluntary easement for the Troost widening.

Following further discussion, Mr. Ashcroft moved to defer the item for Council study session discussion. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 7a. on the Agenda:

Approval of Class "A" & "B" Liquor License,  
Nadine's, 6821-25 N Oak

Applicant: Nadine R. Webb

Council discussed the 60-40 requirement with Mrs. Webb. Counselor Dods noted that if there is one license granted to cover the package sales and restaurant/bar operation there is still one premise and all of the liquor package goods along with all of the liquor by the drink sales/to determine if the food sales then meet the 60% requirement.

Mayor Fairlie questioned if two licenses could not be issued; 1 for package sales and 1 for restaurant/bar. It was noted that the "pass thru" opening would probably have to be eliminated to establish two separate premises. Mrs. Webb said she needs the "pass thru" to operate and does not feel the State would grant two separate licenses even if approved by Gladstone. Counselor Dods clarified that there is no prohibition against it being one license but as one license all package sales go into the computation and increases the difficulty of compliance with the 60-40 provision. Mr. Dods said he was not sure what constitutes a "premises" under the State's liquor laws. Mayor Fairlie stressed that 60% of the sales must be non-alcoholic sales. Mrs. Webb said she intends to keep separate books for the liquor sales and restaurant sales but admitted the 60-40 requirement will be hard to meet if the package liquor sales are included in the calculation.

Mr. Dods explained that the liquor license is basically a probationary license and during the fifth month of operation she would have to submit a certification from a certified public accountant that she is in compliance with the 60-40 requirement.

Following further discussion with Mrs. Webb it was agreed that only an "A" license allowing the establishment to operate six days a week would be considered at this time, whereupon Mr. Ashcroft moved to approve a Class "A" liquor license for Nadine's, 6821-25 North Oak; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 8 on the Agenda: FIRST READING: BILL NO. 81-50, an ordinance authorizing and directing the issuance, sale and delivery of \$2,500,000 principal amount of General Obligation Street Improvement Bonds, Series 1982, of the City of Gladstone, Missouri, for the purpose of acquiring rights-of-way, constructing, extending and improving the streets and avenues of said City; prescribing the form and details of said bonds, and providing for the levy and collection of an annual tax for the purpose of paying the principal of an interest on said bonds as they become due.

Councilman Bussinger moved to place Bill No. 81-50 on first reading; Mr. Ashcroft seconded. The vote: "No" - Whitton, Karns; "Aye" - Bussinger, Ashcroft, Fairlie. (3-2) The Clerk read the Bill in its entirety.

Mr. Bussinger moved to accept the first reading of Bill No. 81-50, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Ashcroft seconded. The vote: "No" - Whitton, Karns; "Aye" - Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 81-50, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: "No" - Whitton, Karns; "Aye" - Bussinger, Ashcroft, Fairlie. (3-2) The Clerk read the Bill.

Discussion: Mr. Karns asked what was the longest length of time we could go without selling these bonds. Mr. Achen responded that we don't need the funds actually in hand to pay bills until sometime later in March, depending upon how fast the construction (Flora-Troost) goes and expenses are incurred.

for January and February  
Mr. Bussinger asked how much interest would be made/by authorizing the sale of the bonds this evening. Mr. Achen said we have projected interest earnings for the interim period between now and the time Mr. Karns spoke of, at the 10% guaranteed rate the First National Bank of Gladstone has provided to be \$38,646 which is equal to approximately 1/3 of a point in interest rates. At 10.6%, which is the current rate if we had a new timeopen account today we would be talking about \$41,000 in the same period. The bank has guaranteed 10% as the minimum interest rate we would earn as long as street bond funds are available. If inflation interest rate is 7% per year for the next ten years we would need to earn \$26,576 to equal every quarter point of interest savings. If 10% we need to earn \$24,000. So it partly depends on what the future interest rates are and what the bond interest rate is after the first of the year when bonds sold but the minimum we could earn in that period of time would be \$38,646.

Mr. Bussinger requested that the minutes reflect the figures Mr. Achen provided. Mr. Karns requested that the record also show that this was a private sale negotiated with the First National Bank of Gladstone and not a public sale.

Mr. Bussinger moved to accept the third and final reading of Bill No. 81-50 and enact said Bill as Ordinance No. 2.418; Mr. Ashcroft seconded. The vote: "No" - Whitton, Karns; "Aye" - Bussinger, Ashcroft, Fairlie. (3-2)

Item 9 on the Agenda:

FIRST READING: BILL NO. 81-51

note: Deleted from the agenda

Item 10 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-81-61, authorizing acceptance of Bill of Sale for water mains constructed under Contract No. 176 serving the 6th Plat of BROOKTREE SUBDIVISION; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Item 11 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-81-62, authorizing acceptance of Bill of Sale for water mains constructed under Contract No. 178 serving the WOODLANDS Subdivision. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. R-81-63 authorizing execution of Change Order No. 5 to the North Broadway construction contract and authorizing final payment in the amount of \$68,814.99 to Tri City Construction. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Achen noted that the total contract amount is \$622,312.80, with a Gladstone share of \$463,683.71.

Mr. Ashcroft asked that the staff check for bubbles or "washboarding" on the southbound lane at the curve to 68th Street. Mr. Achen said this would be done.

Item 13 on the Agenda:

Mr. Whitton moved to adopt Resolution No. 81-64, authorizing execution of contract with Kansas City Area Transportation Authority for the period 1-1-82 through 3-31-82 for a Gladstone subsidy of \$2,033.00. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mayor Fairlie advised that the Council will hold a public hearing on Monday, January 25, 1982 at 8:30 pm to receive public comment on bus service and fares in Gladstone.

The purpose of the hearing is to explore alternatives to the \$8,130 subsidy required from the City of Gladstone in 1982 for the operation of the three bus routes in the city.

The possibility of fare increases should be examined. The reason for the three month extension to the City's contract with ATA is to allow input from the ridership at the public hearing and explore the alternatives and make determination by February so that if the Gladstone lines are discontinued, the riders have 30 days notice. (Englewood & Antioch stop)

Gladstone riders presently pay 75¢; Kansas City riders two blocks south presently pay 40¢ fare at Antioch Shopping Center. The Express line from Metro North is 50¢. One of the alternatives is to change the fare to 70¢ for any Gladstone origination which would require a subsidy of about \$8,000 for the year. Average number of riders at present is approximately 125.

Mr. Bussinger commented that although he hates to subsidize the service, consideration must be given to the overall affect bus service has on the community.

Item 14 on the Agenda:

Mr. Whitton moved to adopt Resolution NO. 81-65, authorizing execution of an agreement with the Cities of Gladstone and Kansas City and the Georgetown Medical Association relative to the improvement of Englewood Road from 169 Highway to North Oak Trafficway. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie.

Mr. Achen explained that this agreement commits the cities of Kansas City and Gladstone to begin construction of the west section of the Englewood Road project (169 Highway to North Oak) between 14 months in exchange for Georgetown Medical Association's donation of right-of-way west of North Broadway needed for this improvement.

Item 15 on the Agenda:

Mr. Ashcroft moved to adopt Resolution NO. 81-66, authorizing execution of an Agreement between the City of Gladstone, Georgetown Medical Building Associates, John Chezik, and Herman Scharhag relative to the improvement of North Broadway, north of Englewood Road. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Achen explained that this agreement was precipitated by the rezoning of the northwest corner of Englewood and N Broadway in 1979 at the request of John Chezik. At that time the Council stipulated that because the Englewood Road improvement project was going to improve North Broadway approximately one-half the frontage of the rezoned property that the property owner would be responsible for improving the other half of his Broadway frontage along both sides. This agreement provides for that improvement as an addendum to the joint Gladstone and Kansas City Englewood Road improvement project. Extra work will be solely the City of Gladstone's responsibility and this agreement apportions the cost which will be approximately \$100,000. City of KC has a short section of frontage in the area which is parkland and committed to pay \$ 15,870 for the improvement; John Chezik is committed to pay \$11,380; Herman Scharhag is committed to pay \$25,020 based upon an assessment over 10 years at 8% interest; Georgetown Medical represented by Varnum, Armstrong Deeter total cost is approximately \$50,000 (rather than paying the cash contribution they will donate property located between new and old Englewood immediately east of Broadway, approximately 1.6 acres at an

agreed upon value of 750 sq. ft. and has committed to repurchase the ground if the city so desires within 3 years after completion of the project). This agreement will finalize our negotiations with the property owners that represent approximately 30% of total right of way needed for the portion between 169 and N Oak. The City of Kansas City has notified that their condemnations are in process and they have set a bid date of February 26 for receiving bids for improvement of this project.

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution NO. 81-67, declaring that no primary election is required and that the candidates for office of City Councilperson to appear on the Tuesday, April 6 General Election Ballot are: Vincent McCarty, Tim Ruth, Lee W. Bussinger, Bob Fairlie. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie (5-0)

Item 17 on the Agenda: Mr. Ashcroft moved to adopt Resolution NO. 81-68, authorizing acceptance of NE 57th Terrace and North Norton constructed in the 6th Plat of Brooktree Subdivision for City maintenance; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 18 on the Agenda: Mr. Whitton moved to adopt Resolution NO. 81-69, authorizing extension of delinquent date for payment of 1981 property taxes and sewer assessments to January 15, 1982 due to problems in receiving 1981 tax rolls from Clay County and subsequent delay in mailing tax statements to Gladstone property owners. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 19 on the Agenda: Mr. Whitton moved to approve Curtis M. Bryant has the new Managing Officer of Baxter/Coco Restaurant, 6129 N.E. Antioch Road. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (Managing Officer for purpose of Class A&B Liquor License)

Item 20 on the Agenda: Mr. Bussinger moved to approve the Financial Reports for (a) Cash Disbursements for November 1981 and (b) Financial Report for all funds for 5 months ending November 30, 1981 as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 21 on the Agenda: Other Business.

Mr. Bussinger asked if the City Manager could authorize change in managing officer on liquor licenses rather than bringing the matter to the Council. Mr. Dods responded that he had discussed the matter with the City Manager and would have an ordinance ready for the next council meeting to accomplish that.

Mr. Karns noted that there were street cuts at 64th & North Oak in connection with Oakview sewer improvements and said he would like some assurance that cuts would be well repaired. Mr. Achen advised that Mr. Anderson is monitoring that with the contractors.

Mr. Bussinger asked if there was any new information about the 68th Street ramp construction now that N. Broadway is completed. Mr. Achen indicated he had heard nothing further from the Highway Department.

Mr. Whitton asked if we have any new information on when the dirt to the north of Long John Silver will be moved. Mr. Achen said we have received communication from Dr. Steckleberg's attorney who indicated that the dirt was being sold and should be moved yet this year.

Mr. Ashcroft indicated he had been contacted by Earl B. Harris, 7010 Kranz Road, (436-0399) who complained to Public Safety over the weekend about a neighbor's light shining in his bedroom. The department responded and the neighbor turned the light out but has since reoccurred. Mr. Ashcroft asked if the Public safety department would contact Mr. Harris and advise if formal complaint should be signed or other action to stop the disturbance.

Mr. Ashcroft also asked that the City examine the public address system he had viewed at the National League of Cities Conference. He and Mr. Bussinger were impressed and feel it would greatly improve our present system.

Mr. Ashcroft asked that the Staff look at the possibility of an ordinance change that would establish certain trash pickup days for neighborhoods and require firm containers. He noted that haulers presently will pick up in the same neighborhood on different days of the week. Other cities are now requiring use of only the hard-plastic or rubberized containers and have disallowed trash bags. It certainly improves the appearance of the neighborhood and eliminates problems of animals tearing into bags. He would like the staff to look into it.

Mr. Ashcroft asked that the staff review the material he brought back from the National League of Cities Conference on the operation of municipal executive golf courses with Happy Rock park in mind.

Mayor Fairlie noted that we keep doing things in the parks that are costly. He noted that we do have a lot of property in Happy Rock Park that could pay its way and be a revenue producer on a user fee basis and he would also suggest that we pursue the possibility of an executive golf course or miniature golf course.

There being no further business to come before the City Council, the meeting was adjourned.

Respectfully submitted:

Marlene J. Ahnfeldt

Approved as submitted: ✓

Approved as corrected/amended:

Robert J. Fairlie  
MAYOR



NOTE: NO DECEMBER 28, 1981 CITY COUNCIL MEETING

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 11, 1982

A G E N D A

1. Meeting Called to Order - Roll Call.
2. Pledge of Allegiance
3. Acceptance of Minutes of December 14, 1981 City Council Meeting.
4. Approval of Building Plans:
  - a. Kendallwood Office Building, 2700 Kendallwood Parkway - Alteration  
Applicant: H. R. Herdinger Construction
  - b. McDonough Medical Building, 2800 Kendallwood Parkway  
Bulk Oxygen Storage  
Applicant: Burnidge Oxygen
  - c. Opal's Cafe, 7622 North Oak - remodeling  
Applicant: Fred Birch                      Owner: Rex Harbison
5. CONSIDERATION OF REVISED PRELIMINARY PLAT of 2nd Plat of TRACY ESTATES.  
Applicant: Larry Mitchell
6. Communications from the Audience.
7. Communications from the City Council.
8. Communications from the City Manager.
9. RESOLUTION NO. R-82-1, Authorizing execution of Special Use Permit to Willowwalk Poodles Kennel, 7321 North Antioch Road. Applicant: B.D. Lemley
10. *not introduced* RESOLUTION NO. R-82-2, Authorizing execution of an Agreement for Professional Engineering Services During Construction of the North Flora/North Troost Construction Project with Larkin and Associates.
11. *defered* APPROVAL OF LIQUOR LICENSE:
  - a. Nadine's, 6821 North Oak, Class "C" License. Applicant: Nadine R. Webb.
12. APPROVAL OF FINANCIAL REPORTS:
  - a. Cash Disbursements for December, 1981.
  - b. Financial Reports for all funds for 6 months ending December 31, 1981.
13. Other Business.
14. Questions from the News Media.
15. Adjournment.

*Minute Book*

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 11, 1982

The Gladstone City Council Meeting was called to order on Monday, January 11, 1982, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Robert Fairlie. In addition to the Mayor, those in attendance were: Councilmen Larry Whitton, Ken Karns, Bob Ashcroft, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Mayor Fairlie noted that Councilman Bussinger was out of the city.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Ashcroft moved to approve the minutes of the December 14, 1981 city council meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 4 on the Agenda: Approval of Building Plans:

- a. Kendallwood Office Building, 2700 Kendallwood Parkway - Alteration  
Applicant: H.R. Herdinger Construction Company

Mr. Larry Wickham, architect was present to review remodeling plans with Council and explained that the remodeling consists of alteration of interior partitions and changes in lighting for new tenants in this 3300 sq. ft. office.

Council advised that the commercial sidewalk requirement (Code Section 27-9.1 ) will apply in this instance and reviewed with Mr. Wickham the recent clarifying resolution (81-60) providing for sidewalk construction or deposit of funds for future construction an amount equal to the percentage that the individual business' building frontage bears to the building frontage of the center.

Mr. Ashcroft moved to approve building remodeling plans for 2700 Kendallwood Parkway as submitted with the stipulation that sidewalks be constructed or funds provided for future construction as required by the City Code. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

- b. McDonald Medical Building, 2800 Kendallwood Parkway  
Bulk Oxygen Storage, Applicant: Burnidge Oxygen

Mr. Al Hogue, Burnidge Oxygen Company, explained that a bulk oxygen storage tank (90,000 cubic feet) was installed for their customer, McDonald Medical Building. Mr. Hogue explained that customarily the architect obtains any permits needed and he was unaware that a building permit application had not been filed.

Council reviewed with Mr. Hogue, the engineering staff memo dated December 21, 1981, which points out areas where the oxygen storage tank and pad as installed violates the city code, Uniform Fire Code and National Fire Code. Mr. Hogue acknowledged that these discrepancies would be corrected and that the concrete pad would be extended and the tank moved to comply with the 10 ft. setback required.

Mr. Ashcroft moved to approve the Bulk Oxygen Storage plans for the McDonough Medical Building as submitted with the stipulation that construction meet the City Engineer's requirements (12/21/81 memo) and that the penalty for construction without a permit be applied. Mr. Wickham seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

c. Opal's Cafe, 7622 North Oak remodeling. Applicant: Fred Birch, Owner: Rex Harbison

Mr. Fred Birch and his Attorney, Mr. Brian Hall, were present to review remodeling plans with Council for moving the kitchen facilities to the rear of the building and change in seating arrangement. The plans call for removal of existing walls and change in doorways as well as installation of new appliances.

Council pointed out that although staff report made no mention, the commercial sidewalk ordinance would apply in this instance.

Following review of plans, Mr. Ashcroft Moved to approve the plans as submitted with the stipulation that provisions of the commercial sidewalk ordinance be adhered to. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie.

Mr. Karns pointed out the need for the engineering staff to review the commercial sidewalk ordinance since this was the second building permit applicant this evening who had not been informed of the sidewalk requirement.

\* \* \*

Relating to Opal's Cafe, Attorney Hall explained that an application has been submitted for a Class "A" liquor license that would allow liquor by the drink 6 days a week at the establishment. Although there is a license available and the Public Safety Department has conducted their routine investigation and recommends approval, it has been determined that the establishment is 90 ft. from a residential property at 7604 North Oak. The Zoning Ordinance requires that any establishment serving liquor by the drink be no more than 100 ft. from R-1 zoned property or 200 ft. if the dwelling structure faces on the same street as the liquor establishment.

Mr. Hall noted that the State of Missouri has no similar law that would conflict with their obtaining a state license. He further explained that the property is presently on the market for commercial sale only for a quarter of a million dollars, so the property will definitely have a commercial future. In addition the owner of the residential property has no objection to Opal's establishment serving liquor by the drink. He asked that Council consider amending this section of the zoning ordinance to allow granting of this license. With regard to the distance from the R-1 property (7604 North Oak), Mr. Hall noted that although the front of the house faces North Oak, only the 76th Street entrance is used at the present time and the mailbox is also on 76th Street.

Mayer Fairlie questioned the Council's right to amend or waive this provision of the zoning ordinance. Counselor Dods agreed that it was not within the Council's realm to amend or waive this section particularly since it was Performance Standards section. Mr. Dods suggested that the applicant's recourse was to appeal to the Board of Zoning Adjustment for a variance from the Zoning Ordinance.

Item 5 on the Agenda:

Consideration of Revised Preliminary  
Plat of 2nd Plat of Tracy Estates  
Subdivision. Applicant/Owner: Larry Mitchell

Mr. Larry Mitchell was present to review revised plans with Council which now call for a cul de sac design and development of lots 5 thru 19. The change to normal or a little above normal lot sizes has allowed 4 additional lots from the earlier approved plan.

Following review of the plat, Mr. Ashcroft moved to approve the revised preliminary plat of the Second Plat of Tracy Estates as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. John Clevenger 200NE 58th Street asked that the city enforce the "NO PARKING" signs posted on 58th Street. Northwood Village Apartment dwellers park on both sides of the streets clear to the corner. The edge of the roadway has been broken down and every year he has to dig out the ditch. It is a dangerous situation as it is a school bus route and you can't get around the corner. The city has given parking tickets out to violators but the apartment dwellers from the 99 unit apartment continue to park on both sides of the street. Only the southside of 58th Street is posted.

Mr. Karns asked if the city could tow the violators' vehicles. Mr. Achen said he did not know if the city had that authority but would look into it. Mr. Karns also noted that if the street is that narrow maybe no parking on both sides was the answer. Mr. Achen agreed that the city would look into the matter.

Clarence Lowe, 3111 NE 67th Street asked that Council consider adoption of a requirement that property owners shovel sidewalks in front of their residences. He cited the dangers in children walking to school out in the road. He noted that he had lived in a number of cities and was surprised to find that Gladstone does not presently have such an ordinance. Just a shovelled "path" would get the kids out of the street.

Mr. Fairlie noted that at the time that Gladstone became a city very few areas had sidewalks. It is only since the passage of the city's subdivision ordinance that sidewalks have been required in new residential areas. He also pointed out that it used to be that people wanted to be responsible for their own property and wanted to be a good neighbor; today it takes laws and citations to get people to do things that are expected of them. He thanked Mr. Lowe and indicated Council would give consideration to such an ordinance. Mr. Ashcroft suggested that the staff survey other cities and see what their policies are regarding snow removal and general maintenance of sidewalks.

Item 7 on the Agenda:      Communications from the City Council.

Mayor Fairlie extended thanks to all participants and contributors for a successful Mayor's Christmas Tree operation that served 15 needy families including 33 children this season. He thanked Assistant to the City Manager Julie Betz for coordinating the effort.

Item 8 on the Agenda:      The City Manager had no communications.

Item 9 on the Agenda:      Mr. Whitton moved to adopt Resolution No.82-1, authorizing extension of the Special Use Permit for Willowalk Foodies, 7321 North Antioch Road for a period of 3 years, expiring on 12-31-84. Mr. Ashcroft seconded. Mr. Bill Lemley, owner, reviewed his operation with the Council and indicated the number of customers has substantially reduced in the past several years and will be kept at that level.

The vote:    All "aye" - Whitton, Karns, Ashcroft, Fairlie (4-0)

Item 10 on the Agenda:      Mr. Whitton moved to adopt Resolution No. 82-2, authorizing execution of an agreement for professional engineering services during construction of the North Flora/North Troost construction project with Larkin and Associates for an amount not to exceed \$125,300. Mr. Ashcroft seconded.

Mayor Fairlie pointed out that a prior contract for Flora/Troost (63rd - 72nd) engineering during construction had been executed with Larkin for \$103,000.

The proposal before us would do the entire project (63rd - 77th) for \$125,000

Mr. Ashcroft questioned if the the city could not get the same value for less dollars by contracting with an individual for the period of the contract rather than using Larkin.

Mayor Fairlie pointed out that applications had been accepted for an individual to perform this function, however, none of the applicants had the necessary qualifications. The proposed \$125,000 amount includes not only personnel but in-house engineering, staking, testing, etc.

Mayor Fairlie asked if the Council would be tying Mr. Achen's hands as far as the project if they did not act on this resolution tonight. He would suggest that the search for an alternative to the contract with Larkin is not over yet, but stressed that Council does not want to come up with a project that is not properly inspected. Mr. Achen responded that the work has begun on the project and construction engineering on the project has started but the city is paying Larkin and Associates for their services during the interim period.

Mr. Karns asked if Mr. Anderson was qualified to perform this function.

Mr. Achen agreed that Mr. Anderson could provide this service very well but pointed out that if he spent full-time in the field, we would be losing his management capabilities in the water and sewer system and street maintenance department and would be particularly a problem during major maintenance seasons. He noted the Larkin proposal includes two full-time personnel for project representation for approximately a year. It is not certain exactly how much time it would take but if we took the department head out of the office for the project it would cost us more money in other ways.

Council was in general agreement that the City should continue the search for someone with the necessary qualifications, whereupon Mr. Whitton withdrew his motion to adopt resolution No. R-82-2 and Mr. Ashcroft withdrew his second.

Item 11 on the Agenda: Approval of Liquor License for Nadine's, 6821 N. Oak, Class "C" license. Applicant: Nadine R. Webb

Mr. Achen asked that this item be deleted from tonight's agenda at the request of the applicant.

Item 12 on the Agenda: Mr. Ashcroft moved to approve financial reports for (a) Cash Disbursements for December, 1981 and (b) Financial Reports for all funds for 6 months ending December 31, 1981 as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie.

Item 13 on the Agenda: Other Business.

Mr. Karns asked what amount of money was expended on a comprehensive plan for parks recently discussed in a staff memo to council.

Mr. Achen advised that the University of Missouri was engaged to prepare the comprehensive plan for \$11,000. The University bid was 50% less than other proposals received. The study itself included extensive field work on each park which produced mylar site plans for all park property. Field surveys of citizens were taken and results analyzed and a document was prepared with recommendations for all parks. The staff memo Mr. Karns refers to represents the Park Board's priority recommendations and is not the full comprehensive plan prepared by the University.

Mr. Karns also asked that the staff direct a letter to Mr. George Carr, Communications Services, Inc., regarding the fact that billings have been sent to customers, yet callers find no one there to answer the telephone when they have called to discuss their bill. Mr. Achen advised that would be done.

There being no further business to come before the January 11, 1982 City Council Meeting, the meeting was adjourned.

Respectfully submitted:

Approved as submitted: 

  
\_\_\_\_\_  
City Clerk

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

  
\_\_\_\_\_  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 25, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 11, 1982 City Council Meeting
4. Communications from the Audience
5. Communications from the Council
6. Communications from the City Manager
7. RESOLUTION NO. R-82-3, authorizing the City Manager to execute a contract with E.H. Hall Contractors, Inc. for the reconstruction of North Troost (72nd - 77th).
8. RESOLUTION NO. R-82-4, authorizing execution of a utility agreement with Kansas City Power & Light Company relative to the North Flora/ North Troost reconstruction project.
9. APPROVAL OF LIQUOR LICENSE: Twenty-One/Twenty-One Restaurant, 5041 North Antioch Road, Class "B" (Sunday) license.  
Applicant: Nick Arello
- 9a. *Nickine Wiltz, Class C License*
10. PUBLIC HEARING: Bus service and fares in the city of Gladstone.  
*10a. Archie Blyden, Warden Plaza, 10b. City Charter Bldg. Plans, 57th N. Street*
11. Other Business
12. Questions from the News Media
13. Adjournment

8:30PM

*Minute Book*

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

January 25, 1982

The Gladstone City Council Meeting was called to order on Monday, January 25, 1982, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Robert Fairlie. In addition to the Mayor, those in attendance were: Councilmen Larry Whitton, Ken Karns, Lee Bussinger and Bob Ashcroft, Director of Administrative Services Jim Harlow, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Ashcroft moved to approve the minutes of the January 11, 1982, City Council Meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mayor Fairlie welcomed scouts, Scout Master Wick Pickard and Asst. Scout Master John Fields from Troop #316 to the council meeting and invited their questions or comments on any of the proceedings this evening.

Item 4 on the Agenda: Communications from the Audience.

Mr. Walt Whitaker, 1300 NE 65th Street, addressed the Council on the high gas bills received by his family and neighbors this past week. He expressed the shock of the residents in receiving their bills ranging from \$120 - \$150 for the one month period.

He asked that the Council as elected representatives pass a resolution opposing further gas deregulation and the proposal of the Federal Energy Regulatory Commission to raise gas price ceilings and forward the resolution to Senators Eagleton, Danforth and Congressman Coleman and President Reagan. The Missouri Public Service Commission should be requested to require that any utility requesting a raise notify all users of the requests in their billing and subsequently, of any scheduled public hearings. In addition Gladstone residents should be notified of utility company's actions through the City's newsletters to residents. The Missouri Public Service Commission should require the Gas Service Company to purchase the lowest gas available. Mr. Whitaker explained that he had asked neighbors to provide him with the amounts of bills for winter months for the years 1979, 1980 and 1981 and from this information created a chart depicting the increases for a typical family in Northhaven in dollar amounts. The high month in 1979, was \$84; 1980 - \$98; 1981 - \$126.

He pointed out that this is a monopoly, it provides a necessary product that we can't do without, is granted franchise protection by governments and if the government is going to allow the gas companies to operate as monopolies it should at least control the prices they charge. Normally competition helps set the prices -- they have no competition. Unless we do something we all face a hard winter and a hard future.

Mayor Fairlie thanked Mr. Whitaker for his presentation and said we all share his concerns and he is convinced that the Council is willing to support a resolution opposing further gas deregulation.

all  
Mr. Karns noted that the Gladstone City Council in 1980 raised/franchise taxes by 2%. He is sure this was done in the best judgement of the Council at the time because the city needed additional revenue. So far in fiscal 1982, it has accounted for \$86,000 additional revenue to the city. Gladstone can start by reducing the city franchise taxes and reducing the amount of money they spend and help the citizens probably more directly.

Mr. Whitaker thanked Mr. Karns for his remarks and said that of course reducing the franchise taxes will help but he is hoping to get something started that will extend beyond the local level - to the state and national government.

\* \* \*

Mr. Norman Jury asked that Council consider an addition to the agenda for building plans, 6459 N. Prospect. Mayor Fairlie advised that the item would be added to the agenda.

Mr. Larry Norris, Gladstone Church of Christ asked that building plans for the church's bus garage be placed on the agenda. Mayor Fairlie acknowledged his request and advised that the item would be discussed later in the meeting.

Mr. Les Smith, 6100 NW 49th Terrace, advised that he is the owner of a business in Gladstone and agrees with comments from a citizen made at the 1/11/82 council meeting urging Council to require that citizens be responsible for sidewalk snow removal. He suggests passage of a resolution asking for immediate cooperation from residents and businesses in this regard pointing out that the city cannot afford to handle this problem with city crews and that businesses can help themselves as well as school children, being responsible for sidewalk clearing on their properties. He further suggests Council review possibility of a "blanket" ordinance that would address not only snow shovelling but general maintenance of sidewalks.

Item 5 on the Agenda: There were no communications from the City Council at this time.

Item 6 on the Agenda: Communications from the City Manager.

Mr. Harlow had no communications at this time.

Item 7 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. 82-3, authorizing acceptance of a bid and execution of a contract with E.H. Hall Contractors, Inc. for the reconstruction of North Troost (72nd - 77th Street) for a total contract amount of \$607,573.35. Mr. Karns seconded.

Mr. Ashcroft commented that the initially the City's intent was to complete the first contract (63rd - 72nd Flora/Troost) before letting the contract for this section. Due to the availability of construction firms at this time, the city was fortunate to receive a low bid that was approximately \$95,000 less than the Engineer's estimate of about \$700,000.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 8 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-4, authorizing a contract with Kansas City Power and Light for an amount not to exceed \$11,071.00 for utility pole relocation for the Troost/Flora reconstruction project (63rd - 72nd ). Mr. Karns seconded. the Vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 9 on the Agenda: Mr. Bussinger moved to approve a Class "B" (Sunday Liquor by the drink) license to Twenty-One/Twenty-One Restaurant, 5641 N. Antioch Road. Managing Officer: Nick Arello. Mr. Karns seconded.

It was noted that the Public Safety Department had reviewed their application and recommends approval.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mayor Fairlie said he was certain Mr. Arello understands that the B license allows only Sunday sales of liquor by the drink and not package sales but suggested it should be stressed to the establishment.

Item 10 on the Agenda: PUBLIC HEARING: Bus service and fares in the city of Gladstone, Missouri.

Mayor Fairlie opened the public hearing explaining that the purpose of the public hearing is to determine whether sufficient interest exists to continue the Kansas City Area Authority bus service in the city. If sufficient interest exists, the City Council must determine whether to establish a higher fare that covers operating costs, to continue general city revenues to subsidize bus fares, or to discontinue KCATA bus service. A subsidy of \$8,100 dollars will be required from the City of Gladstone in 1982 to continue the present level of service on the three bus routes serving Gladstone. The City has already agreed to subsidize the service through the end of March, 1982.

ATA statistics show that ridership is 104-106 persons per day for the  
3. Gladstone lines.

Mayor Fairlie acknowledged that letters had been received from Don Lewis, Marvin Noll, Julie Weissflog, Barbara Flores, Paula Panarasi, Steven Olson, Steven Frame, Maybelle Watkins, and Donald O'Bryan on this matter.

Mr. Bussinger stated he would like to make an opening comment before the public hearing starts that he was not present when this item was brought before the Council at a worksession. In his opinion it is one of the most assinine things the Council is doing, when we are talking about \$8,100. Granted it is a lot of money, but overall this city needs buses. He stressed that although he is running for reelection, his statements aren't meant to be political. He feels it is a waste of the Council's time to listen to the citizens in attendance tonight when the bus service should be provided. He questioned what kind of a city we would be if we did not provide bus service.

Mr. Dick Davis, General Manager of the Kansas City Area Transportation Authority addressed the Council noting that he is a Gladstone resident residing at 3612 North Brooktree Circle and has been involved in Gladstone affairs for a number of years including service as a member of the City Council from 1969-1972. He asked to speak as a representative of ATA and comment also as a Gladstone citizen.

Mr. Davis reviewed the present level of service on the three Gladstone lines #38 Meadowbrook; #37 Gladstone, 37XX North Broadway Express, The subsidy requested pays for the operation of the bus only from the time it enters and leaves Gladstone. While the buses are in Kansas City or North Kansas City, those communities pay their respective shares of the cost of operation. The City has proposed that the ATA find a way to operate that service by increasing the bus fares to a "break-even level" which would require a minimum fare of \$1.25 or eliminate the service with no subsidy. The Metro feels strongly that ridership is adequate on those lines to warrant the subsidy. Approximately 200 persons a day are using the lines and by the time the buses leave Gladstone and make their trip they are at or near capacity. The fares of 70¢ - 80¢ are reasonable and consistent with fare levels throughout the metropolitan area. A substantial fare increase would likely reduce the ridership to the point that service cutbacks would be required. The \$8,100 subsidy required amounts to 30¢ per capita per year. In contrast to Kansas City Missouri's subsidy which figures \$3/per capita per year.

Speaking as a Gladstone citizen, Mr. Davis stressed that the City presently provides good municipal services and he sees no mandate from the citizenry to reduce that level of services but rather sees a need to explore means to generate adequate funds to maintain the present services. Cutting the bus service would shift the responsibility to the City of Kansas City which would be unfair to our sister city. Gladstone has always demonstrated a high level of cooperation with the City of Kansas City, Missouri as evidenced by the joint projects such as Englewood Road.

In closing, Mr. Davis pointed out that many of the riders are apartment dwellers, who are a younger group just starting out. Frequently they do not have 2 cars and public transportation is an alternative for them. Sometimes we forget this segment of the Gladstone population and the services they need. He thanked Mayor Fairlie for joining him in the bus rides on the Gladstone lines this past Wednesday, Thursday and Friday and indicated he thought it was a good example of outreach.

Mr. Bussinger stated that the Council had previously agreed to a contract with ATA to provide the service for the first quarter and he would move to approve the resolution providing the subsidy for the remainder of the calendar year.

Mr. Harlow advised that no resolution had been prepared, however, Counselor Dods could draft such a resolution for presentation later in the agenda if Council so desired.

Mr. Davis said that while he appreciated Mr. Bussinger's motion, there were a lot of people who had taken the time to attend this public hearing and who have some definite views on the subject, and he would hope the Council would take the time to hear from them.

Mayor Fairlie asked that persons in favor of continuation of the Gladstone subsidy first address the Council followed by those who oppose.

In Favor:

Marilyn Massori, presented a petition bearing 67 signatures requesting Gladstone's continuation of the subsidy signed by riders on the North Broadway express line. She noted that many of the riders are apartment dwellers and have no alternative transportation except the possibility of car pooling.

Mayor Fairlie accepted the petition and explained there was no provision for a legal protest petition as far as binding the Council but is accepted for information purposes.

Jay Hamilton, 301 NW 61st, said he cannot imagine us not wanting to have public transportation available and continuation of the service is important now and even more so in the future. From a fuel conservation standpoint it is vital. He suggested the ridership could be increase by better promotion by ATA.

Mr. Whitton pointed out that the city is faced with finding ways to cut costs to balance the budget as example the City may have to raise water rates if ways to cut costs cannot be found. He noted that in worksession discussions all councilmembers had agreed that the public hearing should be held on bus service because of the amount of subsidy requested.

Mr. Karns pointed out that the Council increased all utilities by raising the franchise tax and then in effect we use some of those funds to support bus service for the approximate 100 riders - he questions the equity of this.

Chuck Wofenstein, 7400 N. Wyandotte, said he is in favor of continuation of the subsidy and pointed out that all residents have an opportunity to ride the bus, even though they do not take advantage of it. His wife has students in special education classes who depend on bus transportation to vocational rehabilitation training sites. Elimination of bus service would have a devastating affect on the program.

Ralph Nichols, 1401 NE 66th, stated that we have to think of the future need as well as the present. He has tried pool riding and it has not worked for him in the particular hours he works. In his opinion, the bus transportation could be better promoted through advertising.

Paula Caugin, 7504 N Garfield, noted she is a 6 year resident of Gladstone and chose our city specifically for the good services that were available in the areas of police, fire, public safety. In an era of energy crisis, elimination of public transportation service would be a serious mistake. With regard to previous comments that the subsidy paid only benefits a small segment of the population, she pointed out that there are other services provided by the city which also serve only specialized groups such as senior activities, park and recreation programs, etc.

Daniel Carter, 6628 North Broadway, stated he is willing to pay a fare increase to retain the service and said that when he was looking for housing, he specifically looked for areas with transit service available.

Linda DeLuca, 2503 NE 59th, stated that the discussed \$1.25 fare increase would be unaffordable to her and that elimination of service is not fair. The service is the only means of transportation she has to her job site. A vehicle is unaffordable at the present time. She also suggested that the ridership would increase if the service was better noting that you are "stuck" downtown during the day because of few mid-day runs.

Mayor Fairlie responded that the system is reviewed on an annual basis and changes are recommended but increased service has been unaffordable.

Betty Barry, 6819 North Broadway, also noted she has no other means of transportation to her job and asked what alternatives the Council would explore if service is discontinued.

Mr. Karns stressed that he is not suggesting the bus service be done away with but thinks the system should be paying for itself.

Marlin Steele, 6802 N. Tracy, said he feels the City needs a transit system and pointed out that if there are only 105 people using the bus that means 105 vehicles are not on the street.

Francis Rickert, 303 NE 67th Terrace, said he would be willing to pay his share of the subsidy rather than increase the fares for those who can't afford it.

Les Smith, stated that he would rather see a City subsidy <sup>for</sup> public transportation than some social programs.

Mr. John Taliffero, spoke in favor of the subsidy and pointed out that there may be only 105 citizens using the service but asked how many other services the city provides that can claim that number of users every working day of the year.

Lamar Dye, 6706 North Walnut, stated there is a need for bus service here and it has been met and should be retained.

Lillian Haveland, 1605 NE 76th Steet, asked if the Council would ask users of other programs the city provides to pay for them or eliminate them. She cited the necessity of transportation over programs such as the annual fireworks display funded by the city.

\* \* \*

Following the audience comments, Mr. Bussinger moved to adopt Resolution No. R-82-5, authorizing extension of a contract with Kansas City Area Transportation Authority for public transportation service to the city of Gladstone, Missouri, for the period April 1, 1982 through December 31, 1982, for a total cost to the City not to exceed \$6,100; encouraging increased use of the public transportation system by the citizens of Gladstone; and encouraging KCATA to economically and efficiently improve its service to the community. Mr. Ashcroft seconded..

#### Discussion:

Mr. Ashcroft asked for a show of hands of Gladstone citizens present tonight who oppose city subsidy of the bus service noting that no one had come forward to oppose the subsidy. 4 hands were raised.

Mr. Karns again pointed out that he is elected to represent all of the citizens and is not trying to cut out the bus service but is of the opinion that the system should be a "paying system".

Mr. Bussinger agreed that the Council is elected to serve all citizens, but in his opinion public transportation is not the area to cut back and he will support Mr. Karns in trying to cut the cost of city services provided.

Mr. Whitton commented that his poll of citizens found that they thought it was absurd to subsidize the bus service. He said he has has reevaluated his position after hearing the comments made tonight. He thanked the audience for attending and letting the Council know how they feel.

Commenting on previous point raised, Mayor Fairlie acknowledged that the city does provide some services on an infrequent basis as example, recreation programs, ball diamond and tennis court lighting that are not used by all 25,000 residents.



The vote on the resolution: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

\* \* \*

Following a ten minute recess, Mayor Fairlie called the January 25, 1982 meeting back to order.

Item 9a on the Agenda: Class "C" liquor license, Nadine's, 6821 N. Oak.  
Managing Officer: Nadine Webb.

Council asked Ms. Webb if the physical arrangement of her building now met the State's Liquor requirements as far as Gladstone's issuance of two separate licenses, the C now requested and the A previously authorized by Council. Ms. Webb responded that her attorney, John Krebs had advised her that she does meet state requirements.

Council pointed out that we have two applications for C (Package Liquor Licenses) - Nadine's and Happy Rock Liquor #2, however there is only one license available under the present limitation of 4.

Council discussed the possibility of amending the ordinance to provide for the additional license sought this evening. Mr. Dods suggested that could be done however he would prefer to meet with the Council to determine Council's wishes as to the amendment explaining that number of package licenses could be increased or the limitation eliminated completely from the ordinance. He suggested that Council could in the interim transfer the license held by Quick Trip at that location to Happy Rock Liquors #2 and amend the ordinance at a later date.

Mr. Ashcroft moved to approve a Class "C" license to Nadine's, 6821 N. Oak; Mr. Bussinger seconded. The vote: "Aye" - Whitton, Bussinger, Ashcroft, Fairlie. "No" - Karns. (4-1)

Item 9b on the Agenda: Class "C" license, Happy Rock Liquor #2  
6401 N. Antioch. Mgr. Officer: Frank Pittala

Mr. Whitton moved to approve the Class "C" license for Happy Rock Liquor #2 as requested; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

note: Mr. Bussinger left the meeting prior to the vote on this item

Item 10a. on the Agenda:

Consideration of Building Permit, 6459 N. Prospect  
Prospect Plaza Shopping Center  
Applicant: Norman Jury

Mr. Norman Jury reviewed plans for interior alteration of this 1500 sq. ft. office space explaining the intended use was for operation of an arcade.

Council asked if Mr. Jury was aware of the hours of operation for arcade establishments. Mr. Harlow reviewed the hours under the ordinance for the applicant.

Following review of the plans, Mr. Ashcroft moved to approve the plans as submitted with stipulation that funds be escrowed for future sidewalk construction as required under the commercial sidewalk ordinance as per the formula shown on the Engineering Staff report dated January 25, 1982 and that a double building permit fee be assessed for construction start prior to approved building permit. Mr. Whitton seconded. The vote:

"All aye" - Whitton, Karns, Ashcroft, Fairlie. (4-0)

Item 10b on the Agenda:

Gladstone Church of Christ Building Plans  
Bus Storage Building, 57th & N. Flora

Mr. Larry Norris, 400 NW Sagamore Lane, asked to review revised plans for concrete block bus storage building on the church's property. Mr. Norris noted that area residents had been invited the previous Sunday to a meeting to review the church's revised plans however no one came. He reviewed attempts to arrange a meeting with interested area residents but because of the holidays and inclement weather and inability to contact Attorney John Krebs, who has been retained by several of the neighbors, no meeting was ever arranged except for the meeting the previous Sunday which no one attended.

Council asked if persons on the list submitted to the city sometime ago had been notified in writing by the city that the Council would consider the item this evening. The City Clerk advised that had not been done.

Council agreed that they had previously committed to residents to sending written notification at such time as the building permit was again placed on the agenda and for this reason action would not be taken tonight.

Following discussion, Council unanimously voted to place the Gladstone Church of Christ's building plans on the Monday, February 8, 1982 city council meeting agenda and directed the City Clerk to so notify all interested parties in writing. The Clerk acknowledged Council's directive.

Item 11 on the Agenda:

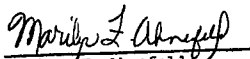
Other Business.


Mr. Whitton moved to appoint Mr. Brian Hobson to fill the unexpired term on the Board of Zoning Adjustment ending June, 1985. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie. (5-0)

Mr. Whitton asked that staff review the timing sequence at 72nd & North Oak, traffic light as it had been brought to his attention that the light only allows four cars to go through the light east bound creating a terrible backup of vehicles. Also the allotted time for pedestrians was reportedly too short.

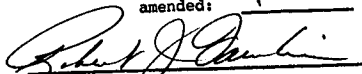
There being no further business to come before the Council meeting of January 25, 1982, the meeting was adjourned.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: 

Approved as corrected/  
amended:

  
MAYOR

February 8, 1982

- APPROVAL OF FINANCIAL REPORTS:**

12. APPROVAL OF FINANCIAL REPORT - Interim Financial Report for 7 months ending January 31, 1982 for all funds.
13. Other Business.
14. Questions from the News Media
15. Adjournment

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

February 8, 1982

The Gladstone City Council Meeting was called to order on Monday, February 8, 1982, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Robert Fairlie. In addition to the Mayor, those in attendance were: Councilmen Larry Whitton, Ken Karns, Bob Ashcroft, Lee Bussinger, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Ashcroft moved to accept the minutes of the January 25, 1982 city council meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 4 on the Agenda: Mayor Fairlie read proclamations designating the week of February 7-13 as "JAYCETTE WEEK"; and February 21-27 as "ENGINEERS WEEK" in the city of Gladstone.

Item 5 on the Agenda: APPROVAL OF BUILDING PLANS. Revised plans for bus storage garage. Applicant/Owner: Gladstone Church of Christ, 57th & N. Flora.

Mr. Larry Norris, architect, 400 NW Sagamore Lane, reviewed revised plans for the bus garage noting that the exterior material has been changed from metal to a split-rib concrete brick with a corduroy affect. He noted that Bob's IGA on Antioch Road has similar exterior. Roof will be of metal panels with metal overhead doors all painted alike in an earth-tone. The building is 50 ft. wide and 75 ft. long with the highest point about 22 ft. above the floor line, with 14 ft. sidewalls and 3:12 pitch.

Mr. Bussinger noted that he had received seven letters and probably fourteen telephone calls regarding this issue. Frankly, he will find it hard to vote in favor of the building plans when there is so much opposition and personally would not want it next door to him.

Mr. Karns asked if the garage would be used as a youth activity center and if gas and oil would be stored.

Mr. Norris responded that it would be used strictly as a bus garage and no storage of gas and oil however, some minor bus repairs would be performed.

Mr. Karns noted that when the City wrote letters to the area neighbors advising that this item was to be on the agenda, Council was bombarded with calls and letters.

Mr. Norris pointed out that he had reviewed at the last council meeting attempts by the church to arrange a meeting with area residents to review the church's plans. He has been disappointed and quite perplexed as to why they haven't been able to meet and compromise on this matter. Mr. Norris said they had sent out letters and received no responses or calls to the church, unless there were calls that had not been brought to his attention.

Mr. Ashcroft said he had received the same letters that Mr. Bussinger had and it appears to him that we have the "pot calling the kettle black" on both sides. It is evident that some of the people sending letters have inaccurate information, because some of the letters he has received object to a "tin" bus barn and if they had been following the issue would know that the revised plans call for brick exterior. He has a problem with the fact that the church owns the ground and the right to use the ground and the proposal meets the building setback requirements, etc.

Mr. Norris said that the church had followed all of the required steps in submitting the application to their knowledge, and they certainly don't want to build anything that everyone in the neighborhood is against. He would still like an opportunity to talk to the people who oppose it.

Mayor Fairlie pointed out that the initial plans were denied because Council has not encouraged "metal" buildings in the city particularly in commercial areas. Council asked that plans for other than metal exterior be submitted that has been done. The use of the building may not be what he would want in a neighborhood, but had plans called for a gym or assembly, worship service or school, he would think the Council would be hard-pressed to deny the permit. He expressed dissatisfaction that the church did not meet with the residents in the area and work out the concerns that they had. Although he may not like the use he finds it hard to vote against something that meets all the city's legal requirements. He fears that once he starts voting to curtail the use of the church's property someone may have the right to vote to curtail or limit the use of his property other than the laws that are currently on the books.

Mr. Ashcroft moved to approve the building plans for the Church of Christ, 57th & N. Flora as submitted; Mr. Whitton seconded. The vote: "Aye" - Ashcroft, Fairlie. "No" - Whitton, Karns, Bussinger. BUILDING PLANS DENIED (3-2) VOTE AGAINST.

Item 6 on the Agenda:

There were no communications from the audience.

Item 7 on the Agenda:

Communications from the City Council.

Mr. Whitton asked if the City Manager had a report on the question of the 72nd & N. Oak signal timing for eastbound traffic and parking problems at 72nd & Wyandotte and 58th & Walnut.

Mr. Ashcroft told Public Safety is preparing a report on the 72nd & Wyandotte. The red and white signs have been ticketed at 58th & N. Walnut together. Mr. Whitten said that the complainant (Mr. Cleveland, 200 NE 44th St.) would like to see the STOPPING signs posted in front of his house. Mr. Ashcroft said the staff would look into the request and report back to the council on that a red light question.

Item 9 on the Agenda: Mr. Ashcroft asked that Resolution No. 82-2, authorizing an agreement for professional engineering services for a study of the north portion of the Flood Improvement project be added to the agenda. The council unanimously designated the addition as agenda item 10-a.

Item 10 on the Agenda: FIRST READING: BILL NO. 82-1, Amending Section 1-1-1 of the City Code providing for the sale and handling of intoxicating liquors and persons intoxicated by persons 16 years or older acting in violation of the ordinance of Section 1-1-1.

Mr. Whitten moved to place BILL NO. 82-1 on first reading; Mr. Bussinger seconded. The vote: All Yea: Whitten, Karna, Bussinger, Ashcroft, Fairlie. (5-0)

Item 10a on the Agenda: Mr. Bussinger moved to adopt Resolution No. 82-6, approving with a regulation of prices for natural gas and further increasing an natural gas price ceiling by the Federal Regulatory Commission. Mr. Bussinger seconded. The vote: All Yea: Whitten, Karna, Bussinger, Ashcroft, Fairlie. (5-0)

Item 10a on the Agenda: Mr. Whitten moved to adopt Resolution No. 82-7, authorizing execution of an agreement for professional engineering services during construction on the Flood/Flood reconstruction project with a maximum compensation for professional services not to exceed \$125,000; Mr. Bussinger seconded.

Mayor Fairlie stated that previously a resolution was passed authorizing engineering during construction for only the third 72nd portion of the project at a cost of \$125,000. The north portion (72-77) has since been added to the project. Considerable search has been made to find a competent engineer on the job and over though 21 resumes have been submitted, the city cannot find any qualified people who can be retained for the entire \$125,000. The council will need to be retained for the on the job.

The vote: All Yea: Whitten, Karna, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Achen said that Public Safety is preparing a report on the 72nd & Wyandotte location and violators have been ticketed at 58th & N. Walnut location. Mr. Whitton said that the complainant (Mr. Clevenger, 200 NE 58th Street) would like to see NO PARKING signs posted in front of his house. Mr. Achen said the staff would look into the request and also provide a report on the 72nd & Oak light question.

Item 8 on the Agenda: Mr. Achen asked that Resolution No. 82-2, regarding a new agreement for professional engineering services for construction of the North Troost/North Flora improvement project be added to the agenda. Mayor Fairlie designated the addition as agenda item 10-a.

Item 9 on the Agenda: FIRST READING: BILL NO. 82-1, amending Section 3-13 of the City Code providing for the sale and handling of intoxicating and non-intoxicating beverages by persons 18 years or older acting in the capacity as a waiter or waitress.

Mr. Whitton moved to place Bill NO. 82-1 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcraft, Fairlie. (5-0) The Clerk read the Bill.

Item 10 on the Agenda: Mr. Bussinger moved to adopt Resolution No. R-82-6, opposing further deregulation of prices for natural gas and further increase in natural gas price ceilings by the Federal Regulatory Commission. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 10a. on the Agenda: Mr. Whitton moved to adopt Resolution NO. 82-2, authorizing execution of an agreement for professional engineering services during construction of the Troost/Flora reconstruction project with Larkin and Associates for a total amount not to exceed \$125,300; Mr. Bussinger seconded.

Mayor Fairlie noted that previously a resolution was passed authorizing engineering during construction for only the 63rd-72nd portion of the project at a cost of \$105,000. The north portion (72-77) has since been added to the project. Considerable search has been made to find a competent engineer on the job and even though 26 resumes have been submitted, the city is not finding qualified people who can be retained for the entire period of the project therefore Larkin will be retained for the on the job inspection of the project.

The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)



Item 11. on the Agenda.

Approval of New Liquor Licenses.

- a. O&F, Inc. dba Opal's Restaurant & Lounge, 7622 N. Oak  
Class "A" license, Mgr. Officer: Opal Chriss

Mr. Fred Birch partner of the applicant Opal Chriss was present to answer Council questions.

must  
Mr. Fairlie pointed out that 60% of the revenue/be from other than the sale of alcoholic beverages and certificate of compliance by a Certified Public Accountant is required. Mr. Birch said the restaurant should have no problem complying. The restaurant will be open 24 hrs. a day after remodeling and they propose to serve liquor from 4:00 PM until midnight or 1:00 pm.

There were no further questions from Councilmembers whereupon Mr. Ashcroft moved to approve the Class "A" license to Opal's Restaurant & Lounge, 7622 N. Oak. Mr. Bussinger seconded. The vote: All "aye"- Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

- b. Szechuan Restaurant, 6465 N. Prospect, Class "A" and "B" license  
Mgr. Officer Joseph Yunhung Yu

Mr. Chris Patterson, attorney with Snowden & DeCuyper firm was present with Mr. Roger Yu (brother of the applicant) to request this license.

Mayor Fairlie stressed that the B (Sunday) license does not allow package sales on Sunday. Mr. Patterson and Mr. Yu acknowledged that this was understood. Mr. Achen advised that the Public Safety Department had conducted their routine investigation and recommends approval.

Mayor Fairlie pointed out that a certification of compliance with the 60-40 requirement under the ordinance will be required by the city in the fifth month of operation.

In response to Council question, Mr. Achen advised that with the issuance of the two Class "A" licenses tonight all 13 available liquor by the drink licenses under the present ordinance limitation will have been issued.

Mr. Bussinger moved to approve the Class A & B license to Szechuan Restaurant, 6465 N. Prospect. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda:

Mr. Bussinger moved to approve the Interim Financial Report for 7 months ending January 31, 1982 for all funds. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mayor Fairlie complimented the finance department on submittal of the report only five days after the end of the month.

Item 13 on the Agenda:            Other Business.

Mayor Fairlie noted that appointments to Board and Commissions needed to be made.

Mr. Karns moved to appoint the following persons to the Planning Commission:

Brian Hall, one year term expiring December, '82  
Frank Palermo, one year term expiring December '82  
Tim Ruth, three year term expiring December '84  
Jim Smith, three year term expiring December '84  
Ann Shannon, three year term expiring December '84

Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

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Mr. Whitton moved to appointment the following to the Park Board:

Dorothy Shepherd, to fill unexpired term vacated by Vee Duensing ending December, 1982

Pat Forbes, 3 years expiring December '84  
Bernie Jezak, 3 years expiring December '84  
G. Davis Stark, 3 years expiring December '84

Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

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Mr. Bussinger moved to reappoint all five current members of the Public Safety Advisory Board retaining Mr. Marvin McIntyre as chairman.

Mr. Karns asked that a vote on the reappointment of Mr. George McCuiston be taken separately.

Mr. Bussinger acknowledged Mr. Karns request and withdrew his blanket motion reappointing all current members of the Board so that each member could be voted upon separately.

Mr. Bussinger moved to appoint Mrs. Virginia Bauman for a one year term ending December '82; Mr. Ashcroft seconded. The vote: All "aye". (5-0)

Mr. Bussinger moved to appoint Mr. James Furlong for a one year term ending December '82; Mr. Karns seconded. The vote: All "aye" - (5-0)

Mr. Bussinger moved to appoint Mr. Bob Glover to a one year term ending December '82. NO SECOND TO THE MOTION WAS MADE.

Mr. Bussinger moved to reappoint George McCuiston for a one year term ending December '82; Mayor Fairlie seconded. The vote: "aye" - Bussinger, Fairlie. "no" - Whitton, Karns, Ashcroft (3-2 AGAINST)

Mr. Bussinger moved to appoint Marvin McIntyre to a one year term expiring December, '82 and to act as Chairman of the Public Safety Advisory Committee for the year; Mr. Ashcroft seconded. The vote: All "aye" - (5-0)

Mr. Ashcroft noting the reappointment of 3 members to the Public Safety Advisory Board questioned if a membership of 3 on the board was not sufficient. Mr. Bussinger stated that initially the board was 8 and then reduced to 5 with change in meeting time from monthly to once a year and at other times upon the call of the Chairman and said that from his familiarity with the Board a membership of 5 members should be retained. Mr. Ashcroft said that he would abide by Mr. Bussinger's recommendation since he is the Council representative to the Board.

Mr. Bussinger advised that he would have two additional nominees to the board for the next council meeting.

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Cable TV Advisory Board

Mr. Ashcroft moved to appoint Larry Enkleman for a one year term ending December '82. Mr. Karns seconded. The vote: All "aye" (5-0)

Gladstone Special Road District No. 3

Mr. Ashcroft moved to reappoint Mr. Ed Watson to a five year term ending January, 1987; Mr. Bussinger seconded. The vote: All "aye" - (5-0)

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Mr. Ashcroft commented on a letter from a resident suggesting that her utility tax may be going to Kansas City rather than Gladstone. Mr. Achen said that is being looked into and pointed out that the difficulty lies with the fact that some utilities show "Gladstone Tax" on their billing while others only show "City Tax".

There were no questions from the news media or other business to come before the February 8, 1982 City Council, whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted:

*Marvin J. Ashcroft*  
City Clerk

Approved as submitted: ☒  
Approved as corrected/  
amended: \_\_\_\_\_  
*Barb* *15th*  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 8, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of February 8, 1982 City Council Meeting
4. PROCLAMATIONS:
  - . Designate March 7-13 as "GIRL SCOUT WEEK".
  - . Designate March 14-21 as "CAMP FIRE, INC. YOUTH WEEK"
  - . Designate month of March, 1982 as "DISASTER PREPAREDNESS MONTH".
5. Communications from the Audience.
6. Communications from the City Council
7. Communications from the City Manager
8. SECOND READING: BILL NO. 82-1, amending Section 3-13 of the City Code providing for sale and handling of intoxicating and non-intoxicating beverages by persons 18 years or older acting in the capacity as a waiter or waitress.
9. FIRST READING: BILL NO. 82-2, an ordinance establishing procedure for transfer and assignment of licenses for sale of alcoholic beverage, and amending Section 6 of the Ordinance No. 1.529 (Code Section 3-21).
10. FIRST READING: BILL NO. 82-3, amending Schedule V of the City's Model Traffic Code dealing with parking restrictions on city streets.
11. FIRST READING: BILL NO. 82-4, amending Section 27-4 of the City Code dealing with the deposit of materials on city streets.
12. FIRST READING: BILL NO. 82-5, providing for the appointment of alternate members to the Gladstone Board of Zoning Adjustment.
13. RESOLUTION NO. R-82-7, endorsing the "911" Emergency Telephone Service Funding Proposition at the April 6, 1982 Election.
14. Approval of Financial Reports. Interim Financial Report for the month ended February 28, 1982.
15. Other Business.
16. Questions from the News Media.
17. Adjournment.

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

March 8, 1982

The Gladstone City Council Meeting was called to order on Monday, March 8, 1982, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Pro-Tem Bob Ashcroft. In addition to the Mayor Pro-Tem, those in attendance were: Councilmen Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen and the City Clerk. Mr. Ashcroft announced that Mayor Fairlie was out of the city.

Item 2 on the Agenda: Representatives of District 5 Campfire and Bluebirds led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to accept the February 8, 1982 city council meeting minutes as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 4 on the Agenda: Mayor Pro-Tem Ashcroft read proclamations designating the following: March 14-21 as "Camp Fire, Inc. Youth Week". Campfire and Bluebird representatives from District 5 were introduced by their leader, Barbara Witherow. The girls are students at St. Charles and Plus X schools. Mayor Ashcroft presented the signed proclamation to the troop and welcomed them to the city council meeting.

March 7-12 was proclaimed as "Girl Scout Week" in the city of Gladstone. The month of March, 1982, was proclaimed as "Disaster Preparedness Month."

Item 5 on the Agenda: Communications from the Audience.

Mr. Owen Poole, 5609 North Walnut, addressed the Council on the continuing problem of unsightly materials on property at 202 NW Englewood Road. He questions the extensions of time that have been granted. City Manager Achen noted that the Nuisance Abatement division has given the property owner until April 8 and May 8 respectively to remove materials stored on his property and the buffer zone between his property and the Chezik dealership property. It was felt that since the property owner had agreed to these dates and evidence of a concerted effort is seen we are better off getting the problem solved than citing him into court where the Judge would likely give a date for abatement of the nuisance also. Mr. Achen noted that a bus stored on the property is a licensed vehicle and is legal.

Mr. Ashcroft thanked Mr. Poole for bringing his concerns to the Council.

City Council Meeting Minutes  
March 8, 1982  
Page Two

Mr. Sol Adaret, owner of Midas Muffler, 5840 North Oak addressed the Council on his need to utilize a portable sign for advertising "specials" on a permanent basis. He has been advised that his use of the sign violates the present sign ordinance which allows use of a "temporary" sign for a 30 day period only once in a 12-month period. In light of the present economy, his ability to advertise his monthly specials is vital to his business.

Mr. Bussinger stated that although he is sympathetic to Mr. Adaret's situation the Council cannot allow him something no one else can do. He would not be supportive to allowing temporary signs on an on-going basis but the council may want to take another look at the ordinance to extend the period from the present 30 days to maybe 60 days.

Mr. Achen stressed that the 30-day limitation was also in the old sign code and not a part of the amendment last year.

Mr. Ashcroft thanked Mr. Adaret for his comments and indicated that the Council will take a look at the request and get back to Mr. Adaret.

Item 6 on the Agenda:

Communications from the City Council.

Mr. Karns noted that prior to his election to the Council, utility franchise fees were increased from 5 to 7% which has generated about \$200,000 additional incomes so far this year. He would like to see the city look for a way to reduce the fee in the next budget. He believes it has become a "windfall" in revenue for the city and suggests that if we can find a way to watch our expenses we won't need the \$200,000.

Mr. Bussinger commented that as one of the higher paying utility customers in the city he would say "amen" to Mr. Karns suggestion. If we can find a way he is all for it.

Mr. Bussinger stated he would like to pay public tribute to Mr. Stanley R. Holmes Sr., a resident of 1800 NE 76th Street who recently passed away. Although Mr. Holmes was a political adversary of his the majority of the time, he took an ongoing interest in his community.

Mr. Bussinger noted that trash cans were left lying in the street after the trash pickup in his neighborhood that day. He had Mr. Achen come out and view the area and requests that the staff correspond with Mid Continent Disposal to do a better job.

Mr. Whitton asked that the staff look into a street problem in the area of 70-71st & North Walnut. The street has been torn up for some time and there is a dangerous hole at the crest of the hill. He also noted that the street is raised up at 67th & N Wayne creating a dangerous problem. Mr. Ashcroft noted that that repair had been made today.

Item 7 on the Agenda:  
City Manager.

There were no communications from the

Item 8 on the Agenda:

SECOND READING: BILL NO. 82-1, amending Section 3-13 of the City Code providing for sale and handling of intoxicating and non-intoxicating beverages by persons 18 years or older acting in the capacity of a waiter or waitress.

Mr. Whitton moved to accept the first reading of Bill No. 82 -1, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-1, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-1, and enact said bill as Ordinance No. 2.419. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 9 on the Agenda:

THIRD READING: BILL NO. 82-2, an ordinance establishing procedure for transfer and assignment of licenses for sale of alcoholic beverage, and amending Section 6 of the Ordinance No. 1.529.

Mr. Bussinger moved to place bill on 82-2 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Achen pointed out that the ordinance grants the City Manager authority to approve change in managing officer for liquor licenses. All new liquor applications will come to the Council for approval as in the present ordinance.

Mr. Bussinger moved to accept the first reading of Bill No. 82-2, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the second reading of Bill No. 82-2, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. The Clerk read the bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 82-2, and enact said bill as Ordinance No. 2.420. Mr. Whitton seconded. The vote: All "aye" - Whitton Karns, Bussinger, Ashcroft. (4-0)

City Council Meeting Minutes  
March 8, 1982  
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Item 10 on the Agenda: FIRST READING: BILL NO. 82-3,  
amending Schedule V of the City's Model Traffic Code dealing with  
parking restrictions on city streets.

Mr. Whitton moved to place Bill No. 82-3 on first reading; Mr.  
Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger,  
Ashcroft. (4-0) The Clerk read the bill.

Council noted this amendment designates North Wyandotte as "No Parking"  
at all times on both sides of the street from 215 ft. south of 72nd  
to 72nd in the area of Stoneridge Apartments.

Mr. Whitton move to accept the first reading of bill No. 82-3, waive  
the appropriate paragraph of Ordinance 1.83 and place said bill on  
second reading. Mr. Karns seconded. The vote: All "aye" - Whitton,  
Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-3,  
waive the appropriate paragraph of Ordinance No. 1.83 and place said bill  
on third and final reading; Mr. Karns seconded. The vote: All "aye".  
The Clerk read the bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-3,  
and to enact said bill as Ordinance No. 2.421. Mr. Karns seconded. The  
vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 11 on the Agenda: FIRST READING: BILL NO. 82-4,  
amending Section 27-4 of the City Code dealing with the deposit of  
materials on city streets.

Mr. Whitton moved to place Bill No. 82-4 on first reading; Mr. Karns  
seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft.  
(4-0) The Clerk read the Bill.

Mr. Achen pointed out that the amendment prohibits tracking, spilling, or  
dumping debris on public spaces from construction projects and authorizes  
the city engineer to require clean-up or suspend construction permit.

Item 12 on the Agenda: FIRST READING: BILL NO. 82-5, providing  
for the appointment of alternate members to the Gladstone Board of Zoning  
Adjustment.

Mr. Whitton moved to place Bill No. 82-5 on first reading; Mr. Karns  
seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)  
The Clerk read the bill.

It was noted that the amendment provides for the appointment of up to three  
alternates to the Board of Zoning Adjustment to serve in case of a regular  
member's absence or disqualification.



Mr. Whitton moved to accept the first reading of Bill No. 82-5, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill NO. 82-5, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill NO. 82-5, and enact said bill as Ordinance No. 2.422.

Item 13 on the Agenda:

Mr. Whitton moved to adopt Resolution No. 82-7, endorsing the "911" Emergency Telephone Service Funding proposition to be submitted to the voters on April 6, 1982, and urging the voters of Clay County to support this proposition at the polls. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft (4-0)

Mr. Whitton stressed that the tax not to exceed 2% is 2% of the base rate of telephone bills not the total bill.

Item 14 on the Agenda:

Mr. Bussinger moved to approve the Interim Financial Report for the month ended February 28, 1982. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft.

Councilman Karns asked if sales tax capital improvement funds can be used to subsidize the water operations. Mr. Achen responded that there are no legal restrictions on those funds only the restrictions the council has set. If council wanted to use funds for that purpose he knows of no legal restrictions against it. Mr. Karns asked if that was an alternative to increasing water rates.

Mr. Achen pointed out that was an alternative but the question would be what other capital improvements are planned such as street improvements and how much of the sales tax fund would have to be used to prevent a water increase. Approximately 80% of sales tax revenue on an annual basis will be tied up with funding the debt on the prior street improvement projects, the one we are doing now (Flora Troost) and Oak Street and 72nd Street projects. Which only leaves about \$200,000 a year for capital improvement money.

Mr. Karns noted that the City Manager had been recently quoted in the newspaper as suggesting that a water rate increase may be necessary. He would like to see some alternatives.

Mr. Achen said he would provide some alternatives during the budget process. But his advance notice is that the water department is operating at a deficit that he thinks is inappropriate for a water utility. He does not mean a cash deficit but we are not really protecting ourselves against major failures such as a problem with the water towers or wells. Revenues will need to be increased and he will look at alternatives.

City Council Meeting Minutes  
March 8, 1982  
Page Six

Item 15 on the Agenda:

Other Business.

Mr. Bussinger asked what would be done with the ambulance that was offered for sale if we will not accept any of the bids.

Mr. Achen said it was the city's feeling that the high bid of \$4,800 did not reflect the real worth of the vehicle. We do not have a need for the ambulance however hesitate to accept the bid unless Council desires. Some kind of recommendation will be made to the Council within the next few months but at this time propose to reject all the bids.

Mr. Bussinger also noted the opinion of the City Counselor as reported in the Council newsletter that the City Council has the final "say" on plats. He mentions this in light of the discussion at the recent Planning Commission meeting on the matter of the Kuhn Estates plat where the Planning Commission had previously denied the preliminary plat.

There were no questions from the news media or other business to come before the March 8, 1982, city council meeting, whereupon Mayor Pro-Tem Bob Ashcroft adjourned the meeting.

Respectfully submitted:

Marilyn Ahnefel  
City Clerk

Approved as submitted: X

Approved as corrected/  
amended:

Bob Ashcroft  
MAYOR

March 8, 1982

Page Five

Mr. Whitton moved to accept the first reading of Bill No. 82-5, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill NO. 82-5, waive the appropriate paragraph of Ordinance NO. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill NO. 82-5, and enact said bill as Ordinance No. 2.422.

Item 13 on the Agenda:

Mr. Whitton moved to adopt Resolution NO. 82-7, endorsing the "911" Emergency Telephone Service Funding proposition to be submitted to the voters on April 6, 1982, and urging the voters of Clay County to support this proposition at the polls. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft (4-0)

Mr. Whitton stressed that the tax not to exceed 2% is 2% of the base rate of telephone bills not the total bill.

Item 14 on the Agenda:

Mr. Bussinger moved to approve the Interim Financial Report for the month ended February 28, 1982. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft.

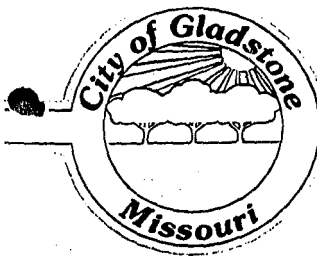
Councilman Karns asked if sales tax capital improvement funds can be used to subsidize the water operations. Mr. Achen responded that there are no legal restrictions on those funds only the restrictions the council has set. If council wanted to use funds for that purpose he knows of no legal restrictions against it. Mr. Karns asked if that was an alternative to increasing water rates.

Mr. Achen pointed out that was an alternative but the question would be what other capital improvements are planned such as street improvements and how much of the sales tax fund would have to be used to prevent a water increase.

Approximately 80% of sales tax revenue on an annual basis will be tied up with funding the debt on the prior street improvement projects, the one we are doing now (Ficra Troost) and Oak Street and 72nd Street projects. Which only leaves about \$200,000 a year for capital improvement money.

Mr. Karns noted that the City Manager had been recently quoted in the newspaper as suggesting that a water rate increase may be necessary. He would like to see some alternatives.

Mr. Achen said he would provide some alternatives during the budget process. But his advance notice is that the water department is operating at a deficit that he thinks is inappropriate for a water utility. He does not mean a cash deficit but we are not really protecting ourselves against major failures such as a problem with the water towers or wells. Revenues will need to be increased and he will look at alternatives.



P.O. BOX 10719 7010 NORTH HOLMES GLADSTONE, MISSOURI 64118 816-436-2200

PUBLIC NOTICE

SPECIAL CITY COUNCIL MEETING

Monday, March 15, 1982

5:00 PM

A G E N D A

1. Consideration of Liquor License - SHADY LANE UNITED SUPER  
6316 North Oak Trafficway  
Class "C" Package Liquor License  
Managing Officer: Bruce Lambert
  
2. Consideration of Building Plans and Site Plan - WOODLANDS INVEST  
Kendallwood Parkway & Brooktree  
Applicant: Jim Younger

MINUTES  
SPECIAL CITY COUNCIL MEETING

March 15, 1982  
5:00 PM

The Special City Council Meeting of March 15, 1982 was called to order at 5:00 PM in the Council Chambers of the Gladstone City Hall by Mayor Bob Fairlie. In addition to Mayor Fairlie, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger and Bob Ashcroft. City Manager Mark Achen and the City Clerk were also in attendance. Notice of the special city council meeting was publically posted.

Item 1 on the Agenda:

Consideration of Liquor License  
(Package, Class C) for Shady Lane  
United Super, 6316 North Oak Trafficway.  
Managing Officer: Bruce Lambert

City Manager Achen noted that the public safety department review of the application shows no record of problems or violations at the present establishment operated by the applicant, Williams United Super and recommends approval of the license.

Mr. Bussinger moved to approve the Class C license to Shady Lane United Super, 6316 North Oak as requested. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 2 on the Agenda:

Consideration of Building Plans and  
Site Plan for Woodlands, Kendallwood  
Parkway & Brooktree Lane.  
Applicant: Jim Younger

Mr. Jim Younger and Mr. Kirk Bond were present to review plans with Council and explained that Council decision on the latitude Council wants to give the engineering department in issuing building permits for this development is sought.

Mr. Achen clarified that the code presently provides that Council must approve CH1 zone preliminary site plans and complete construction plans and specifications prior to issuance of a building permit by the city engineer. From the developer's perspective it would be a nightmare to come back to the Council for approval on each unit. With reference to the engineer department's March 15 memo listing six areas where the constructions plans for units C&D do not meet the code, Mr. Achen stated that the City Engineer does not see a problem with items listed, they can be worked out with the developer.

Mr. Bond agreed that the areas mentioned could be rectified to the engineer's satisfaction. He explained that the earlier plans were conceptional and that the street layout remains essentially the same with exception of some modifications

MINUTES  
SPECIAL CITY COUNCIL MEETING  
MARCH 15, 1982  
PAGE TWO

to save trees. Some 10-inch trees will actually be moved to other locations within the project. Conceptionally there are eight different floor plans that will be used. Estate houses would be completely designed for a specific buyer.

Following review of plans, Council discussed their view that plan review and approval should be the responsibility of the engineering staff.

Mr. Bussinger suggested that the engineering staff should have the responsibility to monitor the project and approve the building permits as long as the developer does not exceed the maximum 160 units.

Mr. Karns agreed that the staff should have that latitude as long as the maximum 160 unit density was not exceeded.

Mr. Bond pointed out that the staff had been most cooperative and they were certainly willing to work with them to ensure compliance with city codes.

Mr. Bussinger moved to authorize the City Engineer to issue building permits for the WOODLANDS where plans generally conform applicable city codes and meet reasonable standards of safety, health, welfare and morals. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

(note: Councilman Ashcroft left prior to the roll call)

There being no further business to come before the Special City Council Meeting of March 15, 1982, the meeting was adjourned at 5:30 PM.

Respectfully submitted:

Marilyn J. Ahnfeldt  
City Clerk

Approved as submitted: ✓

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

Robert J. Smith  
MAYOR

GLADSTONE CITY COUNCIL MEETING

March 22, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of regular City Council meeting of March 8, 1982 and special City Council meeting of March 15, 1982.
4. Proclamation: Designating March 21-27 as "NATIONAL POISON PREVENTION WEEK".
5. Presentation of Service Awards: Retired City Board and Commission members
  - Planning Commission  
S. D. Harries - April 1981 - December 1981  
Larry Mooney - January 1981 - December 1981
  - Gladstone Park Board  
Vee Duensing - January 1978 - November 1981
  - Citizens Advisory Committee to Public Safety Dept.  
Robert Glover - April 1975 - December 1981  
George McCuiston - January 1980 - December 1981
6. PUBLIC HEARING: Request to rezone from C-2 to CP-3, Tract B, Henry Creek Plaza (62nd and N. Oak).  
Applicant/Owner: James Woolard
7. Communications from the Audience.
8. Communications from the City Council.
9. Communications from the City Manager.
10. SECOND READING: BILL NO. 82-4, amending Section 27-4 of the City Code dealing with the deposit of materials on city streets.
11. FIRST READING: BILL NO. 82-6, approving the final plat of KUHN ESTATES (west side of NE 73 Terr. & N. Troost).  
Applicant: William F. Kuhn
12. FIRST READING: BILL NO. 82-7, amending Sections 32-12 (g) and 32-59 (a) of the City Code pertaining to approval of site development plans and building permits.
13. RESOLUTION NO. R-82-8, authorizing the City Manager to engage the firm of Peat, Marwick, Mitchell & Co., to conduct the City's annual audit.
14. RESOLUTION NO. 82-9, adopting a Purchasing Manual for the City of Gladstone, Missouri.
15. RESOLUTION NO. R-82-10, authorizing execution of Change Order No. 1 to the North Troost Construction Contract.
16. RESOLUTION NO. R-82-11, authorizing execution of contract for water line construction with R. A. Pohl Construction Co.
17. Approval of New Liquor License:  
Minsky's Pizza, 6311 N. Antioch Rd., Class "F".
18. Other Business
19. Questions from the News Media
20. Adjournment

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

22 MARCH 1982

The Gladstone City Council Meeting was called to order on Monday, March 22, 1982, in the Council Chambers of the Gladstone City Hall at 7:30PM by Mayor Robert Fairlie. In addition to the Mayor, those in attendance were: Councilmen Larry Whitton, Ken Karns, Bob Ashcroft, and Lee Bussinger. City Manager Mark Achen, City Counselor John Dods and the City Clerk were also in attendance.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to accept the minutes of the regular meeting of March 8, 1982 and the special minutes of March 15, 1982, meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - (5-0)

Item 4 on the Agenda: Mayor Fairlie read a proclamation designating the week of March 21-27, 1982 as "NATIONAL POISON PREVENTION WEEK" in the city of Gladstone.

Item 5 on the Agenda: Mayor Fairlie presented plaques to retiring city board and commission members in appreciation of their service to the city and its residents.

S.D. Harries (Planning Commission, April 1982 - December 1981) and Mrs. Vee Duensing (Park Board, January 1978 - November 1981) were present to accept their awards. Plaques will be forwarded to Larry Mooney (Planning Commission, January 1981 - December 1981); Robert Glover (April 1975 - December 1981) and George McCuistion, January 1980-December 1981) Public Safety Advisory Board members who were not able to attend the council meeting.

Item 6 on the Agenda: PUBLIC HEARING: Request to rezone from C-2 to CP-3, Tract B. Henry Creek Plaza, 62nd & North Oak. Applicant/Owner: James Woolard.



Applicant, James Woolard was present to review the rezoning application for proposed eight-bay self service car wash on property directly south of Perkins and proposed Hardees restaurants. He noted there is 30 ft. between Hardees and the start of this property that will provide access drive to future property development at the rear of Hardees.

With respect to the discussion of drainage concerns at the Planning Commission public hearing, Mr. Woolard stated that most of the water that comes thru the property below is not from this property but rather comes down North Oak from the area of Oakview and Western Auto. When Perkins went in, engineering plans were developed for water retention of their property to the city's satisfaction. Hardees also has its own water retention built into their parking lot. Water will be retained on this project at the back of the parking lot in a tube and will be released at a rate not to exceed the present water run-off rate. They have installed a 52" tube through about 3/4 of the property underneath Perkins and Hardees that exits to the west of their property about 75-80 ft. Hardees has apparently talked to some people about the installation of an "energy dissipator" to be installed at the end of a tube but that could not be done by Hardees because it is not on their property. There was an awful lot of discussion at the public hearing before the planning commission about what they are going to do with the water and he feels they are doing their part not to let anymore water into the tube. He believes everything they have done thus far has been according to the Code. He does not feel they should be responsible for water that comes down North Oak freely.

The Planning Commission has recommended that they use a new curb cut to the center to create a traffic flow allowing cars to go either left or right to get into line. Cars will go east-west thru the carwash and then exit out the north side. Bays will have their own water retention, and built in grease traps to prevent sludge from entering the sewer. Floors are sloped so water stays in the bay.

In response to Council questions, Mr. Wollard clarified that the car wash would be 130 ft. deep from the highway and 160 ft. on North Oak. 70' will remain to the south which slopes down to the existing storm sewer. No filling will be done.

Responding to Council, Mr. Wollard said he does not know if someone from Hardees had agreed to install a dissipator. He was not a party to the discussion. All he discussed with Mr. Anderson was that such a dissipator would have to be placed on the end of the pipe which is on his (Woolard) property. No one from Hardees has talked to him about this.

Mr. Jerry Barr, builder reviewed equipment plans with Council and indicated the construction would be of brick veneer.

Mr. Woolard acknowledged that the property owner to the south feels that all the water comes from the Woolard property and that they should do something about it. At one time there was at one time an engineering survey with a proposed detention pond on the southeast of the property; when they figured out how much water was coming down through there it would have taken half of their property to hold the water. He agrees that there is a water problem; but in this instance they are doing everything possible. Unfortunately, years ago people did not build for water retention. This is not a pond it is a lake. You can walk in that tube all the way up to Western Auto. At times there is trash in the tube which he knows creates problems. But the trash does not come from them but up the line.

Mr. Whitton noted that the creek runs on down across Bircairn and across Broadway. Mr. Woolard said that the flood at 58th & North Broadway was caused by the tube that runs under 169 Highway that was completely blocked. The city has since redone that and the city has kept it clean.

Mr. Whitton expressed concern that it is the same creek and now we are going to add additional asphalt. Mr. Woolard said that thousands of dollars have been spent on the engineering studies to see to it that no more water comes off that parking lot and goes into the tube than when it was dry land. That is what water retention is about as he interprets it. Mr. Whitton stressed that right now there is no water retention on the property all it has is natural drainage and what is soaked up in the ground and what runs down in the creek. If they put asphalt on the property they are required by the city ordinances to hold the water and left off into the creek at a rate not to exceed the present day run-off. So they are not adding anymore water downstream in bulk; it is done at a rate that should not affect the flow of the creek, that is the purpose of the engineering study.

Mr. Fairlie noted that the zoning request was for an area of 280 x 260 x 230. Mr. Whitton stated he thought the zoning request had been changed following clarification with the Planning Commission, the zoning request is for only the 135 x 160 portion of the property. He is not asking for rezoning of the remainder of the property.

Mr. Whitton inquired if Mr. Wollard was against installation of an energy dissipator. Mr. Wollard said he would be willing to talk about it but would also want compensation from other people who are putting the water in the pipe.

Mr. Karns asked if we have looked at the engineering study and know for a fact that the water will be retained on the car wash property. Mr. Achen responded that he had not personally viewed the study but presumes the city engineer has. The Code does require that the run-off after development not exceed the rate of run-off prior to development. This is subject to calculation of the rate of run-off prior to development and adequate detention to retain the excess run-off and "meter-it out"; although it is usually a swail or indentation to hold so many acre feet of water.

Mr. Woolard said this study was done by Aylett and clarified that the code requires that it be submitted prior to issuance of building plans.

There were no other persons to speak in favor of this rezoning request.

#### Opposition.

Mr. Theodore Porter, 6118 North Oak, stated that Mr. Woolard's Oak Meadows development as well as Hardees and the proposed carwash have all been a "fiasco". In his opinion, the city and Mr. Woolard have been negligent in providing proper water detention. Oak Meadows needed at least 4-5 storm sewers that have never been put in. Mr. Porter said he had fought constantly with City Manager Achen over the issue and distributed copies of correspondence dated April 22, 1977 from City Manager David Olson which stated that an energy dissipator would be installed and subsequent letter from Mr. Achen dated December 28, 1979 also referencing the installation of the dissipator. His property is eroding away and he has waited five years for something to be done. During construction of Hardees he negotiated with their Oklahoma representatives who had agreed to the dissipator installation until Mr. Anderson and Mr. Achen got involved. Mr. Porter quoted from a Hardees interoffice memorandum dated 11-24-81 wherein Mr. Danny Rayner of Hardees wrote: "While conferring with Mr. Anderson he informed me of Mr. Porter's previous threats and lawsuits against surrounding property owners. Mr. Anderson stated that we had satisfied all requirements and that all work was satisfactory". Mr. Porter said this was a slanderous statement and shows a definite prejudice on the part of the city of gladstone against him. He feels Mr. Anderson was completely out of line.

Mr. Porter further stated that he had made six calls to the City Manager and the Director of Public Safety requesting enforcement of the mud on streets ordinance with respect to this project.

Mr. Porter pointed out that there are five existing car washes in the immediate proximity and although three of them appear to be doing a fairly good business, the other two are either run down or for sale and he does need see a need for an additional car wash. He does not see a car wash as conforming to other businesses in the area and sees the property used to a better advantage. Car washes create traffic problems, offensive lighting, blowing trash, water run-off, attract unruly patrons, can be an eye sore and decrease property values.

Mr. Porter said that if the rezoning is approved the builder should be required to put in stockade fencing, restrict lighting and the city should enforce the 10:00 pm closing for car washes. He does not see that the ordinance is presently enforced.

Mr. Porter said he had owned his property for over 40 years and never had any problems until Mr. Woolard began developing the property. He said the basic law of Gladstone says that you should not change the topography of the land. Mr. Porter told the Council that he is very unhappy with the response from the City Manager to the problem and that there is certainly no love lost between them.

Mayor Fairlie pointed out that the purpose of the public hearing tonight is to hear comments relative to the proposed rezoning and that the matters Mr. Porter raises as to the City's handling of the drainage matters on the previous projects need to be discussed at a separate meeting with all parties involved.

Mr. Porter agreed that a meeting was in order but stated he would prefer such a meeting without the Manager and the City Engineer because he feels they are prejudice against him and told of his heated exchanges with the Manager.

Mayor Fairlie assured Mr. Porter that his complaints had been heard and that a meeting would be arranged with all parties concerned.

There being no further comments, Mayor Fairlie closed the public hearing.

Item 7 on the Agenda:      Communications from the Audience.

Mr. John Clevenger, 200 NE 58th Street addressed the Council on continual parking problem on his street. He noted there was an accident the prior week and asked that Council explore the possibility of prohibiting parking on both sides of the street due to the fact that it is a bus route and just not wide enough to handle the traffic and parking. He believes the street to be only 24.6 ft. wide. One side is presently posted and violators have been issued summons. Council agreed to have staff look at the problem.

Former Mayor, Rick Moore invited Councilmembers to participate in the annual Cancer Bike-a-thon to be held on Saturday, April 3rd. The event will start at the Gladstone Swimming Pool and Mayor Fairlie is requested to start the activities.

Les Smith, 6100 NW 49th Terrace, son of former Mayor and council member Everett Smith now a resident of Phoenix requested that the City Council consider some kind of permanent remembrance as a tribute to his father's 18 years of service to the Gladstone community including 8½ yrs. as a city councilman. Mr. Smith's involvements had included development of a 350 home subdivision, Chairman of Gladstone Board of Public Works, builder and owner of Gladstone Bowl Chamber of Comm. officer as well as serving on the committees for the sales tax and water and sewer bond elections prior to his resignation from the City Council in 1975 for health reasons. Les stated that his father is in poor health and asks that Council consider this request.

Mayor Fairlie agreed that Everett Smith had certainly been very instrumental in a number of areas and the Council will take the request under consideration.

Item 8 on the Agenda:      Communications from the City Council.

Mr. Karns directed his statement to the City Clerk and asked that the minutes reflect that he had read in the Gladstone paper where he supposedly is getting ready to fire Mr. Achen, Mr. Anderson and Mr. Francis. He would like to have the minutes reflect that he has never had any such conversation with the press and he thinks he can speak for Mr. Whitton as well.

\* \* \*

Mr. Bussinger suggested that a definite time be set for a public meeting on the drainage matters raised in the car wash rezoning matter.

Mr. Bussinger moved to nominate Mr. Jim Youngers, 7324 N. Bellefontaine and Mrs. Maxine Gromer, 2401 NE 72nd Street to fill terms on the Public Safety Advisory Board for the remainder of 1982. Mr. Ashcroft seconded. The vote: "Aye" - Bussinger, Ashcroft, Fairlie. "No" - Whitton, Karns. (3-2)

\* \* \*

Mr. Whitton stated that he agreed with Mr. Karns earlier statement. (relative to department head and manager dismissal)

Item 10 on the Agenda: Second Reading: Bill No. 82-4  
amending Section 27-4 of the City Code dealing with the deposit of materials on city streets.

Mr. Whitton moved to accept the first reading of Bill No. 82-4, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded.

Mr. Achen explained that the amendment merely clarifies the code and takes out the provision for issuance of permits for hauling dirt, etc. With regard to the earlier discussion with Mr. Porter relative to mud on the street he had corresponded with Mr. Porter and advised that the state statutes do not allow cities of the third class to issue citations for a misdemeanor violation unless the officer personally witnessed the violation or someone who did witness the violation actually signs a complaint. Mr. Porter did not file a formal complaint.

The vote on second reading: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 11 on the Agenda: First Reading: Bill No. 82-6,  
Approving the final plat of KUHN ESTATES (west side of NE 73rd Terrace & N. Troost. Applicant: William F. Kuhn

Mr. Ashcroft moved to place Bill NO. 82-6 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 82-6, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-6, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-6, and enact said bill as Ordinance No. 2.423. Mr. Karns seconded.

Discussion: Counselor Dods suggested that the minutes reflect that the Planning Commission voted 7-2 against approval of the final plat and that the ordinance approving the plat directs the Mayor and City Clerk to affix their signatures to the plat in a manner suitable for recording and that the plat will be filed without the signature of the Planning Commission Chairman.

Mr. Karns noted that it looks bad when the Council goes against the Planning Commission but he does not think the Council plans to dictate to developers that they must buy additional property for inclusion in the plat as long as they are abiding by the ordinances.

Mayor Fairlie noted that the developer is using less than the maximum use of the land under the ordinance and all legal requirements have been met under the city code.

The vote on third reading: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda: First Reading: Bill No. 82-7, amending Section 32-12(g) and 32-59 (a) of the City Code pertaining to approval of site development plans and building permits. (note: Bill not introduced - Council determined that the proposed amendment must be legally advertised and public hearing held before the planning commission prior to consideration of the bill).

Item 13 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. 82-8 authorizing the City Manager to engage the firm of Peat, Marwick & Mitchell to perform the city's annual audit for the fiscal year ending June 30, 1982 for an amount not to exceed \$18,000. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

In response to Council inquiry Mr. Achen pointed out that the firm had not raised their audit price for two years and he is satisfied that the services rendered are far superior than received with the previous firm.

Mayor Fairlie agreed stating that the firm had come up with sound recommendations that had resulted in savings that offset the increased cost of the audit.

Item 14 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-82-9, adopting a purchasing manual for the City of Gladstone. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Achen explained that the manual really formalizes present purchasing practices as well as set out at what dollar amount competitive quotes and written specifications are required by the departments.

Mr. Karns stated that this is an example of one of the suggestions from the audit firm that has been implemented.

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution NO. R-82-10, authorizing execution of Change Order No. 82-1 to the North Troost construction contract in the amount of \$17,408.26 for the improvement of 75th Street Terrace from North Troost to the existing curb and gutter. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Council noted this street was not included in the original construction plans and Council has determined it should be added to the contract.

Item 16 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. 82-11, authorizing a contract with R.A. Pohl Construction Company for the construction of water line in the area of 68th Street and the intersection of 65th & North Flora as necessitated by the Flora/68th street reconstruction. Mr. Karns seconded. The contract amount is \$67,542 and will be paid from Water and Sewer Fund Account. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 17 on the Agenda: Approval of New Liquor License.

Minsky's Pizza, 6311 N. Antioch Road  
Class "F" - Non-intoxicating Beer License  
Managing Officer: Patrick Edward Muller

Mr. Gary Pittman and Mr. Greg Walker were present to represent Minsky's and explained to Council that although they were seeking the Class F license at the present time they had made a rezoning application to rezone the property in question from C-1 to C-2 to enable them to obtain a Class A liquor license for serving 5% beer and wine.

Council discussed with the applicants the fact that it is Council's understanding that the State has created a new liquor category that allows 5% beer and wine. Gladstone has not added such category to our liquor laws and at present the 5% beer and wine would need a Class A license which can only be granted in C-2 zoning.



Mayor Fairlie noted that it was his personal opinion that the zoning change may be more difficult to accomplish than an amendment to the liquor code to establish the new category. Although Council would still have to determine what zone the new category should be in.

Mr. Pittman said the Minsky's franchise has determined that wine is becoming more and more popular with pizza and while they understand the length of time the rezoning process takes they will let their application stand and let the Council look into the possibility of amending the liquor code as well with respect to a new category for 5% beer and wine.

Mr. Ashcroft moved to approve the Class F liquor license for the sale of non-intoxicating beer to Minsky's Pizza, 6311 North Antioch Road. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Karns requested that the staff look into an ordinance that would allow 5% beer and wine at Class F locations.


#### Other Business.


Mr. Whitton nominated Mr. Dave Bauman, 1400 NE 67th Place to serve as an alternate to the Gladstone Board of Zoning Adjustment to serve at such times as regular members are unable to attend meetings. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Councilman Bussinger asked that agenda items involving the public be placed early in the meeting as an accommodation to the public. The City Clerk acknowledged his request.

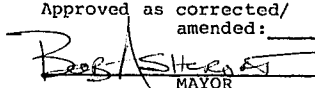
There being no further business to come before the March 22, 1982 city council meeting, the meeting was adjourned.

Respectfully submitted:

  
City Clerk

Approved as submitted: 

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

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 12, 1982

A G E N D A

1. Meeting Called to Order
  2. Pledge of Allegiance
  3. Acceptance of Minutes of March 22, 1982 city council meeting.
  4. FIRST READING: BILL NO. 82-8, an ordinance declaring the results of the April 6, 1982 Gladstone City Councilmanic Election.
  5. OATH OF OFFICE  
Councilman-elect Lee W. Bussinger  
Councilman -elect Bob Fairlie
  6. Election of Mayor and Oath of Office
  7. Election of Mayor Pro-Tem
- \* \* \* \* Recess - Lobby Reception \* \* \* \*
8. Communications from the Audience
  9. Communications from the City Council
  10. Communications from the City Manager
  11. THIRD READING: BILL NO. 82-4, amending Section 27-4 of the City Code dealing with the deposit of materials on city streets.
  12. FIRST READING: BILL NO. 82-9, rezoning property in HENRY CREEK PLAZA at approximately 62nd & North Oak, from C-2 to CP-3. Applicant/Owner: James Woolard
  13. FIRST READING: BILL NO. 82-10, an ordinance authorizing conveyance of a Utility Easement to Kansas City Power and Light Company.
  14. FIRST READING: BILL NO. 82-11, an ordinance amending certain sections of the Liquor Ordinance dealing with hours of operation on election days.
  15. FIRST READING: BILL NO. 82-12, an ordinance providing for sale of light wine by Class "D" (5% beer) license holders.
  16. RESOLUTION NO. R-82-12, authorizing acceptance of a proposal for purchase of motor fuel needs of the City of Gladstone.
  17. RESOLUTION NO. R-82-13, authorizing execution of an agreement with Clay County for rental of city-owned facilities.
  18. RESOLUTION NO. 82-14, authorizing execution of a utility relocation agreement with Kansas City Power & Light Co. for the N. Troost construction project.
  19. RESOLUTION NO. R-82-15, authorizing the City of Kansas City, Missouri, to proceed with the award of contract to Superior Asphalt Company for improvement of a portion of North Broadway as part of the Englewood Road construction project.

- 7
20. Approval of Interim Financial Report for 9 months ending March 31, 1982.
  21. Other Business.
  22. Questions from the News Media
  23. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

12 APRIL 1982

The Gladstone City Council Meeting was called to order on Monday, April 12, 1982, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Robert Fairlie. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ron Karns, Bob Ashcroft, Lee Bussinger, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Item 2 on the Agenda: Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Ashcroft moved to approve the March 22, 1982 city council meeting minutes as submitted; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0).

Item 4 on the Agenda: FIRST READING: BILL NO. 82-8, an ordinance declaring the results of the April 6, 1982 Gladstone City Councilmanic Election as follows:

|                            |             |
|----------------------------|-------------|
| Candidate Bob Fairlie      | 2,995 votes |
| Candidate Lee W. Bussinger | 2,867 votes |
| Candidate Tim Ruth         | 1,550 votes |
| Candidate Vince McCarty    | 1,485 votes |

Mr. Bussinger moved to place Bill No. 82-8 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 82-8, waive the appropriate paragraph of Ordinance No. 1.82 and place said bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0). The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-8, waive the appropriate paragraph of Ordinance No. 1.82 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-8 and enact said bill as Ordinance No. 2.424; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda: City Clerk Marilyn Ahnefeld administered the Oath of Office to Lee W. Bussinger and Bob Fairlie elected to three year terms on the Gladstone City Council.

Both Councilmembers Fairlie and Bussinger thanked their supporters in their campaign for office and promised to represent them as well as the voters who did not vote for them, and the entire 25,000 population of the city to the best of their ability during the next three years.

Councilman Fairlie commented that it was rewarding to see 4,700 voters turn out for this election.

Item 6 on the Agenda: Election of Mayor.

Mr. Whitton moved to nominate Councilman Bob Ashcroft as Mayor of the City of Gladstone; Mr. Karns seconded. No additional nominations were made, whereupon the vote was taken: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

City Clerk Marilyn Ahnefeld administered the Oath of Office to Mayor Bob Ashcroft.

Item 7 on the Agenda: Election of Mayor Pro-Tem.

Mr. Bussinger moved to nominate Councilman Bob Fairlie as Mayor Pro Tem; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mayor Ashcroft introduced his wife, Beverly and sons, Adam and Alex and acknowledged the sacrifices his family will have to make during his term as Mayor. He also introduced his brother, Attorney General John Ashcroft.

Mayor Ashcroft stated that as Mayor he will represent all the constituency. He called a short recess and invited all present to the lobby reception honoring the Council.

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Item 8 on the Agenda: Communications from the Audience.

Mr. Jeff Quinn, 202 NE 58th Street, Apartment 4 (Northwood Village Apartments) asked that Council reconsider the recent installation of "NO PARKING" signs on 58th Street.

Mr. Quinn pointed out that parking at the complex is not adequate for residents and their guests; driveways to the parking area are unsafe during icy weather; residents and management are in favor of removal of the parking restriction; prior notice of the parking restriction was not given; parking in front of the complex is necessary for deliveries; the road is wide enough for parking in front of the complex; parking is not interfering with residents on the street. Mr. Quinn asked that Council explore alternatives and stated that residents would be agreeable to no parking in front of Mr. Clevenger's residence and a minimum of one car length left open on each side of the apartment complex driveway. He also suggested the possibility of allowing parking only during the night hours.

Council pointed out that the no parking signs had been erected about two weeks ago on a 90 day trial basis following complaints of Mr. John Clevenger 200 NE 58th Street about the narrowness of the street and problems of parked cars breaking down the edge of his property which required him to dig out his drainage ditch from time to time. Although the south side of the street had been posted no parking for some time, residents had disregarded the signs until the Public Safety Department issued warnings and summonses.

City Manager Achen stated that he was under the impression that the apartment manager had been contacted and advised that the sign would go up. Manager Phyllis Alves said she had not been contacted by the city and in her attempts to discuss the situation had been transferred from the engineering office to the traffic department.

Council agreed to consider the points raised by Mr. Quinn and evaluate the alternatives.

Mr. Frank Bonura, stated he is interested in a Class "C" package liquor license for a location in the Gladstone Plaza Shopping Center but had been advised by a City staff member that all 5 such licenses presently allowed under the ordinance had been issued. He asked if Council would consider increasing the number. Council indicated that although they were not in a position to respond to the question this evening they would invite him to make application.

Mr. Ken Brown, 808 NE 66 Terrace, presented a petition requesting erection of a street light at the NE corner of 66th Terrace & North Campbell. Mr. Bussinger pointed out that presently no additional street lighting funds are budgeted. Mayor Ashcroft thanked Mr. Brown for the petition and indicated it would be considered along with other filed during budget preparation for the coming year.

Mr. Rick Moore, 301 NW 54th Terrace, advised that the recent Cancer Bike-a-thon had been most successful and thanked the Civil Defense Department for their assistance in the event. The Gladstone area led the entire metropolitan Kansas City area by raising \$9,000. Gladstone resident Dale Reich raised \$2,400 and was a winner of a trip to Las Vegas.

Item 9 on the Agenda:            Communications from the City Council.

Councilman Karns requested that staff research the number of video games in establishments within the city noting that a special license fee or charge per machine could be a substantial revenue producer.

Item 10 on the Agenda:            There were no communications from the City Manager.

Item 11 on the Agenda:            THIRD READING: BILL NO. 82-4, amending Section 27-4 of the City Code dealing with the deposit of materials on city streets.

Mr. Fairlie moved to accept the second reading of Bill No. 82-4 and place said bill on third and final reading: Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 82-4 and enact said bill as Ordinance No. 2.425.

Item 12 on the Agenda:            FIRST READING: BILL NO. 82-9, an ordinance rezoning property in Henry Creek Plaza at approximately 62nd & North Oak from C-2 to CP-3, Applicant Owner: James Woolard.

Mr. Bussinger moved to place Bill No. 82-9 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the bill.

Council announced that an on-site meeting would be held on Tuesday, April 13, 1982 to review concerns addressed at the March 22, 1982 public hearing on this rezoning request. Council asked that the Manager's office ensure that Mr. Ted Porter, adjacent resident is invited to attend.

Item 13 on the Agenda:            FIRST READING: BILL NO. 82-10, an ordinance authorizing conveyance of a Utility Easement to Kansas City Power and Light Company required in connection with the North Troost reconstruction project.

Mr. Whitton moved to place Bill No. 82-10 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft, (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 82-10, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-10, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill NO. 82-10, and enact said bill as Ordinance No. 2.426; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 14 on the Agenda:      FIRST READING: BILL NO. 82-11, an ordinance amending certain sections of the liquor ordinance dealing with the hours of operation on election days.

Mr. Whitton moved to place bill No. 82-11 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft, (5-0) The Clerk read the Bill.

City Manager Achen noted that this amendment puts Gladstone in harmony with State law passed last year which provides that establishments need only be closed on State-wide election days held in even numbered years in November and the preceding August primary.

Mr. Whitton moved to accept the first reading of Bill No. 82-11 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-11, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill NO. 82-11, and enact said bill as Ordinance No. 2.427. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)



City Council Meeting Minutes  
April 12, 1982  
Page Six

Item 15 on the Agenda:      FIRST READING: BILL NO. 82-12, an ordinance amending the Alcoholic Beverage Code by the addition of "light wine" to alcoholic beverage categories (d) and (e) providing for the sale of malt liquor, non-intoxicating beer by the drink and in the original package. Counselor Dods clarified that the code change makes the city's existing ordinances compatible with State Law which permits the sale of light wine by holders of malt liquor and non-intoxicating beer licenses.

Mr. Fairlie moved to place Bill No. 82-12 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the bill.

Item 16 on the Agenda:      Mr. Whitton moved to adopt Resolution No. 82-12, authorizing acceptance of a proposal from Sam Dunn Oil Company, Kansas City, Kansas, to provide the City's motor fuel needs for the period May 1, 1982 through April 30, 1982. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Whitton commented that he was quite pleased with the prices quoted.

Item 17 on the Agenda:      Mr. Whitton moved to adopt Resolution No. 82-13, authorizing execution of an agreement with Clay County, Missouri, for use of the Oak Grove Park Senior Center as temporary offices for equalization program data collectors for a rental fee of \$200/month. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 18 on the Agenda:      Mr. Whitton moved to adopt Resolution No. 82-14, authorizing execution of a utility agreement with Kansas City Power and Light Company for relocation of power poles for the North Troost reconstruction project for an amount not to exceed \$15,117.60. Mr. Karns seconded.

Mr. Fairlie questioned if the terms of the franchise agreement with Kansas City Power and Light prevent any other company from relocating the power poles. He also noted that the Gas Service company relocates their mains at their expense. Mr. Achen said he would research the subject.

The vote: "aye" - Whitton, Karns, Bussinger, Ashcroft. "No" - Fairlie. (4-1)

Item 19 on the Agenda: Mr. Fairlie moved to adopt Resolution NO. 82-15, authorizing the City of Kansas City, Missouri to proceed with acceptance and award of a contract to Superior Asphalt Company for the improvement of North Broadway, North of Englewood Road, which will be completed in conjunction with improvements to the Englewood Road West Section construction project. The City of Gladstone will reimburse the City of Kansas for construction costs related to the improvement in an amount not to exceed \$96,962.00. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 20 on the Agenda: Mr. Fairlie moved to approve the Interim Financial Report for 9 months ending March 31, 1982 as submitted; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 21 on the Agenda: Other Business.

Mr. Bussinger moved to approve \$500.00 contribution to the Gladstone Chamber of Commerce for the 1982 Fall Festival. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Whitton praised the success of the festival and parade last year and suggested \$500.00 should perhaps be increased. No further Council motion was made.

Mayor Ashcroft read a proclamation designating the week of April 18-24 as Professional Secretaries Week.

Item 22 on the Agenda: Questions from the news media.

GLADSTONE SUN CHRONICLE reporter George McCuiston questioned if Mayor Ashcroft saw any change in direction the City is going or any new concepts in the operation of the City. Mayor Ashcroft responded that he did not foresee any major changes at this time.

Mr. McCuiston asked Councilmembers if they foresaw problems in working together as a Council this year. Mayor Ashcroft stated that if there were no differences we would not need five Councilmen. He thinks the meeting tonight is evidence that there is cooperation on the part of the Council and foresees no problems in 1982.

Councilmembers all generally agreed that there are elected to represent the citizens of Gladstone and would work to that end under the guidance of Mayor Ashcroft.

There being no further business to come before the April 12, 1982 meeting of the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

Marilyn Ahnefeld  
City Clerk

Bob Ashcroft  
MAYOR

NOTE: NO CITY COUNCIL MEETING APRIL 26, 1982

A G E N D A

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 10, 1982

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of April 12, 1982 city council meeting
4. PROCLAMATION: Designating May, 1982 as "ABWA" Scholarship month
5. PUBLIC HEARING: Request to rezone from C-1, Local Business District, to C-2, General Business District, property located at 6311 NE Antioch Road. Applicant: A&M Associates, dba Minsky's Pizza.
6. PUBLIC HEARING: On an amendment to the Gladstone Zoning Ordinance (Section 32-12(g) and 32-59(a) pertaining to approval of Site Development Plans and Building Permits. Applicant: Gladstone City Council
7. Approval of Building Plans: Gladstone Church of Christ, church addition for bus storage, 5703 North Flora
8. Approval of Liquor Licenses: F&R Liquors, 6587 N Oak, Class "C" Package License. Applicant: Janice I. Bonura, Managing Officer

Jake Edwards Bar-B-Que, Class A&B liquor license  
7507 N Oak. Managing Officer: Jake Edwards

9. Communications from the Audience
10. Communications from the City Council
11. Communications from the City Manager
12. SECOND READING: BILL NO. 82-9, rezoning property in HENRY CREEK PLAZA, at 62nd & North Oak from C-2 to CP-3. Applicant/Owner: James Woolard.
13. SECOND READING: BILL NO. 82-12, adding the sale of light wine by the drink and in the original package to certain liquor license categories.
14. FIRST READING: BILL NO. 82-13, requiring the City Collector to prepare a Land and Lot Delinquent List.

Bill not  
Introduced 15. FIRST READING: BILL NO. 82-14, an ordinance regulating the sale of secondhand precious metals and gems in the City of Gladstone.

16. CONSIDERATION OF PRELIMINARY PLAT: NORTHHAVEN WEST SUBDIVISION, 68th Terrace & N. Flora. Applicant: Richard Hagen.
17. APPROVAL OF FINANCIAL REPORTS Interim Financial Report for the month of May, 1982.
18. Other Business
19. Questions from the News Media
20. Adjournment

agenda additions:

BILL NO. 82-15, increasing the number of package liquor licenses from 5 to 6  
RESOLUTION NO. 82-16, authorizing the City Counselor to defend the City and City Manager in lawsuit.

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

10 MAY 1982

The Gladstone City Council Meeting was called to order on Monday, May 10, 1982, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Robert Ashcroft. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen and the City Counselor John Dods. Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Fairlie moved to approve the minutes of the April 12, 1982 city council meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 4 on the Agenda: Mayor Ashcroft read proclamations designating the following:

- May 15, 1982 - "National Police Officers Memorial Day"
- Month of May, 1982 - "ABWA Scholarship Month"
- May 14, 1982 - "CPR Awareness Day"

Item 5 on the Agenda: Public Hearing: Request to rezone from C-1, Local Business District to C-2, General Business District, property located at 6311 NE Antioch Road. Applicant: A&M Associates, dba Minsky's Pizza

Mayor Ashcroft explained the procedure for public hearings advising that first those in favor of the rezoning application are asked to address the council followed by those opposed.

Mr. Gary Pittman, 17 NW 38th, was present to represent this application and noted that this rezoning request was applied for to enable Minsky's to serve 5% beer which requires C-2 zoning. Minsky's is a present holder of a 3-2 beer license as was the prior business, John Lloyd's Pizza. 5% beer and wine are encouraged by the Minsky's franchise rather than 3-2 beer. Mr. Pittman stressed that the rezoning is sought solely as a requirement for the Class A&B liquor license and there is no interest in using the property for any other use allowed under the C-2 zoning. He indicated that Minsky's is agreeable to signing any stipulation that the Council might require that would provide for reversion of the property to C-1 zone should the Minsky's operation cease. He pointed out that although the agenda shows the request as C-2 they had agreed before the Planning Commission to change the request to CP-2.

Mr. Dods commented that the suggestion that a reversionary clause be attached to the rezoning was not an alternative because the highest and best use of the land should dictate the use.

Mr. Bussinger suggested that he would favor an additional C-1 category (perhaps a C-1-L) that would allow liquor in C-1 zone at Council option on a case by case basis.

Mr. Karns stated that he does not object to C-2 at that location as long as the establishment runs a good operation. The property owner has the right to do all he can do to make the land pay for itself.

Mr. Pittman discussed possible use of a restrictive covenant attached to the zoning that would restrict use of the property if rezoned to the present use. Mr. Dods agreed such a restrictive covenant might work.

There were no persons to speak in opposition to this rezoning request whereupon Mayor Ashcroft closed the public hearing.

Item 6 on the Agenda:                    Public Hearing: On an amendment to the Gladstone Zoning Ordinance (Section 32-12(g) and 32-59(a) pertaining to approval of Site Development Plans and Building Permits. Applicant: City of Gladstone

City Manager Achen explained that the proposed Zoning Ordinance amendment essentially removes R-1-CH (cluster housing) zone from the present language in Section 32-59(a) which requires Council approval of building permits. The change would allow issuance of building permits in Cluster Housing Zones by the City Engineer provided plans reasonably conform to Council approved preliminary site development plans and code requirements.

Councilman Karns asked if the Council would still have input on any major changes or deviations from the approved plans. Mr. Achen agreed they would.

There were no persons to speak in opposition to this zoning ordinance amendment whereupon Mayor Ashcroft closed the public hearing.

Item 7 on the Agenda:                    Approval of Building Plans. Gladstone Church of Christ, 5703 North Flora - church addition for bus storage.

Mr. Ivan Cox, 615 NE 87th Terrace, Kansas City, Missouri, was present to review plans with Council for construction of 2,500 sq. ft. 50 x 50 12" block and brick building designed to house three church buses.

Mayor Ashcroft asked if the Church was agreeable to use of an "A" label 3 hr fire rated door as suggested by the Engineering Staff report. Mr. Cox agreed the "A" label door would be constructed.

Mr. Karns pointed out that until warnings were issued by the City's nuisance abatement office 4 buses had been stored off of the parking lot and on the grassy area within view of adjacent property owners. If he were a property owner he would not be pleased with 4 junk buses within view of his property. He asked Mr. Cox if all the buses would be stored within the garage once constructed. Mr. Cox stated that the garage would hold 3 buses and 1 would be parked on the parking lot.

Mr. Karns said the neighbors agreed that the proposed garage is an improvement but the Council wants some commitment that the buses would be stored within the garage. Mr. Cox again clarified that the building would hold 3 and 1 bus would be stored outside. Mr. Cox asked if the City code prohibits them from parking abus on their parking lot. Mr. Karns responded that current ordinance does not prohibit it but feels the neighboring residents deserve some consideration. Mr. Karns stressed that the bus garage should be used as it is intended - to store the buses.

Mr. Whitton reviewed the problems surrounding the previously denied plans for a freestanding bus garage on church property and the fact that church spokesman had represented that area residents had all been contacted and were in favor of such a construction. Area residents later attended Council meetings and indicated they had not been contacted by the church.

Mr. Fairlie pointed out that Mr. Cox is not new to the building business having had 25 years experience building in Gladstone and the surrounding area.

Mr. Fairlie moved to approve the Gladstone Church of Christ bus building plans dated May 26, 1982 (Job No. 931-82) with the stipulation that the "A" label fire door as shown on the Engineering Staff Report be required. Mr. Whitton seconded. The vote: "Aye" - Whitton, Karns, Fairlie, Ashcroft. "No" - Bussinger. (4-1)

Item 8 on the Agenda:

Approval of Liquor Licenses.

F&R Liquors, 6587 N Oak, Class " C" Package License.  
Applicant: Janice I. Bonura, Managing Officer

Jake Edwards Bar-B-Que, Class A&B liquor license, 7507 N. Oak  
Managing Officer: Jake Edwards

Council noted that the package liquor license sought by Mrs. Bonura was not available and would require Council action in amending the ordinance to allow additional package licenses over the present limitation of 5.

Mr. Jake Edwards explained herequests anA&B liquor by the drink license to have 5% beer at this bar-b-que establishment.

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May 10, 1982  
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Mr. Achen noted that the Public Safety Department has reviewed the liquor applications and recommends approval.

Mr. Whitton moved to issue a Class "C" package liquor license to F&R Liquors, 6587 North Oak, Janice I. Bonura, Managing Officer at such time as a C license is available; and to declare Los Barrera's A&B license available due to the cessation of their business and issue said license to Jake Edwards Bar-B-Que, 7507 N Oak. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 9 on the Agenda:      First Reading: Bill No. 82-15, amending Section 3-25 of the City Code regulating the number of Package Liquor Licenses.

Mr. Fairlie moved to place Bill NO. 82-15, on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill NO. 82-15, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the bill.

Mr. Fairlie moved to accept the second reading of Bill No. 82-15, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 82-15 and enact said bill as Ordinance No. 2.428. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Council noted this amendment authorizes an initial 5 licenses for the sale of intoxicating liquor, malt liquor or nonintoxicating beer by the package and provides for 1 additional license for every five thousand increase in population above the base figure of 20,000 population. Based on the City's present population of 25,000, 6 licenses are authorized.

Mr. Fairlie noted that passage of this ordinance makes a C license available to F&R liquors, 6587 N Oak as authorized under the previous agenda item.



Item 10 on the Agenda:

Communications from the Audience.

Mr. Harold Anderton, 6408 North Flora presented photographs of the North Flora Improvement project and discussed the grade level at 6410 North Flora with Council. He was joined by Mr. Ken Edmondson, 6410 North Flora, Bob Linn, 6412 N Flora, Charles Crum, 6404 North Flora, W. L. Hook, 6413 North Flora and S.L. Sanders, 6411 N Flora in general discussion of the projects affect on their individual properties. Concern was expressed that construction grade levels differ on some properties from what residents thought they understood from plans discussed during the right-of-way negotiations. In addition concern that the new street would intensify water problems in their area was expressed. Several residents complained that no advance notification was received from the construction company when driveway access was cutoff. Mr. Hook, 6413 N Flora stated that he was not aware of the new street project except by word of mouth, the City had not contacted him at all.

Mr. Achen clarified that on properties where no new right of way or easements were required, it was not necessary that signed permission from property owners be received and possible that through an oversight these persons were not called on. Mayor Ashcroft apologized on behalf of the Council to any citizens affected by the project who were not notified and advised that a written apology would be sent from the City.

City Manager Achen agreed to visit onsite with individual property owners to respond to their questions and concerns.

Mayor Ashcroft thanked the residents for attending the Council meeting and for their patience and cooperation during the street reconstruction project.

Item 10 on the Agenda:

Communications from the City Council.

Mr. Dussinger asked that staff look at car repairs and parking of a semi-truck at 63rd & Antioch Road on the west side of the street to determine if they violate the ordinance. Mr. Ashcroft acknowledged that he also had noticed the repairs being done as late as 11:00 PM the past Sunday. He also asked for the status of the 58th Street (300 block) parking prohibition situation.

Mr. Fairlie noted that the Oak & 72nd intersection light is changing to flash mode at 10PM rather than 11:00 PM. He further noted that east-west pedestrians don't have ample time and asked that the time sequence be reviewed.

Mr. Karns requested audit of liquor by the drink licenses for compliance with the 60-40 food-liquor ratio as required under the ordinance.

In response to Council question as to the intent of the 60-40 requirement over the 50-50 imposed by the State, Counselor Dods offered that the original intent was to impose more restrictions thus discouraging saloons and taverns in the city.

Mr. Achen agreed to review cost and procedures for such an audit.

Mr. Whitton asked that the staff review costs of street light at 72nd & Oak noting that as a major intersection of the city a light would perhaps be in order. Mr. Achen agreed to have staff look at costs for such an installation.

Item 11 on the Agenda: There were no communications from the City Manager at this time.

Item 12 on the Agenda: Second Reading: Bill No. 82-9, an ordinance rezoning property from C-2 to CP-3, at 62nd & North Oak in HENRY CREEK PLAZA. Applicant/Owner: James Woolard.

Mr. Woolard requested that Council consider giving 2 readings to this bill this evening due to cancellation of April 26 council meeting and in light of the fact that they need to get started on the project as soon as possible. Mayor Ashcroft acknowledged receipt of a legal protest petition which will require 3/4 majority vote of Council for approval. Mr. Bussinger moved to approve the first reading of Bill No. 82-9 and place said bill on second reading; Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Fairlie, Ashcroft. "No" - Whitton, Karns. The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 82-9, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: "Aye" - Bussinger, Fairlie, Ashcroft. "No" - Whitton, Karns. (3-2) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill NO. 82-9, and enact said bill as Ordinance No. 2.428 Mr. Bussinger seconded. The vote: "Aye" - Bussinger, Fairlie, Ashcroft. "No" - Whitton, Karns. (3-2). BILL NO. 82-9 FAILED FOR LACK OF 4-1 VOTE DUE TO LEGAL PROTEST PETITION.

Item 13 on the Agenda:      Second Reading: Bill No. 82-12, adding the sale of light wine by the drink and in the original package to certain liquor license categories.

Mr. Whitton moved to accept the first reading of Bill No. 82-12, and waive the appropriate paragraph of Ordinance No. 1.83 and place said bill no second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Item 14 on the Agenda:      First Reading: Bill NO. 82-13, requiring the City Collector to prepare a Land and Lot Delinquent List.

Mr. Whitton moved to place Bill No. 82-13 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill NO. 82-13, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-13, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-13, and enact said bill as Ordinance No. 2.429. Mr. Bussinger seconded. The vote: All "aye" - Whitton Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 15 on the Agenda:      Consideration of Preliminary Plat.  
NORTHAVEN WEST SUBDIVISION, 68th Terrace  
& N Flora. Applicant: Richard Hagen

Partners Richard Hagen and Wes Nedblake were present to review preliminary plat with Council for construction of 18 single family residential homes.

Mayor Ashcroft noted that the Staff report indicates the plat complies with all of the requirements of the subdivision ordinance however right-of-way for the curve of N Flora at the SW corner of the plat needs to be included in the plat.

Mr. Nedblake indicated title negotiations are in process with the Church of God however the process has been delayed because signatures are necessary from church headquarters out of state.

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May 10, 1982  
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Following review of the plat, Mr. Bussinger moved to approve the preliminary plat of Northhaven West as submitted. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 17 on the Agenda: Mr. Whitton moved to approve the Interim Financial Report for the month of May, 1982 as submitted; Mr. Karns seconded.

Mr. Karns questioned why only \$50,000 of the \$196,000 budgeted Revenue Sharing Fund receipts had been received to date. Mr. Achen agreed to research the question and report back.

Item 18 on the Agenda: Mr. Fairlie moved to adopt Resolution No. 82-16, authorizing the City Counselor to represent the City Manager and the City in defense of claims against the city. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 19 on the Agenda: Other Business.

Mayor Ashcroft announced the appointment of Councilmembers to serve as liaison to City Boards and Commissions as follows:

Public Safety Advisory - Councilman Bussinger  
Planning Commission - Councilman Fairlie  
Park Board - Councilman Whitton  
Board of Zoning Adjustment - Councilman Karns  
Cable TV - Councilman Karns

Item 20 on the Agenda: Questions from the News Media.

GLADSTONE SUN CHRONICLE reporter George McCuiston questioned Councilmen Whitton and Karns on their "no" vote on the James Woolard rezoning.

Mr. Whitton responded that he won't vote in favor of items that will dump water on residents and also cited traffic and visibility problems as reasons for his no vote.

Mr. Karns stated he did not think the car wash proposal was the highest and best use of the land.

There being no further business to come before the May 10, 1982 meeting of the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

*Marlyn L. Ashcroft*  
City Clerk

Approved as submitted: X

Approved as corrected/  
amended: \_\_\_\_\_  
*Bob Ashcroft*  
MAY 10 1982

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 24, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 10, 1982 City Council Meeting
4. PUBLIC HEARING: Request to rezone from C-0, Non-retail Business and R-1, Single Family Dwelling District, to C-1, Local Business District, property at 5614 N Antioch Road. Applicant: Byers Investment Co.
5. APPROVALS:
  - a. Site Plan Revision: Kendallwood Trails Nursing Home, 2900 Kendallwood Pkwy. Applicant: George Croasdale
  - b. Building Permit: Sungate Apartments, 68th & N Broadway - 8 bay carport Applicant: Glen L. Bolling
  - c. Building Permit: White Chapel Memorial Gardens, 6600 N Antioch - Mausoleum Applicant: D.W. Newcomer's
  - d. Class "C" Package Liquor License: Sebastian's, 7400 N Oak Managing Officer: Richard Huff
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. *Ad. on 8a* THIRD READING: BILL NO. 82-12, adding the sale of light wine by the drink and in the original package to certain liquor license categories.  
*First Reading: Bill No. 82-20, increasing package liquor licenses from 6 to 7.*
10. FIRST READING: BILL NO. 82-14, an ordinance regulating the sale of secondhand precious metals and gems in the City of Gladstone.
11. FIRST READING: BILL NO. 82-16, authorizing execution of a Reciprocal Fire Agreement with the City of North Kansas City, Mo.
12. FIRST READING: BILL NO. 82-17, rezoning property from C-1 to CP-2, at 6311 North Antioch Road. Applicant: A&M Associates dba Minsky's Pizza
13. FIRST READING: BILL NO. 82-18 amending sections of the Gladstone Zoning Ordinance pertaining to approval of Site Development Plans and Building Permits. Applicant: City of Gladstone
14. FIRST READING: BILL NO. 82-19, approving the Land and Lot Delinquent List and authorizing the City Collector to proceed with collection as provided by law.
15. RESOLUTION NO. R-82-17, authorizing execution of an agreement with the City of Kansas City, Missouri for use of their prisoner detention facilities.
16. Other Business.
17. Questions from the News Media.
18. Adjournment.

## M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

24 MAY 1982

The May 24, 1982 meeting of the Gladstone City Council was called to order at 7:30 pm in the Council Chambers of the Gladstone City Hall by Mayor Bob Ashcroft. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Councilman Bob Fairlie, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Councilmembers Lee W. Bussinger and Ken Karns were absent.

Item 2 on the Agenda:

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:

Mr. Fairlie moved to approve the minutes of the May 10, 1982 city council meeting as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

Item 4 on the Agenda:

Public Hearing: Request to rezone from C-O, Non-retail Business District and R-1, Single Family Dwelling District, to C-1, Local Business District, property at 5614 N Antioch Road. Applicant: Byers Investment Co.

Council noted that there were no representatives present from the Byers Company, whereupon Mr. Fairlie moved to continue the public hearing until the June 14, 1982 city council meeting. Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) Council instructed the staff to notify Byers Company of the continuance and request that Byers representative be present.

Item 5a. on the Agenda:

Site Plan Revision: Kendallwood Trails Nursing Home, 2900 Kendallwood Parkway. Mr. Willard Smith and Mr. Larry Burford were present to represent this application.

Willard Smith, architect for the project reviewed the plans with Council for the proposed 57 unit self-care facility on the 7.6 acre tract. He explained that the facility would provide independent units for persons who do not require nursing home accommodations at present and serve as a transition to the full care facility. Meals will be provided and 24-hr nursing care available thru the emergency call buttons in each room to the nursing home. Residents will participate in planned activities of the center.

Mr. Smith noted that the Planning Commission recommended denial because the project exceeded density requirements under the ordinance. He pointed out that in his opinion the density requirements were not applicable to this project since the residents do not leave, don't have vehicles and as a result do not have an impact on the neighborhood.

54 of the studio units will contain 350 sq. ft. Mr. Smith noted that although McDonough Medical Clinic had initially made inquiries, this facility would not accommodate McDonough's out of town patients.

Mayor Ashcroft agreed that Mr. Smith had made a good point that the residents of the proposed facility will not have an affect on the community as far as vehicles, etc.

Mr. Fairlie asked Planning Commissioner Ken Winkler who was in the audience what formula the Commission used in their determination that the proposal was too dense. Mr. Winkler advised that the engineering staff report had stated that the proposal was 73,817 sq. ft. short of area required under the formula in the ordinance.

Mr. Fairlie commented that unfortunately we do not have a classification under the ordinance for nursing care facilities and that by his calculations 160 2-bed apartments could be built on the same land area. It is his feeling that as the residents do not drive and weekday traffic will not be a problem for the neighborhood, the density creates no problems for the area.

Mr. Winkler pointed out that the total concept is ideal and would certainly be a welcome addition to Gladstone but not on this particular site in the view of the Planning Commission. In response to a question from Councilman Whitton, Mr. Winkler stated that there would certainly be no hard feelings if the Council voted contrary to opinion expressed.

Mr. Fairlie moved to approve the revised site plans and building plans for Kendallwood Trails Nursing Home, 2900 Kendallwood Parkway as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

Item 5b. on the Agenda: Building Permit Approval. Sungate Apartments, 68th & N Broadway - 8 bay carport. Applicant: Glen L. Boling

Noting no one was present to represent this application, Mr. Fairlie moved to table this item until the June 14, 1982 city council meeting; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

Item 5c. on the Agenda: Building Permit Approval. White Chapel Memorial Gardens, 6600 N Antioch Rd. (Mausoleum construction) D.W. Newcomers & Sons.

Mr. David Drollinger, D.W. Newcomer representative, reviewed plans for construction of 1,000 sq. ft. building. Council discussed applicability of the commercial sidewalk ordinance in this instance and determined that it would be in the best interests of the applicant to defer this item until the June 14 city council meeting when the full council will be present. Mr. Whitton moved to defer the building plan approval for D.W. Newcomers to the June 14, 1982 city council meeting; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

Item 5d. on the Agenda:                    Approval of Class "C" Package Liquor License.  
Sebastion's, 7400 N Oak.  
Managing Officer: Richard Huff

Applicant, Richard Huff introduced his wife Jill Huff and explained that they are requesting a package liquor license for the former Sebastion's liquor and deli establishment. They interto open as a a package liquor store for a 60-90 day period and add the deli food operation later. Mr. Huff stated that he is aware that all package liquor licenses currently authorized under the ordinance have been issued and would request Council consideration of ordinance amendment to increase the number of licenses to accomodate their establishment. Mr. Huff indicated they are presently researching the legal ramifications of operating their business under the Sebastion's name.

City Manager Achen advised that the public safety department had conducted their routine investigation and recommends approval of the license.

Mr. Fairlie moved to approve the Class "C" package liquor license for Sebastion's, 7400 N Oak, Managing Officer, Richard Huff at such time as a license is available. Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

(note: Since this meeting, applicant has changed the name of the establishment to Aardvark liquor and deli).

Item 6 on the Agenda:                    Communications from the Audience.

Mr. Ken Brown, 808 NE 66th Terrace, asked that Council consider their previous neighborhood request for a street light during budget discussions.

Item 7 on the Agenda:                    Communications from the City Council.

Mr. Ashcroft asked that the staff review possibility of the City's doing their own mosquito spraying. Mr. Achen agreed to look into the matter.

Item 8 on the Agenda:                    There were no communications from the City Manager at this time.

Irem 8-a on the Agenda:                    Mr. Whitton moved to place Bill NO. 82-20 on first reading, being an ordinance increasing the number of package liquor licenses authorized in the city to seven (7). Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 82-20, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.



Mr. Whitton moved to accept the second reading of Bill No. 82-20, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Councilman Fairlie pointed out that the ordinance increases the number of package licenses allowed from 6 to 7 which makes a license available for applicant Richard Huff at the Sebastian's location. This is the second time in a month the Council has reevaluated their position on the number of package liquor licenses. Mr. Fairlie emphasized that the Council does not want to convey the impression that a precedent has been set that anyone who makes application for such a license will be approved by amendment of the ordinance.

Mayor Ashcroft reiterated Mr. Fairlie's statement that additional package liquor license applications will not necessarily be approved.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-20, and enact said bill as Ordinance No. 2.430. Mr. Fairlie seconded. The vote: "Aye" - Whitton, Fairlie, Ashcroft. (3-0)

Item 9 on the Agenda:

THIRD READING: BILL NO. 82-12, adding the sale of light wine by the drink and in the original package to certain liquor license categories.

Mr. Whitton moved to accept the second reading of Bill No. 82-12, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-20 and enact said bill as Ordinance No. 2.431.

Item 10 on the Agenda:

FIRST READING: BILL NO. 82-14, an ordinance regulating the sale of secondhand precious metals and gems in the City of Gladstone.

Mr. Fairlie moved to place Bill No. 82-14 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill NO. 82-14, waive the appropriate paragraph of Ordinance NO. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Council noted this ordinance is modeled after the City of Kansas City's ordinance and has met court tests. The ordinance will aid the public safety department in tracking stolen property and discourage the purchase of stolen goods.

Item 11 on the Agenda: FIRST READING: BILL NO. 82-16, authorizing execution of a Reciprocal Fire Agreement with the City of North Kansas City, Missouri.

Mr. Fairlie moved to place Bill NO. 82-16 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)  
The Clerk read the Bill.

The agreement for mutual aid is for a five year period which is the statutory maximum and will expire May 1987.

Mr. Fairlie moved to accept the first reading of Bill No. 82-16, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill NO. 82-16 and place said bill on third and final reading: The vote: All "aye" -Whitton, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill NO. 82-16 and enact said bill as Ordinance No. 2.432.

Item 12 on the Agenda: FIRST READING: BILL NO. 82-17, rezoning property from C-1 to CP-2, at 6311 North Antioch Road. (Minsky's Pizza)

Mr. Whitton moved to place Bill No. 82-17 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

Mr. Whitton commented that he has been by the Minsky's establishment and thinks it a fine looking business. There had been previous discussion about the need for a higher screening fence. The present fence looks adequate to him.

Council noted that the second reading of the rezoning bill will be placed on the June 14 meeting agenda. Prior to that meeting, Council will meet for an on-site inspection of the property.

Item 13 on the Agenda: FIRST READING: BILL NO. 82-18, amending sections of the Gladstone Zoning Ordinance pertaining to approval of Site Development Plans and Building Permits. Applicant: City of Gladstone.

Mr. Whitton moved to place Bill No. 82-18 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of bill NO. 82-18, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-18, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-18, and enact said bill as Ordinance No. 2.433. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

Item 14 on the Agenda: Mr. Fairlie moved to place Bill NO. 82-19 on first reading; approving the Land and Lot Delinquent List and authorizing the City Collector to proceed with collection as provided by law. Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill No. 82-19 and place Bill No. 82-19 on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 82-19, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0) The Clerk read the bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-19 and enact said bill as Ordinance No. 2.434. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft. (3-0)

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-17, authorizing execution of an agreement with the City of Kansas City, Missouri prisoner detention facilities at a per diem rate of \$27.35 per prisoner confined at the institution. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie. (3-0)

Mr. Achen noted that Gladstone had not used Kansas City's detention facilities this past year but needs the agreement with KC to serve as a contingency for such times as the Clay County detention facilities could not accomodate us.

Other Business: Mr. Fairlie advised that naming the drive entrance to the Gladstone Senior Center at 76th & Troost "Everett Smith Drive" in honor of former Mayor Smith now retired in Arizona had been suggested. Council has agreed to wait until a full Council is present before action on the matter is taken.

Mr. Whitton acknowledged receipt of the listing of proposed improvements at the Community Building and complimented the staff on the proposal.

Mr. Fairlie suggested that the Council evaluate the proposed Community Building improvements at a future study session and view the Minsky's property as well. Council agreed to hold a council work session on Wednesday June 2nd at noon.

\* \* \*

There being no further business to come before the May 24, 1982 City Council Meeting, the meeting was adjourned.

Respectfully submitted

Marilyn Ahnefeld  
Marilyn Ahnefeld, City Clerk

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

Bob H. St. Louis  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 14, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 24, 1982 City Council Meeting
4. PUBLIC HEARING: Request to rezone from C-0, Non-retail Business and R-1, Single Family Dwelling District to C-1, Local Business District, property at 5614 North Antioch Road. Applicant: Byers Investment Co. (Continued from 5/24/82)
5. PUBLIC HEARING: Proposed 1982-1983 Annual Fiscal Budget including proposed use of General Revenue Sharing Funds for the City of Gladstone, Missouri.
6. APPROVALS:
  - a. Building Permit - Sungate Apartments, 68th & N Broadway - 8 bay carport  
Applicant: Glen L. Bolling
  - b. Building Permit - White Chapel Memorial Gardens Mausoleum, 6600 N Antioch  
Applicant D.W. Newcomers
  - c. Building Permit - Fox Photo, 6302 North Oak  
Owner: North Oak Development Co. Applicant: Fox Photo
  - d. Building Permit - 390 NE 74th Street, conversion of former Sebastian's Restaurant to office space. Owner/Applicant: 7400 North Oak Partnership and Building Permit  
Applicant: 2909 Brooktree Lane (Kendallwood Commercial Center)
  - e. Revised Site Plan - 2909 Brooktree Lane (Kendallwood Commercial Center)  
Owner: Curry Investment Co. Applicant: Mrs. Robert Van Scoy
  - f. Liquor License Renewal - O&F Inc. dba Opal's Restaurant II, 7622 N Oak  
Class A License. Managing Officer: Opal Chriss
  - g. Liquor License Renewal - Pizza Hut, 6420 N Oak, Type F License.  
Managing Officer: John J. Kitchin
  - h. Liquor License Renewal - Northland Party Shoppe #2, 6313 N Prospect  
Class C License. Managing Officer: Santo J. Smioldo
  - i. Liquor License Renewal - M&A Associates Inc. dba Minsky's Pizza.  
Class F License. Managing Officer: Patrick E. Muller
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. SECOND READING: BILL NO. 82-14, an ordinance regulating the sale of secondhand precious metals and gems in the City of Gladstone.

add 8a. Resolution No. R-82-20, declaring a nuisance and ordering abatement - 2502 NE 59<sup>th</sup>  
C.M.A. - during pickup

(over)

11. SECOND READING: BILL NO. 82-17, rezoning property from C-1 to CP-2, at 6311 N Antioch Road. Applicant: M&A Associates dba Minsky's Pizza.
12. FIRST READING: BILL NO. 82-21, an ordinance amending Section 5-A of Ordinance No. 2.379, regulating hours of operation for coin-operated amusement devices.
13. FIRST READING: BILL NO. 82-22, an ordinance accepting right-of-way and easements in connection with the improvement of approximately 600 ft. of N. Broadway as part of the Englewood Road improvement project.
14. FIRST READING: BILL NO. 82-23, an ordinance amending Schedule V of the Model Traffic Ordinance establishing parking restrictions on city streets.
15. Approval of Interim Financial Report for June, 1982.
16. Other Business
17. Questions from the News Media
18. Adjournment

*Minute Book*

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

14 June 1982

The Gladstone City Council Meeting was called to order on Monday, June 14, 1982, in the Council Chambers of the Gladstone City Hall at 7:30 PM by Mayor Robert Ashcroft. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all Joined.

Item 3 on the Agenda:

Mr. Whitton moved to accept the May 24, 1982, city council meeting minutes as submitted; Mr. Fairlie seconded. The vote: "Aye" - Whitton, Fairlie, Ashcroft. "Pass" - Karns, Bussinger. (3-0)

Item 3 on the Agenda:

Public Hearing: request to rezone from C-0, Non-retail Business and R-1, Single Family Dwelling District to C-1, Local Business District, property at 5614 North Antioch Road. Applicant: Byers Investment Co. (Continued from 5-24-82 city council meeting)

Mayor Ashcroft opened the public hearing and explained the procedure advising that persons in favor of the rezoning application would be asked to address the Council first, followed by those in opposition.

Favor: Mr. Reed Byers, Byers Investment Co. (Applicant) stated that the rezoning application is sought because prospective tenants have some element of retail with their business which the present C-0 zoning does not allow. The property has been vacant for 7 months and every prospective tenant would have required some retail sales in connection with their business which would require the C-1 zoning.

Mr. Byers pointed out that the present C-0 zoning is very restrictive and from Byers' view it is much better to keep these houses rented and kept up rather than deteriorate as has happened with some of the properties in the block. Mr. Byers advised that it would be ideal to develop this property with the adjacent lots into one larger development, but no interest in such a proposal has come from the owner of the adjacent lots.

In response to Council question, Mr. Byers advised that he would not be opposed to Planned Zoning (CP-1).

Mr. Fairlie commented that development of this property with the 2 adjacent lots would allow development of perhaps a medical office facility or some other well developed complex which is preferable to small retail building every 75 feet.

Mr. Byers agreed that such a project is not inconceivable at some future date but that the owner of the 2 vacant lots just has expressed no interest. He reminded that the houses which stood on the lots had been allowed to deteriorate to the point that the City had to take action and declare them dangerous buildings and cause them to be raised.

Mr. Karns asked if the property would be more marketable if the C-1 zoning was already there. Mr. Byers responded that it would be more convenient. Most prospective buyers are not going to purchase 6-8 lots in the "hopes" that the city is going to be receptive to their plans, it just is not done that way. Most property purchases are going to be contingent upon zoning approval. It might facilitate a sale a little bit if the zoning is already there but it does not create a great stumbling block if it is not.

Mr. R.E. Carver, 3400 NE 68th Terrace, owner of property at 5702 N Antioch Road said he is in the same situation as Byers and has had his property for rent or sale for the last few months. These properties have been used down through the years for real estate offices and travel houses. He is in favor of the rezoning and feels it would be a help to the property. He pointed out that some types of business with retail sales such as a beauty shop really would have less patron traffic in and out than an active real estate office.

Mark Darr, 2412 N Pursell, said he had talked to seven of his neighbors on Pursell and none seem to be opposed to the Planning Commission's recommendation of changing the zoning on the present C-0 property to C-1 but are concerned about the possibility of rezoning Tract A. No one wants parking lot in their backyard and they would favor leaving Tract A under its present zoning of R-1. There is also concern that a parking lot would add water run-off to the creek that runs along the property. Mr. Darr said he and his neighbors would favor the Planning Commission's recommendation that Tract A be excluded from the rezoning application. Mr. Byers agreed they do not need Tract A.

Mr. Achen explained that the issue of Tract A is partly because the Zoning Ordinance requires that a 35-foot rear yard buffer separate commercial property from residential property. Without Tract A, providing this buffer may be impossible. The 35 foot requirement would be imposed wherever the back line of the commercial zoning is established. Mr. Achen suggested that Council may want to approve it as a "P" zoning with a site plan establishing Tract A as a buffer and undeveloped.

Mr. Darr agreed that would probably satisfy the concerns of his neighbors.

There were no further comments, whereupon Mayor Ashcroft closed the public hearing.

Item 5 on the Agenda: Public Hearing: Proposed 1982-1983 annual fiscal year budget including proposed use of General Revenue Sharing Funds for the City of Gladstone, Missouri.

City Manager Mark Achen advised that the proposed budget for the year starting July 1 basically maintains the present level of city services. No change in the tax structure and no changes in personnel levels are proposed. The General Fund



supports 81½ of the 99 full-time employees. General Fund revenues are projected at \$3,163,722; with expenditures at \$3,163,335. Expenditure increase in the past four years has averaged 4.8% per year. The City has been able to basically economize during the past four years. The projected fund balance at June 30, 1983 is projected at just under one million dollars. The General Fund includes capital expenditures of \$162,000 which will fund 25 new street lights, replacement of 8 patrol cars and approximately \$50,000 in improvements to four city parks.

Sales tax collections have not been used for general fund operations for the last two years and is projected at \$1,158,945. Almost \$866,000 will be used to complete Flora-Troost and Englewood improvement projects. \$5,000 is budgeted for the city's multi-year commitment to the ASB bridge project; \$55,000 for sidewalks along North Oak over a three year program, and \$26,000 is proposed as the city's 50% share of traffic signals to be installed at Brooktree Lane and Shady Lane intersection on Antioch Road. The sales tax fund balance at the end of fiscal year 1983 is projected at \$1,881,000. Revenue sharing funds are projected at just under \$194,000 and are again proposed for use for public safety pension costs.

The water fund has projected operating expense at \$1,279, with revenues of just over \$1,4000 which will result in a loss to retained earnings of \$33,500. The projections include \$118,000 revenue increase which will have to come from adjustment to the water rate structure. Council and staff have discussed modification of the rate that will more parity to all water users. Present disparity exists primarily between the different classes of residential users. Rough estimates of overall across the board rate increase is an impact of approximately 5-6% for the average user.

Mr. Karns asked if a public hearing will be held to give multi-family users an opportunity to discuss the proposed increase. Mr. Achen advised that hearings on rate increases had not been past practice but of course was a Council discretion.

Mr. Achen further discussed the disparity between single and multi-family users because of the present structure which is set up so that the lowest users pay \$1.23 per thousand gallons and heavy users pay the same rate for 4-5,000 gallons and usage above that at a reduced rate. The result being that a large apartment complex is paying substantially less. Mr. Achen noted that detailed calculations and information will be provided at the next council meeting explaining the impact on users. Gathering of the information had been delayed as the city hall had been without power the past week.

Councilman Fairlie clarified that the funds budgeted for North Oak sidewalk construction was the first of three budget installments for the project. Mr. Achen advised that the staff will make recommendations on which portion of the street to do first.

There were no further comments whereupon Mayor Ashcroft closed the public hearing.

Item 6 on the Agenda.

Approvals.

- a. Building Permit - Sungate Apartments, 68th & N Broadway - 8 bay carport. Applicant: Glen L. Bolling.

Mr. Glenn Bolling reviewed plans for 8-bay parking garage on the lower south parking lot of Sungate apartments noting that the exterior finish will be of stucco board. Following review of plans, Mr. Bussinger moved to approve the building permit for Sungate Apartments; Mr. Whitton seconded. The vote: All "aye" -Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

- b. White Chapel Memorial Gardens, 6600 N Antioch Rd. application for building permit for mausoleum. Applicant: D. W. Newcomers

Mr. David Drollinger, Newcomer's spokesman stated the proposed 176 space mausoleum is being built in response to public demand for such above ground facilities. Construction of sidewalk around the property estimated at \$25,000 would be quite a burden on the company. No sidewalks are proposed to lead to the mausoleum which will be situated approximately 60 yards back into the cemetery and because of the unique nature of the area sidewalks would serve no pedestrian traffic around the cemetery. He stressed that visitors to the cemetery come by car.

Mr. Karns asked if the company is absolutely opposed to putting in sidewalks. Mr. Drollinger said yes they were opposed.

Mr. John Wassburg, attorney for the company reviewed the history of the cemetery dedicated in 1950 prior to Gladstone's incorporation and under a grandfather use. He noted that Newcomers has made improvements over the years and that there is still substantial acreage to be developed and suggested that at such time as further development is made would be the time to address the sidewalk issue. The area is surrounded by pasture land, there are dramatic grade changes and the exact location of the road line is uncertain. The cemetery is here to stay and has been a good Gladstone citizen. Construction of sidewalks at the present time is a hardship. He feels the intent of the ordinance is to provide sidewalks in commercial and residential areas of development where the proposed improvement will promote foot traffic and there is a relationship between the building or improvement on the property and having people have access to it. There is not that relationship with the mausoleum.

Councilman Whitton pointed out that the 176 space mausoleum certainly constitutes a commercial venture in his mind and suggested that the company pass on the cost of sidewalk construction to clients.

Mr. Ashcroft stressed that the Council is not picking on the cemetery and cited other building permit applicants before the Council where the sidewalk ordinance requirements were imposed. The requirements are imposed on residential building permits as well as commercial.

Mr. Wassburg said that at the present time the property is not part of the urban community but agreed that at some time in the future it will be. He pointed out that at some time the State will do something with Antioch Road and at a future date the company would be willing to donate any needed right-of-way for improvements voluntarily to the city to alleviate need for condemnation. It has been estimated that a survey would run \$5,000 to \$6,000 just to determine where the sidewalks should be constructed.

Mr. Bussinger asked if a good estimate of sidewalk construction was known. Mr. Wassburg said it was not.

Mr. Bussinger said that we are talking about \$200,000 he would perhaps agree the City was unreasonable but when we don't know what figure we are talking about we don't have a point of negotiation.

Mr. Achen clarified that the City would not be requiring sidewalks abutting the paved surface but rather off of the highway department's right-of-way. The City has not gone out and engineered it but agrees there are some grading problems.

Mr. Fairlie asked Counselor Dods if we are not firmly established on the point that sidewalks are required upon issuance of a building permit under the ordinance. Mr. Dods agreed that we were in those areas in which there is some relationship between the building permit and the activity. He does think there may be an argument on Newcomer's side of the issue, whether it prevails is for the Council to decide, as to whether or not a special use permit activity may not fall within the "crack of the ordinance". Mr. Dods pointed out that in each of the cases even though the relationship of the activity and the requirement of sidewalks may have been debatable there has been some reasonable relationship. The cometary does ante-date all of the ordinances of the city and there usage there is unique to that particular operation.

Mr. Fairlie stated that he feels very strongly that some sidewalks are required.

Mr. John Ernst, indicated he is associated with McGilley Chapel and is here as an interested citizen. He does not understand the requirement for sidewalks in this instance where it is not like a commercial establishment serving pedestrian traffic.

Mr. Fairlie moved to approve the building permit for White Chapel Cemetery with requirement that sidewalks be built. Mr. Karns seconded. The vote: "Aye" Whitton, Karns, Fairlie, Ashcroft. "No" - Bussinger. (Mr. Bussinger said although he is an advocate of sidewalks he does not feel he has enough information on the sidewalk expense and will vote no for that reason).

c. Building Permit - Fox Photo, 6302 North Oak  
Applicant: Fox Photo. Owner: N Oak Development Co.

Mr. Jim O'Keefe, 4211 W 74th Prairie Village, Kansas, reviewed plans for photo kiosk in Shady Lane United Super parking lot area. Plans adhere to the city's setback regulations and all utilities will be underground. Property will be leased from N Oak Development. Mr. O'Keefe agreed to construct sidewalks and the other four stipulations on the engineering staff report with regards to signage and adherence to the national electrical code regulations.

Mr. Bussinger moved to approve the building permit for Fox Photo, 6302 North Oak with stipulation that all requirements listed on the staff report earlier referred to be complied with. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

d. Building Permit - 390 NE 74th Street, conversion of former Sebastian's Restaurant to office space. Owner/Applicant: 7400 N. Oak Partnership.

Mr. Karl Bennet was present to review plans with Council for remodeling to an open office concept. Addition of Anderson windows is the only exterior modification. In response to Council inquiry, Mr. Bennet said the existing north door will remain.

Mayor Ashcroft reviewed engineering staff comments with the applicant relative to one-hour fire rating and request for drawings with complete dimensions. Mr. Bennet said he had no problem with staff requests, whereupon Mr. Bussinger moved to approve the building permit with adherence to staff report comments; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

d. Revised Site Plan - 2909 Brooktree Lane (Kendallwood Commercial Center) Owner: Curry Investment Co. Applicant: Mrs. Robert Van Scoy

Mrs. Van Scoy, 4013 NE 56th Terrace was present to review plans for dance academy on this property to serve clients from pre school thru adults and for both the casual and serious dancer. Plans call for all face brick and Mrs. Van Scoy acknowledged that they are aware that arrangements for water main extension must be made. Mr. Achen pointed out that water is available from either N Chestnut or North Woodland streets.

Mr. Fairlie moved to approve the revised site plan and building permit for dance studio at 2909 Brooktree Lane with stipulation that requirements in the city's staff report be adhered to. Mr. Bussinger seconded. The vote: All "aye" Whitton, Bussinger, Fairlie, Ashcroft. (4-0) note: Mr. Karns was not present for vote.

f. Liquor license renewal - O&F Inc. dba Opal's Restaurant II,  
7622 N Oak. Class C license. Managing Officer: Opal Chriss

Mr. Achen noted that the public safety department recommends approval finding no record of violations. Mr. Bussinger moved to approve renewal of the liquor license; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

g. Liquor license renewal - Pizza Hut, 6420 N Oak- Type F license.  
Managing Officer: John J. Kitchen

Council noted public safety department's favorable recommendation for renewal of this license, whereupon Mr. Whitton moved to approve renewal of the license; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger, Ashcroft. (5-0)

h. Liquor license renewal - Northland Party Shoppe #2, 6313 N Prospect.  
Class C license. Managing Officer: Santo J. Smirolido.

Mr. Achen reviewed public safety report of violations: December 1981 applicant was given 7-day warning for open display of pornographic materials and complied with the time allotted; March 1982, received 1 day suspension from Missouri State liquor department for allowing a minor to stock shelving and carry out liquor; April, 1982, again cited for sale to minor with charge later reduced to littering. The public safety department recommends that Council take these charges into consideration with the renewal.

Mr. Smirolido advised that he was not informed that the magazines needed to be covered when they were so advised - they did it. As far as the sale to minor, he had been an absentee owner which is not now the case. He has had problems with the manager, the manager is no longer there and has this week dissolved his partnership. He is now in the process of purchasing his former partner's stock.

Mr. Fairlie pointed out that the violations indicate laxness on the applicant's part and he is sure this was discussed at the time of issuance at the time of the original issuance.

On the violation of sale to the minor, Mr. Smirolido stated that his attorney indicated Gladstone has no law against it and therefore the charge was reduced to littering. Mr. Dods said he would have to look into the case because Gladstone does have a law against sale to minors.

Mr. Smirolido expressed concern and pointed out that he runs an honest, legitimate operation and feels that whatever problems he may have had have been eliminated.

On the advise of Counselor Dods, Council unanimously voted to hold a formal hearing on June 28, 1982 at 7:00 PM on the matter of liquor violations and to defer action on the license renewal until such time. (Moved by Fairlie, seconded by Bussinger). All "aye" - (5-0)

1. Liquor license renewal - M&A Associates, Inc. dba Minsky's Pizza  
Class F liquor license. Managing officer: Patrick E. Mueller

Mr. Whitton moved to approve renewal of license noting Public Safety Department favorable recommendation; Mr. Karns seconded. The vote: All "aye"-Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 7 on the Agenda:

Communications from the Audience.

Mr. Ken Winkler, 1000 NE 62nd Terr. asked what the City's policy will be on pick up of storm debris. Mr. Achen advised that debris will be picked up from the public right-of-way only. It is likely a cut-off date will be set but it is expected that it will take 2-3 weeks.

Mr. Winkler also asked why the burned residence at 6219 North Grand has not been repaired. Rats have been cited and it is becoming a health hazard. Kids have been seen wandering in and around the property and he asks that the city require the owner take action. He has heard that a building permit has been taken out. Mr. Achen advised that he could not verify that a building permit has been issued but will look into the matter and take appropriate action under the city's code.

Mr. Winkler also noted the traffic problems at the 63rd & Antioch Road intersection. Mr. Ashcroft responded that the intersection will be totally redesigned when Highway #1 improvements are made by the State Highway Department, when these improvements will be made is unknown at the present.

Mr. Tom Cliff, 2504N E 59th Street addressed Council on infestation of mice at residence at 2502 .E 59th Street. He was joined by Mr. and Mrs. Mike DeLuca who asked that the Council take immediate action on this neighborhood health hazard. Mr. Achen acknowledged that the City is aware of this situation and will add to tonight's agenda a resolution that will empower the City to have access to the property to alleviate the problem.

Mr. Jeff Quinn, 202 NE 58th Street, addressed the Council on Item 14 on the agenda which would impose no parking on the north side of 58th Street. He asked that the Council and Public Safety test removing the signs that are currently on the south side of the street where there is presently a vacant lot, this would still allow them to park on the street. Mayor Ashcroft said it would be taken into consideration when the agenda item is discussed.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Whitton advised that there is a deep hole at Shady Lane and Woodland and asked if repair would be scheduled.

Mayor Ashcroft asked that the staff determine what action can be taken on the dirt pile next to Long John Silver property on North Oak. He noted that the problem has existed for some time and it was his understanding that the original agreement required removal of the dirt. He asked if it could not be declared a nuisance under the ordinance. Mr. Achen agreed to look into the matter.

Mayor Ashcroft also asked that Council be provided information on mosquito control. He requested that the engineering staff reports be provided to applicants for building permits, rezonings, etc. in advance of Council meetings.

Mayor Ashcroft also noted that the detour sign in the vicinity of 67th Terrace or 67th Place at N Flora leads traffic to a dead-end street and asked that the staff look into the matter and re-sign as necessary.

Item 8-a on the Agenda:

No. R-82-20 declaring a nuisance and ordering abatement of same on property at 2502 NE 59th Street. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Bussinger moved to adopt Resolution

Item 9 on the Agenda:

There were no communications from the City Manager.

Item 10 on the Agenda:

an ordinance regulating the sale of secondhand precious metals and gems in the City of Gladstone.

THIRD READING: BILL NO. 82-14,

Mr. Fairlie moved to accept the second reading of Bill No. 82-14, and place it on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 82-14 and enact said bill as Ordinance No. 2.435. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 11 on the Agenda:

rezoning property from C-1 to CP-2, property at 6311 N Antioch Road. Applicant: M&A Associates dba Minsky's Pizza.

SECOND READING: BILL NO. 82-17,

Mr. Whitton moved to accept the first reading of Bill No. 82-17 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-17 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-17 and enact said bill as Ordinance No. 2.436. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 12 on the Agenda:

an ordinance amending Section 5-A of Ordinance No. 2.379, regulating hours of operation for coin-operated amusement devices.

First Reading: Bill No. 82-21,

Mr. Whitton moved to place Bill No. 82-21 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Item 13 on the Agenda:

an ordinance accepting right-of-way and easements in connection with the improvement of approximately 600 ft. of N Broadway as part of the Englewood Road improvement project from property owners John Chezik, Herman Scharhag and Varnum, Armstrong, Deeter.

First Reading: Bill No. 82-22,

Mr. Whitton moved to place bill No. 82-22 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 82-22 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-22, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-22 and enact said bill as Ordinance No. 2.437.

Item 14 on the Agenda:

an ordinance amending Schedule V of the Model Traffic Ordinance as established by Section 18-12 of the City Code dealing with parking restrictions by adding to the schedule Northeast 58th Street - from North Oak to North Grand, North Side (PARKING PROHIBITED AT ALL TIMES).

First Reading: Bill No. 82-23,

Mr. Whitton moved to place Bill No. 82-23 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to place Bill No. 82-23 on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Karns noted that there were 75 empty spaces within the apartment complex by his count while driving through the area recently, which should more than serve the complex tenants. This ordinance would provide no parking on the north side of 58th Street. The south side of 58th Street has been posted for some time.

Mr. Whitton moved to accept the second reading of Bill No. 82-23, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-23 and enact said ordinance as Ordinance No. 2.438. Mr. Bussinger seconded. The vote: All "aye" (5-0)



Item 15 on the Agenda:

Mr. Karns moved for acceptance of Interim Financial Reports ending May 31, 1982. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Karns commented that it had been reported to him that the City is slow in paying vendors and asked what the normal time frame was on paying vendors. Mr. Achen responded that it is approximately two weeks and asked that Mr. Karns bring any particular concern to his attention. Mr. Karns advised that he would contact the manager at a later date.

Item 16 on the Agenda:

Other Business.

Councilman Whitton moved to accept the recommendations from staff on Community Building improvements to be made from the former Bolling Heights Homeowners Association donation in the amount of \$11,931.11. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 17 on the Agenda:

There were no questions from the news media.

There being no further business to come before the June 14, 1982, meeting of the Gladstone City Council, Mayor Ashcroft declared the meeting adjourned.

Respectfully submitted:

Marilyn Ahnfeldt

Approved as submitted: ✓

Approved as corrected/  
amended:

Robert J. Eschli  
MAYOR PRO TEM

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 28, 1982

A G E N D A

7:00PM SPECIAL PUBLIC HEARING: Renewal of Class "C" Package Liquor License for Northland Party Shoppe #2, Santo J. Smirolodo, Mgr. Officer

\* \* \*

1. Meeting Called to Order: Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of June 14, 1982 City Council Meeting
4. Presentations:
  - . Award of Financial Reporting Achievement to James C. Harlow, Director of Administrative Services
  - . Service Awards to former City Commission members:  
Larry Enkelmann (Cable TV Advisory Board Chairman - December 1977 - May 1982  
Jim Smith (Planning Commission member) June 1981 - May 1982  
Ken Borum (Park Board) December 1976 - May 1982
5. APPROVALS:

Building Permit for erection of radio tower at 5614 N Antioch Rd.  
Applicant: Glad City Cab

Liquor License Renewals: Shop N Go, 7215 N Broadway, 5821 N Antioch Rd. Class C License. Mgr. Officer: Mark E. Stanley. Bob's IGA, 5945 N Antioch Class C, Mgr. Officer: Robert E. Lemon. Nadine's Restaurant, 6825 N Oak, Class A. Mgr. Officer: Nadine Webb. Ball's Super Food Store, 7503 N Oak, Class E. Mgr. Officer: Mollie L. Ball. Pizza Inn, 7000 N Oak, Class F Mgr. Officer: Carl A. Hummel. Red Lobster, 6221 N Antioch. Class A&B. Mgr. Officer: Glen W. Masters.

New Liquor License: M&A Associates dba Minsky's Pizza. Class A&B. Mgr Officer: Patrick E. Muller
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. SECOND READING: BILL NO. 82-21, an ordinance amending Section 5-A of Ordinance No. 2.379 regulating hours of operation for coin-operated amusement devices.
10. FIRST READING: BILL NO. 82-24, rezoning from C-O, Non-retail business and R-1, Single Family Dwelling District to CP-1, Local Business District, property at 5614 N Antioch Road. Applicant: Byers Investment Co.
11. FIRST READING: BILL NO. 82-25, amending Ordinance No. 2.361 (Code Section 3-25) by increasing the number of liquor licenses to be granted for Class A & B categories.

12. FIRST READING: BILL NO. 82-26, an Ordinance establishing a license tax on video amusement devices in the city of Gladstone, Missouri.
13. FIRST READING: BILL NO. 82-27, enacting a new Section 29-6 of the City Code establishing new water service rates
14. FIRST READING: BILL NO. 82-28, amending certain sections of the Code levying sewer service charges in the city of Gladstone, Missouri.
15. FIRST READING: BILL NO. 82-29, amending Section 21-13 of the City Code dealing with Disturbing the Peace.
16. Resolution No. 82-18, adopting the 1983 Annual Operating Budget for the City of Gladstone and authorizing expenditure of funds.
17. Resolution No. 82-19, resolution of intent to comply with the provisions of RSMO. 67.110 known as the "Open Window Law" on setting the City of Gladstone's property tax levy.
18. Resolution No. 82-21, authorizing renewal of a Special Use Permit for the operation of a Group Day Care Home at 1312 NE 69th Terrace.
19. Resolution No. 82-22, authorizing the City Collector to publish the land and lot delinquent list.
20. Resolution No. 82-23, authorizing closing of certain uncollectible water accounts.
21. Resolution No. 82-24, authorizing the sale of a city-owned surplus ambulance to the City of Holden, Missouri.
22. Other Business
23. Questions from the News Media
24. Adjournment

M I N U T E S

SPECIAL PUBLIC HEARING  
GLADSTONE CITY COUNCIL

28 June 1982

The June 28, 1982 special hearing of the Gladstone City Council was called to order by Mayor Pro Tem Bob Fairlie at 7:00 PM in the Council Chambers of the City Hall. In addition to Mayor Protem Fairlie, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Mayor Protem Fairlie announced that the purpose of the hearing was to publically discuss the liquor license renewal for Northland Party Shoppe #2, 6313 North Prospect, holder of a Class "C" package liquor license and previous concerns regarding Mr. Smirolodo's application.

Mr. Fairlie pointed out that the applicant has duly filed his application for renewal for the license year July 1, 1982 - June 30, 1983. He asked City Manager Mark Achen to review staff findings.

Mr. Achen advised that this license was originally issued in June of 1980 at the 6313 N Prospect location. At the time Council was advised of two prior violations of Missouri State liquor control regulations and Council met with applicant, Santo J. Smirolodo, and discussed those violations both of which involved 3-day suspensions by the State liquor control department and advised applicant of council's concern with violations of sales to minors provisions and all other liquor laws.

In 1981, approximately the same time of the year the license was renewed and no record of violations for the establishment were found. At the time of application this year, the record of the applicant was reviewed and it was found that there was a 7-day warning issued for display of pornographic materials, which the applicant explained at the last council meeting involved Playboy, Penthouse type magazines which were displayed without covers. The 7-day warning was complied with and no citation was issued. In March of 1982, the State liquor agent observed a violation involving a minor used to stock shelves and to carryout liquor and the establishment was given a one-day suspension of business. In April of 1982, the applicant was cited for a liquor violation sale to a minor and on May of this year the charge was reduced to littering, and as the applicant indicated at the last council meeting that was purportedly because his attorney and the Prosecuting Attorney felt the City did not have adequate city codes to prevent the sale of liquor to minors.

Mr. Jack Norton, attorney for Mr. Smirolodo, clarified that the May charge on sale to minor was vigorously contested. Then when they got to Court it was found that there wasn't any ordinance that specifically covered or prohibited a sale to a minor and based on that they entered into a plea bargaining agreement where they could all save time and money and entered a plea of guilty to littering.

Mr. Norton stressed that Mr. Smirolodo has run a business in our city for two years and he is more than willing to comply and run a decent and good business and one that he feels will be a credit to the City of Gladstone. He added that Mr. Smirolodo had recently hired Mr. Clay Romey to run the business and if there have been past problems they will not exist in the future. Mr. Romey will crack down and every person will be "carded" to ensure no sales to minors are made.

Mr. Bussinger pointed out that the word on the street among the young personis that their establishment is the place to go to get your liquor.

Mr. Norton said Mr. Smirolodo has made it very clear to every employee who works there that persons should be carded and that he will not tolerate any sales to persons under age. He commented that the officers would verify that the problems have been remedied.

Mr. Karns noted that Mr. Smirolodo's partner was to have been bought out. He asked if this had been done. Mr. Norton said the person is out of the picture and no longer an employee. He does not want to imply that the person was the root of the problem, but if he was, he is no longer in the picture.

Mr. Whitton commented that he can personally speak for Mr. Clay Romey the new manager. However he did hear Sunday that was a place you could "buy". If everyone is carded he foresees no problems.

Mr. Norton said that was part of the problem once you get that reputation it is hard to live down and the establishment will have to enforce the rules.

Mr. Bussinger commented that it's hard enough to be in business but a bad operation is a reflection on the council and can't be tolerated.

Mr. Norton said Mr. Smirolodo had been in the liquor business for a good number of years and has a good reputation and will see to it that all laws are complied with.

Mr. Fairlie noted that Council is not here to attempt to deny his license but wanted to let him know how seriously Council views sales to minors although we have no proof of sales to minors only rumors. He also knows Clay Romey and knows he will run it right. Mr. Smirolodo can't be held responsible for 21- year olds who purchase and sell to minors at Woolco or elsewhere.

There were no further comments, whereupon Mr. Whitton moved to place this Class C Liquor license renewal on the regular June 28, 1982 city council meeting agenda; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (5-0)

There being no further business to conduct at this special hearing, Mayor Fairlie closed the hearing.

Respectfully submitted

Marilyn F. Ahnfeld  
Marilyn F. Ahnfeld, City Clerk

Approved as submitted: ✓

Approved as corrected: [Signature]

MAYOR PRO TEM

Minute Book

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

28          June          1982

The June 28, 1982 meeting of the Gladstone City Council was called to order at 7:30PM in the Council Chambers of the Gladstone City Hall by Mayor Protem Robert Fairlie. In addition to Mayor Protem Fairlie, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Mr. Fairlie announced that Mayor Ashcroft was still hospitalized following recent back surgery.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:

Mr. Whitton moved to accept the minutes of the June 14, 1982 city council meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Mr. Fairlie offered the condolences of the City Council and staff to the family of Mrs. Maxine Gromer who died of a heart attack this past week. Mrs. Gromer had been active in our city for a number of years, having recently been appointed to the Advisory Committee to the Public Safety Department. She had co-chaired the annual Fall Festival for the past two years. She and her husband Dean who is a member of the Gladstone Special Road District have contributed many hours to our city. Maxine will be greatly missed by all those who knew her.

Item 4 on the Agenda:

Presentations.

Mayor Fairlie presented an Award of Financial Reporting Achievement to James C. Harlow, Director of Administrative Services and the City of Gladstone for the fifth consecutive year for its comprehensive annual report for the fiscal year ended June 30, 1981. The award from the Municipal Finance Officers Association of the United States and Canada has been extended to less than 300 local jurisdictions out of approximately 50,000 - 60,000 governmental jurisdictions. Mayor Fairlie stressed that the award is not automatic and must be earned. He congratulated Mr. Harlow on behalf of the City Council and thanked him for his efforts and continually looking after the City's best interests.

Mr. Fairlie advised that retiring City commission members could not be present and asked that their awards be forwarded to them. Recipients are: Larry Enkelmann, Cable TV Advisory Board Chairman, December 1977 - May 1982; Jim Smith, Planning Commission member, June 1981 - May 1982; Ken Borum, Park Board member, December 1976 - May 1982. Mr. Fairlie expressed the appreciation of the City Council for the dedication and willingness of these citizens to serve on the various voluntary city commissions.

Item 5 on the Agenda:

Approvals:

Building Permit - erection of radio tower at 5614 N Antioch Road.  
Applicant: Glad City Cab.

Mr. Thomas C. Cotsworth reviewed plans for construction of a 48' tall steel cross-braced radio tower to be erected on a concrete base. The free standing tower will be used to dispatch their cabs. It will be located to the rear of the property and erected in sections.

Council discussed height of the tower and asked Mr. Cotsworth if he could get by with 35' tower which is the height limitation under the C-0 and C-1 zoning. Mr. Cotsworth said he could get by with less than the 48' proposed but it would limit their transmission range. Mr. Achen advised there was some question if the height restrictions applied in this case since it was a tower rather than a building.

In discussing application of the commercial sidewalk ordinance to this building permit, Mr. Whitton questioned if sidewalks would be required since this is a tower not a building.

In discussion with Council, Mr. Cotsworth agreed that he would be willing to build sidewalks if Council so required. Mr. Achen pointed out from the plans approximately 30-40 lineal feet of sidewalk would be required.

MR. WHITTON MOVED TO APPROVE THE BUILDING PLANS FOR ERECTION OF A 48' RADIO TOWER WITH STIPULATION THAT SIDEWALKS BE CONSTRUCTED IN COMPLIANCE WITH THE COMMERCIAL SIDEWALK ORDINANCE. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Liquor License Renewals - Mr. Bussinger moved to approve the listed liquor license renewals upon review and favorable recommendation of the Public Safety Department. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Shop N Go -7125 N Broadway, 5821 N Antioch Road, Class C License  
Bob's IGA, 5945 Antioch Road, Class C License  
Nadine's Restaurant, 6825 North Oak, Class A License  
Ball's Super Food Store, 7503 N Oak, Class E License  
Red Lobster, 6221 N Antioch Road, Class A & B License

Mr. Bussinger moved to approve renewal of Class C Liquor License, Northland Party Shoppe #2, 6313 N Prospect. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie.

Mr. Bussinger moved to approve a Class A&B liquor license for M&A Associates, dba Minsky's Pizza, 6311 North Antioch Road at such time as license is available. (See Bill No. 82-25, Item 11 on the Agenda) Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. Ken Winkler, 100 NE 62nd Terrace, asked what the status of his neighborhood eyesore was referring to burned property at 6219 North Grand. He reminded that he had previously brought to the city's attention problems of rats cited on the property. Mr. Achen said he knows the city has looked into the matter and offered to get back with Mr. Winkler the following day to advise what has been done.

Mr. Harold Anderton, resident in the area of the North Flora complained about the dust problems in the area of construction from motorists and asked if the speed could be reduced to alleviate the problem. Mr. Achen noted it would take an amendment to the traffic ordinance to reduce the speed but offered to work with the contractor to keep the area watered down .

Denise Clouser, 1106 NE 75th Terrace, discussed the problem of a neighbors swimming pool draining on her property. She has talked with her neighbor who is not willing to cooperate to alleviate the problem. A review of the City Code has found that no specific ordinance exists covering this type of violation. She has been told that the general nuisance ordinance under Section 21-1 of the city code may be applicable. Mr. Achen agreed that Mrs. Clouser could try to prosecute as a nuisance under that section which would require her to file a formal complaint with the Prosecutor.

Item 7 on the Agenda:

Communications from the City Council.

Mr. Whitton asked that action be taken on the problems of rats cited at 6219 North Grand discussed in the previous communication from the audience.

Mr. Whitton also suggested staff look into an ordinance requiring smoke alarms in apartments.

Mr. Fairlie agreed this was an ordinance the Council may want to consider.

Mr. Achen pointed out that smoke alarms are definitely required on all commercial establishments and it is his understanding it is a requirement on all residential units of 3 or more even retroactively but will review our requirements and report back to Council.

Mr. Bussinger reviewed recent staff report on vandalism in the city's parks noting that he was appalled at the extend of the damage. He pointed out that the parks are here for the enjoyment of all citizens and urged citizens to call the public safety department and report any suspicious persons seen in the parks.

Item 8 on the Agenda:

Communications from the City Manager.

Mr. Achen noted addition to the agenda of a permit for plant display and sales area at Gladstone Plaza Shopping Center. Mr. Fairlie designated the addition as agenda item 8-a.



Item 8-a.

Plant Sales Permit - Gladstone Plaza Shopping Center.  
Applicant: Angelo Casa  
Owner: Alan Wolff

Mr. Ron Smith, Varnum, Armstrong, Deeter, Inc. representative of property owner Alan Wolff reviewed the proposal for an open air flower and plant display/sales area to be located at the south entrance to the Gladstone Plaza Shopping Center at 65th & North Oak. It will be an open display with benches that will stagger the plants and flowers. Netting material will be held up by 10' poles with plants hung from the netting similar to screening.

Mr. Smith introduced Mr. Angelo Cassa operator of the facility who showed council pictures of his other facility at 85th & State Line.

Mr. Karns questioned why the Council should allow this type of use when other businesses are required to go out and lease a building, pay utilities, etc. He noted this question was raised by local businesses last year over the erection of tents for produce sales.

Mr. Smith agreed Mr. Karns' point was well taken but in this particular case this proposal is more attractive than the bare ground and seen as a better alternative to the present use. A temporary permit use is understood and if it does not satisfy the city or does not work out, they would agree to discontinue the use. In response to Council questions, Mr. Smith explained the sales would continue until January and then not resume until April. Potting soil will be included in the sales.

Mr. Achen advised that in temporary sales of this nature the temporary sales will be a part of the occupation license of the principal structure with receipts collected inside the principal structure. In this situation the question would be which of the structures in the complex this activity would be permitted under. He cited as example the bar-b-que sales at the Shady Lane United Super are conducted and treated as part of the gross receipts of the store.

Mr. Fairlie indicated he had understood that this area was restricted and had to be left as open space and that some kind of permanent structure would be built in the near future.

Mr. Smith said he did not know the particulars of the restriction but did know the plant sales are intended to be a temporary use and in return for such use he has written commitment from Mr. Wolff to contribute \$480 to the sidewalk construction fund, there is no other condition attached to the offer. If plant sales are allowed for even a short time the sidewalk contribution still stands. In addition a restoration clause in the agreement would provide that the ground be restored to the original condition following the termination of the plant sales.

Mr. Bussinger moved to defer action on this matter until the July 12th council meeting; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 9 on the Agenda:

Second Reading: Bill No. 82-21, an ordinance amending Section 5-A of Ordinance No. 2.379 regulating hours of operation for coin-operated amusement devices.

Mr. Bussinger moved to accept the first reading of Bill No. 82-21 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 82-21, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 82-21 and enact as Ordinance No. 2.439; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0).

Council noted the ordinance extends the hours of operation to 1:30 AM. Present closing hour is 12:00 midnight. The extended hours are looked at as a trial basis and will be reevaluated if problems occur.

Item 10 on the Agenda:

First Reading: Bill No. 82-24, an ordinance rezoning from C-O, Non-retail business and R-1, Single Family Dwelling District to CP-1, Planned Local Business District property at 5614 North Antioch Road. Applicant: Byers Investment Co.

Mr. Whitton moved to place bill NO. 82-24 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Item 11 on the Agenda:

First Reading: Bill No. 82-25, amending Ordinance No. 2.361 (Code Section 3-25) by increasing the number of liquor licenses to be granted for Class A&B categories.

Mr. Fairlie noted that a Class A&B license is sought by the Minsky's establishment who has given every indication that they are running a good business. They propose the sale of 5% beer and wine 7 days a weeks which necessitates an increase in the number of licenses available.

Mr. Bussinger moved to place Bill No. 82-25 on first reading; Mr. Karns seconded. Council agreed to increase A&B category licenses to 16. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 82-25, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill NO. 82-25, waive the appropriate paragraph of Ordinance 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 82-25 and enact said bill as Ordinance No. 2.440. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 12 on the Agenda: First Reading: Bill No. 82-26, an ordinance establishing a license tax on video amusement devices in the city of Gladstone, Missouri.

Mr. Whitton moved to place bill no. 82-26 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Item 13 on the Agenda: First Reading: Bill NO. 82-27, enacting a new Section 29-6 of the City Code establishing new water service rates.

Mr. Whitton moved to place Bill NO. 82-27 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Fairlie commented that in drafting the ordinance effort has been made to distribute the cost increase as fairly as possible. One reading only has been given tonight and will be placed on the agenda for second reading on July 12th when hopefully a full Council will be present.

Item 14 on the Agenda: First Reading: Bill No. 82-28, amending certain section of the Code levying sewer service charge in the city of Gladstone, Missouri.

Mr. Whitton moved to place bill NO. 82-28 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Item 15 on the Agenda: First Reading: Bill No. 82-29, amending certain sections of the Code by redefining Disturbing the Peace and providing for penalties for violations.

Mr. Whitton moved to place bill No. 82-29 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill NO. 82-29, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill NO. 82-29 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-29 and enact said bill as Ordinance No. 2.441. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-18, adopting the 1983 Annual Operating Budget for the City of Gladstone and authorizing expenditure of funds. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 17 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-19, a resolution of intent to comply with the "Open Window Law" on setting the City of Gladstone's property tax levy by September 1 as required by law. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 18 on the Agenda: Mr. Bussinger moved to adopt Resolution No. 82-21, authorizing renewal of a Special Use Permit for the operation of a group day care home at 1312 NE 69th Terrace. for a three year period expiring June 30, 1985. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 19 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-22 authorizing the City Collector to publish the land and lot delinquent list. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie.

Item 20 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-82-23, authorizing closing of certain uncollectible water accounts totalling \$2,391.40 representing accounts delinquent and uncollected prior to July 1, 1981. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Mr. Achen pointed out that there is a relatively small amount when compared to approximately 1.3 million dollars in water and sewer sales annually.

Item 21 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-24, authorizing the City Manager to sell the city-owned surplus 1975 Horton ambulance and accessories to the City of Holden, Missouri for \$7,000. Mr. Karns seconded. The vote: All "aye" - Whitton, Bussinger, Karns, Fairlie. (4-0)

Mr. Bussinger asked how the \$7,000 would be used. Mr. Achen advised that \$5,000 was budgeted as revenue but the additional \$2,000 was not and had not been earmarked for specific use

Item 21a on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-25, authorizing execution of Change Order No. 1 to the North Troost/ North Florida reconstruction contract with City Wide Asphalt Co. The change order increases the contract amount \$160.00 and is for water line modifications on North Florida from 67th Place to 68th Street. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 22 on the Agenda:

Other Business.

Mr. Whitton said he would like to see action taken on the rat situation behind Perkins and the dirt pile next to Long John Silver.

Mr. Bussinger asked to clarify what the City's policy is as far as issuing occupation licenses to open-air markets. Mr. Achen said we are adopting a policy that temporary commercial ventures such as a transit merchant would not be issued a occupation license but rather the occupant of the principal structure would have to apply for and take responsibility for the occupation. We are requiring compliance with the fire code and in the process of determining what zoning code regulations should be applicable to the temporary occupant. We are in agreement that we will require minimal setback requirements as far as traffic hazards and will prohibit all signage that is visible from the street except for a 30-day temporary sign.

There being no further business to come before the June 28, 1982 City Council Meeting, the meeting was adjourned.

Respectfully submitted:

Marilyn Ahnefeld  
Marilyn Ahnefeld  
City Clerk

Approved as submitted: ☒

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

Boa Astor  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, GLADSTONE

July 12, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of June 28, 1982 city council meeting
4. Building Permit Approvals
  - . Church Construction, 7102 North Prospect. Applicant: Gladstone Baptist Church
  - . Outdoor plant sales, 65th & North Oak in Gladstone Plaza Shopping Center. Applicant: Angelo Casa. Owner: Alan Wolff (deferred from 6/28/82)
5. Liquor License Renewal Approvals

Zarda Dairy Store #6, 6211 N Chestnut, Class G license; Gladstone Party Center, 7201 N Oak, Class C ; Bobby Bell's Bar-B-Que, 7013 N Oak, Class A&B; Guthries Restaurant & Bar, 6425 N Oak, Class A&B; Baxters & Cocos, 6129 N Antioch, Class A&B; Quick Trip, 2000 NE 72nd, 7603 N Oak, Type C; Happy Rock Liquor #1, 6100 N Oak, #2, 6401 N Antioch, Class C; Linden Oaks Racquetball Club, 7001 N Locust, Class A; 21-21 Restaurant, 5941 N Antioch Rd, Class A; Shady Lane United Super, 6316 N Oak, Class C; Williams United Super, 7219 N Oak, Class C; China Plaza Restaurant, 7521 N Oak, Class A &B; Cellarmaster Wines of Missouri, Inc. 6942 N Oak; Class C;
6. New Liquor License, - Nadine's Restaurnat, 6821 N Oak, Class B application, Sunday restaurant/lounge. Applicant: Nadine Webb
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. SECOND READING: BILL NO. 82-24, rezoning from C-O, Non-retail business and R-1, single family dwelling district to CP-1, Planned Local Business District property at 5614 N Antioch Road. Applicant: Byers Investment Co.
11. SECOND READING: BILL NO. 82-26, an ordinance establishing a license tax on video amusement devices in the cityof Gladstone, Missouri.
12. SECOND READING: BILL NO. 82-27, an ordinance enacting a new Section 29-6 of the City Code establishing new water service rates.
13. SECOND READING: BILL NO. 82-28, amending certain sections of the City Code establishing sewer service charges in the city of Gladstone, Missouri.

14. FIRST READING: BILL NO. 82-30, an ordinance defining harrasment as an offense in the City of Gladstone and providing for penalties for violations thereof.
15. RESOLUTION NO. R-82- 26, authorizing participation in the Missouri Highway Safety Program and application for funding of police traffic services.
16. Other Business
17. Questions from the News Media
18. Adjournment

Agenda addition:

Resolution NO. R-82-28, approving the project of Steven Jagoda, Successors Nominees or Assigns, for issuance of industrial development authority bonds in the approximate amount of \$3,500,000 by the Industrial Development Authority of the County of Clay.

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

12 July 1982

The July 12, 1982, meeting of the Gladstone City Council was called to order at 7:30 PM in the Council Chambers of the Gladstone City Hall by Mayor Robert Ashcroft. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger and Bob Fairlie. City Manager Mark Achen, City Counselor John Dods and the City Clerk were also present.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to accept the minutes of the June 28, 1982, city council meeting as presented; Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Bussinger, Fairlie. "Pass" - Ashcroft. (4-0)

Item 4 on the Agenda: Building Permit Approvals.

Church Construction, 7102 N Prospect. Applicant: Gladstone Baptist Church

Mr. Herman Scharhag, architect for the church introduced Mr. Earl Tate who will be the general contractor for the proposed construction. Mr. Scharhag reviewed plans for the proposed 40' x 80' facility and referred to his July 1, 1982 letter to the City Council on behalf of the church which requests variances because of the future proposed improvements to North Prospect (Highway #1) by the Missouri State Highway Department as follows:

- (1) Allow the church to build without installing 300 ft. of curb. This would all be removed when the state widens N. Prospect. Plans also call for the grade to be raised.
- (2) Omit 300 ft. of sidewalk. This also would be removed by the State when the work is started.
- (3) Allow the Church to use the present parking lot. This parking area will be taken as right-of-way for the highway and proposed 71st Street. A permanent paved parking area will be built to the west of the Church when the highway work is done.
- (4) To allow the church to install a 2" water service line in the present right-of-way. Line would serve the church till a permanent water main can be installed when N. Prospect is improved.



Mr. Scharhag pointed out that the church wanted to invest their money wisely and did not want to put money into something that was later going to be torn out.

Plans call for a wheel chair ramp that will allow access from both the upper and lower levels. Church to be on upper level with Sunday school area in the lower. The church would face the future 71st Street.

In response to Mr. Fairlie's question, Mr. Scharhag said it was his understanding that the previous Church Pastor had been in negotiations with the State Highway Commission but the necessary right-of-way has not yet been acquired.

Mr. Fairlie pointed out that the City of Gladstone is on record for commitment of one-half of the required right-of-way costs for this project.

There is presently no water service to this property. A cistern is used for sanitary needs and water hauled as needed. Sewers are available from the west side of the property.

Exterior construction will be of metal siding with steel frame with provisions in the foundations for adding brick veneer in the future.

Mr. Tate said he was sure the church would make every effort to put in sidewalks when the State completed improvements to Highway #1 (No. Prospect). Pastor Michael Durst agreed commenting that it has been their dream to build this church and they are most willing to work with the city to that end.

Following discussion, Council pointed out that the plans for improvement of North Prospect were scheduled for the Highway Department's five-year plan some 12 years ago and due to budgetary constraints have been deferred making this an unusual situation since it is unknown when the street will be improved. Council pointed out to the applicant that Council has held firm on their policy for the past seven years in requiring other than metal exterior on new construction of this type and asked if the church could come up with alternatives to metal exterior.

Pastor Durst responded that the metal building was available to the church at a reasonable price and had been chosen for that reason. Brick is not affordable at the present time.

Mr. Fairlie asked if Mr. Achen could relate to the Council what negotiations have taken place thus far with the church and the city and State Highway with respect to future improvement of Prospect.

Mr. Achen responded that it is his understanding of discussions that took place about 4 years ago prior to his arrival that the access west-bound from Prospect into the area of the church and the undeveloped properties to the south was a concern to the Highway Department and they wanted to discourage multiple streets and the final result was a plan to abandon the existing street that enters Applebrooke Apartments and replace it with 71st Street which would be immediately to the south of the church property. There was also discussion that in exchange for dedicating the necessary right-of-way to build 71st Street the project would include a water main in 71st Street to serve the church property.

Councilmembers Whitton and Karns pointed out that Council had required exterior brick of the Gladstone Church of Christ recently and do not see how the present application with metal can be approved in fairness to the previous applicants.

Council determined that with the possibility of cancellation of the July 26 council meeting and need to examine previous commitments with the Church and Highway Department, that action on this application be deferred until the first of the week of July 19. A special council meeting could be called to take action so as not to delay the construction start. Mr. Bussinger so moved; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

#### Building Permit Approvals

Outdoor Plant Sales, 65th & N Oak, Gladstone Shopping Center. (deferred from 6/28/82)  
Applicant: Angelo Casa. Owner: Alan Wolff

Mr. Ron Smith and Mr. Angelo Casa were present to represent this application for an open air plant display to be located on the south side of the entrance to the Gladstone Shopping Center. They are asking for a temporary permit to erect this facility on the 60 ft. x 160 ft. grassy area. Mr. Wolff has committed by letter \$8.00 a lineal foot for 60 ft. of sidewalk construction in the future. Facility will be placed 15 ft. back from Oak Street and six parking places in the center have been designated for parking.

Mr. Bussinger commented that he drove by Mr. Casa's other facility out south and had no objection to the way it looked but does object to locating this type of facility in the city of Gladstone and is concerned for the precedent it would set.

Mr. Fairlie noted he favors a permanent-type building and does not feel this proposed use is the highest and best use of the land. If well operated and maintained it could be very attractive but if not maintained would be an "eye-sore".

Mr. Whitton moved to approve the application as submitted; Mr. Karns seconded. The vote: "Aye" - Whitton, "NO" - Karns, Bussinger, Fairlie, Ashcroft.  
OUTDOOR PLANT SALE APPLICATION DENIED (4-1 vote against)

#### Item 5 on the Agenda:

#### Approval of Liquor License Renewals.

Mr. Fairlie moved to approve the liquor license renewals as recommended by the Public Safety Department following their review as listed; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Council stressed that the "B" license for Sunday restaurant/lounge operations is for consumption on the premises only and does not allow package sales.

Zarda Dairy Store, 6211 N Chestnut, G license; Gladstone Party Center, 7102 N Oak, C license; Bobby Bell's Bar-B-Que, 7013 N Oak, A&B license; Guthries Restaurant & Bar, 6425 N Oak, A&B license, Baxters & Cocos, 6129 N Antioch, A&B license; Quick Trip, 2000 NE 72nd Street, 7603 N Oak, C licenses; Happy Rock Liquor #1, 6100 N Oak, #2, 6401 N Antioch Rd, C licenses; Linden Oaks Racquetball Club, 7001 N Locust, A license; 21-21 Restaurant, 5941 N Antioch Rd, A license; Shady Lane United Super, 6316 N Oak, C license; Williams United Super, 7219 N Oak, C license; China Plaza Restaurant, 7521 N Oak, A&B license; Cellarmaster Wines of Missouri, Inc. 6942 N Oak, C license

Item 6 on the Agenda:                      New Liquor License - Nadine's Restaurant                      6821  
N Oak, Class B application Sunday restaurant/lounge. Applicant: Nadine Webb

Mr. Fairlie moved to approve a Class B Sunday sales license for Nadine's Restaurant noting Public Safety department favorable recommendation; Mr. Whitton seconded. Mrs. Nadine Webb acknowledged that she understands the requirement of 60% food/40% liquor sales and that the license does not allow package sales on Sunday.

The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 7 on the Agenda:                      Communications from the Audience.

Mr. Bert Rothschild, 202 NW 65th Street, thanked the Council for honoring him by selecting him to receive the City of Gladstone's award for outstanding leadership to be presented by the Missouri Municipal League Thursday, July 15. He promised to continue to work for the betterment of Gladstone.

Mr. Phil Snowden, attorney, requested Council consider a resolution consenting to and approving the project of Steven Jagoda for issuance of approximately \$3,500,000 in industrial revenue bonds for the rehabilitation of the 108 unit multi-family apartment project at 7000 N Olive (former Applebrooke). It is possible another 50 units may be constructed to conform to the existing facility which will depend on the economy and purchase of adjoining land. The application and fee has been filed with the Clay County Industrial Development Authority.

Mr. David Feingold, President of the Metro North State Bank, has issued a letter of credit to guarantee payment of the bonds. Mr. Snowden stressed that without revenue bonds this project was not feasible. Rents will be in the neighborhood of \$250-285 with larger ones \$385 - \$400.

Mr. Fairlie asked if the city needed to conduct any special review process on this application. Mr. Achen said he understands Clay County Development's requirement of the City's resolution is to make sure the city is aware that this activity is going on and that their attempt to obtain financing through the development authority is not premature in the sense that they obtain financing and then go back to the local authority and find out that adequate zoning or other requirements can't be obtained. The development authority is much more concerned about the financial feasibility whereas the city's concern is that this is a viable project that is a benefit to the community.

Mr. Whitton moved to place the Resolution (82-28) on the agenda for consideration as agenda item 10-a; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Wes Smith reminded Council of his request in April that his father, former Mayor Everett Smith, now a resident of Arizona be remembered in our city by possibly naming a street after him or in some other appropriate manner. Council had discussed the matter previously but had deferred action until a full Council was present.

Item 8 on the Agenda: Mr. Karns noted poor repair job on Oak Street and asked if the city had jurisdiction over the street as far as requiring repair specs of the utility companies. Mr. Achen noted the location was in one of the Oak Villages and agreed to look into the matter.

Mr. Whitton asked about the status of the problem with rats and repairs to the burned house at 6219 N Grand. Mr. Achen said the Clay County Health Department had been contacted and the Administrator of the Estate as well as the Probate Court to encourage them to have the property rebuilt as quickly as possible. Heirs to the estate have obtained the services of a professional exterminator.

Mr. Whitton also noted the Flora/Troost project has experienced delays due to weather and other problems and he is surprised more citizens have not complained.

Mr. Bussinger moved to appoint Mr. Les Smith, 6312 N Michigan to fill the unexpired term recently vacated on the Planning Commission. The term will expire the end of December, 1984. Mr. Jeff Duer to fill the vacancy on the Park Board for a term expiring December '82; Mr. Larry Gromer to fill the vacancy on the Public Safety Advisory Board expiring December '82. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Fairlie commented that the City owed Mr. Bert Rothschild its personal thanks for his years of involvement in the early days of the Gladstone Chamber of Commerce, Gladstone Merchants Association, the Bicentennial Committee, bonds campaigns, Fall Festival Parade and service to the city as a councilmember and continued involvement in activities for the betterment of our city. Mayor Ashcroft expressed his regrets as did Mr. Bussinger that they could not attend the dinner meeting at which Mr. Rothschild will be recognized and conveyed their personal best wishes.

Mayor Ashcroft thanked his fellow councilmembers and city employees for their thoughtfulness during his recent hospitalization.

Mayor Ashcroft also commented on the number of properties with apparent weed violations throughout the city and asked that action be taken.

Item 9 on the Agenda:                    Communications from the City Manager.

City Manager Achen asked that Council add resolution NO. 82-27 to the agenda authorizing an agreement with the Missouri State Highway Department for installation of a traffic signal at Antioch Road & Shady Lane. Mayor Ashcroft designated the addition as Item 15-B on the agenda.

Item 9-a on the Agenda:            Mr. Fairlie moved to adopt Resolution No. R-82-28, consenting to and approving the project of Steven Jagoda, successors, nominees or assigns, for issuance of Industrial Development Authority Bonds in the approximate amount of \$3,500,000 by the Industrial Development Authority of the County of Clay. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 10 on the Agenda:            Second Reading Bill NO. 82-24, rezoning from C-O, Non-Retail Business and R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property at 5614 N Antioch Road. Applicant: Byers Investment Co.

Mr. Whitton moved to approve the first reading of Bill No. 82-24 and place said bill on second reading; Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Bussinger, Ashcroft. "No" - Fairlie. (4-1) The Clerk read the Bill.

Mr. Fairlie explained he voted no because he feels increasing the zoning in this area should also be commensurate with some improvements in the area. He does not see an increase in retail in this area appropriate at this time.

Mr. Karns commented that he would like to see someone purchase the adjacent homes and come up with a large project.

Council agreed that additional readings of the bill was appropriate tonight with the July 26 council meeting being cancelled. Mr. Whitton moved to approve the second reading of Bill No. 82-24, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Bussinger, Ashcroft. "No" - Fairlie. (4-1) The Clerk read the Bill.

Mr. Achen noted there had been some discussion as to whether Tract A should be included in this rezoning. Although the original application included the Tract A (R-1 portion) it had been the Planning Commission's recommendation that Tract A be excluded from the rezoning. The Engineering staff had interpreted that if Tr. A was not included that this property would not have adequate setback to comply with the buffer zone. The Zoning Code would require a 35 ft. buffer between R-1 and commercial zone.

Following discussion Council determined that the rezoning application and description remain as submitted to include the tract A (R-1) portion of the property. Mr. Whitton moved to accept the third and final reading of Bill NO. 82-28 and enact said bill as Ordinance No. 2.442 with the understanding that the EXISTING BUILDING LINES AND PARKING LOT LINES WOULD BE THE SITE PLAN FOR THE PROPERTY; AND THAT IF THE PLAN IS ALTERED IN THE FUTURE, A REVISED SITE PLAN WOULD HAVE TO BE RESUBMITTED TO THE COUNCIL; Mr. Karns

seconded. The vote: Aye \_ Whitton, Karns, Bussinger, Ashcroft. "No" - Fairlie. (4-1)

Item 11 on the Agenda:      Second Reading: Bill NO. 82-26, an ordinance establishing a license tax on video amusement devices in the city of Gladstone, Missouri.

Mr. Whitton moved to accept the first reading of Bill no. 82-26, and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Counselor Dods recommended only one reading of the bill this evening pending his research of the Hancock Amendment and its affect on this bill.

Item 12 on the Agenda:      Second Reading: Bill NO. 82-27, an ordinance enacting a new Section 29-6 of the City Code establishing new water service rates.

Mr. Fairlie moved to accept the first reading of Bill No. 82-27 and place said bill on second reading; Mr. Bussinger seconded. The vote: "Aye" - Karns, Bussinger, Fairlie, Ashcroft. "No" - Whitton. (4-1)  
The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill no. 82-27, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: "Aye" - Karns, Bussinger, Fairlie, Ashcroft. "No" - Whitton (4-1) The Clerk read the bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 82-27 and enact said bill as ordinance No. 2.443. Mr. Whitton seconded.  
The vote: "Aye" - Karns, Bussinger, Fairlie, Ashcroft. "No" - Whitton.

Item 13 on the Agenda:      Second Reading: Bill No. 82-28, amending certain sections of the City Code establishing sewer service charges in the city of Gladstone, Missouri.

Mr. Bussinger moved to accept the first reading of Bill No. 82-28, and place said bill on second reading; Mr. Fairlie seconded. The vote: "aye" - Karns, Bussinger, Fairlie, Ashcroft. "No" - Whitton. (4-1) The Clerk read the bill.

Mr. Bussinger moved to accept the second reading of bill No. 82-28, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: "Aye" - Karns, Bussinger, Fairlie, Ashcroft. "No" - Whitton. (4-1) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 82-28 and enact said bill as Ordinance No. 2.444; Mr. Fairlie seconded. The vote: "Aye" - Karns, Bussinger, Fairlie, Ashcroft. "No" - Whitton. (4-1)

Mr. Karns commented that Council was reluctant to raise the rates but have looked at every possible option before reaching this decision.

Item 14 on the Agenda:      First Reading: Bill No. 82-30, an ordinance defining harrasment as an offense in the City of Gladstone and providing for penalties for violations thereof.

Mr. Whitton moved to place Bill NO. 82-30 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Achennoted that the City Prosecutor has determined that the City's attempts to prosecute telephone harrasment cases under our nuisance ordinance have not been successful because the present nuisance ordinance is inadequate for harrasment cases. There is a recent State Statute which more clearly defines telephone harrasment and this Bill before the Council contains essentially the same language as the Statute. A Gladstone ordinance is necessary to allow prosecution in the Gladstone Municipal Court which is preferable to citing the State Statute and taking cases to the Circuit Court.

Mr. Whitton moved to accept the first reading of Bill No. 82-30, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-30 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-30 and enact said Bill as Ordinance No. 2.445; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 15 on the Agenda:      Mr. Bussinger moved to adopt Resolution No. 82-26, authorizing participation in the Missouri Highway Safety Program and application for financial assistance for police traffic service under such program. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 15a on the Agenda:      Mr. Bussinger moved to adopt Resolution No. R-82-27, authorizing execution of a contract with the Missouri Highway and Transportation Committee for traffic control signal installation at the intersections of North Antioch Road, Brooktree and Shady Lane Drive to be funded by the City and contributions from owners and developers of certain land in that area as referenced in Ordinance No. 2.394. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 16 on the Agenda:

Other Business.

Councilman Whitton asked that a survey be conducted to determine which apartment complexes have smoke detectors installed in their facilities.

Mr. Whitton also suggested the City communicate with newspapers in the area about their laxness in complying with our newspaper distribution ordinance. He has received complaints from Gladstone residents recently. Mr. Achen suggested a determination be made as to which papers are violators so that the City can communicate with them and cite the specific neighborhoods.

There was no further business to come before the July 12, 1982, meeting of the Gladstone City Council, whereupon the meeting was adjourned.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected/  
amended ☐

Marilyn Ahnefeld  
Marilyn Ahnefeld, City Clerk

Bob Achen  
MAYOR



(b)(6)

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 9, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of July 12, 1982 city council meeting
4. PUBLIC HEARING: Request to rezone property at 6200 N Broadway from R-1, Single Family Dwelling District to R-3, Garden Apartment District. Applicant/Owner: Susan Rose
5. PUBLIC HEARING: Request to rezone property at 5702 N Antioch Road from C-0, Non-retail Business District, to C-1, Local Business District. Applicant: Jack J. and Christa H. Evans. Owner: Roscoe Carver
6. PUBLIC HEARING: On setting the annual rate of levy for 1982 Real and Personal Property Taxes for the city of Gladstone.
7. BUILDING PERMIT APPROVAL: Kingston Court Executive Park Office Building, 3701 NE 72nd Street. Applicant: Gary Gable
8. SIGN ORDINANCE APPEAL: approximately 5801 N Antioch Rd. Curry Investment.
9. LIQUOR LICENSE RENEWAL: Aldi's, 6577 N Oak, Class "E" license.
10. Communications from the Audience
11. Communications from the City Council
12. Communications from the City Manager
13. FIRST READING: BILL NO. 82-31, fixing the annual rate of levy for the 1982 real estate and personal property taxes within the city of Gladstone.
14. RESOLUTION NO. R-82-29, authorizing acceptance of a proposal for the purchase of approximately 1,500 tons of de-icing salt.
15. RESOLUTION NO. R-82-30, authorizing acceptance of a proposal for adoption of medical hospitalization and health benefit program for City of Gladstone employees.
16. RESOLUTION NO. R-82-31, authorizing execution of Water Main Extension Contract No. 180.
17. Acceptance of Financial reports for 12 months ending June 30, 1982 and month of July, 1982.
18. Other Business
19. Questions from the News Media
20. Adjournment

## M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

9 August 1982

The August 9, 1982, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to accept the minutes of the July 12, 1982, city council meeting as written. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 4 on the Agenda: Public Hearing: Request to rezone property at 6200 N Broadway, from R-1 to R-3. Applicant/Owner: Susan Rose.

Mayor Ashcroft opened the public hearing explaining the procedure that persons in favor of the proposed rezoning are asked to address the Council followed by those in opposition.

Mrs. Susan Rose, 7608 N. Easy Street, Gladstone, Missouri, applicant addressed the Council explaining her proposal for the construction of two 10-unit apartments on this 200' x 150' tract. The proposed construction will be situated next to the existing 72 units with access from existing 62nd Street. She stressed that the units will contain 450 sq. feet which generally attract single occupancy rather than two persons or families. For this reason the proposed 40 parking spaces are adequate in her opinion. She cited that in the existing 72 unit apartments, 59 units are presently rented to single persons. There has never been a situation where parking space was a problem and noted that some residents do not own vehicles and depend on the bus for transportation which goes right by the complex. Strict rules on hours and noise are imposed.

Buildings will be 75' long with 25' setback from 62nd Street, 35' setback from Broadway and 64' between the new and existing buildings.

Mrs. Rose said she was advised that the Planning Commission had no power to take action on a rezoning request when a variance is involved and for that reason felt it futile to attend the Planning Commission meeting of August 2.

Mr. Karns questioned Mr. Achen if this was correct and if all rezoning applications with variances would go before the Planning Commission and be turned down.

Mr. Achen clarified that rezoning applications must have public hearings before the Planning Commission and variance requests appealed to the Board of Zoning Adjustment on straight rezonings. However in the past few years, the Council and Planning Commission have dealt with almost all rezonings as "P" or Planned zonings which provides the Council the latitude to do the kind of things where normally a variance is required as example allows Council to vary setback requirements, vary parking requirements, vary open space requirements with some kind of integrated plan. It has not been practice to take these before the Board of Zoning Adjustment because the applicant would have to pay an additional fee and attend an additional meeting and then still does not know if the basic concept of what they are doing will be approved. It is his understanding that as long as the Plan Commission and Council consider a P zoning that you have the flexibility to deal with most variances.

Mr. Karns commented that it his understanding a joint meeting between the Council and Planning Commission has been requested to clarify these issues. He noted that in reading the minutes of the Planning Commission meeting, that everyone agreed that the proposed use was the best use of the property. He asked if the Commission could not state to the Council that they felt it was the best use of the property and we think it ought to be zoned but -- the parking spaces are wrong, the building does not fit, etc. according to the ordinance. In otherwords do they have to arbitrarily turn it down.

Mr. Achen responded that to his knowledge the Commission was not required to just say yes or no, but rather has suggested in the past that an application would meet with their approval if "such and such were done". He pointed out that there were several new Commission members and suggested possibly the staff did not provide adequate support in letting the members know what their options were. He does feel that the opportunity is provided in a "P" zone (rather than a straight R-3) to deal with variances.

Mr. Karnes said bad feelings are created when the Council's vote is contrary to Planning Commission recommendation, and raised the question "does the Commission have a voice".

Mr. Fairlie countered that that argument is as old as the Commission and Council and as a former commissioner he can relate to it. The Planning Commission meets and considers a zoning proposal and makes a recommendation, the Council is not bound by their recommendations. In his opinion, the Commission should have viewed the property with the idea of recommending on the zoning and secondly recommending on the plan. The Council has the right and authority to do whatever they wish. He does suggest that we proceed with this public hearing and address the concerns of the Council and Commission at a joint meeting.

Mr. Whitton indicated he regularly attends the Commission meetings and that a number of legal points have been raised since the appointment of an attorney to the membership.

Mrs. Rose noted that there were discussions at the time of the existing apartment construction that this property might be used for a fire station site, however the city's needs have changed and it is no longer economically feasible for them to let the property lie vacant.

There were no further comments or persons to speak for or against this rezoning proposal, whereupon Mayor Ashcroft closed the public hearing.

Item 5 on the Agenda: Request to rezone property at 5702 North Antioch Road from C-0, Non-retail Business District to C-1, Local Business District. Applicant: Jack J. and Christa H. Evans. Owner: Roscoe Carver

Mr. Jack Evans, 1120 NE 97th Street, Kansas City, Missouri explained the rezoning request was sought to allow him to open a video sales and service store at that location. The retail sales would require C-1 zoning.

Although the Planning Commission recommended denial of the rezoning application, he does agree to construct sidewalks as required and meet the one-hour fire rating requirements. It was suggested that he purchase the property next door to provide the required buffer zone but cannot afford to do that. He will also provide the 6' privacy fence suggested.

Mr. Evans noted his business is small and does not draw a lot of traffic. They presently rent space in the Antioch Shopping Center and have been seeking property to buy in the Glendale area but have not found available property with the proper zoning thus this zoning application was initiated.

They will open their third such store in Leavenworth this fall and expect to spend \$20,000 = \$25,000 on the Gladstone store.

Mr. Evans noted that people are not expanding businesses, they are going out of business as evident in the number of vacancies in shopping centers and commercial areas in our city. He expressed his frustration with the length of time required in the rezoning process, when he has to commit himself to purchasing the property by September 1st or renew his present lease in the shopping center.

Mr. Fairlie expressed Council's understanding of his time constraints but explained that any rezoning request must follow the normal procedure which calls for public hearings before the Planning Commission and City Council and subsequent enactment of a rezoning ordinance.

Mr. Ashcroft also expressed his understanding of Mr. Evans' situation but explained that the rezoning process contains certain checks and balances built in to protect both the citizens of the community and the rezoning applicant and the process allows examination and criticism of the rezoning application. Council will do everything possible to work with him but cannot deviate from the rezoning procedures.

Mr. Karns suggested Council might want to notify all residents concerned with this rezoning and give more than one reading at the next council meeting to reach an earlier decision on this rezoning for Mr. Evans. Mayor Ashcroft said it was at the discretion of the Council although it had not been past practice.

Mr. R.E. Carver, 3400 NE 68th Terrace, noted that this property has been used for real estate offices for the past fifteen years and it has been difficult to find tenants for the C-0 zone. The C-0 zone will accommodate doctors, lawyers, realtors but those tenants have been hard to find. He also indicated that years ago the required buffer was 15 ft. but was increased at some time by ordinance to the present 30 ft. requirement. With the amount of traffic on Antioch Road neither a 30 ft. or 15 ft. buffer will screen the traffic noise.

Mr. Ashcroft advised for the record that the Master Plan shows commercial use for this property but he personally favors a larger area developed.

Mr. Karns pointed out that Mr. Carver and the staff will acknowledge that they get calls all the time from persons seeking property already zoned because businessmen are reluctant to take on the Council and Planning Commission given the length of time for a rezoning process, even though our procedures are not as lengthy as example city of Kansas City - this may be something the city may want to look into.

Debbie McClanahan, 5800 Antioch Road spoke in favor of the rezoning pointing out that the proposed business is preferable to a vacant lot and a "fast food" establishment. This type of business would not generate the amount of traffic that a fast food would. Following discussion with Council, Mrs. McClanahan acknowledged that she had the wrong property in mind and thought this application was for property further south at 56th & Antioch discussed last year.

Mr. Fairlie stressed for Mrs. McClanahan's awareness that once property is zoned, the proposed business might vacate at some time in the future and the property could later be utilized for any other type of business allowed in that zoning category.

#### Opposition

Mr. Basil Asby, 2507 NE 57th Terrace stated he is opposed. He is the next door neighbor and would ask that a "buffer zone" be defined for his understanding.

Mayor Ashcroft explained it is a void space between the property line and the building. On this property, the building is already there and there is not an adequate buffer now.

Mr. Asby said he has been there ever since Mr. Carver had the property rezoned and the last 2-3 tenants had been realtors who generated little traffic and created no problems. If the zoning is changed he fears increased traffic. He would go on record as opposing the rezoning and stated in his opinion whatever the buffer zone requirements are, they should be enforced.

#### Agenda Item 6.

Public Hearing: On setting the annual rate of levy for 1982 Real and Personal Property Taxes for the City of Gladstone.

City Manager Mark Achen addressed the council noting that this public hearing is required by statute statutes to provide opportunity for public input on establishing the property tax rate. The hearing was not held at the time of the budget public hearing because the certification of property tax valuations from the County Clerk was not received until after budget adoption.

Total assessed valuation for the city of Gladstone is \$95,857,161. A levy of .82 per \$100 is proposed which is expected to produce \$786,000 in revenue for use in the general operating fund.

Mr. Karns questioned if the tax rate could be reduced.

Mr. Achen responded that it could, however the budget was balanced with that revenue and without the revenue which represents approximately 22-24% of the total general operating revenue, either additional revenues or reduction of expenditures is required.

Long-range financial projections for the city have been discussed and if all facts stay the same, the City will need additional revenue or reduction in expenditures in a 3-4 year period. Statutory maximum which many cities are at is \$1.00 per \$100.00 assessed valuation. If we increased the tax rate to that amount it would produce approximately another \$180,000 which would be less than 5% of our operating budget which would not likely solve our problem by itself. Increased revenue may have to come from a variety of sources and he anticipates that a number of cities will pave the way in exploring revenue sources whose needs will come sooner than Gladstone's.

Item 7 on the Agenda: Building Permit application for Kingston Court Executive Park Office Building, 3701 NE 72nd Street. Applicant: Gary Gable

Mr. Gary Gable, 2212 NE 74th Street, reviewed plans for construction of three office condominiums on the southwest corner of Antioch Road and 72nd Street. These will be nice luxury units designed to attract professionals such as doctors, lawyers, real estate office but would have no retail sales other than a pharmacy. They will initially build one of the 4,8000 sq. ft. two-floor buildings and will construct a third of the parking for each building as built. Exterior is native stone with rough cedar, timberline roof, and plans meet the city code in all respects. Required sidewalk installation is agreed to.

Mr. Achen asked for Council direction on future building permits for this complex, explaining that the applicant would have to appear before the Council numerous times if Council desired to review and approve all individual building plans for office space as they are completed.

Mr. Whitton moved to approve the plans for this building and similar plans for the other two buildings at this time with the understanding that if there are any significant changes Council will want to review changes; Council also authorizes the engineering staff to issue individual building permits as long as plans meet all code requirements. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Hussinger, Fairlie, Ashcroft. (5-0)

Item 8 on the Agenda:                      Sign Ordinance Appeal.  
5801 N Antioch Road.    Applicant:    Curry Investment Co.

Judy Ives, Vice President of the Charles F. Curry Real Estate Company advised that they had recently applied for a sign permit to enable them to convert an existing single-faced sign on the property to a "v" shaped sign to allow their message to be viewed from both sides. The sign would advertise the Woodlands development presently under construction. The exposure of the sign is seen as a benefit to the community, however the sign permit was denied because the City Engineer advised it did not meet the ordinance.

Mr. Achen said the primary problem is that the Code does not address the issue of billboard signs advertising off-site sales and services. The Code does have a provision for temporary signage on new subdivisions advertising that subdivision until it is completed. The Code does not adequately address placing those signs off premises. The sign code basically allows up to 50 sq. ft. for a temporary sign.

Mr. Karns commented that anyone trying to sell \$300,000 homes needs all the help they can get.

Mrs. Ives noted they would like to have the sign until the project is completed, approximately 4-5 years, but abide by a shorter period of time if Council desired.

Mr. Achen indicated that the staff does need direction on this matter because there are several provisions in the code that could be interpreted differently as related to this proposed sign.

Following further discussion, Council determined that no action could be taken until Mrs. Ives provided particulars as to the exact square footage of the signs proposed, whereupon Council agreed to defer the item for council study session consideration the following week.

Item 9 on the Agenda:                      Liquor License Renewal, Aldi's, 6577 N Oak,  
Class E License.

Council noted Public Safety Department review of the application showed no violations of liquor laws and approval is recommended, whereupon Mr. Whitton moved to approve renewal of the application: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.



Item 10 on the Agenda:

Communications from the Audience.

Mr. Charles Hill, 7100 N Olive, presented petitions requesting rescinding of Resolution No. 82-27, passed on July 12, 1982, by the Gladstone City Council consenting to and approving the project of Steven Jagoda, for issuance of industrial revenue bonds in the approximate amount of \$3,500,000 by the Clay County Industrial Development Authority.

Mr. Hill was critical of the presentation made by Mr. Phil Snowden on behalf of the applicant in failing to publically mention that use of industrial bonds for the project would require that 20% or more of the apartments will have to be rented to persons of low or moderate income at the 71st and Olive project. He foresees additional parking problems and police problems. Speaking for area residents he stated that the earlier proposed retirement center is preferable to what is now proposed. He further objected that he and other neighbors to the project were not advised that Council would consider the supportive resolution on July 12th.

Mr. Ashcroft noted there was no requirement for citizen notification on the resolution since this was not a rezoning matter. He clarified for the audience in attendance that this is not subsidized housing and is not a HUD project. The previous developer who proposed the retirement center was unable to sell the bonds, the property lies vacant and the Council cannot just sit and wait for another retirement project to be submitted. There are people who require this type of a project for dwelling and rentals were proposed at \$275 - \$300. Mr. Ashcroft suggested interested persons attend the August 19 hearing before the Clay County Industrial Revenue Commission.

Mr. Karns indicated that he had conversed with Mr. Feingold of the Metro North State Bank, who has issued a letter guaranteeing purchase of bonds, and Mr. Feingold advises that the 20% will be comprised of persons 55 years of age or older. 3.5 million will be spent and he thinks it is better than letting the property stand vacant.

Mrs. Charles Hill also spoke in opposition and said as a next door neighbor they had experienced problems with apartment tenants in the past and would ask that the council rescind their resolution in the hopes of getting the proposal stopped.

Mayor Ashcroft acknowledged the petitions and stated they would be kept on file.

Mr. Joe Wally, Co-publisher of the GLADSTONE SUN CHRONICLE presented Councilmembers with silver dollars and DIRECTION UP lapel buttons as evidence of their "UP" attitude and support of Gladstone, Missouri. He asked for council support of this project of the newspaper which will be of no cost to the city. Buttons will be distributed throughout the business community and persons who wish to participate may reward wearers of the button a silver dollar. There is no charge for the buttons however, the silver dollars are at the expense of those show their own spirit of benevolence. The program is designed to convey our pride in our city and our positive attitude.

Council members thanked Mr. Wally and he received audience applause.

\* \* \*

Wanda Six, 705 NE 71st Street, addressed the Council on behalf of her parents, Mr. and Mrs. Clarence Hoover, 705 NE 71st Street who have continually experienced problems with Public Safety Officer Ken Buck's dog running loose in the neighborhood. She indicated she wrote a letter to a councilman in May about the matter and was assured something would be done about his dog. She indicated police cars run red lights at 4:00 am in his driveway. She indicated the dog is kept on a chain, and Mr. Buck turns him loose the minute the dog catcher goes off duty. She has filed a complaint which will be heard in Municipal Court Thursday, August 12th. At 4:07 this evening the dog was loose. When the dog first got loose in May, she called animal control and Officer Buck came to her residence with the dog on a leash and told her if she continued to call animal control and put his job at risk, he would sue. He was not in uniform at the time. During this visit, the dog broke loose and took off running. He also advised there was no leash law in Gladstone.

She expressed concern that her father who had recent heart surgery was not getting proper rest because of the situation. When the dog got loose tonight she called city hall and was told there were no officers available. She had been in contact before with Mr. Adamo on the matter, who had been reasonably cooperative but he is on vacation at present. Mrs. Six complained that she or her mother have called many times and not reached the City Manager.

Mr. Achen responded that he does not know who they made contact with but the City Clerk serves as receptionist for his office in receiving calls and he would doubt very much if she would not forward those calls to him.

Mr. Karns acknowledged that he was the councilmember who received her letter and had copied Mr. Achen.

Mr. Achen said he and Mr. Adamo visited the Hoovers after receipt of the letter and he has received no calls since that date from the Hoovers. During his conversation with Mr. and Mrs. Hoover, no mention was made of some of the accusations Mrs. Six is making - police cars in the driveway with red lights on and threats of shooting out windows. If those kind of things are going on, we should be informed of them.

Mrs. Six noted she has called at midnight and 3:00 am and nothing was done. She said Captain Adamo told them he had no idea all these calls were coming in, he thought the problem was solved.

Mr. Karns questioned who is heading off the calls, because he has talked to her himself. He also questioned if the police log would show the calls to public safety on the matter.

Mrs. Six stated that reins will have to be put on this officer and his dog because the neighbors are frightened of him. She asked why residents who have lived there 30 years have to be afraid. She called neighbors tonight to let them know she was coming to the council meeting and urged them to come, she said they would not come because they feared he would write them a ticket if he saw them pulling out of their drives. She asked that the problem be investigated and results obtained otherwise she will sue the city and the council. She acknowledged that her attorney said we had a fine council and suggested she give them a chance to take care of it.

Mr. Achen clarified that technically we do not have a leash law but rather the dog must be under the control of the owner. And obviously leashing is the most effective means of control.

Council suggested that the matter would be investigated and and straightened out within the next ten days and that this was a matter that could be brought before the Public Safety Advisory Board if necessary.

Mayor Ashcroft thanked Mrs. Six for calling this matter to the Council's attention.

Mr. Whitton commented that this matter had been brought to his and Mr. Karn's attention before and after conversation with Mr. Achen, he thought the matter had been resolved. He stated that the accusations he had heard were that the officer was mowing his lawn with his gun strapped to his shorts and waving his pistol around. This has been going on for two months and something must be done. Mr. Achen said he was not aware of this accusation previously, the Hoover's did not convey that the officer was wearing or flashing his pistol around in the front yard when he visited with them.

Item 11 on the Agenda:

Communications from the City Council.

Mr. Bussinger asked that Mr. Achen have the staff determine if the signs on the American Vacuum Service Company at approximately 66th and N Oak meet the sign ordinance. He also asked that he be provided information on the status of the fruit stand tent sales on Antioch Road and status of Flora-Troost construction project. He remarked that the citizens affected by this construction project have demonstrated great patience and he would hope for an early completion. Mr. Achen indicated the Public Works Director anticipates an October 1 completion date and arrangements are being made for school bus access north of 72nd Street.

Mr. Fairlie remarked that the Flora Troost Project has shown better progress in the last 30 days and the improvements are more visible.

Mr. Karns asked that staff look at the temporary add-on sign at Mary Jane's Beauty Shop on North Oak for compliance with the ordinance.

Mr. Whitton asked that an ordinance be drafted requiring smoke alarms in all apartment complexes and also noted malfunction of the air conditioner at the community building as well as the need for wheel chair access ramps there. He also suggested Council determine if Planning Commissioner Pam Walsh should be replaced due to her lack of attendance for eight months and asked that Council meet on the matter.

Mr. Whitton advised a petition supporting the fruit stand sales on Antioch Road had been turned in to him. The petition bears 700 signatures. He further commented that the tent is not unattractive as far as he is concerned.

Item 12 on the Agenda:

There were no communications from the City Manager.

Item 13 on the Agenda:

FIRST READING: BILL NO. 82-31,  
fixing the annual rate of levy for the 1982 real estate and personal property taxes within the city of Gladstone.

Mr. Fairlie moved to place Bill No. 82-31 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill NO. 82-31, and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill NO. 82-31, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft, (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 82-31, waive the appropriate paragraph of Ordinance No. 1.83 and enact said bill as Ordinance No. 2.446. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Fairlie asked if the taxes would get out to the citizens this year on time. Mr. Achon advised that we are dependent on Clay County for the information needed for the computer.

Note: Items 14 and 15 (Resolutions R-82-29 and 30) stricken from the agenda.

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-82-31, authorizing execution of Water Main Extension Contract No. 180 with Charles Curry Company for water main to serve the Kendallwood Commercial Center; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 17 on the Agenda: Mr. Whitton moved to approve financial reports as submitted for 12 months ending June 30, 1982 and one month ending July, 1982. Mr. Karns seconded. The vote: All "aye" - Whitton Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 18 on the Agenda: Other Business.

Council announced study session will be held on Monday, August 16, 1982 for discussion with the Planning Commission and other matters.

There were no questions from the news media or further business to come before the August 9, 1982, City Council Meeting, whereupon Mayor Ashcroft adjourned the meeting.

Respectfully submitted:

Approved as submitted: ☒

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

Marilyn Ahnefeld  
Marilyn Ahnefeld  
CITY CLERK

Robert J. Fairlie  
MAYOR *Rob J. Fairlie*

## A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of August 9, 1982 City Council Meeting
4. PROCLAMATIONS
  - (a) Designating September 6-12, 1982 as "National Association of Women in Construction Week"
  - (b) Designating September 7, 1982 as "Peace Day"
5. PUBLIC HEARING: On an amendment to Section 32-59(A) of Ordinance No. 2,433, (being an amendment to the Gladstone Zoning Ordinance), pertaining to City Council approval of Building Permits. Applicant: City of Gladstone
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. Building Permits
  - (a) Remodeling Permit, 5720 North Oak, Standard Oil Company
  - (b) Building Permit, National Child Care Center, 7227 North Euclid
10. LIQUOR LICENSE RENEWALS
  - (a) Szechuan Restaurant, 6465 North Prospect, Class A License. Managing Officer: Roger Yuen.
  - (b) Carrolton Bowl, 300 N.W. 72 Street, Class A & B License. New managing officer: Paul Kreins.
  - (c) Godfather's Pizza, 328 N.E. 72 Street, Class A & B License. Managing Officer: James Cowe.
11. THIRD READING: BILL NO. 82-26. Licensing Coin-operated Amusement Devices.
12. FIRST READING: BILL NO. 82-32, rezoning property at 6200 North Broadway, from R-1, Single Family Dwelling District, to RP-3, Planned Garden Apartment District. Applicant/Owner: Susan Rose.
13. FIRST READING: BILL NO. 82-33, rezoning property at 5702 North Antioch Road, from C-O, Non-retail Business District, to C-1, Local Business District. Applicant: Jack J. and Christa H. Evans. Owner: Roscoe Carver.
14. FIRST READING: BILL NO. 82-34, amending Section 15-3 and 15-5 of the City Code, regulating and controlling the advertising and conduct of garage sales in the City of Gladstone.
15. RESOLUTION NO. R-82-30, accepting proposal for adoption of a program of Medical, Hospital and Health benefits for City of Gladstone employees and dependents, and approving an agreement for the administration of such plan.
16. RESOLUTION NO. R-82-32, authorizing acceptance of proposal for street light construction.
17. RESOLUTION NO. R-82-33, authorizing acceptance of proposal for construction of sidewalks.
18. RESOLUTION NO. R-82-34, authorizing acceptance of proposal for resurfacing of tennis courts.
19. Other Business
20. Questions from the News Media
21. Adjournment.

*Minute Book*

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

23 August 1982

The August 23, 1982 meeting of the City Council was called to order by Mayor Pro-Tem Bob Fairlie at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor Pro-Tem, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen, and Asst. to the City Manager Julie Betz. Mayor Bob Ashcroft was absent from the meeting.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to accept the minutes of the August 9, 1982, city council meeting as written; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 4 on the Agenda: Mayor Fairlie read proclamations designating the following: "National Association of Women in Construction Week" - September 6-12; "Peace Day" - September 7, 1982; "National Hunger Week" - Week of September 13th.

Item 5 on the Agenda: PUBLIC HEARING: On an amendment to Section 52-59(A) of Ordinance No. 2.433, (being an amendment to the Gladstone Zoning Ordinance), pertaining to City Council approval of Building Permits. Applicant: City of Gladstone

City Manager Mark Achen reviewed the proposed ordinance amendment explaining the way the ordinance currently reads the Council approves all building permits except those in R-1, R-2 and R-1CH zones. The problem occurs that there are some structures other than single and two family dwellings that can be built in those three zones that the Council has previously indicated a desire to issue permits for. Such as churches, schools and other public buildings. This proposed ordinance amendment modifies the language to specify that Council issues all permits other than those for one and two family dwellings and appurtenances thereto such as remodeling of one family and two family dwellings, garage additions, etc. Under the present language if a church applied for a building permit under the existing code in an R-1 zone, the Council does not technically have responsibility for issuing that permit.

There were no additional comments from the audience regarding this zoning amendment, whereupon Mayor Fairlie closed the public hearing.

Item 6 on the Agenda:

Communications from the Audience.

Mr. Greg Guilford, 2804 NE 63rd Terrace, noted that his driveway is damaged as a result of work done in the street immediately adjacent to his property by the City between 3-5 years ago. From discussions with the sewer department it is his understanding that a manhole cover was moved or other work done. It looks like the street has settled and the sidewalk across the street has a 4" drop which is a danger to kids on bicycles and anyone walking at night. He asked what responsibility the city had for damage done to his property as a result of street work done.

Mr. Whitton acknowledged that he had viewed the property and noted that the bottom end of his driveway is sinking and verified that the sidewalk mentioned has dropped.

Mr. Guilford said the neighbor across the street had several very high water bills last year and thought that was perhaps indicative of a major water main leak there at one time. He does not feel he should have to put in a new driveway because of something the city did. Mr. Fairlie responded that it would depend which side of the water meter the leak was on. He said the city engineer would check into the matter and respond to the Council at their study session on September 9 for appropriate action.

\* \* \*

Mr. Harold Anderton, 6408 N Flora, complained of raw sewage in his back yard for years and when he has asked when the problem will be remedied, the response has been - next year. He does not think that is soon enough and has turned the matter over to the Missouri Department of Resources, Division of Environmental Quality. There are several neighbors with the same situation.

Mr. Bussinger asked Mr. Achen what can be done about the situation.

Mr. Achen responded that about \$24,000 has been appropriated this year to grout the sewer lines in that vicinity generally between 63rd and 65th Flora-Forest and the contract has not been let yet, but will relieve some of the problem. Smoke tests have been done on the line, however during the last storm similar problems occurred all over the city wherever storm water enters. Many of the instances involved sanitary sewage coming into the basement mixed in with storm water. In Mr. Anderton's case there is obviously a lot of perforations in the line, a lot of collapsing in the line that has occurred over the years and probably enters through the manhole covers when they are submerged at intersections.

Mr. Bussinger clarified that in Mr. Anderton's case he has problems with a 2" rain not just with a major storm. He sees correction of the situation as a priority.

Mr. Achen said grouting bids would be taken before the end of this calendar year.



Item 7 on the Agenda:

Communications from the City Council.

Councilman Whitton noted that the street is washed out at 65th & N Flora and a utility pole to the rear of a residence close to the Anderton property is nearing collapse.

Mr. Fairlie said the cause of the drainage problems in Mr. Anderton's area needs to be identified if the proposed grouting work would only partially solve the problems. He directed the City Manager to have the City Engineer review the problem and advised Mr. Anderton that the issue would be discussed at the council worksession on September 9. The city will contact Mr. Anderton following that session.

Mr. Bussinger asked that the city look at cancelling the vehicle towing contract with Colonial '66 since they don't have a current occupation license. Mr. Achen pointed out that their occupation license has been withheld to force compliance with the fire code for the tent sales on the same property. At present it looks like it is impossible for the establishment to comply with the code and the city has given him until the middle of September to move out or find another location. The City Counselor has indicated that it is an expensive and prolonged process to stop someone from doing business even though the occupation license is withheld. Mr. Bussinger said that since the city has a contract for towing services with the company, he would propose we enter into a contract with some other licensed tow service.

Mr. Fairlie announced that the Planning Commission has put together a committee to gather information about storm drainage problems with the city. The Committee will be chaired by Commissioner Jim Butler and public notice will be given of the time and date of this informational meeting.

Item 8 on the Agenda:

Communications from the City Manager.

Mr. Achen advised of agenda addition - Building Permit request for North Star Apartments, 108 NE 63rd. Applicant: Mr. Henry L. Wylie. Mayor Fairlie designated the addition as Item 9-C.

Item 9-a. on the Agenda:

Remodeling Permit, 5720 N. Oak  
Standard Oil Company

There was no representative from Standard Oil present, whereupon the Council voted unanimously to table the request. (4-0)

Item 9-b on the Agenda:

Building Permit, National Child Care Center,  
7227 North Euclid

Mr. Bob Elkin, Woodson Development Company, St. Louis and Mr. John Wells, J.A. Peterson, were present to review plans with Council for construction of a child care and pre-school center on a .66 acre tract of land just off of 72nd Street on Euclid. The facility will front N. Euclid approximately 150 ft. and is in the commercial district and immediately west of Quick Trip.

Mayor Pro-Tem Fairlie noted that the tract for the child care center has irregular boundaries and overlaps into the surrounding multi-family zoning. He noted that applicant agrees to construct sidewalks as required by the Code. The applicant noted that the City Engineer had advised that a plea for a variance to the Board of Zoning Adjustment was required and such plea has been formally filed.

Following discussion of plans with applicants, Mr. Bussinger moved to approve the building plans as submitted with a stipulation that the Engineering Staff determine that plans include drainage provisions for 25-year storm. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 9-c on the Agenda:

Building Permit, North Star Apartments, 108  
NE 63, Applicant: Henry L. Wylie

Mr. Henry Wylie and Architect Steve Cantrell were present to review plans for construction of a new roof on the North Star Apartments. Mr. Cantrell noted there are four buildings which will receive new composition asphalt pitched roofs over the existing roofs which have deteriorated. Mr. Whitton moved to approve the building plans for roof construction at North Star Apartments as submitted; Mr. Bussinger seconded. The vote: "Aye" - Whitton, Bussinger, Fairlie. (3-0) note: Councilman Karns was temporarily out of the chambers.

Item 10 on the Agenda:

Approval of Liquor License Renewals.

Mr. Bussinger moved to approve liquor license renewals for the following noting public safety department review finds no records of problems at the establishments and recommends approval; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Szechuan Restaurant, 6465 N Prospect, Class A license  
Carrolton Bowl, 300 NW 72nd, Class A&B license  
Godfather's Pizza, 328 NE 72nd Street, Class A&B license

Item 11 on the Agenda:  
Coin-Operated Amusement Devices.

Third Reading: Bill No. 82-26, Licensing

City Manager Achen suggested the item be deferred until the City Counselor could be present noting Mr. Dods was ill this evening.

Item 12 on the Agenda:  
First Reading: Bill NO. 82-32, rezoning  
property at 6200 N Broadway, from R-1, Single Family Dwelling District, to RP-3,  
Planned Garden Apartment District. Applicant/Owner: Susan Rose.

Mr. Bussinger moved to place Bill No. 82-32 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)  
The Clerk read the Bill. (5-0) The Clerk read the Bill.

Item 13 on the Agenda:  
First Reading: Bill No. 82-33, rezoning  
property at 5702 N Antioch Road, from C-0, Non-retail Business District to  
C-1, Local Business District. Applicant: Jack J. and Christa H. Evans.  
Owner: Roscoe Carver

Mr. Bussinger moved to place Bill No. 82-33 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie.  
(4-0) The Clerk read the Bill.

Item 14 on the Agenda:  
First Reading: Bill No. 82-34, amending  
Section 15-3 and 15-5 of the City Code, regulating and controlling the  
advertising and conduct of garage sales in the City of Gladstone.

Mr. Fairlie queried the City Manager on the reasons for this garage sale ordinance amendment. Mr. Achen clarified that the existing ordinance has an ambiguity in it which in essence indicates that signs are not supposed to be erected on utility poles -- but then says if such signs are posted they have to be down three days after the sale. This proposed ordinance reduces that ambiguity by saying -- they just can't be there.

Mr. Fairlie clarified for the audience that garage sale signs will not be allowed on public property which includes telephone poles. Signs on private property are legal but must be removed three days after the sale.

Mr. Achen pointed out that the city has not been vigorous in enforcing the prohibition of garage sale signs and they exist all over the city. Conscious effort is being made to make people aware of the prohibition at the time of issuance of their permit and the city is attempting to vigorously enforce the ordinance.

Mr. Bussinger moved to place Bill No. 82-34 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)  
The Clerk read the Bill.

Mr. Whitton asked if it was fair that political candidates could erect signs when garage sale holders could not. Mr. Achen said it was within Council's purview to make this ordinance read as it so desires.

Item 15 on the Agenda:

Mr. Bussinger moved to adopt Resolution No. 82-30, accepting a proposal for adoption of a program of Medical, Hospital and Health benefits for City of Gladstone employees and dependents, and approving an agreement for the administration of such plan. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 16 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-82-32, authorizing acceptance of a proposal for street light installation from Kay Line Construction, 8600 E. 23rd Street, Kansas City, Missouri in the amount of \$23,760.00. Mr. Karns seconded. The vote: All "aye" Whitton, Karns, Bussinger, Fairlie. (4-0) Lighting will be installed at 33 locations in the city.

Item 17 on the Agenda:

Mr. Bussinger moved to adopt Resolution No. R-82-33, authorizing a contract in the amount of \$45,000 with the E.H. Hall Contractors Company, 924 Osage, Kansas City, Kansas for sidewalk construction along North Oak Street Trafficway on the west side from 64-77th. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) (Prior to vote, lengthy discussion of advantages of placing sidewalks on east side versus west side. Council agreed to leave resolution stating west side and take action later if change was required).

Item 18 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-82-34, authorizing execution of a contract with McConnell and Associates, Inc. for resurfacing of four tennis courts at Happy Rock Park, two tennis courts at 72nd & N Euclid, two tennis courts at Central Park and one tennis court at Meadowbrook Park in the amount of \$11,753.60. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 18a on the Agenda:

Mr. Bussinger moved to adopt Resolution No. R-82-35, authorizing sale of certain city-owned surplus property at auction to be conducted on September 11, 1982, beginning at 10:30 am at the Public Safety Property Building. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) Mr.

Mr. Achen reviewed the listing of surplus property to be sold and also indicated recovered property would be included in the sale.

Item 19 on the Agenda:

Other Business.

Mr. Bussinger moved to authorize <sup>transfer of</sup> \$60,061 from the Sales Tax Revenue Fund for addition of five streets to the Special Road District's 1982 Street Maintenance program contract with City Wide Asphalt Company. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Mr. Whitton asked that the staff look at drainage problems behind the Harbison property (75 Terrace & Oak) the first house west on the south side. He has received calls on this matter.

There were no questions from the news media or other business to come before the August 23, 1982 meeting of the City Council, whereupon Mayor Protem Fairlie adjourned the meeting.

Respectfully submitted:

Marilyn Ahnefeld  
Marilyn Ahnefeld, City Clerk

Approved as submitted: ☒

Approved as corrected/  
amended : ☐

Bob A. ...  
MAYOR

September 13, 1982

## A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of August 23, 1982, city council meeting.
4. Approvals:
  - a. Preliminary Plat of Kingston Court Executive Park, southwest corner of 72nd & Antioch. Applicant: Kingston Court Development Co. Ron Topham and Gary Gable
  - b. Building Plans for Pete's 66 Service Station, 6400 N Oak.
  - c. Building Plans for Standard Oil Co, 5720 N Oak
  - d. Building Plans for Gladstone Baptist Church, 7102 N Prospect.
  - e. Limited Beer License for the sale of non-intoxicating beer by the drink for October 1, 2, 3, at Gladstone Fall Festival. Applicants: Gladstone Jaycees
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. THIRD READING: BILL NO. 82-26, an ordinance licensing Coin-operated Amusement Devices.
9. SECOND READING: BILL NO. 82-32, rezoning property at 6200 N Broadway from R-1, Single Family Dwelling District, to RP-3, Planned Garden Apartment District. Applicant/Owner: Susan Rose
10. SECOND READING: BILL NO. 82-33, rezoning property at 5702 North Antioch Road, from C-O, Non-retail Business District, to C-1, Local Business District. Applicant: Jack J and Christa H. Evans. Owner: Roscoe Carver
11. SECOND READING: BILL NO. 82-34, amending Section 15-3 and 15-5 of the City Code, regulating and controlling the advertising and conduct of garage sales in the City of Gladstone.
12. FIRST READING: BILL NO. 82-35, amending Section 32-59(A) of Ordinance No. 2.433 pertaining to City Council approval of Building Permits.  
*First Reading: Bill No. 82-36, repeal existing garage sale ordinance.*
13. RESOLUTION NO. R-82-36, authorizing acceptance of a proposal for purchase of de-icing salt from American Salt Company.
14. RESOLUTION NO. R-82-37, authorizing execution of a contract for Gladstone Community Building remodeling.
15. RESOLUTION NO. R-82-38, authorizing formation of an Industrial Development Corporation in the city of Gladstone, Missouri.
16. Acceptance of Financial Report for two months ending August 31, 1982.
17. Other Business
18. Questions from the News Media
19. Adjournment



*Minute Book*

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

September 13, 1982

The September 13, 1982 meeting of the Gladstone City Council was called to order by Mayor Bob Ashcroft at 7:30PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen, Acting City Counselor Richard Sandler, and the City Clerk.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Fairlie moved to accept the minutes of the August 23, 1982, city council meeting as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. "Pass" Ashcroft (4-1)

Item 4-a on the Agenda: Approval of Preliminary Plat of Kingston Court Executive Park, southwest corner of 72nd & Antioch. Applicant: Kingston Court Development Co. Owners: Ron Topham and Gary Gable

Developer Gary Gable was present to review the plat with Council and indicated that the platting complies with all City Code requirements.

Mr. Achen noted that the Staff report indicated there were no major problems with the plat other than the Planning Commission's recommendation that the plat be approved subject to submission of a satisfactory drainage plan.

Mr. Gable stated they had agreed to put in a detention pond and upgrade both 72nd Street and Antioch Road.

Following review of the plat, Mr. Fairlie moved to approve the preliminary plat of Kingston Court as submitted with the stipulation as proposed that the applicant provide written submission of a satisfactory drainage plan. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 4-b on the Agenda: Approval of Building Plans for Pete's '66 Service Station, 6400 N Oak.

Mr. Dale Whitehead was present to review plan with Council for construction of a 1,064 bay addition to the existing service station. Construction material concrete block. Applicant will construct sidewalks on 64th street and the Oak Street sidewalks will be constructed as part of the City's sidewalk construction project in process.

Mr. Whitton moved to approve the building addition plans for Pete's '66 Service Station as submitted with the stipulation that sidewalks be constructed on 64th Street. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft (5-0)



Item 14-c on the Agenda:  
Company, 5720 North Oak.

Approval of Building Plans for Standard Oil

Mr. Glen Pugmire, Overland Park, Kansas, was present to review plans for remodeling of the office area for security and construction of an 8' fence on the south end of the building. The relocation of the front door is the only exterior change to the building. The 8' fence will be of chain link with redwood slats and a walk-in beverage cooler will be installed in side. A 24-hr security service area will also be provided in the interior.

Mr. Achen noted that sidewalks are required in the islands only, as the rest of the property is driveway. The staff report indicates that a separate building permit will be obtained for a future canopy erection. Mr. Achen asked if Council might want to consider approval of the proposed steel canopy building plans at this time. Council was in agreement.

Mr. Fairlie moved to approve building plans as submitted by Standard Oil including the canopy construction with stipulation that island sidewalks be constructed as required in compliance with the commercial sidewalk ordinance. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft, Fairlie. (5-0)

Item 14-d. on the Agenda:

Approval of Building Plans for Gladstone

Baptist Church, 7102 N Prospect.

Architect Herman Scharhag and Pastor Mike Durst were present to review this application with Council.

Mr. Schharg noted that earlier plans were rejected primarily due to proposed metal construction. Plans have now been modified to rough sawn redwood with provisions to add brick in the future; the Church agrees to construct water main which will cost them an estimated \$5,000 and paved parking area has been provided for. Mr. Scharhag noted that although Council had suggested an all brick exterior they calculate brick would cost them about \$20,000 which is unaffordable to the Church. It is the Church's feeling that the redwood will be most attractive and they ask Council's approval of the wood construction. Future expansion is planned on the north end of the building and they would be reluctant to put brick veneer on that portion of the building when expansion is anticipated.

Pastor Durst reviewed an artist rendering of the proposed facility with Council and asked Council approval of the plans with waiver of sidewalk, curb and gutter along the Prospect frontage due to unknown timetable for State Highway improvement of North Prospect.

Mr. Fairlie agreed that the redwood would be attractive and maintainable. He noted he had no problem with the wood construction and clarified that Council has encouraged other than steel or concrete exterior which would include natural materials such as brick or wood.

Church member Keith Bracket spoke in favor of the proposed building plans and requested favorable Council consideration of same.

Mr. Fairlie asked if right-of-way had been negotiated with the Church by the State Highway Department for the continuation of M-1 highway.

Mr. Achen explained that there had been negotiations between the Church and Highway Department about two years ago but there was no formal agreement at that time because the project was terminated. The Church had anticipated using proceeds from right of way acquisition for church construction costs but since the project did not proceed the church feels the need to go ahead with their construction leaving some of those questions still unresolved. It is his understanding that the church will continue to use the existing church as an educational wing and then when the street project commences, construct the education wing onto the north end of their new building.

In response to Council question, Mr. Achen noted that \$30,000 - \$50,000 was an estimated right-of-way acquisition payment to the church at one time.

Mr. Bussinger pointed out that the City in waiving the curb and sidewalk requirement would still be out funds for future right-of-way payment. It is feeling that the church should be willing to give the right-of-way voluntarily in exchange for the sidewalk and curb waiver otherwise the city gives it all and the church has to give up nothing.

Mr. Scharhag noted there is a 300 ft. frontage but it appears the highway is taking an excessive amount of land because they propose to take 75' ft. off the frontage and they already have 30 ft. of right-of-way. With their taking approximately  $\frac{1}{4}$  acre off the front it seriously diminishes the amount of actual usable area left and really creates a problem in providing for future expansion.

Mr. Achen suggested that the right-of-way we are discussing is the full right-of-way the Highway Department had planned to take. Likely the footage was calculated because they anticipated that the State share of project funds would come from federal funds which requires certain design standards. If the State's funds did not come from federal funds he would suspect that the State might be able to do the project with less right-of-way but he does not know what those dimensions would be.

Mr. Bussinger suggested a letter of commitment from the Church that cost of the curb and sidewalk installation would be deducted from any negotiated right-of-way payment for the future highway construction.

Council agreed with Mr. Bussinger's suggestion and Pastor Durst acknowledged the church's willingness to make such a commitment.

Further discussion was held on this suggestion and the fact that it is impossible to predict the cost of the sidewalks and curbing or the right-of-way payment when the project is presently in "limbo".

Motion to approve.

Mr. Whitton moved to approve the building permit for the Gladstone Baptist Church, 7102 North Prospect as submitted subject to an agreement with the Church that at such time as right-of-way acquisition payment is agreed upon, that the payment will be reduced by the amount of cost to install curb, gutter and sidewalks at the time of their construction. (Actual running feet to be established now by the City's engineering staff). Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 4-e on the Agenda:

Limited Beer License for the sale of non-intoxicating beer by the drink for October 1, 2, 3 in connection with the Gladstone Fall Festival. Applicants: Gladstone Jaycees.

Gladstone Jaycees President Ron Whitaker was present to answer Council inquiries on their requested limited beer license. He noted that the Jaycees will serve soft drinks, ice cream, popcorn, candy and coffee in addition to the beer sales at their booth. They have received written permission from the Farmland Company for use of their property at 6910 N Holmes and will be responsible for cleanup following the activity. ID's will be checked and sales of beer will not be made to persons under age 21. Proceeds of the booth will be used for the Jaycee's ongoing Camp Wonderland project.

Mr. and Mrs. Henry Farrity, 904 NE 67th Terrace, and Carol Nichols, 1401 NE 66th Street, addressed the Council on the issuance of the limited beer license. The expressed their opinion that allowing the sales downgrades the event and is not conducive to a family affair. They see no need for the beer sales and suggest that the Jaycees can make as much money with other items. They point out problems with alcohol and feel the city's approval tells kids it is ok.

Mr. Fairlie noted that the Jaycees have run a good operation and in his opinion the beer sales are not degrading. Mayor Ashcroft thanked them for their comments and called for a vote on the beer license application, whereupon Mr. Whitton moved to approve the limited beer license requested by the Gladstone Jaycees, Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 5 on the Agenda:

Communications from the Audience.

Mr. Charles Hill, 7100 N Olive, inquired if the city would require construction of 71st Street in connection with future improvements to the former Applebrooke apartment complex. He noted that such a requirement was made when Mr. McLaughlin presented his application to the Council.

Mayor Ashcroft stated that Council would have to approve any building permit for addition or improvement to that apartment complex and that the matter of the future street would be addressed at that time.

Mr. Laughlin also noted that there had been recent discussion of garage sale signs not taken down following sales and he would point out that there are still some election candidate's signs on poles.

Ann Shannon, 1604 NE 65th Terrace, complained that she and her neighbors are concerned with the slow progress of the North Florida project.

Mr. Achen pointed out that the City has been withholding payment to the contractor on that section (south section) for lack of inadequate response to the city about their construction timetable. They have 360 working days to complete their project, the northside contractor has 150 to complete the project. The north contractor has documented that they have lost 42 construction days due to rain and they have provided a reasonable schedule which calls for completion by the end of October except for the sodding. The south section contractor has not provided a timetable, however the city engineer indicates he sees no reason why the paved surface and curb and gutters could not be completed by the end of October.

Council was in agreement with Mrs. Shannon that it was time the contracts were done.

Item 6 on the Agenda:

Communications from the City Council.

Mr. Karna noted for press members present that no member of the City Council initiated the amendment to the garage sale ordinance introduced at the August 23 council meeting, it had been a staff proposal. He has received numerous telephone calls and personally in the interest of free enterprise has no interest in prohibiting garage sales.

Mr. Whitton moved to place BILL NO. 82-27, REPEALING ORDINANCE NO. 1.580 REGULATING AND CONTROLLING THE ADVERTISING AND CONDUCT OF GARAGE SALES AT PRIVATE RESIDENCES IN THE CITY OF GLADSTONE, MISSOURI on first reading;  
Mr. Karna seconded.

Mr. Bussinger noted that he had received more telephone calls on this matter than any other during his tenure as a city councilman. He pointed out that although he favors doing away with the garage sale ordinance he cautions that garage sale controls would be reinstituted if problems or abuses warrant such action in the future.

Mr. Fairlie noted that the staff report indicated no summons have been issued for violations of the garage sale for the past eight years. He is not comfortable however, with doing away with garage sale restrictions altogether because there are many citizens he would find no restrictions inviting problems. The present Code restricts garage sales to two a year and there are citizens who would find frequent garage sales in their neighborhood offensive.

Mr. Fairlie noted some communities conduct a garage sale weekend in which the whole community participates.

Mr. Karns pointed out that the Public Safety Department has more to do than ride herd on garage sales and he questions why we have such an Ordinance if it is not enforced.

The vote on first reading: All "aye" - Whitton, Karns Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Item 7 on the Agenda:

There were no communications from the City Manager.

ITEM 8 ON THE AGENDA:

THIRD READING: BILL NO. 82-26, an ordinance licensing Coin-operated Amusement Devices in the City of Gladstone.

Mr. Whitton moved to place Bill NO. 82-26 on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Fairlie Moved to amend Bill No. 82-26 by the addition of Section 8, to read as follows "Section 8. Effective Date. This ordinance shall become effective upon its approval by the voters of the City of Gladstone, Missouri, as required by Section 22, Article X of the Missouri Constitution". Mr. Whitton seconded.

Mr. Fairlie moved to approve the third and final reading of amended bill NO. 82-26, an enact said bill as Ordinance No. 2.447

Council clarified that the fees established under this ordinance will become effective only following voter approval as required by the recent interpretation of the Hancock Amendment.

ITEM 9 ON THE AGENDA:

SECOND READING: BILL NO. 82-32, an ordinance rezoning property at 6200 N Broadway from R-1, Single Family Dwelling District, to RP-3, Planned Garden Apartment District. Applicant/Owner: Susan Rose

Mr. Whitton Moved to place Bill No. 82<sup>-32</sup> on second reading following acceptance of the first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

ITEM 10 ON THE AGENDA:

SECOND READING: BILL NO. 82-33, rezoning property at 5702 North Antioch Road from C-0, Non-Retail Business District to C-1, Local Business District. Applicant: Jack J and Christa H. Evans. Owner: Rocky Carver.

Mr. Whitton moved to accept the first reading of Bill NO. 82-33 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Item 11 on the Agenda:                      Second Reading: Bill NO. 82-34, an ordinance amending Section 15-3 and 15-5 of the City Code, regulating and controlling the advertising and conduct of garage sales in the City of Gladstone, Missouri.

Mr. Fairlie moved to table this bill for further study and until such time as appropriate number of readings were given to related garage sale bill No. 82-36; Mr. Bussinger seconded. The vote: All "aye" - Bussinger, Whitton, Karns, Fairlie, Ashcroft. (5-0)

Item 12 on the Agenda:                      First Reading: Bill No. 82-35, amending Section 32-59(A) of Ordinance NO. 2.433 pertaining to City Council issuance of building permits.

Mr. Whitton moved to place bill on 82-35 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 82-35, and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-35, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill NO. 82-35 and enact said bill as ordinance No. 2.448. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 13 on the Agenda:                      Mr. Whitton moved to adopt Resolution No. 82-36, authorizing acceptance of a proposal for purchase of de-icing salt from American Salt Company, such bid having been determined to be the lowest and best bid. Mr. Bussinger seconded.

Discussion: Mr. Whitton noted there is sentiment on the Council to use less salt due to its deterioration of curbs and streets. Mr. Achen noted that the Public Works Director will submit a report to the Council on this issue for Council discussion at a forthcoming council meeting. Mr. Achen clarified that this bid is based on the city's ordering on an as needed basis so that if the city does not use the quantity used in prior years, we don't have to order it.

The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 14 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-37, authorizing execution of a contract with United States Contractors in the amount of \$9,300 for certain improvements to the Gladstone Community Center Building including kitchen area remodeling, installation of new doors and ceiling and construction of access ramps. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Whitton complimented Assistant to the City Manager Julie Betz on her efforts on this remodeling project.

Mr. Achen noted that this is the completion of the improvements made possible by the donation of the former Bolling Heights Homeowners Association.

Item 15 on the Agenda: Mr. Bussinger moved to adopt Resolution No. 82-38, authorizing formation of an industrial development corporation in the City of Gladstone, Missouri. Such application having been filed by Messrs. Steve R. Carlson, 7629 North Olive, V.E. Rodman, 2909 NE 76th Street and Thomas J. Bono, 512 NW 44th Street. Mr. Fairlie seconded.

Discussion:

Mr. Fairlie noted that there exists in Clay County an Industrial Development Corporation however this authority will not accept residential or commercial facilities. Adoption of this resolution creating an industrial development corporation for our city would expand us into those two areas which are two very questionable areas. The Industrial Development Authority was set specifically to invite industrial development into the entities and he sees no reason for duplication of industrial development authorities and will be voting no on this resolution.

Mr. Karns states that he believes this resolution forming an industrial development corporation for Gladstone will be good for Gladstone citizens and the city because it will be one means by which we will no longer have to depend on the County. Gladstone citizens will be able to make the decision on what businesses we want to use these bonds. Any time you can create more businesses in the city it is less likely that the citizens will have to pay more taxes. He will be voting in favor of the resolution.

There was no further discussion whereupon Mayor Ashcroft called for the vote: "Aye" - Councilmembers Whitton, Karns, Bussinger. "No" - Councilmembers Fairlie, Ashcroft. (3-2 vote)

Item 16 on the Agenda: Mr. Bussinger Moved to approve the Financial Report for two months ending August 31, 1982 as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 17 on the Agenda: Other Business.

Mr. Bussinger moved appoint Mr. Don Rose, 6803 North Euclid to a three year term on the Gladstone Cable TV Advisory Board. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Bussinger also requested that the Manager send a letter to the members of the Special Road District formally advising of the Council's authorization of \$60,000 from the contingency fund to allow addition of streets to the 1982 special road district overlay contract.

Item 18 on the Agenda: Questions from the News Media.

A member of the press questioned who would make the determination as to what types of applications would be approved by the Gladstone Industrial Development Corporation.

Mayor Ashcroft advised that the articles of incorporation yet to be drawn would provide guidelines and a five-member board to be appointed by the City Council would make decisions on the applications.

There being no further business to come before the September 13, 1982 meeting of the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: \_\_\_\_\_

Approved as corrected/  
amended: ☒

*Bob Ashcroft*  
\_\_\_\_\_  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 27, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of September 13, 1982 city council meeting
4. APPROVALS:
  - a. Building Plans - McDonald's Restaurant, 7412 N Oak
  - b. Building Plans - Fotomat Corporation, 6427 N Oak (Gladstone Sh
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. THIRD READING: BILL NO. 82-32, rezoning property at 6200 N Broadway R-1, Single Family Dwelling District, to RP-3, Planned Garden Apartment District. Applicant/Owner: Susan Rose
9. THIRD READING: BILL NO. 82-33, rezoning property at 5702 N. Antioch from C-O, Non-Retail Business District to C-1, Local Business District Applicant: Jack Evans Owner: Roscoe Carver
10. SECOND READING: BILL NO. 82-34, amending Section 15-3 and 15-5 of t City Code regulating and controlling the advertising and conduct of garage sales in the city of Gladstone.
11. SECOND READING: BILL NO. 82-36, repealing the garage sale ordinance regulating and controlling the advertising of garage sales at private residences in the city of Gladstone.
12. FIRST READING: BILL NO. 82-37, accepting a standard sewer easement North Kansas City School District.
13. FIRST READING: BILL NO. 82-38, an ordinance requiring the installa Smoke Detector Systems in all existing multi-family dwelling units of Gladstone, Missouri.
14. RESOLUTION NO. R-82-39, authorizing Change Orders No. 1 and 2 and f payment of the R.A. Pohl Water Main Construction Contract.
15. RESOLUTION NO. R-82-40, authorizing Change Order No. 2 to the E.H. Construction Contract (N. Troost - 72-77)
16. RESOLUTION NO. R-82-41, authorizing Change Orders No. 2,3, and 4 to Wide Construction Contract (N. Flora/N. Troost)
17. RESOLUTION NO. R-82-42, endorsing and encouraging the Missouri Gene to enact proposed legislation on the Missouri Municipal Code.
18. Other Business
19. Questions from the News Media
20. Adjournment

Bill No. 82-39, Amundtson House of Carving activities

## M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 27, 1982

The September 27, 1982, meeting of the Gladstone City Council was called to order by Mayor Bob Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Bob Fairlie, City Manager Mark Achen, City Counselor John C. Dods and the City Clerk. Councilman Bussinger was absent from the meeting.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to approve the minutes of the September 13, 1982, city council meeting as presented; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 4 on the Agenda: Approval of Building Plans.

- a. McDonald's Restaurant, 7412 N Oak. No one was present to represent this agenda item, whereupon Mr. Whitton moved, seconded by Mr. Karns, to table this item. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)
- b. Fotomat Corporation, 6427 N Oak  
Mr. Jerry Marcus, Fotomat Real Estate Representative, 4827 N Lindbergh, St. Louis, Missouri, was present to review building plans for construction of a new 35 sq. ft. drive-through photo kiosk to be situated approximately 150 ft. north of the existing unit. Following Council review of plans Mr. Fairlie moved to approve the plans as submitted with the stipulation that City sidewalk ordinance and sign code be complied with. Mr. Whitton seconded. Mr. Marcus advised that he had been contacted long distance by the engineering department and advised that their proposed sign exceeded the allowable size and that sidewalk construction would be required. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (5-0)

Item 5 on the Agenda: Communications from the Audience.

Sharon Butler, Gladstone Chamber of Commerce President, requested Council approval of a permit for the operation of a merry-go-round, ferris wheel and tilt-a-wheel in connection with the annual Fall Festival, October 1, 2 and 3.

Ms. Butler noted that it is hoped these attractions will provide entertainment for young children which has been lacking in the past. She advised that the City Manager had reviewed code restrictions and required insurance with her and Dave Anderson, City Engineer had assisted in laying out the area for the rides. The company will provide their own generator and obtain an occupation license. She asked that Council allow operation of the rides from 1230 PM rather than 3:30 PM under the present Code.

Following discussion, Council agreed that change in the hours would necessitate an ordinance amending the present City Code and requested the Counselor and staff to prepare such an amendment for introduction later in the meeting.

Mr. Fairlie moved to approve the requested activity for the Gladstone Chamber of Commerce for the hours of operation as requested; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 6 on the Agenda: There were no communications from the City Council.

Item 7 on the Agenda: There was no communication from the City Manager.

Item 8 on the Agenda: Third Reading: Bill NO. 82-32, rezoning property at 6200 N Broadway from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District. Applicant/Owner: Susan Rose.

Mr. Fairlie moved to approve the second reading of Bill No. 82-32 and place said bill on third and final reading: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Fairlie moved to approve the third and final reading of Bill No. 82-32 and enact said bill as Ordinance No. 2.449; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 9 on the Agenda: Third Reading: Bill No. 82-33, rezoning property at 5702 N Antioch Road from C-O, Non-Retail Business District to C-1, Local Business District. Applicant: Jack Evans. Owner: Roscoe Carver.

Mr. Fairlie moved to amend Bill No. 82-33 by the addition of "P" to the zoning sought (request to rezone from C-O Non-retail Business District to CP-1, Planned Local Business District) Mr. Whitton seconded.

City Manager Achen noted that previous discussion was that the "P" zoning allowed Council to provide flexibility without going through a variance process and that the site plan that must be submitted with the "P" zoning would reflect where the building lines now sit.

The vote on the amendment: All "aye" - Whitton, Karns, Fairlie, Ashcroft (4-0)

Mr. Whitton moved to accept the second reading of amended Bill No. 82-33 and place said bill on third and final reading: Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)  
The Clerk read the bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-33 and enact said bill as ordinance No. 2.450.

Item 10 on the Agenda:      Second Reading: Bill No. 82-34, amending Section 15-3 and 15-5 of the City Code regulating and controlling the advertising and conduct of garage sales in the city of Gladstone.

Mr. Fairlie moved to accept the first reading of Bill No. 82-34, and place said bill on second reading; Mr. Whitton seconded. The vote: All "NO" Whitton, Karns, Fairlie, Ashcroft. (4-0) BILL NO. 82-34 FAILED ON SECOND READING.

Item 11 on the Agenda:      Second Reading: Bill No. 82-36, repealing the garage sale ordinance and regulating and controlling the advertising of garage sales at private residences in the city of Gladstone.

Mr. Whitton moved to accept the first reding of Bill No. 82-36, and place said bill on second reading; Mr. Fairlie seconded.

Discussion: Mr. Fairlie noted he would be voting "no" on this bill because he is of the opinion that at times it is necessary to have a law on the books to allow enforcement of conduct of garage sales.

Mr. Karns advised he would be voting for this bill repealing existing garage sales regulations because it is his feeling that the city is capable of controlling garage sales without the law on the books and is of the opinion that the police have better things to do than enforce such sales.

The vote: "Aye" - Whitton, Karns, "No" - Fairlie, Ashcroft. (2-2 vote)  
BILL NO. 82-34 FAILED ON SECOND READING FOR LACK OF MAJORITY VOTE OF COUNCIL.

Item 12 on the Agenda:      First Reading: Bill NO. 82-37, accepting a standard sewer easement from the North Kansas City School District.

Mr. Fairlie moved to place bill on No.82-37 on first reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)  
The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of bill NO. 82-37, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 82-37 and place said bill on third and final reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 82-37 and enact said bill as Ordinance No. 2.451. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 13 on the Agenda:      First Reading: Bill No. 82-38, an ordinance requiring the installation of Smoke Detector Systems in all existing multi-family dwelling units in the city of Gladstone, Missouri.

Mr. Whitton moved to place bill NO. 82-38 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Council noted that the requirement for smoke detector systems applies to all existing dwelling units in buildings having two or more units (which would include duplexes). The owner of the building is required to install the detectors at the time of any transfer of ownership, change of occupancy, or on or before January 1, 1983, whichever should occur first.

Item 13-a on the Agenda:      First Reading: Bill NO. 82-39, an ordinance amending Section 4-5a) of the City Code regulating hours of operation for amusement and entertainment activities sponsored by civic organizations.

Mr. Whitton moved to place Bill No. 82-39 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. The Clerk read the Bill.

The bill establishes new hours of operation for such activities as follows: Sunday through Thursday - 1:00 PM - 10:00 PM; Fridays, Saturdays and Holidays - 12:30 PM to 11:00 PM. Change in hours is response to request from the Gladstone Chamber of Commerce for earlier starting time for ride activities at the fall festival.

Mr. Whitton moved to accept the first reading of Bill No. 82-39, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No 82-39, and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-39 and enact said bill as Ordinance NO. 2,452; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 14 on the Agenda: Mr. Fairlie moved to adopt Resolution NO. R-82-39, authorizing the City Manager to execute Change Orders No. 1, 2, and final payment of the R.A. Pohl Water Main Construction Contract. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution NO. R-82-40, authorizing the City Manager to execute Change Order No. 2 to the E.H. Hall Construction Company contract for North Troost 72nd - 77th. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 16 on the Agenda: Mr. Fairlie moved to adopt Resolution No. 82-41, authorizing the City Manager to execute Change Order No's 2, 3, and 4 to the City Wide Construction Contract for the Troost/Flora reconstruction (63rd Street to 72nd Street). Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Responding to Council, Mr. Achen advised that the City Engineer had met with contractors on the North Troost/68th Street/ North Flora construction contract who indicate that the timetable for completion of the projects is: North Troost 72-77 - base course down by October 5. This excludes curbs which will be put in later and followed by a 4" course on top. Flora/Troost 63-72 - City Engineer has met with City Wide and asked for more aggressive action on their part. The City Engineer still expects completion of both projects by November with exception of sodding.

Item 17 on the Agenda: Mr. Fairlie moved to adopt Resolution NO. R-82-42, endorsing proposed legislation on the Missouri Municipal Code recodification project and encouraging the Missouri General Assembly to act in an expedient manner. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft.

Item 18 on the Agenda: Other Business.  
Mayor Ashcroft recognized Mrs. Virginia Bauman, recipient of the Red Cross "50-mile Swim Award". Council Members congratulated Mrs. Bauman on her feat.

There were no further items of business to be brought before the September 27, 1982 City Council Meeting, whereupon Mayor Ashcroft adjourned the meeting.

Respectfully submitted:

*Marilyn A. Anhefeld*  
Marilyn Anhefeld, City Clerk

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

*Bob A. Ashcroft*  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 11, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of September 27, 1982 city council meeting
4. APPROVAL OF BUILDING PLANS: McDonald's Restaurant, 7412 N Oak  
Applicant: Carlson Construction Co.
5. PUBLIC HEARING: Request to rezone property at 7200-7300 N Euclid  
from R-3, Garden Apartment District to C-1, Local Business District.  
Applicant/Owner: J.A. Peterson Company
6. CONSIDERATIONS OF PRELIMINARY PLATS
  - a. Stratford Park, 4th Plat, Euclid from 72nd to 72nd Terrace  
Applicant/Owner: J.A. Peterson Company
  - b. Corporate Hills North, west side of Belleview from Vivion Road  
to NW 44th Terrace. Applicant/Owner: Commerce Bank & Trust,  
Topeka, Kansas
  - c. Tracy Estates (Revised Plat), 74th & N Park. Applicant/Owner:  
Larry Mitchell
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. SECOND READING: BILL NO. 82-38, an ordinance requiring the  
installation of Smoke Detector Systems in all existing multi-family  
dwelling units in the city of Gladstone.
11. FIRST READING: BILL NO. 82-40, defining and prohibiting attempts to  
commit offenses; and providing for penalty for violation.
12. RESOLUTION NO. R-82-43, accepting a Bill of Sale for Water Main  
Extension Contract No. 180.
13. RESOLUTION NO. R-82-44, authorizing acceptance of a proposal from  
Tuttle-Ayers-Woodward Company for Mill Creek Water Shed Analysis.
14. RESOLUTION NO. R-82-45, approving the form of Articles of Incorporation  
for the Industrial Development Authority of the City of Gladstone, and  
appointing directors.
15. RESOLUTION NO. R-82-46, authorizing a contract with Video Pipe Grouting,  
Inc. of Chicago, Illinois for cleaning and grouting of sanitary sewers.
16. RESOLUTION NO. R-82-47, authorizing the position of Senior Citizen  
Coordinator for the Gladstone Department of Recreation.
17. Acceptance of Financial Report for September, 1982.
18. Other Business 19. Questions from News Media. 20. Adjournment

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

October 11, 1982

The October 11, 1982, meeting of the Gladstone City Council was called to order by Mayor Bob Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Fairlie moved to approve the minutes of the September 27, 1982, city council meeting as submitted. Mr. Whitton seconded. The vote: "Aye" - Whitton, Karns, Fairlie, Ashcroft. "Pass" - Bussinger. (4-1)

Item 4 on the Agenda: Approval of Building Plans. McDonald's Restaurant, 7412 N Oak  
Applicant: Carlson Construction Co.

Mr. Bill Farris, Carlson Construction Company, was present to review building plans with Council for enclosure of existing porch area to house playground equipment. Exterior finish will be masonry and glass and no change in roof line will occur. The playground equipment is provided as an attraction for families with small children.

Council reviewed plans and noted that sidewalks currently exist on the North Oak frontage. Mr. Whitton moved to approve the building plans for McDonald's Restaurant, 7412 N Oak as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 5 on the Agenda: Public Hearing: Request to rezone property at 7200-7300 N Euclid from R-3, Garden Apartment District to C-1, Local Business District. Applicant/Owner: J.A. Peterson Company

Mr. Lee McMahon, P.E. from the J.A. Peterson Company was present to represent this rezoning application and explained that the purpose of this rezoning request was to better fit the existing and proposed street pattern on this property which was platted about 12 years ago. The street shown on the east side of this tract was dedicated 12 years ago but not built, street to the north will be dedicated. The streets will be developed at the time the whole area is developed. No set time schedule is set at the present time but they are hopeful the housing market will "move" next spring with predicted lowering of interest rates.



Mr. Karns questioned reason for rezoning when subject area would make a good buffer between commercial area and residential.

Mr. Whitton suggested he had no problem with the day care center but questioned why the day care center can't be built without the zoning change. He questions if Peterson has some other plan for the property they are not divulging.

Mr. Fairlie commented that at the time Council reviewed the building plans for the day care center, Peterson Company knew there was a slight problem with the zoning line but said they could still go ahead and construct the center but would have to change the alignment to follow the zoning line. He does understand that this application is changing the zoning to conform with the street lines and the way the streets are put in.

Mr. Achen clarified that approval of the day care plans was not subject to a zoning change, but the site plan submitted provided for the use of the tract going into the residential zone. To comply with setback requirements between commercial and residential zones, this rezoning would be required or they would have to modify the day care plans to fit the existing commercial tract and there is obviously a problem with Euclid street the way the tract is presently drawn.

Mr. Whitton stated that commercial zoning in that area is a mistake. Mr. McMahon clarified that no commercial building will be close to single family residences or the duplexes on N Euclid.

Mr. Karns also stated he does not think there should be commercial zoning in that area and is opposed to any additional commercial.

Commercial area to be gained from this proposed rezoning for realignment is approximately 12,000 sq. ft. Mr. Achen noted that the 12,000 sq. ft. gain in commercial actually represents a paper figure since it involves previously constructed streets and right of way and power line easements so the net result is little appreciable gain in usable commercial area.

Mr. Karns questioned if the day care center would have to be moved back if the zoning for commercial is denied. McMahon said he could not predict what the day care center developer would do but he would advise Peterson Company to withdraw the dedication of the street. Without the rezoning the street won't line up with the plat line and the zoning would not line up with the street. From good engineering standpoint it makes good planning to make the two lines agree.

Mr. Karns reiterated that he is opposed to any additional commercial zoning in the area and questioned why it has to be C-1 to put the street through. Mr. McMahon said he would recommend that his company not construct the street as it's presently is zoned.

Mr. Karns stated he will personally vote against the rezoning application until his questions have been satisfied.

Mr. John Woody, 7201 North Woodland, presented a petition signed by 178 property owners living on North Olive, Garfield, Euclid, Rosewood Drive, Michelle Lane, 73rd Street, 72nd Street, Prospect and Highland, Brooklyn and Woodland requesting denial of this rezoning request. The signators are opposed to any additional commercial development along 72nd Street. He noted that listening to Council this evening has greatly reinforced his respect for the City Council.

He stated that he has burned in his memory comments made by Councilman Fairlie last year that this property was intended to be a residential area and that commercial zoning on the tract was a mistake (when zoned in 1965).

Mr. Woody noted that residents are concerned about devaluation of property and traffic congestion as well as additional site and noise pollution and water drainage problems that the development would increase.

He agrees that if there is a street to go through it should abut the existing commercial zoning. He noted that when he looked at the plans for the day care center, the plans presumed approval of the rezoning request as they take in the area under this rezoning application.

Mr. Woody stated that the developer was denied the application for a service station last year and he suggests that if C-1 zoning is expanded it makes it open to additional commercial development which will result in increased traffic.

Area residents ask that Council continue give a "clear signal" to all developers that 72nd Street is a residential street and keep this property residentially zoned. He noted that it is not unusual for a four-lane street to be residential citing Vivion Road from Oak to Antioch as an example.

There were no further comments whereupon Mayor Ashcroft closed the public hearing.

Item 6a. on the Agenda:

STRATFORD PARK, 4TH PLAT, PRELIMINARY PLAT  
APPROVAL, Euclid from 72nd to 72nd Terrace  
Applicant: J.A. Peterson Company

Mr. Lee McMann, J.A. Peterson Company, was present to represent this item. Council suggested that consideration of this preliminary plat this evening was premature as it dealt with platting of the proposed 72nd Terrace at North Euclid discussed in the previous agenda item. Mr. Karns moved to table the preliminary plat until the rezoning application is voted upon; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 6b. on the Agenda:

CONSIDERATION OF PRELIMINARY PLAT OF  
CORPORATE HILLS NORTH, west side of  
Bellevue from Vivion Road to NW 44th Terr.  
Applicant/Owner: Commerce Bank & Trust,  
Topeka, Kansas

Mr. Allan Cooksey, Director of Land Planning Services for the Tuttle-Myers-Woodward Company, Kansas City, Missouri, was present on behalf of Commerce Bank, Topeka, Kansas. He introduced Mr. Ed Davis, Real Estate Consultant to Commerce Bank and Bill Motter, President of the Motter Company.

The site in question is a tract of land bounded on the west by Highway 169 and the Gladstone Water Treatment Plant and the north by Vivion Road, east side by North Bellevue and the south side by NW 44th Terrace. Area is 24.170 acres with  $\frac{1}{4}$  acre lying in Kansas City, Missouri city limits. Kansas City portion is presently zoned M-1. Gladstone tract was rezoned from M-1 to CP-2 in 1972. Kansas City, Missouri has indicated that they have no problem with Gladstone's approval, however would require applicant submit drainage plans when lots 3 and 6 are developed.

Property has been divided into eight large lots, the smallest being 1.4 acres and the largest being  $4\frac{1}{4}$  acres. As part of the development, 44th Terrace will be widened to a 30 ft. back to back street. All utilities will be underground and a storm water system will be designed that will not empty into the system any greater volume than present.

Mr. Karns questioned if the sewers where Bellevue goes into Vivion Road could handle any additional runoff and noted there is a problem now at times when it rains.

Mr. Cooksey pointed out that Gladstone requires that they not empty into the system any greater volume of water than presently exists and they will accomplish this through engineering design. There is a hundred year flood plain that basically follows the existing sanitary sewer. Final water retention plans will be submitted to the City Engineer for his approval which will retain water from this project.

Mr. Karns expressed concern that traffic from this development will be served by two small streets within the project that will feed into North Bellevue. He questions why a street could not be constructed up the back side of the project to take some of the pressure off of North Bellevue.

Mr. Cooksey responded that North Bellevue is commercially designed street and constructed to carry the traffic load. He stated that the existing road leading to the water treatment plant does not meet city standards and the State Highway Department will not allow any additional connection to Vivion Road. The only connection they could make would be a right turn, they would have to rebuild the entire road to do so.

Mr. Karns said it appears to him it would be a lot easier on the area residents and North Bellevue if some sort of provision was made to carry office complex traffic out onto Vivion Road even if they had to make a right turn.

Mr. Karns further noted that there are 20 acres east of North Bellevue that when developed will feed traffic onto North Bellevue and again expressed concern for the amount of traffic Bellevue will have to carry when both tracts are developed.

Mr. Cooksey noted that it is his understanding that an agreement has been made that when the east 20 acres is developed there will be a connecting street to connect Bellevue to NW 47th Street in the residential area.

Mr. Fairlie questioned if there was not a buffer between the C-2 and R-1 in the original plans for the area. Mr. Karns said he had a copy of the plans which only reflect blanket zoning of C-2 for the area with no buffer shown. Mr. Bussinger recalled that one proposed plan called for R1-CH as buffer between commercial area and R-1 properties.

Mr. Karns noted that unfortunately several residents who bought property on 44th Terrace were led to believe patio home construction was intended for the area. With all streets feeding into North Bellevue it will be impossible to get out.

Mr. Cooksey reviewed a artist rendering for proposed two story office complex to be constructed by the Motter Company on Lot 8. The complex will be 10-11 feet below 44th Terrace and only the upper floor will be visible from that street. An interior atrium is planned for the building, with parking around the building. He noted the zoning ordinance requires 35 ft. buffer between R-1, their project will have 60 feet on the west and almost 85 feet on the east end. They are working with the four homeowners on the south side of the street to reach a solution agreeable to all with respect to a hill or berm landscaped with trees to buffer their project. The office complex on Lot 8 will have peaked roof to house the air conditioners and has a residential appearance. Development on this lot will commence yet this construction season.

Mr. David Ramsey, attorney with the firm of Duggan, Kelleher and Svetlic was present to represent four homeowners on the south side of 44th Terrace whose property overlooks this tract. These homeowners were led to believe there would be patio homes or some other buffer between their homes and the commercial property when they purchased their property. This has been researched with the City Engineering Department and it has been determined that no plat approved by the Council reflects this. In an attempt to make the best of this situation, they ask that the Council keep concerns of the homeowners in mind and ask that whatever resolution is worked out with the developers as far as a landscaped hill or berm be a part of the final recorded plat. They have been working with an architect to develop a plan for this buffer to provide for site and sound screening.

Mr. Ed Davis, Commerce Bank reviewed preliminary plan for the buffering and expressed the cooperation of Commerce Bank to come up with a plan to the satisfaction of the homeowners in question which will be submitted as part of the final plat.

Mr. Bussinger commented. there are some very attractive buildings in Johnson County that are adjacent to residential with some very compatible buffering and hopefully something similar can be designed.

Mr. Fairlie commented that plans look good on paper but only the integrity of people involved can implement the plans.

Mr. Bussinger moved to approve the Preliminary Plat of Corporate Hills North as submitted: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 6c. on the Agenda:

CONSIDERATION OF REVISED PRELIMINARY  
PLAT OF TRACY ESTATES, 74th & N Park.  
Applicant/Owner: Larry Mitchell

Mr. Larry Mitchell was present to review the revised plat of TRACY ESTATES and pointed out changes to Council from the previous approved plat that was never recorded. He explained that the plat modifications were made to be compatible with the proposed development of J.A. Peterson Company land to the east.

Council noted Planning Commission recommendations that (1) Mr. Mitchell own all of the land that is to be platted; and (2) that Mr. Mitchell make a permanent easement for the water retention pond of the lot so designated by the developer. Mr. Mitchell stated that he agreed with Commission recommendations and explained that recommendation #1 referred to a portion of a lot that he intended to trade with a property owner in Michelle Estates and that the property transaction would be finalized before submission of the final plat. Likewise the proposed detention basin will be shown on the final plat and utility plans. The detention basin is proposed for the S.E. corner and will be approximately 40x40, five feet in depth.

Mr. Fairlie moved to approve the revised preliminary plat of Tracy Estates as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 7 on the Agenda:

Communications from the Audience.

Mr. Ted Porter, 6118 N. Oak, expressed his irritation at the Public Safety Department's handling of a police arrest and subsequent incarceration of the operator of a motorcycle this past Sunday (October 10) in the vicinity of his residence. The incident resulted in blockage of his driveway preventing him from exiting his drive to go to church. He stated that he called and asked that the motorcycle be removed and was advised by the department that the cycle would not be removed from his property at that time but rather would be removed by the owner some time later that day. He advised that such an arrangement was not agreeable to him and later at 9:30 am department personnel came and moved the cycle 150 north to the Woolard property. He stated that by his measurement his driveway was blocked 29 inches. He asked that this not happen again.

Mr. Achen advised that the arresting officer indicated the cycle was not impeding ingress/egress from Mr. Porter's property as the cycle was on the right-of-way not paved surface.

Mr. Whitton suggested perhaps the handling of the incident should be brought to the Public Safety Department Board for their review.

Councilman Bussinger requested that as Council representative to the Board that he look into the incident with the Department first and determine if Advisory Board review was warranted. Council agreed it would be handled in this manner.

\* \* \*

Mrs. Edmondson, 6410 North Flora complained about the delay in rebuilding of the Anderton property driveway next door in connection with the Flora reconstruction project. Water is coming into her home as a result. Mr. Achen took Mrs. Edmondson's telephone number and agreed to contact her immediately following consultation with the City Engineer and contractor.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Bussinger suggested that the City request the Oak Villages for authority to monitor street cut repairs by the various utility companies on sections of North Oak that lie within the Villages. His concern was that repairs return the street to original condition and not be a shoddy job.

Mr. Karns suggested that we review our weed violation notification procedures and billing policy for mowing of violator's property as there appears to be no uniformity. He proposes that complainant sign a weed complaint before City enforcement commences.

Mr. Whitton asked that staff look into drainage problem on property at approximately 6507 N Broadway; storm damaged trees and brush on city-owned property at 58th & Woodland. He also asked that he be notified of scheduled Public Safety Advisory Board meetings.

Item 9 on the Agenda:

There were no communications from the City Manager.

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October 11, 1982  
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Item 10 on the Agenda: Second Reading: Bill No. 82-38, an ordinance requiring the installation of Smoke Detector Systems in all existing multi-family dwelling units in the city of Gladstone.

Mr. Fairlie moved to accept the first reading of Bill No. 82-38 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Item 11 on the Agenda: First Reading: Bill No. 82-40, defining and prohibiting attempts to commit offenses; and providing for penalty for violation.

Mr. Fairlie moved to place Bill No. 82-40 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Achen explained that the City Prosecutor has requested introduction of this bill which will allow prosecution of persons convicted of attempted theft or larceny. Although there is State law covering such attempts presently there is no Gladstone ordinance.

Mr. Fairlie moved to accept the first reading of Bill No. 82-40, and waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-40, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-40, and enact said bill as Ordinance No. 2.453. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 12 on the Agenda: Mr. Fairlie moved to adopt Resolution NO. 82-43, accepting a Bill of Sale from Hevalow & Shanks Construction Company and Curry Investment Company for work performed under Water Main Extension Contract No. 180. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 13 on the Agenda: Mr. Whitton moved to adopt Resolution No. 82-44, authorizing execution of an agreement for watershed analysis of the Mill Creek Basin with Tuttle-Ayers-Woodward Company for total estimated contract amount of \$9,975.00. Mr. Fairlie seconded. The vote: "Aye" - Karns, Bussinger, Fairlie, Ashcroft. "No" - Whitton. (4-1)

City Council Meeting Minutes

October 11, 1982

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Item 14 on the Agenda:

Resolution No. R-82-45, approving the form of Articles of Incorporation for the Industrial Development Authority of the City of Gladstone, and appointing directors. Mr. Bussinger moved to table this resolution until the October 25, 1982 City Council Meeting; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 15 on the Agenda:

Mr. Whitton moved to adopt Resolution No. 82-46, authorizing acceptance of a proposal from Video Pipe Grouting, Inc. for cleaning and grouting of certain sanitary sewers for an estimated contract amount of \$24,000. Mr. Karns seconded.

Mr. Whitton commented that he does not think this cleaning and grouting will totally solve the storm drainage problems recently brought to Council's attention in the area of 65th & Flora.

The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 16 on the Agenda:

Mr. Bussinger moved to adopt Resolution No. 82-47, establishing the position of Senior Citizen Coordinator in the Department of Recreation and authorizing \$4,000 from the Contingency Fund to the Recreation Department for such purpose. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 17 on the Agenda:

Mr. Bussinger moved to approve the Financial Report for September 1982 as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

There were no further items of business to be brought before the October 11, 1982 City Council Meeting, whereupon Mayor Ashcroft adjourned the meeting at 10:00 PM.

Respectfully submitted:

Approved as submitted: X

Marilyn Ahnefeld  
Marilyn Ahnefeld, City Clerk

Approved as corrected/  
amended: \_\_\_\_\_  
Robert J. Ashcroft  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 25, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of October 11, 1982 City Council Meeting
4. PUBLIC HEARING CONTINUED: Request to rezone property at 7200-7300 N Euclid from R-3, Garden Apartment District to C-1, Local Business District. Applicant/Owner: J.A. Peterson Company
5. PUBLIC HEARING: Request to vacate utility easement on property at 7020 N. Antioch Road. Applicant/Owner: City Homes, Inc.
6. BUILDING PLAN APPROVAL: Four-plex construction, 7071-77 North Askew. Applicant: City Homes, Inc.
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. THIRD READING: BILL NO. 82-38, an ordinance requiring the installation of Smoke Detector Systems in all existing multi-family dwelling units in the city of Gladstone.
11. FIRST READING: BILL NO. 82-41, an ordinance rezoning from R-3, Garden Apartment District to C-1, Local Business District. Applicant/Owner: J.A. Peterson Company
12. RESOLUTION NO. R-82-48, supporting the Northland Parents Resources for Information and Drug Education (P.R.I.D.E) organization.
13. RESOLUTION NO. R-82-45, approving the form of Articles of Incorporation for the Industrial Development Authority of the City of Gladstone, and appointing directors. (Deferred from 10-11-82 council meeting)
14. RESOLUTION NO. R-82-49, authorizing execution of Change Order No. 3 to the E. H. Hall Contractors, Inc. contract for North Troost reconstruction. (72nd - 77th)
15. RESOLUTION NO. R-82-50, authorizing execution of Change Order No. 1 to the E.H. Hall, Inc. contract for sidewalk construction.
16. Other Business
17. Questions from the News Media.
18. Adjournment

*also Reso 82-51, authorize \$15000 compensation Charles S. May & Company, 7316 N. Troost  
Re: Street construction, the recovery*

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 25, 1982

The October 25, 1982, meeting of the Gladstone City Council was called to order by Mayor Pro-Tem Bob Fairlie at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor Pro-Tem, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen and the City Clerk. Absent; Mayor Robert Ashcroft and City Counselor John Dods.

Mayor Pro Tem Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to adopt the October 11, 1982 council Meeting minutes as submitted: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0).

Item 3-a. Mayor Fairlie requested that Item 12. be brought forward on the agenda, whereupon Councilman Whitton moved to adopt Resolution No. R-82-48, supporting the efforts of Northland Parents Resources for Information and Drug Education organization. (P.R.I.D.E.) Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Organization member Marla Thomas, Mary Allen, Clay County Sheriff's Deputy and Trooper Roger Harry were present to receive the resolution and stressed that organization goals are prevention rather than cure after the fact.

Item 4 on the Agenda: PUBLIC HEARING CONTINUED: Request to rezone property at 7200-7300 N Euclid from R-3, Garden Apartment District to C-1, Local Business District. Applicant/Owner: J.A. Peterson Company.

Mr. Fairlie requested the City Manager to explain the purpose for the continuation of the public hearing. Mr. Achen advised that the legal notices were sent to the property owners and to the paper announcing the public hearing on October 11, 1982 on this rezoning request. However the newspaper neglected to publish the legal notice, which is the only legally required notification under the ordinance. The City has had a practice of notifying property owners within 185 ft. of the subject property although not a code requirement. Thus the hearing was readvertised for this date to provide opportunity for persons to make comment whose only awareness of this hearing was through the newspaper. Comments made at the October 11 public hearing as well as tonight will be a part of the record.

Mr. Fairlie asked if there were persons in the audience who wished to make comment on this rezoning request. Hearing none he invited Mr. Lee McMahon, J.A. Peterson representative to address the Council.

Mayor Fairlie noted that Mr. John Woody, 7201 North Woodland had represented area residents and submitted in their behalf petitions signed by 178 property owners opposing this rezoning application at the October 11, 1982 public hearing. Mr. McMahon responded to questions raised at that meeting by written communication with the City Council dated October 18. Mr. Fairlie directed that the City Clerk forward a copy of McMahon's letter to Mr. Woody and request that he share the content of the letter with interested parties. The Council will then accept further questions or comments at the November 8, 1982 city council meeting.

In reference to Mr. McMahon's letter, Mr. Fairlie pointed out that information provided indicates that actual increase in commercial area is three hundredths of an acre or 1,180 sq. ft.

Mr. Karns asked Mr. McMahon what the affect of not rezoning this piece of property would be. Would the child care center not be built?

Mr. McMahon responded that he could not say with absolute certainty what the child care people would do. The reason for this zoning correction, is a number of reasons and the child care center is just one of them. It has to do with the streets, and the old plat and the intent of what the City plan is for this area and the child care center. He cannot give a concrete answer, it is possible the child care center could be moved to another site or project abandoned. He cannot speak for them.

McMahon stated that the need for this zoning was discovered by the City staff after they got into surveying following approval of the building plans. The need for rezoning was not known at the onset.

Mr. Fairlie responded that on the contrary it was known at the time of the approval of the building permit and discussed by this Council. Because it was specifically asked of the child care applicant whether or not they could construct the facility without a zoning change. Mr. Fairlie said he had in fact raised the question himself because it was shown on the plans that there was a problem.

Mr. Bussinger questioned if the rezoning application is not to simply square the property up and correct a rezoning error some years back. He does not understand all the concern over an increase of 1,180 sq. ft. of commercial. There were no further comments, whereupon Mayor Pro Tem Fairlie suggested that Council take no action on the first reading of this rezoning bill (Item 11) on the agenda, and closed the public hearing.

Mr. Bussinger commented that Mr. Woody would be given opportunity to make comment at the November 8, 1982 city council meeting, however in fairness to the applicant, Council may want to consider giving two readings to the rezoning bill on November 8.

Item 5 on the Agenda:

Request to vacate a utility easement on property at 7020 N. Antioch Road. Applicant/Owner: City Homes, Inc.

Mr. Harold Rutherford was present to represent this vacation application and noted that letters have been received from the various public utilities acknowledging they have no objection to the vacation of this 5 ft. easement. This easement was originally put in when the land was intended for single family home, the homeowner has since sold the property to City Homes is part of the property intended for four-plex construction under Item 6 on the agenda.

There were no further comments whereupon Mr. Fairlie closed the public hearing and announced that the first reading of the bill to vacate the utility easement would be scheduled for the November 8, 1982 council meeting.

\* \* \*

At this time Mr. Fairlie welcomed Scout Leader John Hutcherson and scouts from Troop #354 sponsored by Chapel Hill School who were in attendance as a project of their communications merit badge. Scouts in attendance were Keith Cier, J.R. Hutcherson, Charlie Mizer, Kevin Quigley, Andrew Crain, Eric Breshears, Sean Everstart.

Item 6 on the Agenda:

Building Plan Approval.

Four-plex construction,  
7071-77 North Askew  
Applicant: City Homes, Inc.

Mr. Harold Rutherford was present to review plans for construction of a four unit townhouse with Council, explaining that originally approved plans in September of 1980 were not built because of the steep grade. The present plans will necessitate a variance from the required buffer zone and a sidew yard requirements. He noted most of the buildings surrounding are only 15-20 feet apart. Council advised that they did not have authority to grant such variances and that proper procedure requires application for waiver to the Board of Zoning Adjustment.

Mr. Fairlie pointed out that in this instance they would not be encroaching on strangers but rather on themselves.

Rather than require applicant bring building plans back to Council following meeting of the Board of Zoning Adjustment, it was agreed that plans could be voted on this evening subject to Board of Zoning Adjustment action. Whereupon Mr. Fairlie moved to approve the plans as submitted with the stipulation that funds be escrowed for construction of 135 ft. frontage of sidewalks on Antioch Road and subject to the approval of the Board of Zoning Adjustment. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 7 on the Agenda:

Communications from the Audience.

Mrs. Ann Shannon complimented the City on the fast progress on North Oak Sidewalk construction project.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Karns requested staff research reduction of Gladstone utility gross receipts in proportion to rate increases of the utility companies so that the utility gross receipts produce the same amount it currently does. He would like to see some recommendations on the matter. The City will be getting a tremendous increase due to higher utility costs and the citizens should not be held hostage.

Mr. Karns asked Mr. Achen to look into water problems at a residence on the east side of 67th & N. Flora.

Mr. Whitton asked if the Public Safety Department has a quota on traffic tickets. One person got stopped for stopping too close to a STOP sign; one for failing to signal at a STOP sign; one for having his rear window fogged over. Everywhere he goes they have somebody pulled over. 10 citizens have brought to his attention the fact they have been stopped for little things which can give us a poor image.

Mr. Achen pointed out that as a matter of fact the number of tickets written is fewer than a year ago. The department does not operate under a quota system. He noted that recently all metropolitan area police departments had increased activity in d.w.i. arrests.

Mr. Bussinger commented that he was pleased with the progress on the Oak Street sidewalk installation project - it has been a dream of his for some time. He also agrees with Mr. Karns on the suggestion to look into reduction of utility gross receipts tax revenue so that Gladstone's receipts stay at the present level.

Mr. Fairlie noted that number of cities have banned trick-or-treating, however he does not believe it is the city's responsibility to tell parents how to raise their children. Therefore no official action will be taken by Gladstone but parents are cautioned to be keenly aware of potential problems and caution their children accordingly.

Item 9 on the Agenda:

Mr. Achen requested the addition of Resolution No. R-82-51, authorizing payment of right-of-way acquisition costs in connection with North Troost reconstruction project. Mayor Fairlie designated the addition as Item 15-a.

Item 10 on the Agenda:

Third Reading: Bill No. 82-38, an ordinance requiring the installation of Smoke Detector Systems in all existing multi-family dwelling units in the city of Gladstone.

Mr. Whitton moved to accept the second reading of bill No. 82-38, and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Council discussed proposed installation deadline of January 1 and recommended that ordinance be changed to February 1, 1983 deadline to provide approximately 90 day period for such installations.

Mr. Whitton moved to amend Bill No. 82-38, Section 3.a. Installation Time by insertion of February 1, 1983 as the date of installation.

Mr. Karns seconded. The vote: All "aye" - Whitton, Karns Bussinger, Fairlie. (4-0)

Mr. Whitton moved to accept the third and final reading of amended Bill No. 82-38 and enact said bill as Ordinance No. 2.454. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 11 on the Agenda: First Reading: Bill No. 82-41,  
rezoning property at 7200-7300 N Euclid. J.A. Peterson Company.

(Council announced bill would not be introduced for first reading tonight and held over until November 8, 1982 city council meeting.)

Item 12 on the Agenda: Resolution No. R-82-48, supporting the Northland Parents Resources for Information and Drug Education (PRIDE) organization. Note: Brought forward and adopted under item 3-a.

Item 13. on the Agenda: Resolution No. R.82-45.

Mr. Bussinger moved to adopt Resolution No. R-82-45, approving the form of Articles of Incorporation for the Industrial Development Authority of the City of Gladstone, Missouri, and appointing directors as follows:

| <u>Initial Term</u> | <u>Name</u>                        |
|---------------------|------------------------------------|
| Two Years           | Bert Masters, 2112 NE 67th         |
| Two Years           | Richard Conn, 6804 N Michigan      |
| Four Years          | Arthur Nichols, 5233 Old Pike Road |
| Four Years          | Milton Wallace, 7605 N Easy Street |
| Six Years           | Dave Fricke, 105 NW 59th Place     |

Mr. Karns seconded the motion. The vote: "Aye" - Councilman Whitton, Councilman Karns, Councilman Bussinger. "No" - Councilman Fairlie. (3-1)

Item 14 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-82-49, authorizing Change Order No. 3 to the E.H. Hall Contractors, Inc. contract for North Troost reconstruction (72 - 77) in the amount of \$2,022.99 for a total adjusted contract amount of \$626,188.68. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

City Council Meeting Minutes  
October 25, 1982  
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Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-82-50, authorizing execution of Change Order No. 1 to the E.H. Hall contract for North Oak sidewalk construction in the amount of \$8,865.00. Mr. Karns seconded.

Discussion: Mr. Bussinger noted that the proposed locations included areas on North Broadway, south side of City Hall, in front of the swimming pool and in front of a lot on North Park in Northhaven East. He would rather see this \$8,800 spent to continue north Oak sidewalk installations.

Following discussion with City Manager Achen on the proposed locations, Council determined the resolution should be held over for further discussion, whereupon Mr. Whitton withdrew his motion to adopt Resolution No. R-82-50 and Mr. Karns withdrew his second.

Item 15-a on the Agenda: Mr. Whitton moved to adopt Resolution No. R-82-51, authorizing the payment of \$1,500 out of the Street Improvement Fund to Chester S. and Mary E. Canupp as compensation for tree removal on property at 7316 N Troost (Tract 10) as part of the North Troost improvement project. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 16 on the Agenda. There was no other business.

Item 17 on the Agenda: Communications from the Press.

Reporter Ken Hatfield asked Mayor Pro Tem Fairlie why he voted "no" on the Resolution approving the form of articles of incorporation for industrial development of Gladstone, Mo.

Mr. Fairlie responded that the Clay County Industrial Revenue Commission satisfies the city's needs in this area in his opinion. Clay County has taken the stance that they won't support residential or commercial retail sales applications and for the most part he would agree with that stance. His "no" vote when the commission was established at a previous council meeting and the no tonight are consistent. His is not satisfied Gladstone needs their own authority.

Mr. Karns countered that as example Woolco is vacating their store in Prospect Plaza Shopping Center and he believes that the Gladstone industrial revenue commission might be able to attract another user of the vacated property which will produce jobs in the area. If it brings in additional businesses, revenue can be generated rather than strap Gladstone citizens with additional tax and utility increases.

There being no further business to come before the October 25, 1982, meeting of the Gladstone City Council, Mayor Pro Tem Fairlie declared the meeting adjourned.

Respectfully submitted:

*William J. Amey, City Clerk*

Approved as submitted: 

Approved as corrected: 

MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 8, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of October 25, 1982 city council meeting
4. BUILDING PLAN APPROVAL: Corporate Hills North Office Building,  
44th Terrace and North Belleview. Applicant: The Mottet Company
5. LIQUOR LICENSE APPROVALS:
  - a. New License, Class "E", Package Beer. North Oak Standard, 5720 N Oak  
Applicant: Darrell Thompson, Managing Officer
  - b. Transfer existing Class "C" Package Liquor License to new location  
at 7507 N Oak. Applicant: Aardvark Deli.  
Managing Officer: Richard Lee Huff
6. Communications from the Audience.
7. Communications from the City Council
8. Communications from the City Manager
9. FIRST READING: BILL NO. 82-41, an ordinance rezoning from R-3,  
Garden Apartment District to C-1, Local Business District property  
at 7200-7300 N Euclid.
10. FIRST READING: BILL NO. 82-42, an ordinance vacating a utility  
easement on property at 7020 N Antioch Road. Applicant/Owner: City  
Homes, Inc.
11. FIRST READING: BILL NO. 82-43, an ordinance approving the final  
plat of CORPORATE HILLS NORTH SUBDIVISION FIRST PLAT, west side of  
N Belleview from Vivion Road to 44th Terrace. Applicant/Owner:  
Commerce Bank and Trust, Topeka. Ks.
12. RESOLUTION NO. R-82-52, authorizing renewal of a Special Use Permit  
allowing two-family occupancy of single family zoned property at  
704 NE 71st Street. Applicant: Mary W. Archer.
13. RESOLUTION NO. R-82-53, authorizing execution of an agreement for  
occupancy of city-owned property at Hobby Hill Park. 75th Terr. & N  
Main.
14. RESOLUTION NO. R-82-54, authorizing transfer of funds from the  
General Fund Contingency Account to the Capital Improvements  
Building Maintenance Account.
15. Approval of Financial Report for month ending October 31, 1982.
16. Other Business
17. Questions from the News Media
18. Adjournment

additions: NATIONAL BIBLE WEEK, November 21-28

RESOLUTION NO. 82-55, authorizing sale of surplus public safety  
vehicles

RESOLUTION NO. 82-50, authorizing Change Order No. 1 to N Oak  
sidewalk construction project.



*Minute Book*

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 8, 1982

The November 8, 1982, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, and Bob Fairlie. City Manager Mark Achen, City Counselor John Dods and the City Clerk were also present.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to approve the minutes of the October 25, 1982 city council meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 3-a on the Agenda: Mayor Ashcroft read a proclamation designating November 21-28 as NATIONAL BIBLE WEEK in the city of Gladstone which urged all citizens to participate in this annual observance by reading the Bible and becoming familiar with its teachings and principles.

Item 4 on the Agenda: BUILDING PLAN APPROVAL: Corporate Hills North Office Building, 44th Terrace & North Bellevue. Applicant: The Motter Co.

Mr. Earl Motter reviewed plans with Council for an office building on Lot 8 (between 44th Terrace and 45th Street and North Bellevue in Corporate Hills North First Plat on approximately 3.3 acres.

Attorney David Ramsey, representing homeowners on 44th Terrace indicated that a compromise has been reached to the satisfaction of the homeowners and applicants for landscaping and buffering between their residences and this project. Homeowners do request Council waive the requirement for sidewalk on the north side of 44th Terrace.

Mr. Motter reviewed the landscape/buffer plan with Council and noted that approximately \$8,000 would be spent on landscaping and the berm.

Mayor Ashcroft questioned the wisdom of waiving the sidewalk requirement pointing out that although it is the desire of the present adjacent residents, future occupants may wish the walks were there. The Council has to represent the present as well as future citizens.

Mr. Ed Davis, Commerce Bank, noted that they will commit to construction of sidewalk across from Lot 7 when it is developed and to continue sidewalk on south side of 44th Terrace to connect existing sidewalk to city property.

Mr. Achen pointed out that what staff was trying to do was develop a walkway system that would go around the entire perimeter of the entire Corporate Hills First Plat and utilize the existing but unused roadway that runs north-south on city property that runs along the bluff, and the critical connections are the sidewalk that is related to lot 7 on 44th Terrace and a walkway that

that is on lots on north side of the plat that would run east-west from Belleview over to the old road on city property.

Mr. Davis said they were agreeing to the walks Mr. Achen describes although there are no architectural plans drawn yet for Lot 7.

Mr. Achen further clarified that the reason that staff made the suggestions for that improvement on the south side of 44th Terrace is because the developer has no plans to make any improvements on the 44th Terrace frontage for Lot 7 because of a significant grade drop there and since there are no homes on the south side of 44th Terrace (across from Lot 7) sidewalks would never be constructed. This way at least there would be sidewalks the full length of the street on one side (south side). Councilman Karns noted that he believes there is one lot still left on the south side belong to Jim Campbell.

Following further discussion Councilman Whitton moved to approve the building plans for The Motter Company as submitted pursuant to requirements in the Engineering Staff Report dated October 22, 1982 and with the stipulation that in lieu of sidewalk construction on the 44th Terrace frontage of Lot 8, that sidewalks be constructed on the southside of 44th Terrace at the time of development of Lot 7. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Ramsay commented that they are counting on the good faith of the developer to build attractive landscaping as proposed.

Item 5 on the Agenda:                      Liquor License Approvals

- (a) New License, Class "E", Package Beer, North Oak Standard, 5720 N Oak  
Applicant: Darrell Thompson, Managing Officer

Mr. Darrell Thompson indicated he is seeking the package beer license for his service station establishment where he has recently added an 8 x 8 walk-in cooler with shelving where he presently sells, milk, bread, snacks and a limited selection of essential items such as soap, etc.

Mr. Bussinger commented that it would be setting a bad precedent if Council allowed the package sales in service station establishment. Every service station in town will make application.

Mr. Thompson likened his application to the present Zarda stores who also sell gasoline and 3-2 beer.

Council countered that the Zarda operations were different in that they had 3-2 beer with their other sales before they came to the Council and requested the gasoline sales.

Mr. Fairlie stated that he did not believe package sales belonged in service stations and stressed that it had nothing to do with Mr. Thompson personally. Approval of one would invite subsequent applications.

Mr. Whitton said he would agree with earlier council comment that it would invite more applications, because he would want one (license) for his station if Council granted this one.

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Mr. Thompson said he did not anticipate much profit in the beer sales but merely thought he would apply and see what Council's reaction was.

Mr. Bussinger moved to deny the application of North Oak Standard Station for a Class "E" package beer license; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)  
DENIED (5-0)

(b) Transfer existing Class "C" Package Liquor License to new location at 7507 North Oak. Applicant: Aardvark Deli. Managing Officer: Richard Lee Huff

Mrs. Jill Huff was present to request this transfer of liquor license from their present location at 7400 N Oak to 7507 North Oak. She noted that since leasing their property at 7400 N Oak it had been discovered that the north parking lot did not belong to their landlord and therefore could not be used by Aardvark for customer parking. This has created some parking problems for them and they look forward to their relocation about December 1st. Their new location is the former Jake Edwards Bar-B-Que and although they will not do any major remodeling inside plan eventually to change the exterior finish from the present shake shingles. Their operation will continue as a deli and package store.

Mayor Ashcroft noted that the public safety report indicates Aardvark employee was recently cited for "sale to a minor" with the case to come to court next week.

Mrs. Huff acknowledged that was correct and that the employee has been reprimanded by them for not checking I.D.'s in every instance. She noted that their establishment had been one of twelve recently cited by the Department of Public Safety using a minor to attempt to make the purchases. She recognizes the seriousness of the situation and all customers will be checked.

Mayor Ashcroft noted that it had become known among the young people that you don't have to go to Kansas to purchase liquor and the recent citations had proven that point.

Mr. Bussinger moved to approve the transfer of Class C package liquor license for Aardvark Deli, 7507 N Oak. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 6 on the Agenda:                      Communications from the Audience.  
Mr. Bert Rothschild, 202 NW 65th Street, commended the City's Recreation Coordinator Pam Buck for her efforts on the Fall Festival as well as the recent Halloween Party held for community youngsters. He noted the Halloween Party was attended by over 200 children and their parents and a great success even though planned and coordinated on very short notice. He further commended the efforts of Assistant to the City Manager Julie Betz in the success of those activities co-sponsored with the Chamber of Commerce. Mr. Bussinger asked that Mr. Achen ensure that Mr. Rothschild's compliments were passed on.

Item 7 on the Agenda:

Communications from the City Council.

Councilman Karns noted that according to the comprehensive annual report, revenues increased from 1972-1978 one-half million dollars. Auditors have indicated the major source of this increase is the utility gross receipts tax. He asked what amount of excess funds the city has that are not budgeted this year.

Mr. Achen responded that there would be approximately three-quarters of a million in the general fund; approximately 1.8 million in the sales tax fund which would mean about one and one-half million at the end of the year. The other funds basically have very little carry over for the fund balance.

Mr. Karns asked if we could not reduce the franchise fee by 1% for this year without endangering the city's financial position.

Mr. Achen agreed that would be true for this year but discussed the problems in budgeting when staff prepares the budget in March yet the affect of the reduction would not be known until July or August. In addition if Council formally lowered the franchise percent and desired to raise it later, it would be necessary to bring it to the vote of the people because of the Hancock Amendment. If all utility franchises are reduced by one percent, you are reducing franchise revenue by about \$160,000. The city's financial health would not be impaired in the short term but there are some unknowns and he cannot guarantee we would remain in fine financial health. For example, revenue sharing which generates \$175,000 may not be reenacted by Congress and we will end up with that amount annual deficit. Of the three-quarter million surplus, \$500,000 is needed for cash flow because property taxes are not received until half-way through the fiscal year.

Mr. Karns said that based on the predicted surplus he would move to reduce all utility franchise taxes from 7 to 6 percent; Mr. Whitton concurred.

Discussion: Mr. Bussinger commented that although he agrees with Mr. Karns that a reduction needs to be looked at he agrees with suggestion made in the Council worksession that a budget be prepared for use of franchise revenue and if receipts exceed the projections, that amount can be rebated to citizens. He believes further examination is necessary and that Mr. Karns is acting to quickly.

Mr. Ashcroft stated that while he is in favor of a reduction there are several recommendations to administer relief to the citizens that need to be explored. The ramifications of the Hancock Amendment need to be looked at also. For these reasons he will vote no on the present motion.

The vote: "aye" - Whitton, Karns. "no" - Bussinger, Fairlie, Ashcroft. (3-2 against)

Item 8 on the Agenda:

Communications from the City Manager.

Mr. Achen asked that building plans for Clay County Realty at Gladstone Plaza Shopping Center and Resolution No. 82-55, authorizing sale of surplus public safety vehicles be added to the agenda. Mayor Ashcroft designated the additions as agenda items 8-a and 14-a.

\* (Item 8-a on the Agenda: See Page Ten)

Item 9 on the Agenda: First Reading: Bill No. 82-41,  
an ordinance rezoning from R-3 to C-1, property at 7200-7300 N Euclid.  
Applicant: J.A. Peterson Co.

Mr. Lee McMahon, J.A. Peterson Company requested that Council give 1st and 2nd reading to the rezoning bill this evening.

Mr. Fairlie commented that perhaps only one reading was more in order this evening with the 2nd and 3rd readings planned for the next regular council meeting. He asked that the minutes reflect that the Peterson Company has submitted a modified legal description of their rezoning request which results in a reduction of the commercial area to be rezoned by moving the northern boundary of the tract south 22'. He also asked that Mr. John Woody, spokesman for opponents of this rezoning be so advised and a copy of the staff report and sketch be provided him. Mr. Woody and area residents will be provided opportunity to make comment on the proposed changes at the October 22 meeting.

Mr. Bussinger moved to place Bill No. 82-41 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Item 10 on the Agenda: First Reading: Bill No. 82-42,  
an ordinance vacating a utility easement on property at 7020 N  
Antioch Road. Applicant/Owner: City Homes, Inc.

Mr. Bussinger moved to place Bill No. 82-42 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 82-42, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of bill No. 82-42 and to place the bill on third and final reading; Mr. Karns seconded. The vote: All "aye" Bussinger, Karns, Whitton, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 82-42, and to enact said bill as Ordinance No. 2.455. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 11 on the Agenda:                      First Reading: Bill No. 82-42,  
an ordinance approving the final plat of CORPORATE HILLS NORTH  
SUBDIVISION FIRST PLAT, west side of N Belleview from Vivion Road  
to 44th Terrace. Applicant/Owner: Commerce Trust, Topeka, Kansas.

Mr. Allan Cooksey, Director of Land Planning Services for Tuttle, Ayers, Woodward Company, submitted the final plat of Corporate Hills North 1st plat containing 8 lots bounded by Gladstone Water Treatment Plat and Highway 169 on the west; Vivion Road on the north; North Belleview on the east and N.W. 44th Terrace on the south. The plans include all the landscape and buffering that has been discussed and agreed upon and include a drainage easement on the north side which encompasses the existing drainage swail along Vivion Road and they will be accessing that into their storm sewer system. Cul de sac streets on NW 45th and NW 47th will service the lots.

Mr. Cooksey reviewed with Council plans for grading discussed with City Engineer Anderson and the City Manager.

Mr. Achen clarified that the net affect of the earthwork is to reduce the high point of the ridge that runs north-south between the two properties (city's and Commerce Bank's). By reducing that ridge moving the crest of the ridge westward it will still be on the east side of the water plant access road. Mr. Anderson feels that the fill being borrowed for grading on the adjacent property is about of equal value to the benefit the City will obtain by providing some relief from drainage and erosion problems we now have in that area. Mr. Achen suggests Council approve the plat with stipulations regarding the pathway system access from north to south and approve the concept of the regrading and make it subject to the approval of the City Engineer.

Mr. Cooksey said the walkway would be less than vehicular width and may require an easement from them for building.

Mr. Achen noted that an alternative would be to provide the suggested walkway on the north side of the drainage way between the drainage way and the highway although it would require construction of a bridge over the drainage way.

Mr. Ed Davis, Commerce Bank stated there would be no problems with developing the walkway from Belleview over to the water plant access road as long as the use of the area did not contribute to vandalism. He would be in favor of jogging, picnic use, etc. but is opposed to motorcycle clubs. He agreed that the area afforded a nice view.

Council discussed possibilities of the development of the bluff area as a picnic site, etc. confirming that such development would be at city expense as well as maintained by the city.

Following discussions as to placement of the walkway system the developer agreed that the walkway could be put in on the north side of the plat with particulars to be worked out with the City Engineer.

Mr. Whitton asked how the water would be retained.

Mr. Davis explained that the system is designed so that each lot developer is required to retain x amount of water discharged into the system at an agreed upon rate of cubic feet per second.

Mr. Whitton moved to place Bill No. 82-43 on first reading; Mr. Karns seconded. the vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 43-43, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-43, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-43 and enact said Bill as Ordinance No. 2.456 with provision that the final plat is approved with the understanding that the developer has agreed to:

(1) Provide a walkway on the north side of the plat in the drainage easement to connect Belleview to the Water Treatment Plant road (no expense for a bridge over the drainage easement will be borne by the developer)

(2) Agreement of developer to install sidewalks on the south side of 44th Terrace in lieu of sidewalks on the north side of the plat

(3) With approval of this plat, Council is approving the site plan for Lot 8 as submitted with their building plans approved by Council 11-8-82 (Mottet Co.).

Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Davis noted that in sidewalking the south side of 44th Terrace, they would be sidewalking one lot owned by another developer and questioned if that was what Council intended. Council said it was and suggested Commerce Bank may want to negotiate with the lot owner for reimbursement.

Item 12 on the Agenda:                      Resolution No. R-82-54, authorizing renewal of a Special Use Permit allowing two-family occupancy of single family zoned property at 704 NE 71st Street. Applicant Mary W. Archer.

Attorney G. Patton was present to represent applicant Mrs. Mary Archer. He explained that she is 89 years of age and uses a wheelchair and was not able to be present this evening. Mr. Patton had submitted a written application in behalf of Mrs. Archer to councilmembers requesting renewal of her special use permit allowing occupancy of the basement area of her home to John H and Barbara J. Small and their young daughter. The present permit expires December 22, 1982 and Mrs. Archer does request that Council allow her to continue the present living arrangement.

Mr. Bussinger commented that he had received a telephone call from Mrs. Hoover who lives across the street who indicated the public safety department has had problems with loud automobiles and motorcycles late at night with Mr. Small. Mrs. Hoover had also expressed concern that recently Mrs. Archer had suffered a fall and the Small's had to use the Hoover telephone to summon help. If the Small's are supposed to be looking out for Mrs. Hoover yet have no phone this concerns Mr. Bussinger.

Mr. Patton said he had no knowledge of the automobile or cycle complaints but did know that Mr. Small's telephone had been taken out while he was unemployed but the service has been restored and he does have a phone now.

Mr. Bussinger asked if Mrs. Archer personally requested renewal of this special use permit and if Mr. Patton feels Mrs. Archer is well taken care of and well represented by the Small's. Mr. Patton responded that he had visited with Mrs. Archer and Mr. Small and he does feel the Small's have her best interests at heart and this is a good situation for her.

Mr. Patton noted that in 1980 at the public hearing on this matter, Mrs. Hoover was one of the most outspoken persons against the special use permit. There is a personality conflict there and probably always will be.

Mr. Karns questioned if neighbors were notified of the renewal application. Mr. Achen advised that it was not a code requirement.

Mr. Karns questioned why neighbors would not be notified as a common courtesy. Mr. Patton noted that the same neighbors are there now that resided there in 1980 at time of initial granting of permit.



Mr. Fairlie stated that while he does not favor a Special Use Permit for this purpose he sees no alternative in this instance other than advising Mrs. Archer that she has to live there alone and do the best she can or make other arrangements.

Mr. Fairlie moved to adopt Resolution No. 82-52 granting renewal of the special use permit for a two year period expiring December 22, 1984; Mr. Bussinger seconded.

Council discussed whether the special use permit would expire upon Mrs. Archer's death. Mr. Patton said that was his understanding of the original discussions two years ago. Mr. Whitton asked if Mrs. Archer could give up the special use permit if she notified the city that was her desire. Mr. Achen advised she could and if so the city would do what was appropriate to enforce the single family occupancy.

The vote: "Aye" - Whitton, Bussinger, Fairlie, Ashcroft.  
"No" - Karns. (4-1)

Item 14 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-82-53, authorizing execution of an agreement for occupancy of city-owned property at Hobby Hill Park, 75th Terrace and North Main with the addition of Item (s) to the agreement "No Pets Allowed". Mr. Bussinger seconded.

Mr. Whitton moved to add Item "t" "limitation of two (2) children"; Mr. Karns seconded.

The vote on the resolution with the additions of item "s" and "t" to the lease exhibit "A" - All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 15 on the Agenda: Mr. Bussinger moved to adopt Resolution No. R-82-54, authorizing transfer of \$2,040 from the General Fund Contingency Account to the Capital Expenditure Building Account to provide for installation of council chamber public address system; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-82-55, authorizing the sale of six surplus city-owned public safety vehicles to the highest bidder(s). Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 8-a on the Agenda:

Building Permit Approval 6591 North Oak  
Clay County Realty Company

The City Council reviewed plans for construction of a dividing wall to separate one existing store front into two spaces of 7,200 sq. ft. and 4,800 sq. ft. Separate electrical services and restrooms will be provided.

Council noted that applicant Clay County Realty has requested waiver of the sidewalk escrow requirement since the City has indicated they will be constructing sidewalks on the east side of North Oak. Council agreed the sidewalk requirement would not be waived in fairness to other contributors who were required to build or escrow funds in compliance with the sidewalk ordinance.

Mr. Whitton moved to approve the building plans for Clay County Realty Company, 6591 North Oak with the stipulation that sidewalk escrow funds estimated at \$307.00 (as per city engineer's staff report 11-8-82) be required. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Item 15 on the Agenda:

Mr. Whitton moved to approve the Financial Report for the month ending October 31, 1982, as submitted. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 16 on the Agenda:

Other Business.

Mr. Bussinger moved to adopt Resolution No. R-82-50, authorizing execution of Change Order No. 1 to the E.H. Hall North Oak Sidewalk Construction Contract in the amount of \$36,397.50, and appropriating funds from the Sales Tax Revenue Account to the Sidewalk Construction Fund for such purpose. Mr. Fairlie seconded.

This change order will allow continuation of the sidewalk construction on the east side of N. Oak from the southern city limits to 74th Terrace. Council was adamant that this change order will not include area in Oakview (64th to city limits).

The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Council advised a joint meeting has been set for Monday, November 15, 1982 at 7:00 PM with the five-member board of directors of the Industrial Development Authority of the City of Gladstone and requested that the City Manager so notify the directors.

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Council announced a public hearing on Monday, November 22, 1982 at 7:30 PM as part of the regular city council meeting to show cause why the structure on property at 6219 North Grand should not be repaired, vacated or demolished in accordance with the City Code on Dangerous Buildings. The City Engineer has submitted his report to the Council in compliance with the Code and has determined it a health hazard. This is the burned residence of deceased Nancy Callahan.

\* \* \*

There being No further business to come before the November 8, 1982, meeting of the Gladstone City Council, Mayor Robert Ashcroft declared the meeting adjourned.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: ✓

Approved as corrected:         
amended:       

Bob Ashcroft  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 22, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
  2. Pledge of Allegiance
  3. Acceptance of Minutes of November 8, 1982 city council meeting
  4. SPECIAL PRESENTATION: Commendation to Mr. Ray Joiner, 705 NE 68th Street from City of Garden Grove, California. Presented by Gladstone Director of Public Safety Kenneth Francis
  5. SHOW CAUSE PUBLIC HEARING: Why structure on property at 6219 North Grand, having been declared a public nuisance, should not be repaired or demolished in compliance with the Gladstone Dangerous Building Code.
  6. Liquor License Approval: Class "E", Package Beer License, Clark Super 100, 7400 N Oak. Managing Officer: Patricia A. VonLuvan.
  7. Communications from the Audience
  8. Communications from the City Council
  9. Communications from the City Manager
  10. SECOND READING: BILL NO. 82-41, an ordinance rezoning from R-3, Garden Apartment District to C-1, Local Business District, property at 7200-7300 N Euclid. J.A. Peterson Co.
  11. CONSIDERATION OF PRELIMINARY PLAT: Replat of STRATFORD PARK, 4TH PLAT. 72nd - 72nd Terrace & N Euclid. Applicant: J.A. Peterson Co.
  12. FIRST READING: BILL NO. 82-44, amending Ordinance No. 2.454 (Smoke Detector ordinance) by adding new section dealing with responsibility for maintenance.
  13. RESOLUTION NO. R-82-56, authorizing renewal of Special Use Permit for the operation of Meadowbrook North Swim Club, 67th Terrace & N Agnes.
  14. Other Business
  15. Questions from the News Media
  16. Adjournment
- add on: Resolution No. R-82-57, finding facts and making orders re: dangerous building, 6219 N Grand. (Callahan property)
- Resolution No. R-82-58, extend penalty date to 1-31-83 for payment city taxes.
- Building Plans: 6700 N Oak, A Radio Store

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 22, 1982

The November 22, 1982, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger and Bob Fairlie. City Manager Mark Achen, City Counselor John Dods and the City Clerk were also present.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Bussinger moved to adopt the minutes of the November 8, 1982 city council meeting as written; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Item 4 on the Agenda: Mayor Ashcroft presented Mr. Ray Joiner, 705 NE 68th Street a plaque from the City Council of the City of Garden Grove, California and a check from the Amateur Bowlers Tour of California in appreciation for his lifesaving rescue of an Orange County, California resident from a burning vehicle. The incident took place on July 17, 1982, while Mr. Joiner was vacationing in the area. Mayor Ashcroft commented that it is a pleasure to have such a citizen residing in our city.

Mr. Joiner remarked that he was very surprised at receiving the commendation and the checks, they were unexpected.

Item 4 on the Agenda: SHOW CAUSE PUBLIC HEARING: Why structure on property at 6219 North Grand, having been declared a public nuisance, should not be repaired or demolished in compliance with the Gladstone Dangerous Building Code.

Mr. Larry Harmon, attorney, was present to represent the Estate of Nancy Callahan, owner of the subject property. He explained that there are still no funds available to the estate to effect the necessary repairs to the structure, however they do have a contract for the sale of the property. The closing of the sale is no later than December 15. Since it is an estate it does require the approval of the Probate Judge who indicated preliminarily that he will approve that sale. The purchasers are the Lilly family and it is their intention to repair and reside in the house. Mr. Harmon requests the Council grant a 45 day stay on any attempts to demolish the building. The Probate Hearing is set for Wednesday, December 24 at 1:30 PM at which time the Probate Judge will pass on the petition to sell the property.

Mayor Ashcroft pointed out that the City has tried to be very cooperative in this matter and questions why it has become necessary to have this hearing before any action is taken in repairs to the property. The fire that damaged the property happened almost one year ago.

Mr. Harmon responded the estate is involved in some litigation against the former representative of the Estate. Because of its condition they have not been able to attract buyers. There is also litigation against the insurance carrier which has denied liability and coverage; the insurance company has claimed it was arson and have not paid the estate anything therefore there is no insurance money to make repairs. The former representative of the estate carried on as estate representative before Mr. Harmon's firm was appointed to pickup the pieces. Because it is an estate and not readily marketable they had to have appraisal done which was just received 45 days ago. A real estate contract with the Lilly's will be signed tonight pending outcome of this hearing. There is also a ten day waiting period following the Probate Judge's ruling expected on December 24. That is why a closing date of December 15 has been set.

Mr. Dods clarified that the Council has the prerogative of setting time for commencement or completion of the repairs or demolition irregardless of the Probate Court's action.

Proposed purchaser Mr. Lilly said he was anxious to start repairs as soon as they received a clear title. Mr. Lilly estimates the repairs would take 60 days barring weather problems.

City Engineer David Anderson stated that the property is repairable noting that the Fire Department's report estimates \$10,000 structural damage primarily to the inside. The estimate of the previous Estate Administrator was \$20,000. Mr. Anderson would estimate that the structure could be repaired for \$20,000 - \$30,000. Repairs would include new flooring, new siding, new windows, all new doors, some ceiling and new roof. Mr. Anderson said another home builder had looked at the property and agrees it is repairable and would take approximately two-three months. Mr. Anderson suggests that the house be totally cleaned of the debris that is there. No clean-up has been made to the house or grounds since the fire (December '81). He would say the outside of the residence could be made attractive with some hard work and clean-up in 30-45 days.

Counselor Dods asked if for the record the representative of the Estate acknowledges that the property in its present state is in fact a danger and uninhabitable. Mr. Harmon acknowledged that he would not dispute that fact.

Mayor Ashcroft asked if there was anyone present to represent the Commercial Bank of Liberty who may have interest in this property. Mr. Harmon advised that the Western Casualty Company did pay off that mortgage and take an assignment so they are no longer an interested party (Commercial Bank of Liberty).

Mr. Achen advised that the City Code requires Council to make written finding of facts prior to Council's order regarding this property. Staff has prepared such a resolution for Council introduction if so desired.

Council discussed amount of time to be allotted for substantial commencement of repairs and agreed that they did not want to impose an undue hardship on the new buyer (Mr. Lilly) in requiring commencement 30 days from today. Mr. Achen pointed out that the crucial question is when does Council want the City to spend city resources to do the work. He would suggest that Council may want to allow 45 days for some evidence of compliance. After the 45 days the City Manager is authorized to initiate the work regardless of who owns the property (the Estate or Lilly's) if no evidence of compliance is seen.

Mr. Bussinger moved to adopt Resolution No. R-82-57, finding facts and making orders regarding a dangerous building at 6219 N. Grand by ordering repair or removal and demolition to be substantially commenced within 45 days of this order. Mr. Fairlie seconded the motion. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Ken Winkler asked that Council clarify the timing for neighboring residents to this property who are present tonight.

Mr. Ashcroft clarified that the Lilly family will sign a purchase contract this evening (November 22); the approval of the contract will take place on the 24th of November by the Probate Judge; there is a ten day waiting period following approval of the Judge before the sale may be finalized, so that sometime after the 5th of December the sale can be closed; the resolution passed provides that substantial work towards the repair of the property must be commenced within 45 days from tonight (January 6) or the City is authorized to step in and relieve the nuisance at City expense.

Item 6 on the Agenda:                      Liquor License Approval.    Class "E"  
Package Liquor License, Clark Super 100, 7400 N Oak.    Managing Officer:  
Patricia A. Von Luvan

Mrs. Patricia A. Von Luvan, applicant for the package beer license at Clark Station, 7400 N Oak, indicated she was aware of Council's denial of a similar application two weeks ago but does request council consideration of her application. She stressed that her application is for 6 pack beer to go and no consumption on premises is sought.

Mr. Bussinger stated that he is opposed to beer/liquor sales for service stations as that was not the intent of the voters. If Council approves this application it will set a precedent and all types of businesses would seek such a license.

Mr. Ed Jones, supervisor for Clark Oil Company pointed out that the application is sought as a convenience for Clark customers as well as a source of revenue for the station. He sees a need for beer sales at the station because their customers have requested it. With a bad economy Clark is looking for ways to be competitive and diversified. He noted that two years ago, Clark had 2,000 stations now they have half that number. He noted there are service stations holding package licenses in the City of North Kansas City and Clark has stations holding beer license in Nevada, Kansas City, Kansas in 6 locations, all locations in Illinois. In 1974 they were turned down in Des Moines, Iowa, the denial was appealed and declared unconstitutional and now all stations in the state have beer licenses.

Mr. Whitton stated although he was sympathetic to their request, does not favor package beer sales with service station operations.

Mr. Fairlie stated that he does not see service stations as a proper outlet for package liquor/beer sales. If we grant one we can be sure we will receive applications from other stations as well as muffler shops, tune-up stores, movie theatres and on and on. As far as the Zarda operations, they were established in the city for fifteen years as convenience stores and held their 3-2 beer package license long before they expanded their operation to include gasoline.

Mr. Ashcroft assured Mr. Jones that Council's feeling was not a personal reflection on the Clark company and in fact complimented them on their operation on N. Oak.

Following further discussion, Mr. Bussinger moved to approve the requested Class E package beer license for Clark Station, 7400 N Oak; Mr. Karns seconded. The vote: ALL "NO" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0 to deny)

Item 7 on the Agenda:

Communications from the Audience.

Mr. Joe Whitmer, representing the North Kansas City Resource Center requested council consideration of funding for their agency. He explained their agency serves as a referral service. Persons are referred to the proper agency be it Clay County Clothes Closet, Utility Assistance, Dollar Aid Warmth & Light, Missouri Division of Family Services, etc. No funds are distributed by his agency. They currently operate on \$500/month from the City of North Kansas City and United Services, each paying one-half. He stated they average about 3 calls per month from Gladstone residents. The City of North Kansas City has requested that the agency request funding from other municipalities. Similar referral services operating in the area are in Liberty, on Vivion Road and in the Platte City area.

Mayor Ashcroft acknowledged that Council has received Mr. Whitmer's letter requesting funding and thanked him for addressing the Council on this need tonight. Mayor Ashcroft advised that the request would be considered and response back to Mr. Whitmer.



Virginia Bauman, 1400 NE 67th Place inquired about the method of calculation on franchise tax on gas bills. Mr. Achen clarified that the utility companies divide by .93 in calculating the tax rather than multiplying by .07 which results in a tax of between 7% or 7% depending on the bill. A number of cities in the state have protested to the Public Service Commission and have been helpless thus far in forcing the utility companies to correct their methods.

Mrs. Bauman further suggested that rather than reduce the franchise tax as had been suggested by several councilmembers that the City set aside any excess franchise funds realized to aid the needy who have trouble with utility bills.

Item 8 on the Agenda:                      Communications from the City Council.

Mr. Karns suggested that Council meet with the City's audit firm to discuss the firm's Management Letter issued in connection with the annual audit. Mr. Achen advised that would be included in the December 13th study session agenda.

Item 9 on the Agenda:                      Communications from the City Manager.

Mr. Achen requested the addition of Building Permit application for 6700 N Oak to the agenda. Mayor Ashcroft designated the addition as agenda item 13-c.

Mr. Achen said the Council and public should probably be aware that tax bills may not be mailed until Christmas. The assessment was received from the County on November 19 and the information received was only 75% of the information necessary to prepare bills. This problem was identical to that last year when the bills had to be sent back to the County. This results in a delay of 3-4 weeks in the process. The City has used every means to obtain the information in a timely fashion. The information consistently arrives late and is a great inconvenience to Gladstone taxpayers. It may be necessary to again postpone the delinquent date to accommodate the taxpayers.

Mayor Ashcroft pointed out that Gladstone is quick to pass resolutions supporting legislation needs of the County and he would like to see some formal resolution from Gladstone in a negative vein addressing the County's lack of attention to this problem.

Council determined that it was appropriate to adopt a resolution tonight that would extend the penalty date for payment of taxes, whereupon Mr. Bussinger moved for the adoption of Resolution No. R-82-58, authorizing

extension of the delinquent date on which interest and penalty charges are applied to property tax bills and sewer assessments from January 1, 1983 to January 31, 1983. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Council directed that staff provide this information to citizens on cable tv information channel, posting of sign in proximity of cashier's counter in city hall as well as showing extended date on billing itself.

Item 10 on the Agenda:                      Second Reading: Bill No. 82-41, an ordinance rezoning from R-3, Garden Apartment District to C-1, Local Business District, property at 7200 N Euclid. J.A. Peterson Co.

Mr. Fairlie moved to accept the first reading of Bill No. 82-41, and place said bill on second reading; Mr. Bussinger seconded.

Mayor Ashcroft announced that it is not customary to hear comments from citizens on a rezoning bill after the public hearing has been held. However in this instance, Council had agreed to hear additional comments tonight.

Mr. John Woody, 7201 N Woodland, commended the excellent cooperation received from the City Council and particularly Ray Shick and engineering staff for communicating with him and keeping him advised of changes in this rezoning application. He noted that they are aware that Peterson Co. has submitted a change in their rezoning request but he and interested residents have not received the proposed changed legal description. In looking at the original rezoning request Council has discussed some changes south of the C-1 zoning in order to make it conform to the street, he would like to see that change in the new rezoning request. If we are going to conform to the northern boundary and northwest corner to the proposed street and make the change of moving it 22 feet to the south, we also think that the southern edge which extends 30 feet into 72nd Street and over into the corner of the other tract and up Euclid should also conform to the street.

Mayor Ashcroft agreed those were good points.

Mr. Fairlie questioned why it was necessary for 72nd Terrace to go in on a curve north of the original zoning line and why it could not go in as a true east-west street rather than curved. Mr. McMahon, J. A. Peterson Co. responded that the reason for bringing the street in perpendicular is to parallel Euclid in the old plat and for good traffic safety pattern.

Mr. Bussinger asked if Mr. Vincent was more comfortable with the rezoning request as now modified. Mr. Vincent said they were more comfortable but still basically opposed commercial past Quick Trip.

Mr. Vincent also noted that the day care construction does not include construction of 72nd Terrace to the east and then connection to the north-south street so until further development, day care traffic will be essentially onto N. Euclid.

Bob Stern, 7311 N Euclid, also thanked the Council for keeping the communication lines open on this matter and stated for the record that he is against any further commercial development in that area northward. He suggests that if we expand the zoning, the street definitely needs to be tied to it, we need the right of way and to address drainage, and to monitor the traffic on Euclid at 72nd. He would hope the entire legal description would be re-written to exclude any C-1 which is now on the west side of N Euclid as there is still a small border presently. He says the proposal and applicant say it will be eliminated but he would hope we would ensure it is by carefully checking the legal descriptions.

Mr. David McKleberg, 7409 N Brooklyn thanked the Council for allowing an extension of time for citizen comment. He stated he had many reservations about the original proposal because of its infringement on residential zoning and feels a little more comfortable with the modified proposal. He points out that the cut through of N Brooklyn which will eventually curve as a result of the dedication of the new street will intersect 72nd at the bottom of a hill; blocked on one side from Quick Trip shrubbery and the other side by trees along the watershed. If Euclid is bad now, when we put through another street that close at the bottom of a hill, traffic problems will be compounded. In his opinion commercial zoning in that area is bad zoning no matter what we do but the changes as proposed make it a little more comfortable although they still have a great many concerns about it.

Mr. McMahon stated that the legal descriptions have been changed to reflect the desired changes.

Mayor Ashcroft asked why the Peterson Co. is habitually delinquent on tax bills. Mr. Mahon responded that Peterson Co.'s practice in delaying payment is a general business practice of a lot of large companies. There are three new firm members and he will bring Council's message to them and he believes we may see some changes.

Mr. Bussinger commented that he had recently had conversation with Mr. Gordon Peterson on this matter and he is convinced we will see a change.

Mr. Eckleberg, 7400 N Brooklyn, commented that Mr. McMahon's October 18 letter references the benefits the Peterson company has provided the city. He would point out that they have not been a good neighbor to him and told of the vacant lots within 3 feet of his privacy fence that are 6 ft. wide with 3 ft. deep trenches. Earth was taken from these lots for fill on others and the city and Peterson Co. find them unmowable. As a result he has to maintain them himself by hand.

Mr. Karns stated that he still has received no good reason for the rezoning application other than it is good engineering practice. That reason is not good enough as far as he is concerned and for this reason will vote no.

The vote on the second reading: "Aye" - Bussinger, Fairlie, Ashcroft. "No" - Whitton, Karns. (3-2 The Clerk read the Bill.

Council discussed the legal description for the rezoning "Exhibit A" to the Bill. Mr. Fairlie said that as he understands it the descriptions will reflect that there will be no C-1 zoning on the west side of Euclid, what previously existed will be removed and that the original proposal that was submitted following the existing 4th plat lines will be moved south 22 ft.

Mr. McMahon stated he was certain the new legal descriptions reflect those changes.

Mr. Dods pointed out that if upon engineering review some discrepancy was found the ordinance would be null and void.

Mr. Bussinger moved to accept the second reading of Bill No. 82-41, and place said bill on third and final reading: Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Fairlie, Ashcroft. "No" - Whitton, Karns. (3-2) The Clerk read the Bill.

Mr. Whitton commented that this is a ridiculous piece of zoning. The existing C-1 is poor zoning and he will not add to it and will be voting no.

Mr. Bussinger moved to accept the third and final reading of Bill No. 82-41 and enact it as Ordinance No. 2.457. Mr. Fairlie seconded. The vote: "Aye" - Bussinger, Fairlie, Ashcroft. "No" - Whitton, Karns. (3-2)

Mr. Bussinger stated that this has been made a better project by working with the Peterson Company and the residents.

Mr. Fairlie commented that he too wishes there was some way to eliminate the commercial zoning on this tract, but the Council would pay for it with one trip to Circuit Court. He stressed that the rezoning action does take away the commercial on the Euclid corner.

Mr. Whitton said that although Councilman Bussinger said he agreed with him, Mr. Bussinger's vote shows otherwise.

Item 11 on the Agenda:  
STRATFORD PARK, 4TH PLAT, 72nd  
J.A. Peterson Company

Consideration of Preliminary Plat of  
- 72nd Terrace & N Euclid. Applicant:

Planning Commission Chairman Vince Saladino commenting on this agenda item stated that he would hate to see Council approval of this plat and then send it to the Planning Commission for consideration when it should be the other way around. He noted this had been the case recently with the submission of Lot 8, CORPORATE HILLS preliminary plat to the Planning Commission after Council had already taken action.

Mr. Whitton suggested Council take no action tonight but send it to the Planning Commission.

Mr. Bussinger said he had no problem with that but asked Mr. Achen where we stood on the matter. He asked if it should have gone to the Planning Commission.

Mr. Achen responded that the preliminary plat did go to the Planning Commission. The applicant has revised the rezoning proposal which moves the line south 22 ft., which revises the plat correspondingly. So what Council has before them tonight is the same thing the Planning Commission previously approved except the north line has been moved 22 ft. south. The final plat has to go the Planning Commission for approval before it comes to the Council. There is no problem with sending this preliminary plat back to the Commission, in the past Council has done it either way depending upon how significant the changes were.

Mr. Karns said he thought Mr. Saladino had a good point, if Council is going to approve it before they send it to the Commission, why sent it to them at all.

Mayor Ashcroft said he appreciated the point of order made by Mr. Saladino but noted that this is the "preliminary plat" and has had so much discussion that it may be redundant to send it back to them when it basically involves moving the zoning line 22 ft. In his opinion it is a waste of time for them to have it back on their agenda and a waste of Council's time to see it again.

Mr. Whitton moved to refer consideration of the preliminary plat of Stratford Park, 4th Plat back to the Planning Commission. Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Fairlie. No - Bussinger, Ashcroft. (3-2)

Item 12 on the Agenda: First Reading: Bill No. 82-44, amending Ordinance No. 3.454, by adding a new section dealing with the responsibility for maintenance of smoke detector following installation by property owner.

Mr. Whitton moved to place Bill No. 82-44 on first reading; Mr. Karns seconded.

Mr. Achen noted that Mr. Bussinger had requested this amendment in response to apartment project owners who brought to our attention that the City of Kansas City's ordinance makes the tenant responsible for maintenance of the smoke detector once installed by the owner. This amendment uses language similar to Kansas City's ordinance.

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The vote on first reading. All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 82-44 and place said bill on second reading: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-44, and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 82-44 and enact said bill as Ordinance No. 2.458. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 13 on the Agenda:

Mr. Bussinger moved to adopt Resolution No. R-82-56, authorizing renewal of Special Use Permit for the operation of Meadowbrook North Swim Club, 67th Terrace and N. Agnes for a five year period with an expiration date of December 31, 1987. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 13-a on the Agenda:

Approval of Building Plans, 6700 N Oak. Applicant: Jim Medbury. Owner: Bill Mayfield. (former Dunkin Donuts)

Mr. Ron Smith, Varnum-Armstrong-Deeter, was present to review this building permit application for minor modifications to the building for installation of 9' x 18' overhead door. Proposed lessee for the building is "A Radio Store". Modification to the building is needed to drive vehicles into the building for installation of sound equipment. Mr. Smith stated that the requirement for sidewalk installation on 67th Street is understood and agreed to. They also recognize that work was commenced without a building permit and understand that the double fee applies.

Mr. Whitton moved to approve the building plans for 6700 N Oak as submitted with stipulation that double fee be assessed as well as installation of sidewalks on 67th Street as noted in the staff report dated November 22, 1982. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

\* \* \*

There being no further business to be brought before the November 22, 1982, city council meeting, Mayor Ashcroft announced the meeting was adjourned.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected: ☐

*Barbara J. Ashcroft*  
City Clerk

*Barbara J. Ashcroft*  
MAYOR

City Clerk

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 13, 1982

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of November 22, 1982 city council meeting.
4. Special Presentation to the City of Gladstone:  
Gladstone Jaycees. Ron Whitaker, President
5. PROCLAMATION: Designating the week of December 12-18  
as "National Drunk and Drugged Driving Awareness Week"  
in the city of Gladstone.
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. Consideration of Preliminary Plat: MAPLEWOODS, 7TH PLAT,  
74th & N Olive. Applicant: J.A. Peterson Co.
10. Consideration of Preliminary Plat: RLPLAT OF STRATFORD PARK, 4 TH,  
Euclid from 72nd - 72nd Terr. Applicant: J.A. Peterson Co.
11. FIRST READING: BILL NO. 82-45, an ordinance approving the  
final plat of RLPLAT OF STRATFORD PARK, 4TH PLAT. Euclid from  
72nd - 72nd Terr. J.A. Peterson Co.
12. FIRST READING: BILL NO. 82-46, an ordinance approving the  
final plat of TRACY ESTATES. 74th & N Park. Larry Mitchell
13. RESOLUTION NO. R-82-59, authorizing execution of contract  
with Tuttle, Ayers & Woodward Co. for landscape architectural  
services for redesign of Flora Park.
14. RESOLUTION NO. R-82-60, authorizing a supplement agreement  
with Larkin & Associates for additional construction engineering  
services on the Flora-Troost street reconstruction projects.
15. RESOLUTION NO. R-82-61, declaring the necessity for a Primary  
Councillmanic Election on Tuesday, February 8, 1983 and authorizing  
notification to the Clay County Board of Election Commissions of  
the form of ballot.
16. Other Business
17. Questions from the News Media
18. Adjournment

add: Bill 82 57 March 1983

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 13, 1982

The December 13, 1982, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen, City Counselor John Dods and the City Clerk.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to accept the minutes of the December 13 City Council Meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 4 on the Agenda: Gladstone Jaycees President Ron Whiteaker advised that the Jaycees will donate funds for the purchase and planting of a 15 ft. Austrian Pine Tree to serve in future years as the permanent "Mayors Christmas Tree". Estimated cost of the tree is \$375 and will be located on the north side of the Holmes entrance to the community center building.

Mayor Ashcroft thanked the Jaycees for their generosity on behalf of the City and Gladstone residents.

Item 4a. on the Agenda: Stan Holmes, Jr., Balls Super Foods Manager advised that Balls shares council's concern for high utility bills and will donate 1% of their customers sales receipts between now and the 31st of December to a fund to provide gas utility bill relief to needy Gladstone citizens. He would also hope that Ball's actions will prompt others to offer some assistance to those in need. Mr. Holmes indicated they are hopeful the donation will amount to \$5,000 - \$6,000. He would estimate that at the present time 60 - 70 % of their patrons are placing their receipts in the store box.

Mr. Achen advised that the program will be administered by United Community Services who will screen applicants for assistance.

Mayor Ashcroft commended Balls for undertaking this project.



Item 5 on the Agenda: Mayor Ashcroft read a proclamation designating December 12-18 as "National Drunk and Drugged Driving Awareness Week" and encouraging local observances with reminder to all safety citizens that safety belts and child safety seats are our best defense against all hazards of the road.

Item 6 on the Agenda: Communications from the Audience.

Mrs. Naomi Osinger, 5914 N Howard requested that the City look into low water pressure problem in her neighborhood. She noted that affected neighbors were present at the meeting with her. According to Mrs. Osinger she and other residents have adequate pressure in the morning hours only. She has checked with Public Works previously and been advised that her problems are likely a result of corroded pipe into her residence.

Mayor Ashcroft asked that the staff obtain addresses of persons affected for investigation of the complaint.

Item 7 on the Agenda: Communications from the City Council.

Mr. Karns asked City Manager Achen for staff reaction to the request of residents on 44th Terrace in Claymont for posting of "Dead End Street" sign and closing of the water plant access gates in the evening to discourage excessive late night traffic on their street.

Mr. Achen pointed out that the reason the gates are left open is because there is only one attendant at the plant and if late night deliveries are made, the attendant would have to go down and open the gate. He is in the process of reviewing the concerns with staff and will be responding to the residents.

\* \* \*

Mr. Karns discussed a memorandum from the City Engineer on problems of enforcing excessive truck weight in the city. He asked if the City would spot check garbage trucks for excessive weight noting that they may be contributing to deterioration of streets in several residential subdivisions. Mr. Achen advised that would be done as well as keeping an eye out for trucks on streets where they are not allowed.

\* \* \*

Mr. Whitton asked that staff look into problem of water running in the street at intersection of Kansas & Antioch Road noting that it is hazardous when the water freezes. Cleaning out the ditch may resolve the problem. Mr. Achen advised that staff would look into the matter.

Mr. Whitton also asked about the recent erection of a stop sign at 72nd Terrace & N Highland. Mr. Achen explained that neighbors in that location had petitioned the public safety department for traffic control at that location due to problems of excessive speeding. Mr. Achen acknowledged that he had received complaints that the location chosen was a poor one. This location was selected because it was closest to where the problems were occurring on the curve and is up for a 90 day trial only. He pointed out that this street has become a detour to 76th Street during the construction of N Troost and it is hoped that completion of Troost will alleviate the excessive traffic.

Mr. Whitton also inquired about the status of the Antioch Road / Shady Lane traffic signal. Mr. Achen advised that the Missouri Highway Department had hoped for installation by January 1 initially. City staff will contact the Department to determine present status.

Mr. Whitton also inquired about the status of the dangerous building repairs to the Callahan property on N Grand. Mr. Achen said the closing date for the sale of the property had been set for December 15th. He will advise of status of the property cleanup/repairs.

Mr. Whitton also noted that "NO TRUCK TRAFFIC" is posted on 69th Street at Oak, yet that street is the direct access to Gladstone Foods, taco manufacturing plant, which is the only industry in Gladstone. He questions signing of 69th Street. He also questioned if truck traffic is allowed on N Broadway enroute to Metro North area. Mr. Achen agreed to investigate and report back.

\* \* \*

Mr. Bussinger noted that he had received a call from residents on N Troost expressing concern that they were not notified in advance of driveway work resulting in an 8" drop-off. Had they been notified in advance they would have arranged to park elsewhere.

\* \* \*

Mayor Ashcroft read a letter from Denise Ryan, former Gladstone resident who indicates that although she is moving to rental property in another city when she is ready to buy she will come to Gladstone. Ms. Ryan said in her letter that Gladstone has a sense of community unlike anywhere she has lived with friendly merchants and employees, good community programs, schools, and an enjoyable fall festival and parade.

Mayor Ashcroft noted that the letter was addressed to the people of Gladstone not the city council and he appreciated her taking the time and effort to write such a letter.

Item 8 on the Agenda: Mr. Achen asked that Council delete Item #13 from the agenda (Resolution No. 82-59) and add Resolution No. 82-62, authorizing execution of a contract with Area Transportation Authority. Mayor Ashcroft designated the addition as Item 15-a on the agenda.

Item 9 on the Agenda: Consideration of Preliminary Plat.  
MAPLEWOODS 7TH PLAT, 74th & N Olive. Applicant: J.A. Peterson Co.

Lee McMahon, Registered Engineer with the J.A. Peterson Company reviewed plat for 33 lots at 74th & N Olive.

Mr. Bussinger noted that the Planning Commission had a concern for an easement on one of the lots. Mr. McMahon stated that it had been agreed that it be an "environmental" easement to be terraced for water retention purposes with maintenance left to either the Peterson Company or the owners of that property and not a city responsibility. The original easement was proposed at 15 ft. and it has since been increased to 40 ft. so that it will be wider to accommodate the terraces discussed in Planning Commission meeting.

Planning Commissioner Winkler commented that there was a question as to what control the City would have on the easement and how would the ultimate property owner be advised that it is his to take care of but that he cannot build fences or encroach on the easement.

Mr. McMahon said that the way it has been handled in the past is to show it as a dedicated easement on the final plat similar to a utility easement except this it is labeled "environmental". There have been no problems in handling it this way in the past.

Mayor Ashcroft noted that there was some question on the buildability of Lot 18. Mr. McMahon said that is preliminary plat and that that matter will be dealt with on the final plat when dimensions are shown.

Mr. Achen asked if it was explicitly clear how much of the North Olive construction J.A. Peterson is responsible for and how much Larry Mitchell is responsible for. Mr. McMahon said it was to be half and half. Public Works Director has suggested escrow of funds with a title company might be the best way to handle the street construction. He stated he is open to suggestions if there is a better way to handle the monies for future street construction.

Mr. Bussinger moved to APPROVE THE PRELIMINARY PLAT OF MAPLEWOODS, 7TH PLAT AS SUBMITTED. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 10 on the Agenda:

Consideration of Preliminary Plat  
STRATFORD 4TH REPLAT, 72nd - 72nd Terr.  
Applicant: J.A. Peterson Co.

Mr. Lee McMahon, J.A. Peterson Company said that this plat formalizes recommendations of the Council several weeks ago and reflects moving of the plat line south 22 feet.

Mr. Fairlie moved to approve the preliminary plat of STRATFORD 4TH REPLAT as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karna, Fairlie, Ashcroft. (4-0)

note: Councilman Bussinger left the meeting prior to the vote on this item.

Item 11 on the Agenda:

First Reading: Bill No. 82-45, an  
ordinance approving the final plat of STRATFORD 4TH REPLAT. Euclid  
from 72nd - 72nd Terrace. J.A. Peterson Co.

Mr. Lee McMahon, J.A. Peterson Company advised that approval of the final plat is requested so that they may proceed with recording of the plat. This plat dedicates to the City right-of-way for 72nd Terrace.

Mayor Ashcroft asked if the plat was in order.

Mr. Achun stated that the only unresolved issue is whether or how much of the east-west street on the north side of the plat should be constructed at the time of the day care construction.

Mr. McMahon said that technically that issue would be between the city and the child care company. Normally a street in front of the lot is built. In this case that is N Euclid which was previously built by the Peterson Co. So the Peterson Company's obligation has been fulfilled. Because it would be dead-end the cars could not turn around so from a traffic standpoint it would be undesirable to have a deadend there. From the view of the child care company, by building the street up a third of the way as they now propose, they would be doing more than they are required to. The child care's construction of 85 ft. will improve the access to their parking lot and reduce the number of exits on Euclid which is an advantage to both the city and child care center from a traffic perspective.

Mr. McMahon stated that the J.A. Peterson Company understands that they are responsible for construction of the remainder of the street as additional development occurs and the building of the 85 ft. is a part of the site plan.

Mr. Fairlie moved to place bill No. 82-45 on first reading  
Mr. Karns seconded. The vote: All "aye" - Whitton, Karns,  
Fairlie, Ashcroft (4-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill No. 82-45,  
waive the appropriate paragraph of Ordinance No. 1.83 and place  
said bill on second reading; Mr. Karns seconded. The vote:  
All "aye" - Whitton, Karns, Fairlie, Ashcroft. The Clerk read the  
Bill.

Mr. Fairlie moved to accept the second reading of bill No. 82-45  
waive the appropriate paragraph of Ordinance No. 1.83 and place  
said bill on third and final reading; Mr. Karns seconded. The  
vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Council discussed a means of ensuring that the 85 ft. of street  
will be constructed. Mr. Achen suggested that Council could  
direct him to follow up on that construction.

Mr. Fairlie moved to accept the third and final reading of Bill  
No. 82-45 with the stipulation that the City Manager is  
directed to ensure that the street on the north side of the  
plat, east of Euclid, be constructed a minimum of 85 feet before  
issuance of an Occupancy Permit to the day care center.  
Mr. Karns seconded. The vote: All "aye" - Whitton, Karns,  
Fairlie, Ashcroft. (4-0) Ordinance Enacted as No. 2.459

Item 12 on the Agenda:

FIRST READING: BILL NO. 82-46,  
an ordinance approving the final plat of TRACY ESTATES. 74th & N Park.  
Larry Mitchell.

Mr. Larry Mitchell, owner and developer of Tracy Estates advised that  
the necessary easements on Lots 1 and 2 and ownership on part of Lot 2,  
referenced in the Engineering Staff report dated November 30, 1982,  
have been signed and are ready for submission to the City.

Construction of North Olive Street in this plat will be equally shared  
by Peterson Company and Mr. Mitchell.

Council discussed at length the suggestion of escrow of funds by  
Mr. Mitchell and Peterson Company to ensure all of North Olive  
is built regardless of which developer starts building in his plat  
first. Council concluded that escrow of funds was not necessary  
because the financial arrangements were between the Peterson Co. and  
Mr. Mitchell and that the Subdivision Ordinance requires that the  
full street be constructed before any building permits are issued  
for home construction in either this plat (Tracy Estates) or Peterson  
Plat (Maplewood 7th).

Mr. Whitton moved to place Bill No. 82-46 on first reading; Mr. Karns  
seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the firstreading of Bill No. 82-46, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 82-46, and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Mr. Whitton moved to accept the third and final reading of Bill No. 82-46, and enact said bill as Ordinance No. 2.460. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 13 on the Agenda:                      Resolution NO. R-82-59, authorizing a contract with Tuttle Ayers & W odward Co. for landscape architectural services for redesign of Flora Park      DELETED FROM AGENDA AT CITY MANAGER'S REQUEST.

Item 14 on the Agenda:                      Resolution NO. R-82-60, authorizing a supplemental agreement with Larkin and Associates for additional construction engineering services on Flora-Troost street reconstruction projects.      RESOLUTION NOT INTRODUCED.

Mr. Achen explained that this proposed resolution would authorize funding of construction engineering services estimated at \$5,400 over and above previously authorized engineering services contract with Larkin & Associates. The proposed supplemental agreement would reduce Larkin's responsibility to the office management part of the construction projects with the City engineering staff conducting the daily on site inspections as a cost saving measure.

Although City Manager Achen explained that Larkin's contract provided that if construction extended beyond one year's time, additional engineering services would need to be funded, Council determined no action would be taken on the resolution until they had an opportunity to meet with Larkin & Associates.

Item 15 on the Agenda:                      Mr. Whitton moved to adopt Resolution No. R-82-61, declaring necessity for Primary Election on Tuesday, February 8, 1983, and authorizing notification to the Clay County Election Board of candidacy of Bob Ashcroft, Ken Strange, Ted Porter for a three year term on the Gladstone City Council. Mr. Karns seconded. The vote: All "aye"- Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 15-a on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-82-62, authorizing execution of a contract with Kansas City Area Transportation Authority for continuation of bus service from January 1, 1983 through December 31, 1983 for a total Gladstone share of \$10,630. Mr. Karns seconded.

Mr. Karns noted that he is reluctantly voting for continuation of the ATA contract because the Authority has many many problems and in his view is poorly run. Rather than see Gladstone residents without service, he feels we should struggle along one more year.

The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 15-b on the Agenda:

Mr. Fairlie moved to approve the Financial Report for November 1982 as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Mayor Ashcroft announced that there will not be a December 27 Council Meeting. Next scheduled meeting of the City Council is Monday, January 10.

\* \* \*

There was no further business to come before the December 13, 1982 meeting of the Gladstone City Council, whereupon Mayor Ashcroft adjourned the meeting.

Approved as submitted: ✓

Respectfully submitted:

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

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld

Boa. Ashcroft  
MAYOR





NOTE TO THE MINUTE BOOK

NO MEETING HELD, DECEMBER 27, 1982

CITY COUNCIL MEETING MINUTES

1-10-83 to 12-10-84

1983 CITY COUNCIL MEETING

MEETING

DATE

Regular  
No Meeting  
Regular  
Regular  
Regular  
Regular  
Special  
Regular  
Regular  
Regular  
Regular  
Regular  
Regular  
Regular  
Regular  
Special  
Special  
Regular  
Regular  
Regular  
Regular  
No Meeting  
Regular  
No Meeting

January 10, 1983  
January 24, 1983  
February 14, 1983  
February 28, 1983  
March 14, 1983  
March 28, 1983  
April 11, 1983  
April 15, 1983  
April 25, 1983  
May 9, 1983  
May 23, 1983  
June 13, 1983  
June 27, 1983  
July 11, 1983  
August 8, 1983  
August 22, 1983  
September 8, 1983  
October 3, 1983  
October 10, 1983  
October 24, 1983  
November 14, 1983  
November 28, 1983  
December 12, 1983  
December 24, 1983

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 10, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of December 13, 1982
4. Communications from the Audience
5. Communications from the City Council
6. Communications from the City Manager
7. FIRST READING: BILL NO. 83-1, authorizing adoption of the 1982 edition of the Uniform Building Code.
8. FIRST READING: BILL NO. 83-2, authorizing adoption of the 1982 edition of the Uniform Plumbing Code.
9. FIRST READING: BILL NO. 83-3, authorizing adoption of the 1981 edition of the National Electrical Code.
10. FIRST READING: BILL NO. 83-4, authorizing adoption of the 1982 edition of the Uniform Fire Code.
11. RESOLUTION NO. R-83-1, authorizing execution of a contract for operation of the Happy Rock Park concession stand.
12. RESOLUTION NO. R-83-2, authorizing the City Manager to engage the firm of Peat, Marwick & Mitchell & Co. to conduct the City's annual audit.
13. RESOLUTION NO. R-83-3, authorizing a contract with Tuttle, Ayers & Woodward CO. for landscape architectural services for redesign of Flora Park.
14. RESOLUTION NO. R-83-4, authorizing Change Order No. 2 to the E.H. Hall sidewalk construction contract and authorizing final payment.
15. APPROVAL OF FINANCIAL REPORT: Interim financial report for month of December, 1982.
16. Other Business.
17. Questions from the News Media
18. Adjournment

add: Bldg. Plans, 5702 N Antioch Road, Antioch Video Center

## M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 10, 1983

The January 10, 1983, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen, Acting City Counselor Dick Sandler and the City Clerk. (note: Councilman Karns arrived at 7:50 PM, following attendance at the Cable Advisory Board meeting).

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Fairlie moved to accept the minutes of the December 13, 1982, city council meeting as written; Mr. Whitton seconded. The vote: "Aye" - Whitton, Fairlie, Ashcroft. "Pass" - Bussinger.

Item 4 on the Agenda: Communications from the Audience.

Wilma Ogden, 6012 North Michigan, addressed the Council on behalf of friends and neighbors who have asked her to do so to express concern for natural gas bills. She noted that she was a member of the City Council at the time the franchise tax on utilities was increased from five to seven percent. At that time it was not anticipated there would be such large utility increases which have resulted in additional franchise tax revenue for the city. The increase from 5 to 7% was intended to help the city in a moderate way. She noted the number of persons on a fixed income and the high rate of unemployment. She asked that Council consider reduction of the franchise tax on natural gas from five to seven percent.

Mr. Jack Evans, 1120 NE 97th Street, requested Council consideration of his building permit application on property 5702 North Antioch Road. Mayor Ashcroft designated the item as agenda item 6-a.

Mrs. Nora Perry, Shopper News, requested council consideration of an add in the newspaper's annual Progress Edition to be published in February. Mayor Ashcroft acknowledged that Council had received her written communication and she would receive a response.

Item 5 on the Agenda: Communications from the City Council.

Mr. Whitton asked that staff determine when and why a yield sign at 67th Terr. at the Bolling Heights entrance off of Oak was recently changed to a STOP sign.

Item 6 on the Agenda:  
the City Manager.

There were no communications from

Item 6-a on the Agenda:

Approval of Building Permit.  
Jachmice, Inc, 5702 N. Antioch Rd.  
Applicant: Jack Evans (Antioch Video Center)

Mr. Jack Evans reviewed plans for remodeling of an existing structure at 5702 North Antioch Road to house the Antioch Video Center. Basically the remodeling will consist of taking out existing partitions to create an open area. The building will be painted and exterior siding will match existing siding. The proposed building face sign will meet the city's sign ordinance requirements and Mr. Evans will agree to installation of sidewalks on Antioch Road as well as street improvements on 57th Terrace as noted in the engineering staff report dated 1-10-83.

Mr. Bussinger moved to approve the building permit for Antioch Video Center, 5702 North Antioch Road with requirement for sidewalks and street improvement as noted in the engineering staff report dated 1-10-83. Mr. Whitton seconded. The vote: All "aye" - Whitton, Bussinger, Fairlie, Ashcroft. (4-0)

Item 7 on the Agenda: First Reading: Bill No. 83-1, authorizing the adoption of the 1982 edition of the Uniform Building Code.

(note: Councilman Karns joined the meeting at this time)

Mr. Bussinger moved to place Bill No. 83-1, on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Achen noted that the fee schedule recited in the ordinance is the same as the 1979 version under which the city presently operates. Any building fee increases would have to be brought to a vote of the people in compliance with the Hancock Amendment.

Mr. Bussinger moved to accept the first reading of Bill NO. 83-1 and place said bill on second reading; Mr. Fairlie seconded. The vote: All "aye"- Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 83-1 waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 83-1, waive the appropriate paragraph of Ordinance No. 1.83 and enact said bill as Ordinance No. 2.460.

Item 8 on the Agenda: First Reading: Bill No. 83-2,  
authorizing adoption of the 1982 edition of the Uniform Plumbing Code.

Mr. Whitton moved to place Bill No. 83-2 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-2, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mr. Fairlie seconded the motion. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-2, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-2, waive the appropriate paragraph of Ordinance No. 1.83 and enact said bill as Ordinance No. 2.461. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Item 9 on the Agenda: First Reading: Bill NO. 83-3,  
an ordinance authorizing adoption of the 1981 edition of the National Electrical Code as the official electrical code for the City of Gladstone.

Mr. Whitton moved to place Bill No. 83-3 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-3, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-3, and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-3, and enact said bill as Ordinance No. 2.462. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

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January 10, 1983  
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Item 10 on the Agenda: First Reading: Bill No. 83-4,  
an ordinance authorizing adoption of the 1981 edition of the Uniform  
Fire Code.

Mr. Fairlie moved to place Bill No. 83-4 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill No. 83-4, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 83-4, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 83-4 and enact said bill as Ordinance No. 2.463. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 11 on the Agenda: Mr. Fairlie moved to adopt  
Resolution No. R-83-1, authorizing a contract between Karol Relford and the City of Gladstone for exclusive concession operation of Happy Rock Park Concession in return for 15.21% of gross sales less sales tax. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Achen noted that Mrs. Relford had operated the concession the previous season with city's proceeds being 10.21% or approximately \$1,000. The City expects to realize approximately \$1,500 income from this season's concession contract.

Item 12 on the Agenda: Mr. Fairlie moved to adopt  
Resolution No. 83-2, authorizing the City Manager to engage the firm of Peat, Marwick & Mitchell to conduct the city's annual audit for the fiscal year ending June 30, 1983, for an amount not to exceed \$18,000. Mr. Karns seconded.

In response to question from Councilman Karns, Mr. Achen noted this will be the third year the Peat, Marwick, Mitchell firm has conducted the audit and the fee to be charged is the same as last year.

Mr. Karns requested that Council be given an opportunity to discuss with the audit firm particular areas they would like reviewed as part of the audit process.

The vote: "All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)



Item 13 on the Agenda:

Mr. Whitton moved to adopt Resolution No. R-83-3, authorizing execution of a contract with Tuttle-Ayers-Woodward Co., for landscape architectural services for redesign of Flora Park. Mr. Fairlie seconded.

Mr. Whitton pointed out that the resolution would accept a proposal for \$1,350 plus additional expenses for miscellaneous services as required. He does not favor authorizing the contract with the amount left open and further questions the value of this contract when the city previously contracted an \$11,000 master park plan with the University of Missouri.

Mr. Achen explained that the University's plan did not go far enough although it did give us some ideas and did provide base maps and topographic information that Tuttle Ayers can use. The Tuttle-Ayers plan would provide conceptual ideas in the development of the park, Actual specifications for the development of the park would be done in-house.

Mr. Achen pointed out that the city does not have a full-fledged park and recreation staff experienced in development of an overall master plan for park site improvements. Budgeted funds for improvements to this park need to be well spent as any improvements will remain for a number of years. Rather than develop a plan with inexperienced staff and then find in a few years that it is an undesirable plan, the services of professionals are recommended.

Mr. Achen noted that the "additional services" noted in the resolution are photo developing, xeroxing and printing of the report. It is anticipated that \$200 will cover these items.

Mr. Whitton moved to amend Resolution No. R-83-3 by deletion of the phrase "plus additional expense for miscellaneous services as required" and substitution of the following: "for a total amount not to exceed \$1,550". Mr. Bussinger seconded the motion for amendment.

The vote on Resolution No. R-83-3 as amended: "Aye" - Bussinger, Fairlie, Ashcroft. "No" - Whitton, Karns. (3-2)

Item 14 on the Agenda:

Mr. Fairlie moved to adopt Resolution 83-4, Change Order No. 2 to the E.H. Hall sidewalk construction contract resulting in a contract increase of \$13.50, and authorizing final contract payment in the amount of \$8,176.35; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Council commented that the sidewalks constructed on North Oak look great.

Item 15 on the Agenda:

Approval of Financial Report for  
month of December, 1982.

Mr. Whitton moved to accept the financial report for December, 1982, as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (5-0)

Mr. Karns inquired how we were doing budget-wise. Mr. Achen responded that expenditures are at 46% and revenues at 40%. He feels comfortable with the budget and noted that we will realize substantial savings in the area of manpower and materials due to the good weather this winter. Street crews have only salted/sanded twice thus far.

Item 16 on the Agenda:

Other Business.

Mr. Whitton noted that correspondence to the Council from the Chairman of the AD Hoc Committee of the Planning Commission studying storm drainage recommends that storm drainage improvements be funded from utility franchise receipts. He questions if such improvements are not capital improvements and does not agree with the recommendation.

Mr. Karns agreed with Mr. Whitton's comments. He also pointed out that the area of 72nd & N. Highland badly needs storm drainage improvements and any improvement projects should not have Brooktree as a priority. He further stated that any improvements that would benefit only a few areas of the city should not be funded by utility franchise receipts.

Mr. Karns moved to reduce all utility franchise taxes from 7 to 6%; Mr. Whitton seconded. The vote: "AYE" - WHITTON, KARNS. "NO" - BUSSINGER, FAIRLIE, ASHCROFT. (2-3)

Mr. Bussinger commenting on his "No" vote explained that while he would personally benefit as a businessman, and understands where Mr. Karns is coming from, the actual effect of such a reduction has yet to be thoroughly examined. He would be in favor of such a reduction if city services will not suffer. In his view the issue needs to be examined by other than Councilmembers and he would suggest a meeting with community business leaders.

Mr. Whitton suggested that not just the business leaders, but the average working man citizen be included in such a meeting.

Mr. Bussinger opinioned that once the franchise tax is reduced, citizens will never vote it back in.

Mr. Karns questioned Mr. Bussinger's confidence in the voters. He believes that citizens would vote it back in if the city needs the money. Mr. Karns also suggests that a public hearing be held on the utility franchise tax reduction issue.

City Council meeting Minutes  
January 10, 1983  
Page Seven

General discussion was held on the suggestion of a public hearing with comment that typically only those favoring such a reduction would attend.

\* \* \*

Mayor Ashcroft announced that a Council study session would be held at 7:00 PM, Monday, January 17, 1983.

\* \* \*

There being no further business to come before the January 10, 1983, meeting of the City Council, Mayor Ashcroft adjourned the meeting.

Respectfully submitted

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: ☒

Approved as corrected/  
attended: ☐

Bob Ashcroft  
MAYOR

NOTE TO THE MINUTE BOOK

NO MEETING HELD JANUARY 24, 1983

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 14, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 10, 1983 City Council Meeting
4. PROCLAMATION: Designating the period February 20 - 26 as "ENGINEER'S WEEK" in the City of Gladstone, Missouri.
5. APPROVAL OF SITE PLAN MODIFICATION AND BUILDING PLANS  
John Deere Lawn & Leisure dealership, 6840 N Oak  
Applicant: Garold Tingler  
Owner: Guaranty Development Co.
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. FIRST READING: BILL NO. 83-5, declaring the results of the February 8, 1983, Primary Councilmanic Election and designating the form of the ballot for the April 5, 1983 General Councilmanic Election.
10. FIRST READING: BILL NO 83-6, repealing Section 6 of Ordinance No. 1.122 and enacting a new Section 6 dealing with inspection charges for weed abatement.
11. FIRST READING: BILL NO. 83-7, an ordinance adopting the 1982 Uniform Building Code and establishing a schedule of building permit fees and charges; and repealing all prior ordinances dealing with the same subject.
12. FIRST READING: BILL NO. 83-8, establishing a new shedule of licenses, fees and charges for certain City services and activities subject to voter approval; calling a special election on Tuesday, April 5, 1983 for such purpose; and describing the form of the ballot.
13. FIRST READING: BILL NO. 83-9, approving the Final Plat of NORTHAVEN WEST SUBDIVISION. Applicant/Owner: Richard Hagen
14. RESOLUTION NO. 83-5, authorizing acceptance of a proposal for purchase and installation of playground equipment for Oak Grove Park.
15. RESOLUTION NO. R-83-6, authorizing application for grant funds for certain improvements to Flora Park.
16. RESOLUTION NO. R-83-7, authorizing acceptance of a bid for sale of surplus city property.
17. RESOLUTION NO. R-83-8, opposing proposed State legislation prohibiting municipalities from restricting political activities of public employees.
18. FINANCIAL REPORT: Acceptance of Interim Financial Report for month of January 1983.
19. OTHER BUSINESS
20. QUESTIONS FROM THE NEWS MEDIA
21. ADJOURNMENT

Add: Bill No. 83-10, increase package liquor licenses available  
Bill No. 83-11, correct sriveners error re: legal description  
Curry property Prospect Place subdivision.

Minutes Book

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 14, 1983

The February 14, 1983, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft at 7:30 PM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen, Acting City Counselor Dick Sandler and the City Clerk.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:                    Acceptance of Minutes.

Mr. Fairlie moved to accept the minutes of the January 10, 1983 city council meeting as submitted; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 4 on the Agenda:                    Proclamation.

Mayor Ashcroft read a proclamation designating the period February 20 - 26 as "Engineer's Week" in the City of Gladstone and urging Gladstone citizens to acquaint themselves with the outstanding advances in the field of engineering.

Item 5 on the Agenda:                    Approval of Site Plan Modification and Building Plans for John Deere Lawn & Leisure Dealership, 6840 N Oak. Applicant: Garold Tingler. Owner: Guaranty Development Co.

Applicant Gerald Tingler, 6000 N Monroe, and Contractor Carl Hull of the Fogel Anderson Construction Co. were present to review the site plan and building plans for construction of the 17,000 sq. ft. John Deere Lawn & Leisure dealership.

Mr. Tingler explained that of the 17,000 sq. ft., 6,400 will house the John Deere dealership for sales of lawn products from pushmower, up to 55 h.p. grounds care equipment. He stated projected revenues are 3/4 million for the first year and 1.2 million the second. Construction of the dealership is seen as an asset to the community and they would plan to commence construction immediately.

Mr. Tingler indicated he would plan to put in a pedestal sign in front of the building and replace existing pole sign with new pedestal sign for the leased space in their building.

Mr. Karns asked if Mr. Tingler was aware that he could use the existing pole sign. Mr. Tingler responded that he had been discouraged from using it because it did not comply with the new sign ordinance.

Mr. Achen advised that when the previous and proposed use of the property is the same, use of the pole sign has been approved. There has been some question when the use of the property substantially changes (in this case property formerly a restaurant now lawncare dealership). The Council would certainly have the prerogative to approve use of the pole sign.

Both Mr. Karns and Mr. Bussinger spoke in favor of allowing the dealership to use the existing pole sign pointing out that concessions have been made in similar instances and denial would cause the dealership to incur additional expense in the purchase of a new sign.

Mr. Tingler noted the exterior construction will be pre-manufactured steel with brick face and 20 ft. overhang. Entire display area will be enclosed.

Mr. Tingler acknowledged that he had talked with the engineering staff about storm drainage and they have no concerns.

Mr. Achen stated that the Engineering staff is comfortable with the 25 year storm facility there now.

Following Council review with Mr. Hull of detailed building plans, Councilman Bussinger moved to approve the site plan modification and building plans for John Deere Lawn and Leisure dealership as submitted with the stipulation that the dealership be allowed use of the existing pole sign provided it can be modified for their use. Mr. Karns seconded. the vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 6 on the Agenda:

Communications from the Audience.

Mayor Ashcroft welcomed scouts from Troop 180, St. Charles, Troop 250 St. James Church and Troop 389 to the council meeting. The scouts indicated their attendance was in fulfillment of their Communications Merit Badge.

Item 7 on the Agenda:

Communications from the City Council.

Councilman Bussinger moved to reappoint the following to one year terms on the Public Safety Advisory Board, terms to expire 12-31-83. Mr. Whitton seconded. Virginia Bauman, James Furlong, Jim Youngers, Larry Gromer, Marvin McIntyre. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Bussinger moved to reappoint Cable T.V. Advisory Board members John DeArman and Ann Judge to three year terms to expire December, 1985. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Bussinger moved to reappoint Board of Zoning Adjustment member Richard Wagner to a five year term expiring June, 1987; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Bussinger moved to reappoint Gladstone Special Road District No. 3 member Dean Gromer to a three year term expiring January 1986. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

\* \* \*

Mr. Fairlie advised that he had attended the 911 Emergency Telephone Number activation ceremony that morning. This unique system is now in affect for not only the city of Gladstone but the entire metro areawith the exception of Sugar Creek and Independence. The system spans the statelines and will serve 67 cities and 6 counties. This life saving service culminates 10 years of work and cooperation between Southwestern Bell Telephone and all the entities involved.

Mr. Fairlie moved to recommend the appointment of Mr. Harold Hake, 5909 N Mersington and Mr. Pat Partington, 6813 N Woodland for one year terms on the Planning Commission to expire December 31, 1983; and to reappoint Commissioners Dick Davis, Brian Hall, Randall Lary and Ken Winkler for three year terms ending December 31, 1985. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Mr. Fairlie moved to appoint Mrs. Carol Wallace, 7605 N Easy Street and Dr. Frank Carella, 6001 NE Bircain, Apt 2-B to fill unexpired terms on the Park Board ending December 1984 and December 1983 respectively; and to reappoint Russ Zimmerman, Dorothy Shepherd and Jeff Duer to three year terms ending December 1985. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

\* \* \*

Mr. Whitton inquired about the purchase of the Operation 100 Van for the Public Safety Department. He has no recollection of voting on the purchase.

Mr. Achen noted that it was an item that was discussed at a Council study session rather than a formal Council Meeting. Funds were available in the Capital Vehicle Budget of the Public Safety Department and he had noted to Council that he intended to authorize the purchase unless Coucil objected.

Mr. Whitton questioned if the purchase should not have been authorized by formal Council action in the form of a Resolution.

Mr. Achen pointed out that it was not of a dollar size that required bidding or amendment to the budget.



Mr. Whitton agreed that probably the van purchase was not a large size but if we are going to establish an Operation 100 or "SWAT" Team he would like to know about it. Obviously the van purchase is not the end of it; additional equipment and training will be required. He would like to make it public record that he is not in favor of a Swat Team, sees no need for it and would like to see a resolution on the purchase.

Mr. Achen noted that a previous Council packet detailed the incidents in the last six months where we had three Operation 100's. We may not received the press coverage that Kansas City does but we are having similar kinds of incidents. There is no intention to establish a Swat Team with armour plated vehicle. It is intended to be a mobile command post. We have had to use private businesses and homes as a command post to manage the logistics at the scene. Officers have participated in voluntary training on their own time. It is his feeling that the City ought not to be in a position where we can't respond to such situations.

Mr. Whitton pointed out that he had talked to Kansas City personnel who indicate they would assist Gladstone in such situations.

Mr. Achen said on the contrary KC has not been willing to assist in other jurisdictions because of the legal liability. He is fully sympathetic and understands the Council's concern for developing some kind of surreptitious force that subverts the Council's role or the public's role, but to this date he feels the department has acted in the City's best interests to improve our professional capabilities in reacting to these unpredictable hostage-type situations. There is great potential for risk of life and limb if these situations are not handled properly or by untrained personnel.

Mr. Whitton asked if this could be put in a form of a resolution because he does not know when the vote was taken on this matter and feels it should have been at a public meeting because it is as important as any other purchase. Mr. Achen stated that the Council has given the manager the responsibility for assuring the services and staffing. He asked if Mr. Whitton was asking for public vote on each and every item purchased.

Mr. Whitton said he was not, but had understood Mr. Achen to say that Council had voted on this van purchase and he knew he had never voted on it. He just wants to be a voice when a decision is made.

Mr. Karns asked how the operation of the water plant was going financially in conjunction with our rate increase.

Mr. Achen responded that revenues are up approximately 5% and expenditures are running about the same as last year. Water usage fluctuates during the year and the spring and summer months usage will tell if projections were correct.

Mr. Karns asked how long the last rate increase would take care of our expenses.

Mr. Achen noted that last year at the budget adoption he indicated that the forthcoming budget would have a recommendation for a rate increase again based on the assumption that previous assumptions hold true.

Mr. Karns recommended that Gladstone look into purchase of water from the City of Kansas City. In a conversation with an Assistant City Manager of KC, some interest was expressed in providing Gladstone with water. He would ask that we look into it as he understands they have the capacity and our bills do exceed Kansas City's rate. He does want the press know that he is not advocating doing away with the water plant, but would recommend that we look into purchasing from KC.

Item 8 on the Agenda:

Communications from the City Manager.

Mr. Achen asked for the addition of Bill Nos. 83-10 and 83-11 to the Agenda dealing with increase of package liquor licenses and correction of a scrivener's error on legal description of property rezoned in Ordinance No. 2.260. Mayor Ashcroft designated the additions as agenda items 13-a and 13-b.

Item 9. on the Agenda:

FIRST READING: BILL NO. 83-5, declaring the results of the February 8, 1983, Primary Councilman Election and designating the form of the ballot for the April 5, 1983 General Councilman Election.

Mr. Whitton moved to place Bill No. 83-5 on first reading; Mr. Bussinger seconded. The Clerk read the Bill. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Mr. Whitton moved to accept the first reading of Bill No. 83-5, and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-5, waive the appropriate paragraph of Ordinance No. 1.83, and place said Bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-5 and to enact said Bill as Ordinance No. 2.465. The vote:  
All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 10, on the Agenda: FIRST READING: BILL NO. 83-6, repealing Section 6 of Ordinance No. 1.122 and enacting a new Section 6 dealing with inspection charges for weed abatement.

Mr. Fairlie moved to place Bill No. 83-6 on first reading; Mr. Bussinger seconded.

Discussion: Council discussed problems of enforcing the weed ordinance. Mr. Karns noted that large acreages in the area of Claymont entrance are never mowed and questioned how we decide who must mow and who does not. Mr. Achen acknowledged that generally speaking the large open wooded tracts do not get mowed. If someone calls about property adjacent to their homes, we usually require some mowing in those areas. Mr. Karns suggested that the ordinance require that the caller identify themselves and sign a complaint. Mr. Achen explained the problems that the staff has in enforcing the weed ordinance; caller is mad because the weeds are not taken care of prior to their call and the length of time (approx. 20 days) for the legal process in getting weeds cut, property owners are upset because we tell them how to handle their property and contracting to have their property mowed.

Council discussed with Mr. Sandler advisability of requiring a signed complaint. Mr. Sandler pointed out that if it is a requirement the City may not receive the complaint because people may not want to identify themselves.

Mr. Bussinger agreed with Mr. Karns that if you are unhappy you should be willing to identify yourself and come in and complain however he noted the City has problems keeping up with their own property maintenance.

Mayor Ashcroft suggested rather than inconvenience the person complaining by having them come to City Hall, nuisance abatement or public safety personnel could go to their residence to accept the signed complaint.

The Manager agreed to look into such an ordinance abatement amendment.

Mr. Fairlie noted that there is a need that the ordinance allow that the City can initiate the action when necessary and suggested that be kept in mind in redrafting of the ordinance.

The vote on the first reading: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Achen noted that this amendment would provide for an inspection charge to be set from time to time by the City Council and presently proposed at \$40.00 in the listing of Fees and Charges to be adopted by the City Council under Bill No. 83-8, to be brought to a vote of the citizens at a special election on April 5.

Following discussion Council determined a need to amend the Bill to provide for retention of the present \$5.00 inspection fee until an increase in the fee is approved by the voters, whereupon Mr. Whitton moved to amend Bill No. 83-6 by designating the language under Section 6 as 6(a) and adding 6(b) to read as follows: 6(b) - "The existing charge of \$5 shall remain in effect until such time that any increase adopted by the City Council is approved by the required majority of the qualified voters of the city". Mr. Bussinger seconded. The vote on the amendment: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Mr. Whitton moved to accept the first reading of amended bill No. 83-6 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of amended Bill No. 83-6, waive the appropriate paragraph of Ordinance No 183 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of amended Bill No. 83-6 and enact said Bill as Ordinance No. 2.466. Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 11 on the Agenda: FIRST READING: BILL NO. 83-7, an ordinance adopting the 1982 Uniform Building Code and establishing a schedule of permit fees and charges; and repealing all prior ordinances dealing with the same subject. (note: bill amended prior to first reading to add Section 3-B to the Bill and addition of phrase "subject to the provisions of subsection 3(B) below" to Section 1.

Mr. Bussinger moved to place Bill NO. 83-7 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 83-7, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye". The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 83-7 and place said Bill on third and final reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 83-7, and enact said Bill as Ordinance No. 2.467. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 12 on the Agenda:      FIRST READING: BILL NO. 83-8,  
establishing a new schedule of licenses, fees and charges for  
certain City services and activities subject to voter approval;  
calling a special election on Tuesday, April 5, 1983 for such  
purpose; and describing the form of the ballot.

Mr. Fairlie moved to place Bill No. 83-8 on first reading; Mr.  
Bussinger seconded. Mr. Whitton seconded. The vote: All "aye" -  
Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the firstreading of Bill No. 83-8, waive  
the appropriate paragraph of Ordinance No. 1.83 and place said bill  
on second reading; Mr. Bussinger seconded. The vote: All "aye" -  
Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-8, waive  
the appropriate paragraph of Ordinance No. 1.83 and place said bill  
on third and final reading; Mr. Bussinger seconded. The vote: All  
"aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill NO. 83-8,  
and enact said bill as Ordinance No. 2.468; Mr. Bussinger seconded.  
The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (5-0)

Item 13 on the Agenda:      FIRST READING: BILL NO. 83-9, approving  
the Final Plat of NORTHAVEN WEST SUBDIVISION. Applicant/Owner: Richard  
Hagen

Mr. Whitton moved to place Bill No. 83-9 on first reading; Mr. Karns  
seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie,  
Ashcroft. (5-0) The Clerk read the Bill.

Mr. Achen noted that the plat before the Council calls for 70 ft. lots  
and in addition Mr. Hagen has a filed a new preliminary plat which is  
now before the Planning Commission on the same piece of ground that would  
call for 60 ft. lots.

Planning Commission Chairman Ken Winkler explained that the developer  
wishes to obtain approval of the final plat calling for 70 ft. lots  
so that he will have a plat approved in case approval is not given to  
the modified 60 ft. lot plat. He explained that 60 ft. lots violate  
the subdivision ordinance and an amendment to the subdivision ordinance  
would be required.

Mr. Whitton moved to accept the first reading of Bill No. 83-9, waive  
the appropriate paragraph of Ordinance No. 1.83 and place said bill on  
second reading; Mr. Karns seconded. The vote: All "aye" - Whitton,  
Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-9, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-9 and enact said bill as Ordinance No. 2.462.

Item 13-a on the Agenda: FIRST READING: BILL NO. 83-10, providing for an increase in the number of license permits for the sale of package liquor in the City of Gladstone from seven to eight.

Mr. Whitton moved to place Bill No. 83-10 on first reading; Mr. Bussinger seconded. The vote: "aye" - Whitton, Karns, Bussinger, Fairlie "no" (4-1) The Clerk read the Bill.

Item 13-b on the Agenda: FIRST READING: BILL NO. 83-11, an ordinance amending Ordinance No. 2.260 to correct a Scrivener's Error in the Legal Description of land rezoned pursuant to said Ordinance No. 2.260 (property at Northwest corner of 64th Street & N Prospect zoned from R-1 to CP-1, May 8, 1978).

Mr. Whitton moved to place Bill No. 83-11 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-11, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-11 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. The Clerk read the Bill.

Mr. Mr. Whitton moved to accept the third and final reading of Bill No. 83-11 and enact said bill as Ordinance No. 2.470.

Item 14 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-5, authorizing acceptance of a proposal for the purchase and installation of playground equipment for Oak Grove Park from ATHCO, Lenexa, Kansas, in the amount of \$14,540. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution No. 83-6, authorizing the City Manager to make application for a grant-in-aid for funding of certain improvements to Flora Park from the Department of Interior, National Park Service through the State Interagency for Outdoor Recreation. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 16 on the Agenda: Mr. Bussinger moved to adopt Resolution NO. R-83-7, authorizing the City Manager to sell a city-surplus Layton Paver S/N 8290 and attachments to the Victor L. Phillips Company for \$5,200. Mr. Fairlie seconded. The vote: All "aye"- Whitton, Karns, Bussinger, Fairlie, Ashcroft.

Item 17 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-8, opposing proposed State legislation prohibiting municipalities from restricting political activities of public employees. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 18 on the Agenda: Mr. Fairlie moved to approve the Interim Financial Report for the month of January, 1983 as submitted; Mr. Bussinger seconded.

Mr. Karns noted a \$300 advance for travel to Director Francis on the cash disbursements and requested that the Manager prepare a report on the number of days spent out of the city and the expense to the city.

Mr. Achen noted that the Director and the department have a national reputation for excellence and this reputation has improved the City's ability to recruit and retain public safety officers. The Director's attendance at training seminars and conferences has been most beneficial to the city. Mr. Achen agreed to provide the information requested by Mr. Karns.

Mr. Karns also requested that Council be provided with on-going status of Operation 100 referred to earlier by Mr. Whitton. Mr. Achen acknowledged that he would have the Director meet with Council at a forthcoming study session to provide this information.

The vote on the financial report: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 19 on the Agenda:     Other Business.

Mr. Whitton expressed the Council's sympathy to the family of deceased city mechanic Dave Zacher. Mr. Whitton noted that Mr. Zacher had saved the City considerable monies by his abilities to restore city fire apparatus and other equipment. He was a good employee and an excellent mechanic and will be missed by the City.

Mr. Bussinger said he was bothered by Mr. Whitton's suggestion that Council action is taken at a "closed" meeting. The public is always welcome and he suggests that notice of study sessions and all council meetings be publically posted. He does not want to be a part of any closed meetings and does not like the suggestion that they are held. He specifically recalls that the discussion of the public safety operation 100 van was at a study session and noted that formal votes are not taken at such sessions but rather a consensus of the council to give the Manager direction on items.

Item 20 on the Agenda:     Reporter George McCuistion requested clarification of the use of the public safety department van purchased for Operation 100 which was provided by Mr. Achen.

\* \* \*

There being no further business to be brought before the February 14, 1983 City Council, the meeting was adjourned by Mayor Ashcroft.

Respectfully submitted

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: ✓

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

*Robert J. Ashcroft*  
\_\_\_\_\_  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 28, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of February 14, 1983 City Council Meeting.
4. APPROVALS
  - a. Taco Bell drive-thru building plans, 6900 N Oak  
Applicant: Gerald Oliver, Taco Bell Construction Manager
  - b. Northwood Development Corporation Office Complex Building Plans,  
Applicant: National Homes Manufacturing Co. 5700 N Broadway
  - c. Class C Package Liquor License - Gene's Party Shop, Inc.  
6313 N Prospect. Applicant: Eugene O. Jamison
  - d. Class C Package Liquor License - Cascone's North Oak Liquors & Deli,  
7400 N Oak. Applicant: Lawrence J. Cascone
5. PUBLIC HEARING: Request to rezone from C-2, General Business District,  
to CP-3, Planned Commercial District, property at 6220 N Oak.  
~~DELETED~~ Applicant: Gerald Barr. Owner: Henry Trust, Mercantile Bank & Trust
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. SECOND READING: BILL NO. 83-10, an ordinance amending Section 3-25(C)  
of the City Code by increasing the number of license permits for the  
sale of package liquor.
10. FIRST READING: BILL NO. 83-12, an ordinance authorizing acceptance of  
standard sewer easements within the city of Gladstone, Missouri.
11. RESOLUTION NO. R-83-9, authorizing appropriation of \$1,500 from the  
General Fund Contingency for contribution to the Clay County  
Investigative Squad.
12. RESOLUTION NO. R-83-10, authorizing execution of Change Orders No. 4  
and 5 to the E.H. Hall North Troost (72nd - 77th) reconstruction contract.
13. Other Business
14. Questions from the News Media
15. Adjournment

Add on: Bill 83-13, First Read. Amend Weed Ordinance  
Reso. 83-11, Support Metro Junior College April 5, 1983 Election  
Reso. 83-12, Authorize Acceptance \$2,000 Contribution for Sidewalk Const.  
Fund from White Chapel Cemetery in settlement litigation.

## M I N U T E S

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

February 28, 1983

The February 28, 1983, meeting of the Gladstone City Council was called to order by Mayor Pro Tem Bob Fairlie in the Council Chambers of the Gladstone City Hall. In addition to the Mayor Pro Tem those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Mayor Ashcroft was absent from the meeting.

Mayor Pro Tem Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:                      Acceptance of Minutes.

Mr. Whitton moved to approve the February 14, 1983 city council meeting minutes as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 3-a on the Agenda.                      Special Presentation.

Mrs. Anita Gorman, representing the Daughters of the American Revolution, introduced winners in the DAR's American History Month Essay Contest. First place winner Steven Kardell was presented with a book entitled "As a Man Thinketh" and a Susan B. Anthony Silver Dollar. Winners Amie Johnson, Carrie Eddie, Kathy Dangar and the student's teacher, Phyllis Durkey were also presented silver dollars. Mrs. Gorman noted it was fitting that the presentation be made at a Gladstone City Council Meeting as all the students were residents of our city.

Item 3b on the Agenda:                      Proclamation.

Mayor Pro Tem Fairlie read a proclamation designating the week of March 6-12 as "Girl Scout Birthday Week" in the city of Gladstone.

Item 3c on the Agenda:                      Mayor Pro Tem Fairlie moved to introduce Resolution No. R-83-11, endorsing the tax transfer question from the Metropolitan Community College District to be submitted to voters of the northland on Tuesday, April 5, 1983. Mr. Bussinger seconded.

Dr. Steven Brainard, President of Maple Woods Junior College addressed the Council and clarified that this proposal is not a tax increase; but rather an increase of the operating fund levy by 7¢ and correspondingly decrease the debt service levy by 7¢. The assessed valuation of 27¢ per \$100 would be retained at the same level. More flexibility would be created in their operating budget by transferring the 7¢ to their operating fund. Passage of the measure would greatly enhance their chances of having matching funds for construction of permanent facilities for Maple Woods.

Mr. Bussinger noted that the Gladstone Chamber of Commerce endorsed the election issue at their last meeting. Mr. Fairlie commented that although Maple Woods College is not within our city limits it is definitely a part of the Gladstone community because of the number of residents utilizing the school's facilities and he is in favor of the proposition being put before the voters.

The vote on the resolution: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 4 on the Agenda:                      Approvals.

a. Taco Bell drive thru building plans, 6900 N Oak.

Applicant: Gerald Oliver, Taco Bell Construction Gr.  
window

Mr. Oliver reviewed plans for the drive thru/noting that no additional curb cuts would be required and that the current 39 parking spaces would remain. They are requesting addition of an appendage to the existing sign to denote "drive thru" which they have been told will not comply with the sign ordinance.

Mr. Bussinger asked if we had any high incident of traffic problems at that location. Mr. Achon stated that he did not have any accident experience figures available but that the plans for the drive thru window would not increase traffic problems, although admittedly it is a highly travelled area and left-turn movements are difficult.

Council discussed the 1' 4' "drive thru" appendage with comment from Mr. Karns and Mr. Whitton that if the company is going to spend \$20,000 they should be allowed to have this small sign addition and that the whole idea of the drive-thru is to generate more business which they can't do without signs.

Mr. Bussinger moved to approve the building plans for Taco Bell drive thru window and allow the drive-thru sign to be attached to the existing pole sign on the basis that refuse area be enclosed. Mr. Karns seconded. (Mr. Oliver agreed to masonry refuse enclosure). The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

b. Northwood Development Corporation Office Complex Building Plans, 5700 N Broadway. Applicant: National Homes Manufacturing

Mr. Jim Woolery, Mr. John Lutjen and Mr. Bob Ginrich were present to review plans for the construction of an 8,700 sq. ft. multi-tenant office building at 5700 N Broadway on the former Chezik tract. This is the first building of a three phase building construction. The first building is entirely within the Gladstone city limits. There is some parking and drive to the rear of the building that is in the city of Kansas City, Missouri.

Construction will be of brick veneer, aluminum and plywood with approved fiberglass shingled roof. The front of the building will face North Broadway. April 1 construction is proposed and offices will be individually owned and range from 12,000 to 15,000 sq. ft. Mr. Woolery noted that there are 42 parking spaces in Gladstone which meets Gladstone's code requirements however they will provide some additional parking spaces in the Kansas City portion of the project. Space is sold primarily to professionals such as Doctors, Dentists and Attorneys.

Mr. Bussinger moved to approve the building plans for Northwood Development Corporation, 5700 N Broadway as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Mr. Achen clarified that this action tonight does not approve platting of the ground which still needs to be done with customary Planning Commission review before proceeding to the Council. The developers agreed that the property will be platted.

c. Class C Package Liquor License, Gene's Party Shop, Inc.  
6313 N Prospect. Applicant: Eugene O. Jamison

Mr. Eugene Jamison was present to request this application and acknowledged that he was aware that the previous operators (Northland Party Shop 2) had problems with liquor violation of selling to minors. Mr. Jamison noted that they have operated a store in Liberty for three years as well as a store in Independence and they generally employ older clerks and have no record of liquor violations.

Mr. Achen noted that the Public Safety Department has conducted the customary reviews of the applicant and finds no record of violations and therefore recommends issuance of the license.

Mr. Bussinger moved to approve the Class C Liquor License for Gene's Party Shop, 6313 N Prospect. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

d. Class C Package Liquor License, Cascone's North Oak Liquors & Deli,  
7400 N Oak. Applicant: Lawrence J. Cascone

Mr. Lawrence J. Cascone advised that they propose to operate the former Substation's and Aardvark facility as a package liquor store and deli and would also package Italian specialties from their restaurant such as lasagna to go. Additional parking to the north will be worked out with either their landlord or the owner of the parking lot.

Council noted that no additional Class C license is available however Item 9 on the Agenda would provide for an increase in the number of liquor licenses.

Mr. Bussinger moved to approve the Class C liquor license for Cascone's, 7400 N. Oak provided a license is available following action on Bill No.83-10. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 5 on the Agenda:

PUBLIC HEARING: Request to rezone 6220 N Oak.

Mayor Pro Tem Fairlie announced that applicant Gerald Barr has formally requested withdrawal of his rezoning application on this property thus the public hearing is cancelled and the item withdrawn from the agenda.

Item 6 on the Agenda:

Communications from the Audience.

Ann Shannon, 1604 NE 65th Terrace, expressed concern for the number of liquor licenses authorized in the city and asked how the number is arrived at. In her opinion we are getting too many establishments.

Mr. Fairlie and Mr. Bussinger explained that the original ordinance provided for a limitation of five licenses with the addition of one license for every five thousand increase in population of the city above the base figure of 20,000 population. That ordinance has since been amended and the current limitation is 7 licenses for package sales and can be amended by the City Council.

Mr. Bussinger said his approach was that of free enterprise and pointed out that each application is reviewed on its own merit.

Mrs. Shannon also inquired about the status of the N Troost reconstruction project, she has not seen any activity although we have had good weather.

Mr. Fairlie pointed out that the contractor is still within the allotted construction days and although we have experienced some good weather of late the asphalt plants are not working yet.

\* \* \*

Mr. Gary Lilly, 6219 N Grand provided pictures and discussed with Council problems he is experiencing in attempting to comply with the City Engineer's request to relocate the water line serving his residence.

Mr. Achen explained that the primary issue was whether the service line should be disconnected and deadened at the main or at some distant point. The Engineer's perspective is that if we do it at some distant point the city then assumes responsibility for that service line that lies presently charged. If the service line is disturbed it would result in a main break.

Mr. Lilly stated that to comply with the City's request would involve digging up Mrs. Webster's driveway across the street and replacing the drive. The drive would not match and he could not assure the driveway would not crack and he anticipates \$1,000 in expense.

Mr. Achen again pointed out that it was an issue of whether the City wanted to assume the liability for future expense if there is a break in the service line. Council agreed that we are not assuming a liability that we have not already had and directed that Mr. Lilly be allowed to replace the water service connection and disconnect at the meter. Council complimented Mr. Lilly on the restoration he has undertaken on this property.

Mr. Rick Huff, owner of Aardvark Liquor and Deli, 7507 N Oak, addressed the Council on the subject of liquor licenses and noted that on N Oak at the present time there are 13 establishments holding liquor licenses of one class or another. He believes we have reached the saturation point. He asked that Council take hard look at this question. He pointed out that the initial investment for a liquor store is very high and that the liquor industry is a controlled industry and they must go through many steps and are subject to not only city but state, county and federal regulations as well. Both as a proprietor and a person in the community he would not like to see a liquor store on every corner. The present establishments deserve some consideration.

Mr. Karns suggested that the marketplace would take care of how many establishments the community can support. Mr. Fairlie recalled that at the time Aardvark was seeking a liquor license, none were available and the number of licenses had to be increased to accommodate their establishment.

Mr. Huff stated that it was not just the competition another license would bring about personally, but the Council should consider what is best for the community.

Mr. Karns pointed out that as a realtor he would like to limit the competition in his field but had been unsuccessful in doing so.

\* \* \*

Mr. R. Dean Gromer said he wants the audience to be aware that the sales to minors that had resulted in closing of 13 establishments some months back was due to the Gladstone Public Safety Department's sending a minor around to make the purchases. He asked if this was not entrapment.

Mr. Fairlie said it is his understanding that activity did occur although he does not have all the facts.

Mr. Bussinger said he would tend to agree with Mr. Gromer that it was entrapment and that he had told the Department how he felt. He stated that while he understands Mr. Huff's concerns the market will control the number of licenses for package liquor sales.

Item 7 on the Agenda:

There were no communications from the City Council.

Item 8 on the Agenda:

Communications from the City Manager.

Mr. Achen requested the addition of Resolution No. R-83-12, dealing with a settlement of a lawsuit regarding D.W. Newcomers and Sons and Bill No. 83-13, required signed complaints with regard to weed ordinance violations.

Item 9 on the Agenda:

Second Reading: Bill NO. 83-10, an ordinance amending Section 3-25(c) of the City Code by increasing the number of license permits for the sale of package liquor from seven to eight.

Mr. Bussinger moved to accept the first reading of Bill No. 83-10 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)  
The Clerk read the Bill.

Mr. Whitton commented that in some ways he agrees with Mr. Huff but also echoes Mr. Bussinger's comments and questions whether as a Council they should look into a limitation. Mr. Karns again indicated that in his opinion the market place will determine how many liquor establishments the community can support.

Mr. Bussinger said that increasing the number of licenses is the prerogative of the Council and Councils change over the years so all we can do is review each application as it is made because future Council's may have a different view of the subject.

Mr. Whitton moved to accept the second reading of Bill No. 83-10, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)  
The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 83-10 and enact said bill as Ordinance No. 2.471. Mr. Whitton seconded. The vote: "Aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 10 on the Agenda:      First Reading: Bill No. 83-12, an ordinance  
authorizing acceptance of standard sewer easements from Larry R. and Judy M. Mitchell, 1107 NE 75th Terrace and Paul and Margaret Mancuso, 2226 NE 73rd Street.

Mr. Whitton moved to place bill No. 83-12 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie.  
The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-12, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-12, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-12 and enact said bill as Ordinance No. 2.472. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 10a on the Agenda: First Reading: Bill No. 83-13, an ordinance amending Chapter 31 of the City Code by the addition of a provision requiring written citizen complaints regarding weeds or other rank vegetation. (Complainant must be identified).

Mr. Whitton moved to place Bill No. 83-13 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. The Clerk read the Bill.

Item 11 on the Agenda: Mr. Whitton moved to adopt Resolution NO. R-83-9, authorizing appropriation of \$1,500 from the General Fund Contingency for contribution to the Clay County Investigative Squad. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie.

Mr. Whitton pointed out that much of the work of the investigative squad is in the field of drugs and burglaries and he is very supportive of their efforts.

Item 12 on the Agenda: Mr. Whitton moved to adopt Resolution NO. R-83-10, authorizing Change Order No. 4 in the amount of \$684.18 and Change Order No. 5 in the amount of \$2,340.00 for a grand total contract amount of \$629,212.86 for the E.H. Hall North Troost reconstruction contract. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)

Item 12-a on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-12, authorizing the City Manager and the City Counselor to consent to the entry of a judgement against the City in connection with zoning litigation. (White Chapel Cemetery, 6600 N Antioch Road). Mr. Karns seconded.

Council noted that Memorial Heritage Inc. will pay the City the sum of \$2,000.00 as a contribution for the construction of sidewalks within the City and the City Manager is authorized to issue a building permit for the purpose of erecting a 176 crypt mausoleum on the White Chapel Memorial Gardens.

Mr. Bussinger requested that the Manager recommend locations where sidewalks are needed as soon as possible.

The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. (4-0)



Item 13 on the Agenda:

Other Business.

Mr. Bussinger suggested the Council review the Sign Ordinance at a future study session noting that more and more applicants for building permits are having problems with restrictions in our sign ordinance.

Mr. Bussinger also moved that the City Clerk be directed to read the Resolutions aloud rather than a Council member; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. Mr. Fairlie noted that there may be times when a particular Council member is sponsoring a resolution or a bill and may desire to read it himself.

Mr. Fairlie also requested that the Council consider adoption of a "Consent Agenda" to streamline Council meetings. and requested Mr. Achen and the City Counselor to confer on the matter.

Mr. Whitton echoed Mr. Bussinger's comments that there is a need to review the Sign Ordinance. He feels it is too strict and feels it was pushed through without sufficient deliberation. Business is having a tough time already without further restraints.

Mr. Karns clarified that he is not an advocate of 25 liquor stores but he is concerned with the number of businesses closing. We have an income problem and we need to work at attracting business. Anyone who is prepared to make a sizable investment in our community should be given the opportunity.

Mr. Fairlie noted he had received calls expressing concern for the closing of the TGY store in Gladstone Plaza Shopping Center. He does not know what the Council can do. He noted that Mayor Ashcroft had called the corporate offices of TGY to confirm rumors that they might be closing and was told they were unfounded. Shortly thereafter the newspaper announced the closing. Mr. Fairlie said this disappoints him.

Mr. Bussinger suggested that the City create activity to sell and promote ourselves and will vote for funds for that purpose.

Mr. Karns agreed and noted that in addition to TGY, the Farmland Building next door is for sale and the Racquetball Club will be closing. We need to sell the fact that we can issue Industrial Revenue Bonds.

Mr. Achen noted that while we do not have any real expertise on our staff as far as economic development promotion he will develop some options for the Council to review.

Mayor Pro Tem Fairlie announced a worksession for Monday, March 14 following the formal Council meeting.

Item 14 on the Agenda:      Questions from the News Media.  
Mr. George McCuiston requested clarification of the \$2,000 settlement from White Chapel Cemetery. Mr. Fairlie and Mr. Dods agreed to provide information following the meeting.

There being no further business to come before the February 28, 1983 meeting of the Gladstone City Council, Mayor Pro Tem Fairlie adjourned the meeting at 9:50 PM.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: ✓

Approved as corrected/  
amended:         

Bob Astor  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 14, 1983

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of February 28, 1983 City Council Meeting.
4. PROCLAMATION: Designating March 13-19 as "KELLY WEEK".
5. APPROVAL OF PRELIMINARY PLAT: "ENGLEWOOD PLAZA FIRST PLAT"  
Englewood & N Broadway. Applicant/Owner: Northwood  
Development Company, Inc. Bob Gingrich, President
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. SECOND READING: BILL NO. 83-13, an ordinance  
amending the Weed Control Ordinance by the addition  
of a provision requiring citizens complaints  
regarding violations of such ordinance be in writing  
and identify the complainant.
10. FIRST READING: BILL NO. 83-14, requiring the City  
Collector to prepare a Land and Lot Delinquent List  
of all delinquent taxes and special sewer assessments.
11. ACCEPTANCE OF FINANCIAL REPORTS: Interim Report for  
month of February, 1983.
12. OTHER BUSINESS
13. QUESTIONS FROM THE NEWS MEDIA
14. ADJOURNMENT

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

March 14, 1983

The March 14, 1983, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft in the Council Chambers of the Gladstone City Hall at 7:30 PM. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, Bob Fairlie, City Manager Mark Achen and the City Clerk.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:            Acceptance of Minutes.

Mr. Whitton moved to accept the minutes of the February 28, 1983 City Council Meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie. "Pass" - Ashcroft. (4-1)

Item 4 on the Aгенad:            Proclamation.

Mayor Ashcroft read a proclamation designating the period March 13-19 as "KELLY WEEK" in the city of Gladstone in honor of all Kelly Services employees in the city. He noted that the companies hold similar celebrations nationwide.

Item 5 on the Agenda:            Approval of Preliminary Plat of ENGLEWOOD PLAZA FIRST PLAT, Englewood & N. Broadway. Applicant/Owner: Northwood Development Company, Inc. Bob Gingrich, President.

Council reviewed the plat noting the Planning Commission had been satisfied as to drainage plans and recommended approval with a 9-1 vote. No further discussion was held whereupon Mr. Bussinger moved to approve the preliminary plat of Englewood Plaza First Plat as submitted; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 6 on the Agenda:            Communications from the Audience.

Mr. Spencer Miller, 3617 Wild Plum Lane (Brooktree) addressed the Council as spokesman for residents on his street present in the audience. He pointed out that Kansas City Power and Light has advised Wild Plum Lane residents that it will be necessary to relocate power distribution lines now to the rear of their property along the creek to the front due to the potential danger of the exposed lines. This problem was brought to light at the recent Planning Commission's subcommittee on drainage hearings. Since that time KCPL has made some temporary arrangements and placed some of those lines in a plastic conduit.

Residents do not want the utility boxes in their front yards. Mr. Miller noted that the transformer was scheduled for placement in his yard. They have met with Mr. Jerry Custead, Kansas City Power & Light, as well as other company representatives and although all parties are cooperative, residents have until June 1st to grant easements for placement of the lines in their front yards or they will be without power. Mr. Miller stated that homeowners are interested in a permanent solution and believe KCPL's proposal is treating the symptom not the cause. While they realize Gladstone can not put all their attention to needs of the Brooktree area because drainage problems exist in other parts of the city, they would ask that Council have a qualified engineer come out on this problem. 15-20 feet of the wire is exposed at the present time.

Mr. Miller noted that Kansas City Power & Light has pledged to contribute the amount of money that would be expended in moving the lines to the front of the residences (estimated at \$9,000) for an alternative solution.

Mr. Karns asked what suggestions residents had to the solution.

Mr. Miller reiterated that they were not engineers and had no idea of the expenses involved but had thought that perhaps rock-ing-in or placement of poles would stop erosion; similar to what had been done on North Broadway might work. He advised that KCPL needs assurance from a qualified engineer that whatever steps are taken will solve the problem.

Mr. Ashcroft agreed that the request was reasonable and agreed to engage a qualified engineer. He acknowledged Mr. Miller's request for response within two weeks.

Council asked Mr. Jerry Custead, KCPL North Area Manager, if lines were originally placed deep enough. Mr. Custead said that they were placed 30 inches which was sufficient depth. Mr. Custead discussed how the course of the creek had changed and the fact that at present erosion has cut down 15 to 20 ft. This is a very serious matter and he is most concerned.

Mr. Bill Lott, 2500 NE 60th Street, expressed concern that voters using Meadowbrook School are required to walk some distance because teachers use the front parking lot. He and his wife trudged through snow to vote in the February election. He asked if the City could communicate to the school and request parking be designated for the convenience of voters on election days.

Mr. Ashcroft pointed out that polling place arrangements are made by the Clay County Election Board but that the City would communicate this problem to them to see if something could be worked out.

Mr. Lott also recommended that left turn lanes be designated on Antioch Road citing the hazards of left-hand turns on the street. In addition Mr. Lott requested that 60th Street, 59th Terrace, Olive and Park be finish coated. These streets were curbed and guttered under the Special Street Improvement Districts in 1979 but cracks are evident across the pavement on all the streets. Mayor Ashcroft agreed to have staff look into these problems.

Mr. Bob Jenkins, 3601 Wild Plum Lane, noted that his house is closest to erosion on Rock Creek channel and urged a temporary solution for a 10-15 foot section that needs to be stabilized. He is not in favor of relocation of the lines to the front of the property.

Item 7 on the Agenda:                      Communications from the City Council.

Mr. Bussinger suggested that Council as a body inspect the Wild Plum power line/erosion problem with the engineer. These problems are not going to go away and something must be done.

Mr. Karns suggested that in lieu of another \$60,000 drainage study, that amount should be used to correct the drainage problems. Mr. Whitton agreed noting that there has not been that many changes since the 1977 drainage study.

Mr. Whitton asked when the Shady Lane/Antioch Road traffic signal was to be installed. Mr. Achen responded that he believes the State Highway Department expects to let bids in April. Mr. Whitton also suggested possibility of sidewalk construction on Shady Lane from Wabash east on the south side. Mr. Achen agreed to have staff review and estimate cost.

Mr. Whitton asked about resurfacing of North Park in Northhaven East. Mr. Achen advised that the street was scheduled for the 1984 summer street maintenance program. It is estimated that cost to redo the entire street will be \$25,000. The actual cause of the deterioration so soon is unknown however staff has theorized that perhaps unusual sanitary sewer construction and settlement may have contributed to the cracking. Staff has checked out the construction and finds that the street was built within acceptable City standards. Mr. Achen noted that doing only some sections of the street was discussed but we would have problems in tapering in with the existing street.

Mr. Bussinger stated that while he understands the residents concerns he would favor spending the \$25,000 on drainage and put off repairs to North Park at present.

Mr. Whitton agreed that the street was not more important than drainage problems.

Mr. Fairlie asked what engineering firm would be selected to review the Brooktree power line problem. Mr. Achen advised that he would make his first contact with Ron Talcott of Tuttle, Ayers due to their familiarity with the area drainage problems in that area.

Item 8 on the Agenda: There were no communications from the City Manager.

Item 9 on the Agenda: Second Reading: Bill No. 83-13, an ordinance amending the Weed Control Ordinance by the addition of a provision requiring violations of such ordinance be in writing and identify the complainant.

Mr. Whitton moved to accept the first reading of Bill NO. 83-13, and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Council inquired if the Bill was to be amended to require signed complaints for all general nuisance complaints. Mr. Achen advised that the Counselor's office is reviewing the matter and will draft additional bills as required since Bill No. 83-13 only deals with weed abatement.

The Clerk read the Bill.

Item 10 on the Agenda: First Reading: Bill No. 83-14, requiring the City Collector to prepare a Land and Lot Delinquent List of all delinquent taxes and special sewer assessments.

Mr. Achen noted this is the first step in the annual delinquency process and pointed out that Gladstone does have an excellent record of collections.

Mr. Whitton moved to place Bill No. 83-13 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-14, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-14, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton, Karns, Bussinger, Fairlie, Ashcroft. All "aye" - (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-14 and enact said bill as Ordinance No. 2.473. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Fairlie, Ashcroft. (5-0)

Item 11 on the Agenda:      Acceptance of Financial Report.

Mr. Whitton moved to accept the Interim Report for the month of February, 1983 as submitted. Mr. Karns seconded. The vote: All "aye" (5-0)

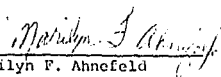
Mr. Karns inquired about the increase in interest earnings over 1982. Mr. Achen responded that was due to the fact that there were more idle funds to invest but would provide a report on the comparisons of the two years.

Mr. Karns noted that the sale of fixed assets was up. Mr. Achen noted that was due to the unbudgeted sale of the paving machine. The category also includes the sale of police vehicles.

Mr. Karns asked Mr. Achen if he had pursued his question on whether Kansas City had an interest in providing Gladstone water. Mr. Achen said that he had discussed it and there is an interest, however he has no further information at this time. Mr. Achen noted that this was discussed with Kansas City previously and it was his understanding that at the time Kansas City was interested in providing constant service but not peak service.

There being no further business to come before the March 14, 1983 meeting of the Gladstone City Council, Mayor Pro Tem Fairlie adjourned the meeting.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: \_\_\_\_\_

Approved as corrected/  
amended:   X  

  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 28, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance to the Flag
3. Acceptance of Minutes of March 14, 1983, City Council Meeting
4. PROCLAMATION: Designating Wednesday, March 30, 1983, as "DOCTOR'S DAY" in the city of Gladstone. Requested by the Clay/Platte Medical Society Auxiliary.
5. PRESENTATION OF SERVICE AWARDS  
Bernie Jezak, Park Board, January 1980 - December 1982  
Dean McCammon, Park Board, January 1980 - November 1982  
Earl Sawyer, Planning Commission, January 1979 - January 1983  
Frank Palermo, Planning Commission, February 1982 - January 1983
6. APPROVALS
  - a. Site Plan and Building Plans - Dakota Bake & Serve  
Brooktree Lane & Kendallwood Parkway  
Applicant: Kirk Bond, Woodlands Development Co.
  - b. Remodelling Plans - Spaulding Racquetball Club, 2707  
Brooktree Lane. Applicant: Steve Boswell  
Owner: Marshall Hitchcock
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. THIRD READING: BILL NO. 83-13, an ordinance amending the Weed Control Ordinance by the addition of a provision requiring citizens complaints regarding violations of such ordinance be in writing and identify the complainant.
11. Other Business
12. Questions from the News Media
13. Adjournment

Add-on

- 10-a. FIRST READING: BILL NO. 83-15, amending Section 32-6 of the City Code being the Zoning Ordinance to provide for at least 15 days published notice for public hearings before City Council and Planning Commission.
- 10.b. Resolution No. R-83-13, establishing regulations for outdoor sale and display of seasonable produce, such as Christmas Trees, Halloween pumpkins, garden flowers and plants.
- 10.c. Resolution No. R-83-14, appropriating \$5,300 from the G. Fund Contingency for engineering services re: roadway repair at 4800 N Broadway (Salt Rock Road)

*Minute Book*

## M I N U T E S

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

March 28, 1983

The March 28, 1983, meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft in the Council Chambers of the Gladstone City Hall at 7:30 PM. In addition to the Mayor those in attendance were: Councilmembers Larry Whitton, Ken Karns, Bob Fairlie, City Manager Mark Achen, City Counselor John Dods and the City Clerk. Councilman Lee Bussinger was absent from the meeting.

Item 2 on the Agenda: Scout Frank Scholl led the Pledge of Allegiance to the Flag in which all joined. Mayor Ashcroft welcomed Scouts from Troop 272, sponsored by the Linden Baptist Church who were in attendance as a Communications Merit Badge requirement.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Whitton moved to accept the minutes of the March 14, 1983 City Council Meeting as submitted. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 4 on the Agenda: Proclamation.

Mayor Ashcroft read a proclamation designating Wednesday, March 30, 1983, as "DOCTORS DAY" in the City of Gladstone as requested by the Clay/Platte Medical Society Auxiliary.

Item 5 on the Agenda: Presentation of Service Awards to former City Advisory Board members

Mayor Ashcroft presented appreciation plaques to former Planning Commissioners Earl Sawyer (January 1979 - January 1983) and Frank Palermo (February 1982 - January 1983) for their service to the residents of Gladstone.

Bernie Jezak (Park Board, January 1980 - December 1982) and Dean McCammon (Park Board, January 1980 - November 1982) were unable to attend the meeting and their awards will be forwarded to them with the appreciation of the City Council.

Item 6 on the Agenda:

- a. Site and Building Plans  
Dakota Bake & Serve  
Brooktree Lane & Kendallwood  
Applicant: Kirk Bond, Woodlands Develop.

Mr. Kirk Bond was present to review plans for the proposed two-story 14,000 sq. ft. office building. One floor serves as corporate headquarters for Dakota Bake and Serve who will employ 25-30 persons and office space on the second floor will be leased.

Mr. Whitton noted that the Engineering Staff Report notes that the 35' greenway buffer between commercial and residential property is not shown.

Mr. Achen advised that the intent of the buffer zone was met but not perhaps the letter of the law. Applicant agree to construction of sidewalks along Brooktree Lane.

Mr. Karns asked what affect this project will have on water problems downstream.

Mr. Achen responded that the staff is comfortable that plans submitted are reasonable in terms of storm drainage and that the project will not contribute to further drainage problems downstream. It is such a small amount of land that the only option he sees is to prohibit development of it.

Mr. Karns pointed out that past Councils have encouraged such projects as Brooktree and let it be platted. The Brooktree Homeowners Association at the time of platting indicated they wanted to take care of the creek and then all those people seem to forget 8-10 years later and come to the Council with the problem and now it's a "City" problem. Before he votes for the application before us tonight we should at least know if the project will help, hurt or stay the same (Brooktree).

Mr. Achen stated that virtually a third of the City of Gladstone is in a storm drainageway. The problem exists and he does not have a recommendation that this one property owner or any one of those property owners will be able to solve the problem for us. It will require a major city project or a project that involves property that far exceeds this property in question to adequately protect all the property.

Mr. Whitton noted that there will be more water runoff from the asphalt and questioned what is planned to hold the water there longer.

Mr. Bond advised that the Curry Company contributed a 15 acre detention basin to the City that helps the entire flood basin. The basin represented 25% of the Woodlands property.

Mr. Mike Mead stressed that this project does not contribute to the flooding problems in Brooktree. The flooding in Brooktree comes from the north. Water that falls on that whole watershed (Woodlands and south of the Woodlands) is long gone before the flooding ever occurs.

City Council Meeting Minutes  
March 28, 1983  
Page Three

Mr. Whitton noted that Brooktree residents feel that everything built up hill contributes to their problems.

Mr. Mead again noted that the water that falls in the area of this site plan, even under the worst conditions such as last August, is long down stream by 30 minutes before any of the water from up north arrives. That was the whole reason for providing the detention basin before the Woodlands was ever developed.

Mr. Achen pointed out that the philosophy used by the City Engineer's staff in terms of reviewing this application has been that on properties that are closer to the outfall point, it is more beneficial to have that water run off quicker and escape the system than to retain it on site and then meter it out at a time when it enters the drainage channel when the peak flow from the upstream drainage is occurring. Assuming that if the water were retained on site for some period of time that it would exasperate the drainage problem rather than be beneficial to the problem. The City has not made a study to be able to absolutely assure you that is the case.

Mr. Karns asked if Mr. Achen would not recommend such a study.

Mr. Achen responded that he feels confident that the principles involved in terms of time of concentration of the storm are fairly important in the design of the storm drainage facilities. It seems to him to make good common sense. He cannot assure the Council that any council action taken in the past year has not exasperated the drainage problems in the city. It is the Council's prerogative to require a study whether at City or developer expense.

Mr. Whitton remarked to Planning Commission Dick Davis that Mr. Davis had been Mayor at the time of the Brooktree plat approval and asked his comments on the affect of the building under consideration on the Brooktree drainage problems.

Mr. Davis advised that the Planning Commission had agreed with staff, who he thinks is quite capable, that this particular development would have a negligible impact on flood problems in Brooktree.

Mr. Davis went on to comment that when the Brooktree plat was approved the City did not have the benefit of good data like the present Council has. About 1975 the Corps of Engineers got around to delineating the 100 year flood plain this city. In 1972, we did not even know the boundaries of the 100 year flood plain which meant that his Council and preceding Councils had to work with an absolute absence of good data regarding flood problems. The reason that you have a recommendation to spend \$60,000 on a study to do something about flood control is so that you won't repeat the mistakes of the 1972 Council and that is that you will not ignore flood problems because of an absence of data.

City Council Meeting Minutes  
March 28, 1983  
Page Four

Mr. Davis suggested that Council has inadequate information presently for the kinds of decisions needed for sound flood control projects in this city. The developers represented here today (Woodlands) have participated in the only investment that he knows of that has attempted to do anything at all on storm drainage problems.

Mr. Karns pointed out that it is easy to say "you guys (Council) do something" but questioned where we are going to get the money.

Mr. Davis pointed out that citizens have shown repeatedly support for passing bond programs and suggests that this Council do the same thing. In his opinion the Council is going very slowly on capital improvements -- we have the resources, now it is time to get in gear.

Mr. Whitton asked if Mr. Bond would be willing to spend the money for a study to determine the affect of this project on Brooktree drainage.

Mr. Bond commented that surely the amount of money that was originally spent by the Curry Co. on the original studies and the detention basin is their fair share.

Mr. Whitton commented that we owe it to the people downstream to be able to assure them that it is not going to contribute that much more to their problem. He wants proof. He is tired of spending money on studies and feels those done thus far have been inadequate and incomplete. He stressed that he is not against this project, loves business in the City and likes to see new employment. He suggests postponing this item.

Mr. Bond pointed out that Tuttle Ayers had done a study of what the flood plain looked like on this 60,000 sq. ft. before they went to the Planning Commission over a month ago and as far as postponing this item they are committed to a turnkey building by August 1.

Mr. Ashcroft commented that one of the points raised at a recent meeting with the business community was that Gladstone had a reputation as a difficult city to rezone property and start a business. It was the consensus that we ought to try to encourage business rather than discourage it. He supports the comments made tonight that the water from this project will be long gone before the rest of the water shed gets there and he does not see that detention of water on this location would alleviate problems but would rather add to the problem. He is personally in favor of this project and would like to see it get underway as soon as possible.

Mr. Karns asked that he not be misunderstood. He is not against the project but thinks they owe it to the Brooktree people to look at the flood issue before we just rush through building plans.

City Council Meeting Minutes  
March 28, 1983  
Page Five

Mr. Fairlie commenting on previous storm drainage studies said he believed they were well done. The only problem was that we developed the lower detention basin first when we should have considered those upstream first. We have probably sat on those studies longer than we should have. There has been sales tax monies that was not put into storm drainage. There has been an attitude of let's defer, let's wait because we don't know what the economic situation will be. As indicated earlier, the water from this development will be long gone before the peak flow hits Brooktree. He feels strongly we need to move on this project tonight and will be voting in favor of it.

Mr. Fairlie moved to approve the site plans and building plans for Dakota Bake & Serve, Brooktree Lane & Kendallwood Parkway as submitted with Brooktree Lane sidewalks required as noted on the staff report; Mr. Whitton seconded. THE VOTE: "AYE" - WHITTON, FAIRLIE, ASHCROFT. "NO" - KARNS. (3-1)

Item 6b on the Agenda:

Remodelling Plans - Spaulding Racquetball Club 2707 Brooktree Lane. Applicant: Steve Boswell. Owner: Marshall Hitchcock

Steve Boswell, 3509 NE 67th Street, explained that one court will be removed from the present 12 court facility to provide area for dancercise and aerobics. The remodelling valued at \$3,500 consists of removal of a support wall and spanning with beams. Curbing on the parking lot and sidewalks are agreed to.

Mr. Fairlie moved to approve the building plans for Spaulding Racquetball Club, 2707 Brooktree Lane as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 7 on the Agenda:

Communications from the Audience.

Mrs. Susan Rose, 7608 N Easy, owner of Fantasy Land Roller Rink, 70th & N Broadway, commended the Council on the 72nd Street and N Oak sidewalk construction programs. She noted that she is here to appeal to Council to complete sidewalks on N Broadway at 70th to serve the roller rink and miniature golf course presently under construction at that location. The walks will benefit the community as well as the property owners.

Mrs. Rose commenting on previous discussions on water retention noted that several years ago she and her husband spent lots of money to put in a detention basin and she believes they are the only residential subdivision in town to have such a facility.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Karns asked if there was any legal problem in the City constructing the sidewalks Mrs. Rose requests and questioned why they were not put in when N Broadway was improved and walks constructed on the east side. Mr. Achen advised there is no legal problem only the expense. He explained that when N Broadway was improved it was decided not to put sidewalks on the west side where there was no development since sidewalk construction would be the responsibility of the developer when development of the property occurred. There was a piece of property on the east side where sidewalks were constructed because it was determined that the property was unlikely to be developed for a long period of time. The Post Office paid for construction of their sidewalks when the facility was constructed.

Mr. Karns asked that cost estimate for this sidewalk be obtained.

Mayor Ashcroft questioned why the City did not require sidewalk construction at the time of issuance of the building permit for the golf course. Mrs. Rose reminded Mr. Ashcroft that Council waived the requirement for the golf course as well as property in the Gladstone Shopping Center the same evening following much controversy over the requirement. Mayor Ashcroft said he remembered the evening and acknowledged that Council would discuss Mrs. Rose's request. Mr. Whitton said he will still like to consider sidewalk construction in the area of Antioch Junior High School and also press for installation of traffic lights at Shady Lane & Antioch Road.

Mr. Fairlie urged voted approval of the four propositions dealing with fees and charges on the April 5, 1983 ballot.

Item 9 on the Agenda:

Communications from the City Manager.

Mr. Achen requested the addition of Bill No. 83-15 and Resolutions 83-13 and 83-14 to the agenda. Mayor Ashcroft designated the additions as agenda items 10-a, 10-b and 10-c.

Item 10 on the Agenda:

Third Reading: Bill No. 83-13, an ordinance amending the Weed Control Ordinance by the addition of a provision requiring citizens complaints regarding violations of such ordinance be in writing and identify the complainant.

Mr. Whitton moved To table this item until a full Council was present; Mr. Karns. seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

City Council Meeting Minutes  
March 28, 1983  
Page Seven

Item 10-a on the Agenda: First Reading: Bill No. 83-15, amending Ordinance No. 2,292, Section 32-6 to provide for at least fifteen (15) days published notice for public hearings before the Planning Commission and City Council on applications for amendments, revisions or changes in the Zoning District Map of the City.

Mr. Whitton moved to place Bill NO. 83-15 on first reading: Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Achen pointed out that this amendment will bring the City's zoning codes into compliance with state statutes but that it will add approximately two-three weeks to the overall processing time for rezoning applications.

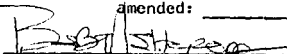
Item 10b on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-13, establishing regulations for outdoor sale and display of seasonal produce, such as Christmas trees, Halloween pumpkins, garden and flower plants. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft. (4-0)

Item 10-c on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-14, authorizing appropriation of \$5,300 from the General Fund Contingency Account for Engineering Services in connection with Emergency Roadway repairs at 4800 N Broadway. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft.

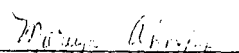
There being no further business to come before the March 28, 1983 meeting of the Gladstone City Council, Mayor Ashcroft adjourned the meeting.

Approved as submitted: 

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

  
MAYOR

Respectfully submitted:

  
Marilyn Ahnefeld, City Clerk



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 11, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of March 28, 1983 City Council Meeting Minutes
4. FIRST READING: BILL NO. 83-16, an ordinance declaring the results of the April 5, 1983 Special and Councilmanic Elections.
5. OATH OF OFFICE - COUNCILMAN-ELECT BOB ASHCROFT
6. ELECTION OF MAYOR AND OATH OF OFFICE
7. ELECTION OF MAYOR PRO-TEM

\* \* \* RECESS - LOBBY RECEPTION \* \* \*

8. PUBLIC HEARING: Request to rezone from C-1, Local Business District to CP-2, Planned General Business District, property described as 304 NE 74th Terrace. Applicant/Owner: Lee Bussinger
9. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property described as 6707 N Oak. Applicant: Berbiglia, Inc. Owners: Gary C. & Cynthia Clifton, M. Joyce Shouse, and Maynard & Ella Mae Binkley
10. Communications from the Audience
11. Communications from the City Council
12. Communications from the City Manager
13. THIRD READING: Tabled BILL NO. 83-13, an ordinance amending the Weed Control Ordinance by the addition of a provision requiring citizens complaints regarding violations of such ordinance be in writing and identify the complainant.
14. SECOND READING: BILL NO. 83-15, amending Section 32-6 of Ordinance No. 2.292 to provide for at least fifteen days published notice for hearings before the Planning Commission and City Council on amendments, revisions or changes in the Zoning District Map of the city.
15. RESOLUTION NO. R-83-15, urging the Missouri Highway Department to resume the M-1 Highway project and committing the City to participation in right-of-way funding.
16. Approval of Interim Financial Report for March, 1983.
17. Other Business
18. Questions from the News Media
19. Adjournment.

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 11, 1983

The April 11, 1983 meeting of the Gladstone City Council was called to order by Mayor Robert Ashcroft in the Council Chambers of the Gladstone City Hall at 7:30 PM. In addition to the Mayor those in attendance were: Councilmembers Larry Whitton, Ken Karns, Lee Bussinger, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk. Councilman Bob Fairlie was absent from the meeting.

Item 2 on the Agenda: Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to accept the minutes of the March 28, 1983, City Council Meeting as submitted; Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Ashcroft. "Pass" Bussinger. (3-1)

Item 3-a on the Agenda: Mayor Ashcroft read a Proclamation designating the month of April as "FAIR HOUSING MONTH" in the City of Gladstone, Missouri.

Item 4 on the Agenda: First Reading: Bill No. 83-16, an ordinance declaring the results of the April 5, 1983 Special and City Councilmanic Elections in the City of Gladstone as specified by the Clay County Board of Election Commissioners. Based on election results Candidate Bob Ashcroft is elected to serve a three year term on the City Council and the Schedule of Licenses, Fees and Charges as set out in Exhibit A of Ordinance No. 2.468 are now effective with approval of Propositions 1, 2, 3 and 4 by a majority of the voters.

Mr. Whitton moved to place Bill No. 83-16 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-16, waive the appropriate paragraph of Ordinance No. 1,83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-16, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-16 and enact said bill as Ordinance No. 2.474. Mr. Karns seconded. The vote: Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 5 on the Agenda: City Clerk Marilyn Ahnefeld administered the OATH OF OFFICE to Councilman-elect Bob Ashcroft for a three year term on the Gladstone City Council.

Item 6 on the Agenda: Election of Mayor and Oath of Office.

Councilman Ken Karns nominated Councilman Larry Whitton for the position of Mayor of the City of Gladstone; Mr. Whitton seconded.

Councilman Bob Ashcroft nominated Councilman Lee Bussinger for the position of Mayor of the City of Gladstone; Mr. Bussinger seconded.

Mr. Ashcroft called for a vote on the nominations:

Nomination of Councilman Whitton for Mayor: The vote: "Aye" - Whitton, Karns. "No" - Bussinger, Ashcroft. (2-2)

Nomination of Councilman Bussinger for Mayor: The vote: "Aye" - Bussinger, Ashcroft. "No" - Whitton, Karns. (2-2)

Councilman Ashcroft announced that as neither nominee received the required three votes to be elected Mayor, the election of the Mayor and Mayor Pro-Tem would be tabled until the next regular Council Meeting when a full Council would be presented. Mr. Ashcroft advised that he would continue to act as the Presiding Officer of the meeting this evening in the absence of a new Mayor.

He announced a short recess and invited all present to enjoy refreshments being served in the lobby.

\* \* \*

Mayor Ashcroft reconvened the April 11, 1983, City Council Meeting at 8:20PM.

Item 8 on the Agenda: Public Hearing: Request to rezone from C-1, Local Business District to CP-2, Planned General Business District, property described as 304 NE 74th Terrace. Applicant/Owner: Lee Bussinger

Applicant/Owner Lee Bussinger explained that his application to rezone the property from C-1 to CP-2 (Planned General Business District) is to allow them to divide this 30 x 100 building off and operate an arcade in the front (south) half and continue the laundry operation in the back half of the building. Existing zoning classification does not allow arcade operation. High utility costs have made the laundry business less profitable and prompted him to look at another use of the building.

Mr. Bussinger noted that the Planning Commission had three concerns which he addressed:

1. The double doors on the west not be used as entrance or exit to the arcade, but that the south door be used instead.
2. Something be done to the windows to diffuse the light so as not to be disturbing to the neighbors late at night.
3. An off-duty police officers be used on Friday and Saturday Nights from 10pm until closing to help control noise and loitering.

Mr. Bussinger stated that the west side door will be locked at all times; outside lighting will be redirected away from the adjacent residential properties; off-duty officer will be present on weekends whenever owners are not present.

Mr. Bussinger stressed that he is very aware of the public concern for drugs and traffic on 74th Terrace and will work to make their facility compatible with the neighborhood.

Mayor Ashcroft asked if there were other persons desiring to speak in favor of this rezoning application. Hearing none, he asked for those in opposition to address the Council.

Opposition.

Sue Kneven, 7417 N Central, asked if Mr. Bussinger would want an arcade next to his residence.

Ron Boney, 104 NE 74th Terrace, asked if there was not presently some arcade equipment in the laundromat. Mr. Bussinger acknowledged that there are several machines which he may lawfully have under the current zoning as long as the gross receipts do not exceed 20% of his business.

Gwen Brady, 7417 N Broadway, discussed problem of controlling the kids and suggested that there is enough arcade business now citing Godfathers, and arcade next to it and Bolling Alley.

Mayor Ashcroft asked that the public record show that he is hearing about the rezoning request for the first time tonight. Although Mr. Bussinger advised him that he had made application, they have not discussed Mr. Bussinger's plans for the use of the property.

Clyde Long, 202 NE 74th Terrace, inquired about the future use of the back half of the laundry. He asked if Mr. Bussinger would convert the entire building into an arcade if he still lost money on the laundry. Mr. Bussinger responded that the building is 100 ft. long and is much too large for an arcade.

Glen Underwood, 300 NE 74th Terrace, said there are problems now with the number of kids circling McDonalds (sometimes 100-150 kids) and he questions if an off-duty officer could control the kids at the arcade. He also asked if a 15' buffer zone should not apply in this instance. Mr. Bussinger explained that if the buffer does not now exist the requirement would not apply since the present buffer is "grandfathered" under the zoning ordinance.

Mr. Underwood also questioned adequate parking noting that the laundry parking lot was full on Sunday. Mr. Bussinger said that he wishes the parking lot was always full, if it was he would not need this rezoning request, but pointed out that although Sunday was a busy day it is not always full and he does not see a parking problem. Mr. Underwood noted that he has a scanner and hears calls to the arcade at 72nd & Oak frequently for problems. He asked if the Public Safety Department has record of the number of calls to that locations. Mr. Underwood submitted a petition protesting this rezoning application.

Mr. Ashcroft acknowledged the petition and advised that the petition would be reviewed, and if found that it constitutes a legal protest petition a 3/4 majority vote of the Council would be required for passage of the rezoning bill.

Nancy Johnson, 301 NE 74th Terrace, indicated that she had reviewed the City Code at the library and found that businesses next to residential areas must close at 10 PM; yet Mr. Bussinger proposes to stay open until midnight. Mr. Bussinger pointed out that the Code allows arcades to stay open until 1:30 AM and he is not aware of required closing at 10:00 pm Ms. Johnson references.

There being no further comments, Mayor Ashcroft closed the public hearing and advised that the first reading of the rezoning bill will be placed on the April 25, 1983 agenda.

Item 9 on the Agenda:      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property described as 6707 N Oak. Applicant: Berbiglia, Inc. Owners: Gary C. and Cynthia Clifton, M. Joyce Shouse, and Maynard & Ella Mae Binkley

Mayor Ashcroft opened the public hearing      explained the procedure that persons in favor of the rezoning application are invited to speak followed by those opposed.

John Rubenstein, 9225 Beverly, Overland Park, Kansas, representing Leo Eisenberg & Co. advised the application is to rezone the 29,000 sq. ft. of the Northeast corner of 67th & Oak for a retail liquor store. The proposal does not conform to the 35 ft. setback requirement but adequate egress and ingress are provided as well as good parking and landscaping.

Mr. Jack Bond, President of Berbiglia, and stepson of Mr. Berbiglia advised that the projected million dollars in business would mean approximately \$10,000 in revenue for Gladstone annually. A beautiful building is planned and a clean operation will be run. They do not cater to pint and half-pint sales and can state that they have not been closed for sales to minors in the last 15 years. Hours of operation are 9:00 AM - 10:00 PM, Employees would be hired from the Gladstone area and will wear Berbiglia's traditional black string tie. They have stores in Raytown, Lee's Summit, Blue Springs, Independence and Kansas City. They make a practice of keeping their parking lots clean and they will turn the present weeded lot into a facility that the City can be proud of and will run a quality operation.

Opposition

Mr. Homer Fitzpatrick, 404 NE 67th Place submitted a neighborhood and legal protest petition and noted that the adjacent Bolling Heights area is a family neighborhood. He noted that he is not against alcoholic beverages but that presently there are 4 package sales outlets within a .9 mile radius and 6 on N Oak; 2 package sales locations have closed in the past year, 1 moved and 1 nearly out of business. He pointed out that although the applicant states this will be a permanent facility, Berbiglia has moved north of the river a couple of times. He noted that 67th Street takes all the traffic from Bolling Heights area as well as serves as direct route to other areas to the east. It is a residential street. He objects to the 10 ft. buffer as opposed to the required 35 ft. While he realizes a zoning change will eventually take place on this property because it is destined for commercial, the present application is a detriment to the area.

Mr. Karns asked how Mr. Fitzpatrick would feel about blanket rezoning to C-1 by the City Council explaining that it had been suggested that the Council might want to consider such zoning 300 ft. in depth on certain properties on Oak and Antioch Road without any specific plan, to help market the land.

Mr. Fitzpatrick said he could not respond without knowing what was planned.

Mayor Ashcroft reminded that if that blanket zoning was done, no public hearings would be held such as we are conducting tonite and the developer could put in anything that was allowable under the C-1 zoning category.

Mr. George Booth, 406 NE 67th Street, said he thought 402 NE 67th Street was supposed to be part of Bolling Heights. Mr. Gary Clifton, part owner explained that may have been true at one time however the deed restrictions attached to the property have since lapsed. Mr. Booth commenting on the statement that Berbiglia is proud of and takes good care of their facilities presented pictures of a Berbiglia facility at 85th & Wornall Road with parking lot in a state of disrepair.

Gerald McNeal, 401 NE 67th Place, said he has three small children and feels with the increased traffic the facility will be a detriment to the safety of his children. He does not feel we need a liquor establishment at that location.

Jim Greer, 403 NE 67th Street, stated that if the law says there should be a 35 ft. buffer it should be complied with without question. 67th Place is a major residential east/west artery serving all of Bolling Heights, route to City Hall and the Swimming Pool and he objects to the increased traffic this facility would create. The adjacent residents should have a voice in what goes in there.

Edith Phipps, 407 NE 67th Place explained that she has problems getting in and out of her driveway now and that a liquor store would make it worse. She has been a resident there 17 years and does not want a liquor store on the corner of that property.

Mr. Jack Bond (Berbiglia) reviewed the pictures that had been submitted and commented that it certainly was not a typical Berbiglia store and that the particular store pictured was over 35 years old and 160 blocks south.

There being no further comments, Mayor Ashcroft closed the public hearing and advised that the first reading of the rezoning bill will be scheduled for the Monday, April 25, 1983 City Council Meeting.

Item 10 on the Agenda:

Communications from the Audience.

Robert Moore, 5809 N Flora, advised that he has been a resident since 1958 and has called since 1976 on problems of deteriorating curbing in front of his property. He has sodded but that has not kept the concrete dust out of his yard. He asked that the City look into the matter. Mr. Achen agreed to review the matter and have staff respond.

Gwen Brady, 7417 N Broadway, asked about the status of the Main Enggas lawsuit at NW 72nd and Broadway. Mayor Ashcroft advised that Council has made no decision yet. Mr. Karns explained that there is 180 ft. frontage in Gladstone and that Mr. Enggas could build in Kansas City and give Gladstone the parking lot. Ms. Brady also inquired if there are presently plans to four-lane Broadway from 72nd to north city limits. Mr. Ashcroft advised that there are no such plans at present.

Item 11 on the Agenda:

Communications from the City Council.

Mr. Bussinger commented that Mr. Underwood had intimated during the public hearing on Mr. Bussinger's rezoning that Councilmembers give special favors to fellow councilmembers -- he objects to that accusation and noted that he had tried to be a good neighbor to Mr. Underwood and had considered him a friend.

Item 12 on the Agenda:

Communications from the City Manager.

Mr. Achen advised that Resolution No. R-83-15 should be stricken from the agenda as the matter will first be handled by letter to the Missouri Highway Department and will require Council action later.

Item 13 on the Agenda:

Third Reading: Tabled Bill No. 83-13,

an ordinance amending the Weed Control Ordinance by the addition of provision requiring signed complaints.

Council voted unanimously to leave this item on the table until a full Council was present.

Item 14 on the Agenda:

Second Reading: Bill No. 83-15, amending

Section 32-6 of Ordinance 2.292 to provide for at least 15 days published notice for hearings before the Planning Commission and City Council on amendments, revisions or changes in the Zoning District Map of the city.

Mr. Achen advised that an amended Bill had been prepared by the Counselor's office with change to provide that the planning commission shall conduct a public hearing on all such applications no later than forty (40) days from the date of the filing of the application rather than the previous language of "not later than the second regular meeting from the date of filing the application".



Mr. Whitton moved to accept the first reading of Amended Bill No. 83-15, and place said bill on second reading; Mr. Karns seconded. The Vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) he Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-15 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-15 and enact said bill as Ordinance No. 2.475. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 16 on the Agenda: Mr. Karns moved to accept the Interim Financial Reports for March, 1983 as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 17 on the Agenda: Other Business.

Mr. Ashcroft asked that staff determine if <sup>old</sup> curbing is to be left on 68th & Troost and also noted that there is pavement drop-off a block west of Troost at 68th Terrace.

Mr. Whitton noted that a resident had ruined his tire in a hole on the 68th & Troost curve and had asked him if the City would compensate him for it. Mr. Achen asked that he be referred to Director of Administrative Services Jim Harlow for processing through the City's insurance carrier.

There was no further business to come before the April 11, 1983 City Council Meeting, whereupon Mayor Ashcroft adjourned the meeting.

Respectfully submitted:

Marilyn Ahnefeld  
Marilyn Ahnefeld, City Clerk

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

Lee W. Bussinger  
MAYOR

SPECIAL  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 15, 1983  
8:00 AM

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Election of Mayor and Oath of Office
4. Election of Mayor Pro-Tem
5. Other Business
6. Questions from the News Media
7. Adjournment

MINUTES

SPECIAL  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 15, 1983

The April 15, 1983, Special Meeting of the Gladstone City Council was called to order by Mayor Bob Ashcroft at 8:00 AM in the Council Chambers of the Gladstone City Hall. In addition to the Mayor, those in attendance were Councilmembers Bob Fairlie and Lee Bussinger, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk. Councilmembers Larry Whitton and Ken Karns were absent from the meeting.

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Mayor Ashcroft requested City Manager Achen to explain for the record the reason for calling this Special City Council Meeting.

Mr. Achen advised that Chapter 78.560 of the Missouri State Statutes provides that the Council shall elect its Mayor at its organizational meeting after the election. It also provides that if, within five (5) days after that organizational meeting, Council has not elected a Mayor, a Mayor shall be selected by the drawing of lots. Councilmembers Fairlie and Bussinger called a special meeting for the purpose of electing a Mayor and Mayor Pro-tem prior to the completion of five days after the organizational meeting last Monday (April 11). Legal notice was published in the Kansas City Star, press releases were issued to all the news media and a copy of the letter from Councilmembers Bussinger and Fairlie (dated April 12) was hand delivered to Councilmembers Karns, Whitton and Ashcroft on Tuesday, April 12, 1983.

Mayor Ashcroft asked that the record show that a quorum of the City Council (three members) is present this morning.

Item 3 on the Agenda: Election of Mayor and Oath of Office.

Mr. Fairlie moved to place the name of Councilmember Lee Bussinger in nomination for the position of Mayor of the City of Gladstone for the 1983-84 Council term. Mr. Ashcroft seconded the motion.

The vote: All "aye" - Fairlie, Ashcroft, Bussinger. (3-0)

City Clerk Marilyn Ahnefeld administered the Oath of Office to Mayor Lee Bussinger.

Mayor Bussinger thanked his fellow Councilmembers for their support and expressed regret that this election could not have been finalized last Monday so that this special meeting would not have been required. He said it is a privilege to once again serve as Mayor and he looks forward to the coming year. There are two important matters for the coming year that he would like to address this morning. First, the proposed bond issue that the Council has talked about in connection with the Missouri State Highway Department to widen M-1 Highway (North Prospect) at least to 72nd Street. It is important that we follow up with the State Highway Department and work together as a Council to proceed on this bond issue as soon as possible. He appointed Councilmember Fairlie to Chair this project and suggested a need to work with various groups in the City and enlist the help of the Chamber of Commerce in this regard. He would hope for an August or September Bond Election -- as soon as the City Manager and staff determine it could be held.

The other important issue we have facing the city at the present time is water and flood problems that have existed for some time. The Council is in majority agreement that these should be addressed and some temporary situations taken care of, at least for the present time -- possibly this issue can be addressed in the bond issue as well.

Mayor Bussinger also complimented City Manager Achen for his fine work in keeping our city in good financial condition. This is very important to and he is sure it will continue to be done in the future.

Mr. Bussinger further commented that there have been several motions introduced from the Council to lower franchise taxes. While he is in agreement with lowering the franchise taxes if the City can afford it, he has yet to see a study that convinces him that the franchise tax could be lowered with continuation of present level of services. He would like to make public his position on this matter because the issue has seemingly been used for political purposes rather than for the betterment of the City and he does not think it fair to the citizens to "get the carrot hung in front of them" and not be able to do anything about it.

Mayor Bussinger made the following Council Representative to to City Boards and Commissions for the coming year:

Councilman Ashcroft - Park Board and Board of Zoning Adjustment  
Councilman Fairlie - Planning Commission and Special Road District  
Mayor Bussinger - Cable Advisory and Public Safety Advisory Boards

Item 4 on the Agenda: Election of Mayor Pro-Tem.

Mr. Fairlie moved to place the name of Councilmember Bob Ashcroft in nomination for the position of Mayor Pro-Tem of the City of Gladstone for the 1983-84 Council term. Mr. Bussinger seconded.

The vote: All "aye" - Fairlie, Ashcroft, Bussinger (3-0)

Item 5 on the Agenda: Questions from the News Media.

Reporter Ken Hatfield asked Mayor Bussinger if he saw any significance to the fact that the Council has had some problems in electing the Mayor as far as the previous 2-2 vote and the fact that the balance of the Council is not present at this meeting.

Mayor Bussinger responded that the absent Councilmembers are not here today by their choice and it is their democratic right to vote for whomever they wish.

Mr. Achen explained for the record why the 8:00 AM hour was chosen for this meeting rather than perhaps a more customary hour. Council was polled in terms of their ability to meet - Mr. Fairlie was scheduled to attend a two-day Missouri Municipal League Meeting in Jefferson City, Mr. Ashcroft had conflicting meeting Thursday evening and is leaving town shortly after this meeting. 8:00 AM seemed to be the best time. Councilmembers Whitton and Karns did not indicate a conflict with the hour, however Mr. Whitton indicated he might not be in attendance.

There being no further business to come before the April 15, 1983 Special meeting of the Gladstone City Council, Mayor Bussinger adjourned the meeting at 8:20 am.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: ✓

Approved as corrected/  
amended: —


Lee W. Bussinger  
MAYOR

April 12, 1983

Gladstone City Council  
7010 N. Holmes  
Gladstone, Mo. 64118

Gentlemen:

Pursuant to Section 2-4 of the Gladstone City Code the undersigned Gladstone City Council members hereby call a Special Council Session to be held at 8 o'clock A.M. in the Council Chamber 7010 N. Holmes, Gladstone, Mo. on April 15, 1983. The sole purpose of this meeting shall be to elect a Mayor and Mayor Pro Tem for the coming 1983-84 Council term.

  
Robert J. Fairlie  
Councilman

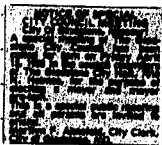
  
Lee Bussinger  
Councilman

# AFFIDAVIT OF PUBLICATION

R. W. Johannes of the City of Kansas City, Missouri, of lawful age, being duly sworn, says that he is Classified Billing Manager of THE KANSAS CITY STAR COMPANY, publishers of THE KANSAS CITY STAR and THE KANSAS CITY TIMES, a newspaper published daily in the city of Kansas City, Jackson County, Missouri, and that the Public Notice of City of Gladstone

a true copy of which is hereto attached, was duly published in the Morning & Evening editions of said newspaper for the period of Two (2) Issues commencing April 13, 19 83 and ending April 13, 19 83 on the following dates (STAR) April 13

(TIMES) April 13



the same being published in Nos. (STAR) # 177

(TIMES) # 187

of Volume { TIMES 115  
STAR 103 } of Said Newspaper

Subscribed and sworn to before me, this 20th day of April, 1983, and I certify that I was duly qualified as a Notary Public.  
My commission expires May 25, 19 85

Darlene A. Graham  
Notary Public, Jackson County, Missouri

DARLENE A. GRAHAM

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

APRIL 25, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes - April 11, 1983 and April 15, 1983 City Council Meetings
4. Consideration of Preliminary Plat - Englewood Plaza, 2nd Plat, Englewood and Broadway. Applicant: Varnum, Armstrong, Deeter, Inc./Georgetown Medical group.
5. Approval of Liquor License Change - Change from sole ownership to corporate status, Takes II, Inc., dba Nadine's, 6825 North Oak. Managing officer, Nadine Webb.
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. THIRD READING: TABLED BILL NO. 83-13, an ordinance amending the Weed Control Ordinance by the addition of a provision requiring citizen complaints regarding violations of such ordinance be in writing and identify the complainant.
10. FIRST READING: BILL NO. 83-16, an ordinance rezoning property at 304 NE 74th Terrace from C-1 (Local Business District) to CP-2 (Planned General Business District). Applicant/Owner: Lee W. Bussinger
11. FIRST READING: BILL NO. 83-17, an ordinance rezoning property at 6707 N. Oak from R-1 (Single Family Dwelling District) to CP-1 (Planned Local Business District). Applicant: Berbiglia, Inc. Owners: Gary C. & Cynthia Clifton, M. Joyce Shouse, and Maynard & Ella Mae Binkley.
12. RESOLUTION NO. R-83-15, authorizing execution of a contract for operation of the Municipal Swimming Pool Concession Stand for the 1983 season.
13. RESOLUTION NO. R-83-16, authorizing the City Manager and the City Counselor to enter into a Stipulation for Judgement in favor of Clay County Communication Co., in connection with personal property tax litigation.
14. RESOLUTION NO. R-83-17, authorizing execution of an agreement with Dr. Randall R. Lary and Priscilla J. Lary relative to issuance of residential building permit, 3007 NE 76 Street.
15. Other Business
16. Questions from the News Media
17. Adjournment



## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

April 25, 1983

The April 25, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 PM. In addition to the Mayor those in attendance were: Councilmembers Larry Whitton, Ken Kams, Bob Fairlie, Bob Ashcroft, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Whitton moved to accept the minutes of the April 11, 1983 regular City Council Meeting as submitted; Mr. Kams seconded. The vote: "Aye" - Whitton, Kams, Ashcroft, Bussinger. "Pass" - Fairlie. (4-0)

Mr. Fairlie moved to accept the minutes of the April 15, 1983 special City Council Meeting as submitted; Mr. Ashcroft seconded. The vote: "Aye" - Ashcroft, Fairlie, Bussinger. "Pass" - Whitton, Kams. (3-0)

Mayor Bussinger welcomed the audience to the City Council Meeting and advised that as Mayor for the 1983-84 Council term he would like to establish certain ground rules for conduct of the meetings. He stated that he expected citizens to be treated with respect from the Council table and likewise asked that members of the City Council be treated with respect. Jeers from the audience will not be tolerated. Persons talking when someone else is addressing the Council, or persons making derogatory comments will be considered out of order and will lose their right to address the Council. If the Council is addressed in a reasonable manner you will find that you will be listened to a lot closer than if you address the Council otherwise.

Mayor Bussinger announced that he and his partner have withdrawn their rezoning application on property at 304 NE 74th Terrace (Item 10 on the Agenda). They are not saying they will not submit another rezoning but will attempt to work with the neighbors to come up with a compatible solution for the property -- hopefully getting a business with less traffic and not as offensive to neighbors as the present application.

City Council Meeting Minutes  
April 25, 1983  
Page Two

Item 4 on the Agenda:

Consideration of Preliminary Plat  
Englewood Plaza, 2nd Plat, Englewood & Broadway  
Applicant: Varnum, Armstrong & Deeter, Inc.  
Georgetown Medical group

Council agreed to defer this item as no representatives were in attendance.

Item 5 on the Agenda:      Approval of Liquor License Change.- Nadine's

Mrs. Nadine Webb was present to review her application for change from sole ownership to corporation status for her establishment at 6821-25 N Oak. New corporate name is Takes II, Inc. dba Nadine's. Mrs. Webb will continue as the named Managing Officer for the liquor application. She is the present holder of a Class A & B liquor license and no changes in the operation are planned.

It was noted that the Public Safety Department recommends approval of this change to corporation following their customary review of the applicant and the establishment. Mr. Fairlie moved to approve the change to corporation status as requested. Mr. Kams seconded. The vote: All "aye" - Whitton, Kams, Fairlie, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda:      Communications from the Audience.

Mr. Bob Jenkins, 3601 Wild Plum Lane, requested information on the status of residents request several weeks ago for solution to bank erosion problems at rear of their properties.

Mayor Bussinger advised that Council will introduce Resolution No. R-83-18 later on the agenda which will appropriate \$7,500 from the General Fund Contingency for a contract with Tuttle-Ayers-Woodward Company for engineering services and preparation of detailed plans and specifications for bank stabilization and erosion control in the area Mr. Jenkins' references.

Item 7 on the Agenda:      Communications from the City Council.

Councilman Ashcroft said he was pleased to announce that he had just received word that City Manager Mark Achen has been chosen "Local Administrator of the Year" by the American Society of Public Administration. Mr. Ashcroft had written a letter of nomination during his tenure as Mayor. ASPA will formally make this award at their annual meeting in May.

Mayor Bussinger announced that the City has received information that the Shady/Lane/Brooktree intersection signal light contract will be let by the Missouri Highway Department in late May or June with completion of the installation late this year.

Item 8 on the Agenda:      Communications from the City Manager.

Mr. Achen requested the addition of Building Plans for Opal's Restaurant, 212 NE 72nd Street and Resolution No. R-83-18, appropriating funds for engineering services on Rock Creek erosion control. Mayor Bussinger designated the additions as agenda items 8-a and 14-a.

Item 8-a on the Agenda:      Approval of Building Plans: Opal's Restaurant, 212 NE 72nd Street. Applicant: Opal Chriss

Applicant Opal Chriss, 5725 N Holly, Kansas City, Mo. advised that plans call for moving an existing wall back to shut off an area to provide meeting room space. The 2,200 sq. ft. area will provide patron seating for 72 in the restaurant and 30 in the meeting room. Council noted the Public Works Staff Report dated April 25, 1983 points out that parking will be short based on the ratio of patron seating to parking spaces in the City Code.

Councilman Whitton noted that he had that day counted 45 vacant parking spots in front of the entire complex at approximately 7:30 AM, which would be the busy time for the restaurant. He noted that the additional seating in the meeting room increases the number of required spaces.

As far as conflict with laundromat over parking spaces on week-ends, Ms. Chriss pointed out that she will close on Saturdays at 2:00 PM, and is closed on Sundays. Council agreed that her busy hours would be early am and lunch hour and would not pose a parking problem for other tenants.

Ms. Chriss advised that she will not want liquor at this establishment and will therefore relinquish her present license at her previous location at 76th & N Oak.

Mr. Ashcroft moved to approve the building plans for Opal's Restaurant, 212 NE 72nd Street, pending approval of the Engineering Department of detailed plans of proposed modifications to the building. Mr. Whitton seconded. The vote: All "aye" - Whitton, Kams, Fairlie, Ashcroft, Bussinger (5-0)

City Council Meeting Minutes  
April 25, 1983  
Page Four

Item 9 on the Agenda: THIRD READING: TABLED BILL NO. 83-13, an ordinance amending the Weed Control Ordinance by the addition of a provision requiring citizen complaints regarding violations of such ordinance be in writing and identify the complainant.

Mr. Whitton moved to remove Bill No. 83-13 from the table; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Ashcroft move to accept the second reading of Bill No. 83-13, and place said bill on third and final reading; Mr. Whitton seconded.

Mr. Karns noted that this Bill had been his idea and he does think it would take a lot of the burden off of the City staff in requiring persons making complaints to stop forward and identify themselves, and indicate who they are and what they are complaining about.

The vote on the third reading: "NO" - Ashcroft, Fairlie Bussinger. "AYE" - Whitton, Karns. (3-2 against) BILL 83-13 FAILED ON THIRD READING.

Item 10. on the Agenda: FIRST READING: BILL NO. 83-16 Rezoning request, 304 NE 74th Terrace. Applicant Lee W. Bussinger previously announced withdrawal of rezoning application and requested item be removed from the agenda.

Item 11 on the Agenda: FIRST READING: BILL NO. 83-17, an ordinance rezoning property at 6707 N Oak from R-1, Single Family Dwelling District to CP-1, Planned Local Business District. Applicant: Berbiglia, Inc. Owners: Gary C & Cynthia Clifton, M. Joyce Shouse, and Maynard & Ella Mae Binkley.

Mr. Fairlie moved to place Bill No. 83-17 on first reading; Mr. Whitton seconded. The vote: "Aye" - Ashcroft, Whitton, Karns, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Fairlie commented that he saw no way to overcome the problem of the less than 35 ft. buffer zone and still put a building on the property. He moved to accept the first reading of Bill No. 83-17, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Ashcroft seconded.

Mr. Whitton commented that he did not think he had heard enough about this rezoning application and was not prepared to approve or deny it tonite.

Mayor Ashcroft admitted that it is unusual for Council to give two readings in one evening to a rezoning bill but said he would call for the vote since the motion has been made and seconded.

The vote: "Aye" - Whitton, Karns. "No" - Ashcroft, Fairlie, Bussinger. (DENIED ON SECOND READING (3-2 AGAINST))

Item 12 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-83-15, authorizing execution of a contract with Karol Relford for the operation of the Gladstone Municipal Swimming Pool Concession Stand for the 1983 season. Under the contract she will remit 15.21% of gross sales less sales tax to the City of Gladstone. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-16, authorizing the City Manager and other appropriate City officials to enter into a Stipulation of Judgement in favor of Clay County Communications Co. in connection with personal property tax litigation. Mr. Fairlie seconded.

Counselor Dick Sandler reviewed Clay County Communication Company's protest explaining that the State Tax Commission had issued a memo to all County Tax Assessors relating to method of taxing business personal property of cable television companies. The local tax assessors interpreted that they were to assess at \$200.00 per cable hook-up. Both Clay County Communications and Clay County got outside appraisers to come in and appraise the value of actual business personal property within the County so as to assess those taxes as they do any other business. The County Assessor and Clay County Communications have now agreed on 1.4 million as the value. The result being that Clay County will refund \$26,201.34; Smithville \$306.19 and Gladstone, \$3,744.86.

The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft, Bussinger (5-0)

Item 14 on the Agenda: Resolution NO. R-83-17, authorizing execution of an agreement with Dr. Randall R. Lary and Priscilla J. Lary relative to issuance of a residential building permit on property at 3007 NE 76 St.

Referring to the terms of the agreement that call for the Lary's to issue to the City a letter of financial commitment, which would obligate the Lary's for an amount of \$8,000 as their fully assessable portion of any future water main constructed along 76th Street, Mr. Karns questioned if Dr. Lary was not asking for preferential treatment from the Council in requesting waiver of curb, gutter and sidewalks and only paying \$8,000 toward the main.

Mr. Karns said the way to correct the situation is to require Dr. Lary to put in the water main as we do other developers.

Dr. Lary clarified that his \$8,000 contribution toward the main is more than the other properties owners have done and they have water. Dr. Lary said they could use the well presently on the property. The \$8,000 is fair but he is not in agreement with the inflation factor attached to the \$8,000 in the agreement.

City Council Meeting Minutes  
April 25, 1983  
Page Six

Dr. Lary clarified that he is not developing the property and will only put one house on it. He is willing to modify the agreement to state that the agreement becomes null and void if the property is ever developed.

In response to Council questions, Mr. Achen provided the background on this water main issue. He explained that presently there are three properties developed in that area on 76th Street at the eastern edge just before it enters Shoal Creek. The first property is owned by a Kansas City resident and the water main was extended to the western border of his property. The 2nd property was developed and approved for connection to City's water system through the first property's service line rather than extending the water main. Since there are no formal meeting minutes or record of special action he can only presume there was little anticipation of further development in that area because of the ongoing acquisition of Maple Woods preserve at that time. The arrangements were between the property owner, City staff and City Council. When the third property developed it took its service again off the first property. So now we have two properties developed without extending the water main. Both in service on "non-standard" main connections and in fact having sub-standard fire flow in terms of fire protection. Finally we get to Dr. Lary who requests a building permit for single family residence under basically the same conditions as the other two property owners. The City's position is to prevent this policy from continuing because it continues to extend a water deficiency problem providing totally insufficient service for fire protection services.

Mr. Karns stated that we should not arbitrarily give this man water in violation of our City Code, all we are doing is making the property more salable. There are at least 10 developers in the City who would love to have the "deal" that is being made tonight.

Mr. Achen noted that the agreement is intended to provide a compromise because no one property owner is willing to fund the ideal situation. The resolution and agreement will at least require one property owner to finance a portion of the water main construction. He pointed out that Dr. Lary and the City disagree with the inflation factor in the agreement because Dr. Lary's sees it as an open-ended commitment on his part.

Mr. Achen advised that the cost to extend the 8" water main is approximately \$30,000, in response to question from Mr. Fairlie.

Mr. Ashcroft asked that the record show that Dr. Lary has in all cases been willing to put forth his fair share of the main expense. He said it was necessary that the Press understands that the Council is not trying to "cut any shady deal" with Dr. Lary as was implied by Mr. Karns. Dr. Lary and the City are attempting to work out an equitable solution that is fair to both. It is difficult to correct a past mistake. Dr. Lary has worked with this Council for the last 18 months on this matter. The \$8,000 would be the amount necessary to do his share; the \$30,000 is someone else's share. It behooves the Council to try to work to eliminate this problem.

Mr. Whitton commented that there are residents north of 72nd Street at N Prospect who have lived there for 20 years and still have no water. If we can't give it to these residents, we should not give it to Dr. Lary.

Mr. Ashcroft asked that the record show that he is interested in getting water for homes Mr. Whitton speaks of as well.

MR. KARNS MOVED THAT THE CITY RUN THE WATER MAIN AND COLLECT THE \$8,000 CONTRIBUTION FROM DR. LARY; AND THAT OTHER PROPERTY OWNERS BE DENIED CONNECTION TO THE MAIN UNLESS THEY PAY THEIR FAIR SHARE. MR. WHITTON SECONDED.

Mr. Achen pointed out that there are some legal ramifications because this is not a dedicated city roadway and no legally described right-of-way (76th Street). Construction easements may be needed and the City may be in a weak negotiation position with the other property owners. We may have to provide access to the water main to the other property owners at little or no expense. It would take approximately 90 days to issue a contract for the main construction. Contacts with the property owners to acquire right-of-way and their contribution will be made.

The vote on Mr. Karns's motion: All "aye" - Whitton, Karns, Fairlie, Ashcroft, Bussinger. (5-0) (Note Resolution No. R-83-17 relative to this item not introduced)

Item 14-a. on the Agenda. Mr. Fairlie moved to adopt Resolution No. R-83-18, appropriating \$7,500 for an engineering services contract with Tuttle, Ayers, Woodward for Rock Creek erosion control downstream from North Indiana culvert. Mr. Ashcroft seconded. The vote: All "Aye" - Whitton, Karns, Fairlie, Ashcroft, Bussinger. (5-0)

\* \* \*

There being no further business to come before the April 25, 1983 City Council Meeting, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Marilyn Ahnefeld  
Marilyn Ahnefeld, City Clerk

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

Lee W. Bussinger  
MAYOR

*Minute Book*

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 9, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of April 25, 1983 City Council Meeting
4. PROCLAMATIONS:
  - Designating month of May as "ABWA EDUCATION MONTH". Requested by Ruby II Chapter of American Business Women's Assoc.
  - Designate May 8-15 as "UNITED CARING WEEK". Requested by United Community Services
  - Designate week of May 22-28 as "NATIONAL PUBLIC WORKS WEEK" Requested by KC Metro Chapter of American Public Works Assoc.
5. SPECIAL AWARDS: CERTIFICATE OF CONFORMANCE IN FINANCIAL REPORTING - awarded to the City of Gladstone for the 6th consecutive year by the Municipal Finance Officers Association of the United States and Canada. AWARD OF FINANCIAL REPORTING ACHIEVEMENT - awarded to Administrative Services Director James C. Harlow by the Municipal Finance Officers Association of U.S. and Canada.
6. Approvals:
  - a. Consideration of Preliminary Plat: Englewood Plaza, 2nd Plat, Applicant: Varnum, Armstrong, Deeter, Inc./Georgetown Medical group.
  - b. Class C Package Liquor License - Begulia's, 6401 N Antioch Rd. Managing Officer: Joseph A. Begulia (formerly Happy Rock, II)
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL NO. 83-18, approving the Land & Lot Delinquent List and authorizing the City Collector to collect such delinquent accounts as provided by law.
11. RESOLUTION NO. R-83-19, authorizing execution of water main extension contract No. 181 with Larry Mitchell. (Tracy Estates)
12. RESOLUTION NO. R-83-20, authorizing execution of water main extension contract No. 182 with Commerce Bank of Topeka. (Corporate Hills North)
13. RESOLUTION NO. R-83-21, authorizing Change Orders 1 & 2 and final payment on the Kay Line Construction Street Lighting Contract.
14. Approval of Interim Financial Report for month of April, 1983.
15. Other Business. 16. Questions from News Media. 17. Adjournment



MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 9, 1983

The May 9, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 PM. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk. Absent: Councilman Karns.

Mayor Bussinger announced that Councilman Karns was absent due to family illness out of the city.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:            Acceptance of Minutes.

Mr. Ashcroft moved to accept the Minutes of the April 25, 1983, City Council Meeting as submitted; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 4 on the Agenda:            Proclamations.

Mayor Bussinger read proclamations designating the following:

Month of May as "ABWA EDUCATION MONTH", as requested by Ruby II Chapter of the American Business Women's Association. Mayor Bussinger presented the signed proclamation to the Chapter's President and "Woman of the Year", Mrs. Peg Fairlie. He noted that this chapter had raised \$1,718.44 in scholarship funds for young women during the past twelve months and also acknowledged the group's participation in the successful Mayor's Christmas Tree efforts in providing for the needy.

May 8-15 as "UNITED CARING MONTH", requested by United Community Services.

May 22-28 as "NATIONAL PUBLIC WORKS WEEK", as requested by KC Metro Chapter of American Public Works Association.

May 8-14 as "U.S. SMALL BUSINESS WEEK", as requested by the Chamber of Commerce of Greater Kansas City.

Item 5 on the Agenda:

Special Awards.

Mayor Bussinger presented the Municipal Finance Officers Association of United States and Canada's "Award of Financial Reporting Achievement" to Gladstone Administrative Services Director James C. Harlow.

Mr. Harlow also accepted on behalf of the City the Association's "Certificate of Conformance in Financial Reporting", Mayor Bussinger commended Mr. Harlow on this achievement noting this is the 6th consecutive year the City of Gladstone has received this certificate. Council further complimented the Finance Department on their prompt issuance of monthly financial reports noting that this is May 9 and Council already has the April report for their consideration this evening.

Item 6 on the Agenda:

Approvals.

- a. Consideration of Preliminary Plat: Englewood Plaza, 2nd Plat.  
Applicant: Varnum, Armstrong, Deeter, Inc./Georgetown Medical Group,

Mr. Ron Smith, Varnum, Armstrong, Deeter was present to review this preliminary plat with Council.

Following Council review and acknowledgement that the plat had received the unanimous approval of the Planning Commission and meets all City requirements as noted on the Engineering Staff Report dated, April 13, 1983, Mr. Fairlie moved to approve the Preliminary Plat of Englewood Plaza 2nd Plat as submitted; Mr. Whitton seconded.

The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

In response to Council question, Mr. Smith noted that the construction on the Kansas City (west side) portion will commence in two weeks. Major tenants thus far are N.W. Fabrics and National Tire Warehouse who will consume approximately 30,000 sq. ft. The construction on the Gladstone side will commence later this summer.

- b. Approval of Class C Package Liquor License. Begulia's, 6401  
N. Antioch Road. Managing Officer: Joseph A. Begulia

Mr. Joseph Begulia advised that he had purchased this business from Mr. Frank Pittala who has operated the establishment as Happy Rock Liquor's No. 2 and will operate the establishment essentially the same with the addition of a line of deli foods and Italian sausage. He noted that he has held a liquor dispensing license for another establishment in the Northeast area of Kansas City, Missouri.

Mr. Achen advised that the Public Safety Department has conducted their routine investigation and recommends approval of the Class C License.

Mr. Whitton moved to approve the Class C Package Liquor License for Begulia's, 6401 N Antioch Road as requested. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 7 on the Agenda: There were no communications from the Audience.

Item 8 on the Agenda: Communications from the City Council.

Mayor Bussinger advised that there was a work session planned for Wednesday at 2:00 PM. Agenda will include planning for the bond proposal to be submitted to voters in late summer or early fall.

There were no other communications from City Council members.

Item 9 on the Agenda: There were no communications from the City Manager.

Item 10 on the Agenda: First Reading: Bill No. 83-18, approving the Land and Lot Delinquent List and authorizing the City Collector to collect such delinquent accounts as provided by law.

Mr. Fairlie moved to place Bill No. 83-18 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill No. 83-18, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 83-18, and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of bill No. 83-18, and enact said bill as Ordinance No. 2.476. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft, Bussinger. (4-0)

In response to Council question, Mr. Achen advised that the Peterson Co. is on the delinquent list and the total delinquencies on the listing amount to \$25,183 representing 194 parcels of land.

Item 11 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-19, authorizing execution of water main extension contract NO. 181 with Larry Mitchell for water main construction to serve Tracy Estates. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Mr. Whitton noted the contract calls for some 6" main. He asked when 6" main is allowed. Mr. Achen responded that 6" is allowable on cul-de-sac streets of short distance.

Item 12 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-20, authorizing execution of water main extension contract No. 182 with Commerce Bank of Topeka for construction of main to serve Corporate Hills North. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 13 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-21, authorizing execution of Change Orders 1 & 2 to the Kayline Construction Company street lighting contract and authorizing final payment. Change orders increase the contract by \$3,522. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 14 on the Agenda: Mr. Fairlie moved to approve the Interim Financial Report for the Month of April, 1983 as submitted; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 15 on the Agenda: Other Business.

Mr. Whitton asked if additional street lights will be included in the Fiscal Year 2984 budget proposals. Mr. Achen acknowledged they would.

Mr. Fairlie asked about the status of the Flora/Troost construction contract. Mr. Achen advised that the contractor is still working within the allowable days under the contract.

Item 16 on the Agenda: Questions from the News Media.

Reporter George McCuistion asked for a brief description of the Georgetown Medical Group project (Englewood Plaza 2nd Plat); it was provided by Councilman Fairlie.

\* \* \*

There was no further business to come before the May 9, 1983 meeting of the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting. Time: 8:15 PM.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: ☒

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

Ray A. Scherer  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 23, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 9, 1983 City Council Meeting
4. PUBLIC HEARING: Request for easement vacation on Lot 3A, Block 19, BROOKTREE 6TH PLAT (5713 N Norton Place). Applicant: Phil R. Acuff
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
9. RESOLUTION NO. R-83-22, authorizing acceptance of a proposal for painting of the Water Treatment Plant basin.
10. RESOLUTION NO. R-83-23, authorizing execution of an Agreement for use of Kansas City Missouri Department of Community Services detention facilities.
11. RESOLUTION NO. R-83-24, authorizing acceptance of a proposal for repair and treatment of Water Treatment Plant Wells.
12. Other Business
13. Questions from the News Media
14. Adjournment

add-on: RESOLUTION NO. R-83-25, appropriating funds for the relocation of City utilities in North Prospect at 64th Street and authorizing participation in the extension of NORTHAVEN EAST 2nd Plat

FIRST READING: BILL NO. 83-19, vacating an easement in Brooktree 6th Plat. (east 5 ft. of Lot 3A, Block 19

NOTICE OF MEETING  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 13, 1983  
7:30 P.M.

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 23, 1983 City Council Meeting
4. PROCLAMATION: Designating June 13-19 as "BIG BROTHERS & SISTERS APPRECIATION WEEK" in the city of Gladstone.  
Requested by Big Brothers & Sisters of Greater Kansas City
5. PUBLIC HEARING: Proposed 1983-1984 Annual Fiscal Budget including proposed use of General Revenue Sharing Funds for the City of Gladstone, Missouri.
6. APPROVAL OF BUILDING PERMITS
  - a. 202A NW 72nd Street - building remodeling permit for gun store and in-door firing range. Owner/Applicant: Ben Rose for Wesco
  - b. 62nd & N. Broadway Studio Apartments, two (12) unit buildings  
Owner: Ben Rose. Applicants: S.E. Wright & Susan Rose
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL NO. 83-20, an ordinance calling a bond election on the proposition to issue \$2,500,000 of general obligation bonds for street improvements and \$1,500,000 of general obligation bonds for storm drainage improvements in the city of Gladstone, Missouri.
11. FIRST READING: BILL NO. 83-21, amending Section 29-6 of the City Code to establish new water service rates.
12. FIRST READING: BILL NO. 83-22, amending Section 29-66 of the City Code to levy new sewer service charges.
13. RESOLUTION NO. R-83-83-33, authorizing the City Manager to employ bond counsel in connection with the Special Bond Election and subsequent sale of bonds.
14. RESOLUTION NO. R-83-34, authorizing the City Manager to enter into a Cooperative Trust Agreement with other municipal corporations in the State of Missouri to provide pooled-self funded Workers' Compensation Insurance.
15. RESOLUTION NO. R-83-35, authorizing closing of certain uncollectible water accounts.

(over)

16. RESOLUTION NO. R-83-26 authorizing execution of Water Main Construction Contract No. 183.
17. RESOLUTION NO. R-83-27, authorizing acceptance of water mains constructed under Contract No. 181 for City maintenance.
18. RESOLUTION NO. R-83-28, authorizing renewal of Special Use Permit for operation of Meadowbrook Manor Swim Club, Inc., 6709 N Askew
19. RESOLUTION NO. R-83-29, authorizing execution of an Agreement with Dr. Randall R. Lary relative to issuance of residential building permit at 3007 NE 76th Street.
20. Approval of Interim Financial Report for May, 1983.
21. Other Business
22. Questions from the News Media
23. Adjournment

agenda add-ons 6-13-83

Resolution No. R-83-30, authorizing execution of a contract with Park Competitive Swim Club for use of Gladstone Municipal Swimming Pool.

Resolution NO. R-83-31, authorizing the City Manager to make application for the Small Business Administration's Job Bill/Landscaping Program for landscaping of certain city park.

Resolution No. R 83-32, reducing temporarily the amount of the occupation license tax imposed on electricity suppliers to customers within the city to six percent of gross receipts during the months of July, August and September, 1983.

Bill No. 83-23, authorizing city council to reduce temporarily on an annual basis the occupation and license tax imposed upon gas distribution companies during the months of December, January and February and upon electricity suppliers to users within the City during the months of July, August and September by up to one percent (1%) of the gross receipts of such suppliers for such months.

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

June 13, 1983

The June 13, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 PM. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk. Mr. Fairlie was absent from the meeting due to business out of the city.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes of May 23, 1983 City Council Meeting.

Mr. Ashcroft moved to accept the minutes of the May 23, 1983 City Council Meeting as submitted; Mr. Whitton seconded. The vote: "Aye" - Whitton, Ashcroft. "Pass" - Karns, Bussinger. (2-0)

It was noted that with Councilmembers Karns' and Bussinger's "pass" vote on the minutes, the minutes could not stand approved as read with only 2 favorable votes. Whereupon Councilmember Ashcroft moved to defer passage of the May 23, 1983 City Council Meeting Minutes until the next regular meeting of the City Council. Mr. Whitton seconded. Motion carried for deferral.

Item 4 on the Agenda: Mayor Bussinger read a proclamation designating the week of June 13-19 as "Big Brothers & Sisters Appreciation Week" in the city of Gladstone as requested by Big Brothers & Sisters of Greater Kansas City.

Item 5 on the Agenda: Proposed 1983-84 Annual Fiscal Budget including proposed use of General Revenue Sharing Funds for the City of Gladstone, Missouri - Public Hearing.

City Manager Mark Achen in reviewing the proposed FY'84 budget noted that the document was the result of considerable amount of time and effort on the part of the City staff and in particular the finance department in developing the information to make these decisions. He thanked them for the time, effort and energy put forth in striving to provide our taxpayers the best use of their dollars.



According to Mr. Achen the General Fund budget, which is the city's major operating fund, is expected to yield revenues for the forthcoming year of \$3,359,000; this is a 6.2% increase over the current year.

On the expenditure side, expenditures proposed total \$3,529,000; which is an 11.6% increase over the current budget. That increase would be 6.2% or equal to the increase in revenues if it were not for \$170,000 of proposed capital expenditures to be made from savings in the present year. The proposed capital expenditures include \$110,000 for reconstruction in Flora Park; \$35,000 for installation of 35 new street lights; \$25,000 for park mowing equipment. Proposed fund balance at the end of the fiscal year for general fund is \$980,000. The expenditures maintain the existing full-time work force of the city and provide a 5% cost of living adjustment for all classified positions. Capital expenditures including the \$170,000 previously mentioned will total \$307,000. In addition to mentioned items are replacement of 8 public safety patrol vehicles; 2 public works pick-up trucks; nuisance abatement van; replacement of 3 original City Hall furnaces.

General fund revenues - gross receipts taxes represent the bulk of the increase. Council has discussed the fact that gross receipt tax is the only portion of the general fund budget which has any expansion. Property taxes remain constant as noted in the revenue section of the budget. General property taxes this year total \$766,000 and are proposed at \$794,000 for next year; an increase of \$28,000 out of a 3.3 million dollar budget. This projection is based on maintaining the current .82¢ per \$100 assessed valuation. This rate has remained the same for approximately 25 years.

The sales tax fund is the city's second largest fund and is essentially used for debt service on previous bond issues that financed street improvements in the city and capital projects. Revenues are projected at 1.2 million dollars with interest earnings of \$190,000. Debt service costs for previous bond issues for street improvements will total \$88,000. Expenditures are proposed for not only debt service, but replacement of a stone arch at 4800 Old Pike Road (\$75,000) and professional study of city's commercial potential (\$25,000).

\$315,000 will provide a major infusion of new monies into the special road district's street maintenance program which combined with the district's estimated \$230,000 will allow the city to overlay a substantial number of streets and almost double the previous year's overlay program. In addition, \$60,000 is proposed from the sales tax fund for contribution to the sidewalk fund for construction of sidewalks along the west side of N Broadway and in the area of 64th Street (Wabash to Michigan) and several other locations in the city.

Mr. Achen advised that the water and sewer fund projects water sales of 723 million gallons for the coming year. This budget proposes a rate increase of 6.1 percent over existing rate and is expected to produce approximately \$74,000 of additional revenue. The total revenue of \$1.5 million dollars would yield a net loss to retained earnings of \$6,400 compared to \$35,000 in the current year and \$42,000 last fiscal year. In both this year and last year the system has operated at a positive cash flow by holding down capital expenditures and reducing the contribution to depreciation. The budget proposes a negative cash flow with \$265,000 of capital expenditures, primarily replacement of undersized 2" mains and old tight line sewer system that are requiring significant repair. The 6.1% rate increase will result in an increase of \$1.81 or a total water and sewer bill of \$31.54 for an average user of 15,000 gallons bi-monthly.

Mayor Bussinger acknowledged the considerable amount of time spent by City Manager Achen and staff on the budget proposal and said he felt the two budget worksessions with the City Council had been most productive.

There were no further questions or comments on the proposed 1983-84 fiscal budget, whereupon Mayor Bussinger closed the public hearing.

Item 6 on the Agenda:      Approval of Building Permits.

a. 202A NW 72nd street - building remodeling permit for gun store and in-door firing range. Owner/Applicant: Ben Rose for Wesco.

Mr. Ben Rose was present to review building plans with Council.

Mr. Rose questioned Item 2 in the City's Staff Report dated June 6, 1983, which noted Uniform Building Code requirement for two toilets accessible for handicapped. He pointed out that no actual mechanical work or changes in the plumbing will be made and asked if the restroom requirement (handicapped) will apply.

Mr. Achen stated that there was some question as to whether an existing structure has to be brought up to code with a change in occupancy. His feeling is it probably should, based on previous interpretations for similar remodeling or occupancy changes.

Mayor Bussinger commented that he had had a question from a resident as to the intended use from a safety standpoint.

Mr. Rose assured that the building will be fire rated and the gun store operator (Mr. Pind) will comply with all OSHA and all other Federal and State firearms regulations in the operation and building. The bullet trap will be sealed in steel and is commercially made. The operation is similar to the Bullet Hole in Johnson County.

Mr. Ashcroft advised that if there would be no mechanical work done he feels it is somewhat ridiculous for the city to require the handicapped restrooms, unless it is has to be because of the Building Code. He pointed out that the cost of the restrooms may be more than 50% of the total valuation of the building permit. From his own experience it may windup being a storage area.

Mr. Rose stated that if it has to be done, he will put the handicapped restrooms in.

Mr. Ashcroft moved to approve the remodeling permit for 202A NW 72nd Street as requested with deletion of item 2 (handicapped restrooms) as shown on the June 6, 1983, Public Works Department Staff Report. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger.

Item 6-b on the Agenda. North Broadway Studio Apartments Building Permit, 6200 and 6204 N Broadway. Owner: Ben Rose. Applicants: S.E. Wright and Susan Rose

Mrs. Susan Rose reviewed building plans with Council noting that although the agenda listed two 12-unit building, two 10-unit buildings will be built. All other information on the staff report is correct.

Mayor Bussinger questioned what part of Broadway will be sidewalked in the City's budgeted sidewalk program. Mr. Achen advised this section is included in the proposed program and the ordinance would require the Rose's to pay for the sidewalk if they put them in prior to city's construction. It would be Council decision whether to waive the requirement on N Broadway since that area is in the proposed sidewalk program.

Mrs. Rose stated that sidewalks are not the problem; they believe the City has treated them fairly.

Mr. Karns directing his remarks to Mrs. Rose, asked if she was saying she will build sidewalks on 62nd Street and the City is going to build them on N Broadway. Mrs. Rose responded yes.

Mr. Ashcroft moved to approve the building permit for North Broadway Studio Apartments, 6200 and 6704 N Broadway as submitted; Mr. Whitton seconded.

Mr. Bussinger asked if Mr. Ashcroft's motion was with the stipulation for sidewalks.

Mr. Ashcroft amended his motion to approve with everything being considered in the staff report with no objection to Item 3. (Land area versus building units does not conform to the requirement of the zoning ordinance as noted in the rezoning file). Reference: Staff report dated June 6, 1983. Mr. Whitton seconded the amended motion. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger (4-0)

Item 7 on the Agenda:      Communications from the Audience.

There were no communications from the audience.

I 8 on the Agenda:      Communications from the City Council.

Mr. Karns suggested that even if the City has to provide a secretary for the Gladstone Industrial Development he feels it important that the Council receive minutes of their meetings for awareness of disposition of applications. Mr. Bussinger agreed and stated that he would appreciate Council being notified of meetings. He realizes it is posted on the lobby bulletin board but feels Council awareness is important.

Mr. Achen indicated that he had conveyed Council's request to Tom Stahl, the Board Secretary who indicated there would be no problem in providing meeting agenda and minutes to Council.

Councilman Whitton questioned our public safety department's running radar on 169 in the area of N Broadway and south of Englewood Road. It has come to his attention this occurred at 12:30 at night. In his opinion it is a waste of manpower.

Mr. Ashcroft also noted that we run radar on a portion of Vivion Road and he feels it gives us a bad image to be running it there.

Mr. Achen said he was not certain about the Vivion Road issue because we do have two streets that empty onto Vivion Road that are uncontrolled accesses and it may be that we have received some complaints of speeding there. As far as the 169 Highway he does not know if we have received complaints from other agencies that can't stop violators in that short section. Mr. Achen agreed to review Council's concern with Public Safety Director Francis.

Mr. Whitton asked what amount of money was discussed for CRT guns at the recent Public Safety Advisory Board meeting. He noticed some discussion in the Board's meeting minutes. Mr. Bussinger responded that he thought it was \$700.

Mr. Ashcroft asked that Resolution No. R-83-32 and Bill No. 83-23 be added to the agenda. Mayor Bussinger acknowledged the additions.

in discussing the additions, Mr. Ashcroft noted that we had just talked about increasing the water rates and pointed out that the reason that was done was to have the water department operate on an independent basis and he feels that is necessary. There has been discussion on the hardship imposed on citizens by the utility rate increases and the increase in revenue to the City's 7% utility franchise account.

Mr. Ashcroft noted that previously the proposal to lower the franchise tax across the board from 7 to 6 percent was defeated. A recent study of the franchise tax revenue has determined that the hardship is more significant for Gladstone residents in the winter months for gas bills and summer months for electrical. The legislation he will introduce will temporarily reduce from 7% to 6% the gross receipts tax on gas for the months December, January, February and electrical for the months July, August and September. Bill 83-23 modifies the gas and electrical franchise ordinances to allow for this temporary relief by resolution on an annual basis during those months specified. Based on last year's figures this temporary reduction will cost the city about \$75,000 in revenue. He noted City Manager Achen would have to adjust the budget accordingly.

Item 8a on the Agenda: First Reading: Bill No. 83-23, authorizing the City Council to reduce temporarily on an annual basis the occupation and license tax imposed on gas distribution companies during the months of December, January and February and upon electricity suppliers to users within the City during the months of July, August and September by up to one percent (1%) of the gross receipts of such suppliers for such months.

Mr. Ashcroft moved to place Bill No. 83-23 on first reading: Mr. Whitton seconded.

City Manager Achen advised that Section 2 of the Ordinance should be amended to read the months "December, January and February" in the caption; Mr. Ashcroft so moved. Mr. Whitton seconded the motion to amend. The vote on the amendment: All "aye" - Whitton, Karns, Bussinger, Ashcroft.

Discussion:

Mr. Karns commented that he thinks it is a watered-down version of what we need as the reduction is for a short period of time. He also sees an underlying reason as setting the stage for the upcoming bond issue. He would hope for more of a reduction.

Mr. Bussinger countered that he sees no relationship between this bill and the bond issue and believes it is a step in the right direction to offer some utility relief. Although he is not against parks it appears to him that if we can spend \$125,000 for Flora park as proposed in the budget, we can trim \$74,000 from the budget for this utility relief.

Mr. Karns questioned Mr. Ashcroft on where the budget can be trimmed by \$75,000.

Mr. Ashcroft said he does not have that answer but believes it can be done. He pointed out that he would like to do away with all taxes but does not think that can be done. He previously voted against the flat reduction to 6% because we would have had a hard time operating with the approximate \$300,000 deficit it would have meant and it would have jeopardized the Hancock Amendment if we needed to increase it. This method of a temporary reduction does not jeopardize the Hancock Amendment.

The vote on first reading; All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of bill No. 83-23 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 83-23 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 83-23 and enact said bill as Ordinance No. 2.478. Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Karns, Bussinger. (4-0)

Item 8b on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-32, reducing temporarily the amount of the occupation license tax imposed on electricity suppliers to customers within the city to six percent of gross receipts during the months of July, August, and September, 1983. Mr. Whitton seconded.

Mr. Whitton commented that he was impressed. Although he would have preferred 2% he does admit it is the first time he has seen money given back. It is a step in the right direction and anything is a help.

The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Mr. Whitton commented that we will still have more money when the utility companies increase their rates and would suggest careful study of the issue.

Mayor Bussinger said while he agreed with Mr. Whitton, he has yet to see citizens come up and demand Council reduce the franchise tax.

Item 9 on the Agenda: Communications from the City Manager.

Mr. Achen requested the addition of the following to the agenda: Commercial Building Permit Application for Gary Gable, 5950 N Oak, and Resolution No. 83-30 for contract with Park Swim Club for use of the swimming pool; and Resolution 83-31, authorizing a Small Business Administration grant for landscaping in city parks.

Item 9a. on the Agenda: Approval of building permit for 2-story office building, 5950 N Oak. Applicants: Gary Gabel and Jim Donaldson

Mr. Gary Gabel reviewed plans for the 2-story, 12,000 sq. ft. office building and noted that they were aware they would have to control their water and would do so by installation of a drop basin the existing outlet tube in the northwest corner of the property. The building will be leased by doctors and dentists and other professionals. A very small sign will be used with no sign on the building. A cut on N Oak will be required to obtain water. He noted that separate permits will be obtained for each interior.

Councilman Ashcroft noted that the staff report (6-9-83) indicates no construction plans have been submitted at this time.

Mr. Achen suggested that this process is being followed for financing purposes and that any Council action should stipulate that it is subject to approval of the construction plans by the City Engineer. Plans tonight are the site plans which show the basic site layout but not the actual type of construction and other issues in the building code.

Mr. Gabel said it will be a steel frame building with brick exterior.

Mr. Achen noted that as far as drainage, the run-off must not exceed existing level and complete plans for storm drainage are required before construction may begin.

Mr. Karns moved to approve the building plans for 5950 N Oak subject to City Engineer's approval of final construction plans. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger (4-0).

Item 9b on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-84-22, authorizing the City Manager to execute an Agreement by and between Dr. Randall R. and Priscilla J. Lary and the City of Gladstone, relative to issuance of a residential building permit on property at 3007 NE 76th Street. The agreement obligates the Lary's for an amount of \$9,000 to be their fully assessable portion of future water main construction along NE 76th Street. Mr. Whitton seconded.

Dr. Lary explained that execution of this agreement is holding him up on the issuance of his building permit.

Mr. Achen noted that the one item that although not specifically addressed has been understood is that Dr. Lary will provide the necessary right-of-way to the project. Dr. Lary said he had no problem giving the right-of-way as long as everyone else did. He does not think it fair for him to donate the right-of-way and the City compensate the other property owners.

Following discussion of the right-of-way issue, Dr. Lary agreed he would donate required right-of-way to the City. Mr. Achen noted the right-of-way needed has yet to be defined by engineering staff but that will be done shortly. The right-of-way will then be dedicated at the same time the agreement is executed.

Dr. Lary discussed with Council elimination of the escalator clause in the agreement. Council stressed that the City is acting in good faith and agreed to renegotiate the clause if the main construction is delayed. Therefore the agreement will remain unchanged.

The vote on the resolution: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 10 on the Agenda: First Reading: Bill No. 83-20, an ordinance calling a bond election on the proposition to issue \$2,500,000 of general obligation bonds for street improvements and \$1,500,000 of general obligation bonds for storm drainage improvements in the city of Gladstone. Such election to be held on Tuesday, August 2, 1983.

Mr. Achen pointed out that the ballot will require the two separate yes/no propositions as set out in the opinion of bond attorney Randy Irey, Stinson, Mag & Fizzel. The City Counselor concurs.

Mr. Ashcroft moved to place Bill No. 83-20 on first reading; Mr. Whitton seconded. The vote: All "aye" - Mr. Whitton, Mr. Karns, Mr. Ashcroft, Mayor Bussinger. (4-0) The Clerk read the bill in its entirety.

Mr. Ashcroft moved to accept the first reading of Bill No. 83-20 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Mr. Whitton, Mr. Karns, Mr. Ashcroft, Mayor Bussinger. (4-0) The Clerk read the bill in its entirety.

Mr. Ashcroft moved to accept the second reading of Bill No. 83-20, and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0) The Clerk read the bill in its entirety.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 83-20 and enact said bill as Ordinance No. 2.479. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Mr. Ashcroft questioned if the \$2,500,000 was adequate money for the N. Prospect improvement. Mr. Achen responded that based on discussions with the Missouri Highway Department, that amount is on the high side of the city's share of the project. Timetable for bid letting would be a year to 15 months from now.



Item 11 on the Agenda: First Reading: Bill No. 83-21, amending Section 29-6 of the City Code to establish new water service rates.

Mr. Ashcroft moved to place bill No. 83-21 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. The Clerk read the Bill.

Mr. Achen indicated the final adoption of the bill was requested for the June 27th Council Meeting which would make the new rates effective July 1 which will be reflected on bills sent out after the first of September. The increase is 6.1%

Item 12 on the Agenda: First Reading: Bill No. 83-22, amending Section 29-66 of the City Code to levy new sewer service charges.

Mr. Whitton moved to place Bill No. 83-22 on first reading; Mr. Karns seconded. The Clerk read the Bill. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 13 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-33 authorizing the City Manager to employ the firm of Stinson, Mag and Fizzell, Kansas City, Missouri, as Bond Counsel in connection with the forthcoming public works improvements bond election and subsequent sale of the bonds. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 14 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-34, authorizing the City Manager to enter into a Cooperative Trust Agreement with other municipal corporations in the State of Missouri to provide pooled self-funded Worker's Compensation insurance. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 15 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. 83-35, authorizing the closing of certain uncollectible water accounts in the amount of \$3,362.09 for the period July 1, 1981 thru June 30, 1982. Mr. Whitton seconded.

Council discussed the inclusion of Block & Company on the list for an amount of \$309.56. The company was the lease-holder for the JR's Restaurant which burned last year. Mr. Karns suggested that as Block and Company had recently sold that property to John Deere for their new facility the City could have forced payment of the water bill before issuance of a new building permit for that location. Mr. Achen agreed that some action may be possible and had discussed the matter with the Counselor.

Mr. Karns recommended that Block and Company be deleted from the listing; and that the Counselor pursue collection. Mr. Ashcroft so amended his motion.

Mr. Whitton seconded the amended motion. (new amount of write-offs with deletion of Block & Company in the amount of \$309.56 is \$3,052.53). The vote on the amendment: All "aye" - Whitton, Karns, Ashcroft, Bussinger.

The vote on adoption of the resolution: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (5-0)

Item 16 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-26, authorizing execution of Water Main Extension Contract No. 183 to serve Gladstone Baptist Church at 71st & N Prospect. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Mr. Bussinger asked the status of the church's right-of-way with respect to the N Prospect improvement.

Mr. Achen advised that when the church's building permit was approved it was subject to church's agreement to reduce their demand for the right-of-way dedicated to State Highway Department by the amount of the cost of 300 feet of curb, gutter and sidewalk and we do have a letter from them acknowledging this commitment. They have also agreed to dedicate needed right-of-way on 71st Street however the State has yet to make formal acquisition.

Item 17 on the Agenda: Mr. Whitton moved to adopt Resolution No. 83-27 authorizing acceptance of water mains constructed under Contract No. 181 for city maintenance. Mains built in 73rd Terrace to serve Tracy Estates Subdivision. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 18 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-28, authorizing renewal of special use permit for the operation of Meadowbrook Manor Swim Club, Inc. at 6709 N Askew for five year period to expire January 1, 1988. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 19-a on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-30, authorizing execution of a contract with Park Competitive Swim Club for use of the Gladstone Swimming Pool for practice sessions at an hourly rate as established in the contract. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft. (4-0)

Item 19-b, on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-31, authorizing the City Manager to make application for the Small Business Administration's Job Bill/Landscaping Program for landscaping of certain city parks. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 20 on the Agenda: Mr. Whitton moved to approve the Interim Financial Report for the month of May, 1983. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger, Ashcroft. (4-0)

Item 21 on the Agenda: Other Business.

Mr. Karns suggested that the City consider compiling a listing and mailing it to the Credit Bureau on the water account write-offs. He pointed out that any time you attempt to obtain financing the Bureau will require payment of these type of debts.

Mr. Karns also requested a list of every piece of property that is in violation of the weed ordinance in the city of Gladstone.

Mr. Whitton requested staff look into problem in southwest corner of Meadowbrook Shopping Center where property is being damaged as a result of storm drainage tube collapse which was filled with dirt and now busting the concrete retaining wall. Weeds and brush are also a problem in this area of the center. If the tube has been altered we need to look into it. Rats have been seen. Mr. Achen agreed to make contact with the owners, Peterson Company. Mr. Bussinger suggested contact with Mr. Marvin Zwickey of Peterson Co.

Mr. Ashcroft commented that the land and lot delinquent list contains many community notables such as a Judge and car dealer. He suggests we turn their water accounts off. Collection of these delinquencies would reduce our revenue shortages considerably.

Mayor Bussinger announced there would be a kick-off party for the August 2 bond election on Thursday, June 16 at 7:00 pm at the Gladstone Square Apartment Club House.

two residence

Mayor Bussinger also asked that staff look into construction starts at 74th & Park where there has been no activity for some time. He asked if there was a legal time limit for completion after the building permit was issued. Mr. Achen agreed to have the engineering staff look into the matter.

\* \* \*

There being no further business to come before the June 13, 1983 meeting of the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

Marilyn Ahnefeld  
Marilyn Ahnefeld,  
CITY CLERK

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

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 27, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes:  
Regular Council Meeting, May 23, 1983  
Regular Council Meeting, June 13, 1983
4. PUBLIC HEARING: Request of Clay County Communication Company for increase in monthly basic service rates for cable television subscribers in the city of Gladstone. Applicant: George K. Carr, Area Manager, Clay County Communication Company
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. Approvals
  - a. Site Plan modification and building permit, 5945 N Antioch Road Bob's IGA, Owner Applicant: Allision, Alexander, Inc.
  - b. Site Plan and Building Permit, 2727 Brooktree Lane. Applicant/Owner: Herbert L. Seigel, DDS, Inc.
  - c. Renewal of Class A & B Liquor License, Godfather's Pizza, 328 NE 72nd under new Managing Officer: Richard H. White
9. SECOND READING: BILL NO. 83-21, amending Section 29-6 of the City Code to establish new water service rates.
10. SECOND READING: BILL NO. 83-22, amending Section 29-66 of the City Code to levy new sewer service charges.
11. FIRST READING: BILL NO. 83-24, amending Cable TV Franchise Ordinance to establish new subscriber rates for basic cable television service.
12. RESOLUTION NO. R-83-36, adopting the 1984 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing expenditure of funds.
13. RESOLUTION NO. R-83-37, resolution of intent to comply with the provisions of the "Open Window Law" (RSmo 67.110) to conduct public hearing and establish annual property tax levy by September 1, 1983.
14. RESOLUTION NO. R-83-38, authorizing the City Collector to publish the land and lot delinquent.
15. Other Business
16. Questions from the News Media
17. Adjournment

M I N U T E S

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 27, 1983

The June 27, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 PM. In addition to the Mayor, those present were: Councilmembers Larry Whitton, Ken Karns, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk. Mayor Bussinger announced that Councilman Ashcroft was out of the city and Mr. Fairlie would be late for the meeting.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Whitton moved to approve the minutes of the June 13, 1983 City Council Meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger. (3-0)

May 23, 1983 City Council meeting minutes, tabled at the June 13, 1983 meeting were left on the table until subsequent meeting when full Council is present.

Item 4 on the Agenda: Request of Clay County Communication Company for increase in monthly basic service rates for cable television subscribers in the city of Gladstone. Applicant: George K. Carr, Area Manager, Clay County Communication Company.

Mr. George Carr, Area Manager for Clay County Communications Company, addressed the Council and audience explaining that the present cable rate has remained unchanged for eight years. During this same time the Consumer Price Index has risen 63.8%. As required by City ordinance, income and expense statement and statistical data was filed with the City Clerk. From those figures, an increase is warranted. The company proposes an increase in the basic service rate from \$8 to \$9 for the 1st outlet and 2nd outlet from present \$1 to \$2. The proposed increase amounts to 15.76% for a subscriber with two outlets.

Mr. Carr noted that initially the system distributed 13 channels. Today there are 22 available and in the Fall two more will be added; Nashville Network Entertainment and Disney Family channel. Nashville will be part of the basic package and Disney will be optional much like Show Time.

According to Mr. Carr, part of the rate increase will fund the capital expense required in adding the two new channels. The rate increase is proposed to be effective September 1 and subscribers would be notified in their August 1st billing. Mr. Carr advised that Mr. Dick Theissen from their corporate offices is present should Council have questions of him.

Councilman Karns asked how long the proposed rate increase would be good for. Mr. Carr responded that projections indicate the increase would carry them through their fiscal year of August 31, 1984.

Ann Judge, Chair of the Gladstone Cable TV Advisory Board, indicated to Council and audience that the board's past association with Mr. Carr has been good. Mr. Carr has been extremely cooperative in providing them facts and figures regarding the rate increase. She pointed out that any half-way astute business person would agree that the company cannot continue to serve the city of Gladstone as well as they have without a rate increase. The Cable TV Advisory Board unanimously recommended approval of the rate increase.

Mayor Bussinger stated that he felt Mr. Carr had done a good job in representing his cable tv company in our community. No one likes to see price increases, but anymore it is a fact of life and he personally has no problem with the proposed rate increase. Mr. Bussinger noted that notification of this public hearing was legally published in the Dispatch newspaper as required by ordinance.

Mr. Whitton pointed out that the cable tv rate increase differs from one on water and sewer bills as example, as customers can choose to drop their cable subscription if they don't like the rate increase.

There were no further questions or comments regarding this matter, whereupon Mayor Bussinger closed the public hearing.

Item 5 on the Agenda: Communications from the Audience.

Mrs. Taylor, 6 NE 74th Street, spoke to the Council about drainage problems at her residence. The previous day water was washing all down 74th Street. Two summers ago, Mr. Achen and Mr. Anderson had visited her residence on the same problem and the City eventually paid one-third of the cost of installing a new foundation. To dig up the front yard and waterproof again will cost approximately \$900. Her neighbors experience similar water problems.

Mrs. Taylor also spoke about problems she and neighbors have with vehicles parking on both sides of the street, blocking drives and at times parking in their own driveways. The cars are the overflow of persons attending activities at Linden West School. In addition diesel tractors from the grain company park on, and in her opinion, wear down the street. The street is 20 ft. wide and simply cannot handle parking on both sides. She indicated that when police are

called they only laugh. She invited Council representatives and city staff to her residence for a meeting on the matter at 7:00 pm, Tuesday, June 28th.

Mr. Bussinger asked Mrs. Taylor if she had stated the police laugh when they come out. Mrs. Taylor said yes and further stated that while her daughter received a ticket for parking in front of her house, tickets are not issued when school patrons park on the street.

Mrs. Nel Boswell, 4 NE 74th Street, indicated she had been a resident of the city since 1967 and spoke on the same issue agreeing with Mrs. Taylor the public safety only tickets residents not school participants. She indicated this has been a long standing problem with the school district and was told the city would not address the problem with the school district because the city did not want to disturb relations with the district.

Mayor Bussinger asked that the residents let the city look into this two-fold problems of narrow street and drainage and make some recommendations. Mayor Bussinger indicated he had a commitment and could not attend the meeting at Mrs. Taylor's residence but asked that the city staff be represented. Councilman Whitton indicated that he would attend.

Mr. Achen recalled that the grain company had been contacted over a month ago about their practice of parking and utilizing the street and in fact some tickets had been issued. He agreed to look into the matter again.

\* \* \*

Mr. Rick White, Manager of Godfather's Pizza, 328 NE 72nd Street, spoke to the Council about problems of kids loitering outside of the arcade and in their parking area. This activity tends to breed drinking and drugs and he questioned if a curfew law was in order as his business was being hurt.

Mr. Bussinger said he was of the opinion that parents should set the time their children are due home rather than the city and questioned if the arcade presently employed a part-time officer to oversee their establishment. Mr. Bussinger directed the city manager and public safety department to look into the matter and make recommendations.

\* \* \*

Becky Bledsoe, 206 NE 76th Terrace, visited with Council and reviewed pictures depicting drainage problems west of the Rex Harbison shopping center. She indicated a letter on the matter had been sent to the Council in April but she has received no response. Council agreed to look into her complaint and to have city staff and a council representative stop by her residence Tuesday, the 28th following meeting at Mrs. Taylor's.

\* \* \*

Gwenn Brady, 7417 North Broadway also complained about the loitering at 72nd & Oak in front of the arcade and Godfather's Pizza. Although she does not recommend a curfew she does ask that the kids stay inside the establishments and not block the sidewalks and parking lots. She related a recent incident where she was "bad mouthed" by kids sitting on her car.

Item 6 on the Agenda:      Communications from the City Council.

Mayor Bussinger suggested that the Council review the present sign ordinance at a forthcoming worksession and seek staff, and business community input on what changes should be made. Mr. Karns and Mr. Whitton agreed that something needs to be done.

Mr. Bussinger complimented the public safety department's CRT group actions with respect to the hostage situation on Sunday, June 26th. He was impressed with the way they worked.

Item 7 on the Agenda:      There were no communications from the City Manager.

Item 8 on the Agenda:      Approvals.

- a. Site Plan Modification and building permit, 5945 N Antioch Road  
Bob's IGA, Owner      Applicant: Allison Alexander

Mr. Pete Hall was present as well as Mr. Don Alexander, contractor to review plans for construction of a covered receiving dock to the rear of the existing store. Mr. Hall explained that the modification will make the store more accessible for deliveries, keep the building more secure and help alleviate their existing trash problems by providing area for dumpster compactor.

Mayor Bussinger noted the Planning Commission unanimously recommended approval. Mr. Whitton noted that he had attended the Planning Commission meeting and the Planning Commission was satisfied with the setback of 20/4 in the plans therefore he would be in favor of approving the requested building permit and site plan modification.



Mayor Bussinger noted that the staff report indicates sidewalks would be required although no sidewalks presently exist on N. Chestnut or Antioch. Following discussion Mr. Whitton moved to approve the building plans and site plan modification for Bob's IGA, 5945 N Antioch Road with waiver of sidewalks; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger. (3-0)

Item 8b. Site Plan and Building Permit, 2727 Brooktree Lane  
Applicant/Owner: Herbert L. Seigel, DDS, Inc.

Architect Ken Bost reviewed plans for the dental building with Council.

Council discussed drainage and Mr. Ken Winklor, Planning Commission Chairman, noted that this issue was thoroughly discussed by the Commission and members were of the opinion that the plans as drawn would get the water across the street and into the proper drainage area. Acting Director of Public Works had no objection at the Planning Commission meeting.

Mr. Whitton moved to approve the site plan and building permit for 2727 Brooktree Lane as submitted; Mr. Karns seconded. The vote: All "aye" Whitton, Karns, Bussinger. (3-0)

Item 8c. Approval of Class A & B Liquor License Renewal for Godfather's Pizza, 328 NE 72nd Street under new managing officer: Richard H. White.

Mr. Achen noted that Public Safety Department recommends renewal and approval of new managing officer as requested. Mr. Whitton moved to approve the renewal application; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger.

Item 9 on the Agenda: Second Reading: Bill No. 83-21, amending Section 29-6 of the City Code to establish new water service rates.

Mr. Whitton moved to approve the first reading of Bill No. 83-21 and place said bill on second reading; Mr. Karns seconded. The vote: "No" - Whitton, Karns, "Aye" - Bussinger. (1-2) BILL 83-21 DENIED ON SECOND READING.

Item 10 on the Agenda: Second Reading: Bill No. 83-22, amending Section 83-22, amending Section 29-66 of the City Code to levy new sewer service charges.

Mr. Whitton moved to approve the first reading of Bill No. 83-22 and place said bill on second reading; Mr. Karns seconded.

Discussion: Mayor Bussinger commented that he assumed that Mr. Karns and Mr. Whitton would be voting no on this bill as they had on the previous agenda item and questioned where we would come up with the revenue that would be lost by denial of the water and sewer rate increases.

Mr. Karns responded that he would have to take the same position as Mr. Ashcroft had when he introduced the temporary reduction of the utility franchise fee on gas and electricity that being the Council decided not to raise it so it is up to the City Manager to budget without it.

The vote: "No" - Whitton, Karns; "Aye" - Bussinger. (1-2)  
BILL 83-22 DENIED ON SECOND READING.

Item 11 on the Agenda: First Reading: Bill No. 83-24, amending the Cable TV Franchise Ordinance to establish new subscriber rates for basic cable television service.

Mr. Whitton moved to place Bill No. 83-24 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger. (3-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-24, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger. (3-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-24 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Bussinger. (3-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-24 and enact said bill as Ordinance No. 2.480. Mr. Whitton, Mr. Karns, Mayor Bussinger; All "aye" - (3-0)

Item 12 on the Agenda: Mr. Whitton moved to adopt Resolution No. 83-36, adopting the 1984 annual operating budget for the City of Gladstone, Missouri and authorizing expenditure of funds; Mr. Karns seconded.

Mr. Achen noted that the record should reflect modifications in the figures to compensate for the reduction of gross receipts on natural gas and electricity as adopted at the last Council meeting. Those changed primarily are reflected in the general fund. Total general fund expenditures are \$3,467,359; total revenues are \$3,299,466 with a projected year end balance of \$982,668.

The vote: All "aye" - Whitton, Karns, Bussinger.

Item 13 on the Agenda: Mr. Whitton moved to adopt Resolution No. 83-37, a resolution of intent to comply with the provisions of the Revised Statute No. 67.110 on setting the property tax levies by September 1, 1983 as required by law. Mr. Karns seconded.

The resolution sets August 8, 1983 as the date for a public hearing before the Council on setting the property tax levy.

The vote: All "aye" - Whitton, Karns, Bussinger (3-0)

Item 14 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-38, authorizing the City Collector to publish the land and lot delinquent list and to sell such lands and lots as are necessary to discharge the taxes, interest and charges due at sale by public auction at the door of the Courthouse of Clay County on August 22nd as allowed by law. Mr. Karns seconded.

\* Mr. Fairlie joined the meeting at this time. 8:50PM

The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Item 15 on the Agenda: Other Business.

Mr. Fairlie commented that he was glad to see the final asphalt lift being applied on the North Troost construction project (72nd - 77th).

Mr. Bob Randolph, Chairman of the Village of Oakview requested the opportunity to meet with Council regarding the Village's request to obtain animal control and emergency medical services from Gladstone.

Mayor Bussinger advised that the City had determined that Gladstone would not be in a position to provide this service and noted that the budget modifications call for reducing the nuisance abatement/animal control personnel by one person.

Discussion was held on the poor workmanship with respect to street cuts on N Oak on areas within the Oakview city limits. Mr. Achen noted that Gladstone has standards for street cut repairs and suggested the Village should monitor the cuts within their jurisdiction.

Mr. Randolph agreed and suggested that Council give Oakview representatives the opportunity to discuss these matters at a future worksession. Mr. Bussinger advised that would be arranged however it might have to be after the August 2nd bond election.

Item 16 on the Agenda: SUN Reporter George McCuisiton requested detailed information regarding the budget modifications and was provided a copy of the City Manager's newsletter report to the Council on the subject.

There was no further business to come before the June 27, 1983 meeting of the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
CITY CLERK

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

*Lee W. Bussinger*  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

July 11, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes  
Regular Council Meeting, May 23, 1983  
Regular Council Meeting, June 27, 1983
4. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to R-2, Two Family Dwelling District, property located at 4914 N Central. Applicant: W.V. Bell
5. APPROVAL OF BUILDING PLANS
  - a. 202A NW 72nd Street, The Shootist firing range.  
Applicant: Don Pind. Owner: Ben Rose
  - b. 701 NE 76th Street, warehouse/distribution center  
Applicant: Oak Grove Development Company
  - c. 208 NE 72nd Street, dance studio  
Applicant: Susie Ibsen Owner: No. Oak Associates, Ben Bolt
  - d. 6553 N Oak - Gladstone Plaza Shopping Center  
Applicant: Byers & Gunn Architects Owner: Alan Wolff
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. FIRST READING: BILL NO. 83-25, amending the Model Traffic Ordinance by the addition of new stop sign locations.
10. FIRST READING: BILL NO. 83-26, authorizing renewal of a mutual aid agreement for fire protection with the Village of Claycomo, Missouri.
11. Other Business
12. Questions from the News Media
13. Adjournment

add on: agenda item 8-a. 27 Liquor license renewals (see attached listing)

RE: July 11, 1983 City Council Meeting Agenda addition  
Liquor License Renewals

Finding no record of violation or adverse information,  
the Public Safety Department recommends renewal of the  
listed 17 businesses' liquor licenses:

1. Ball's Super Food Store, Inc.  
7503 N Oak, Class E
2. Aldi's  
6577 N Oak, Class E
3. Shady Lane United Super  
6316 N Oak, Class C
4. Williams United Super  
7219 N Oak, Class C
5. 21-21 Club, Inc.  
5941 N Antioch Road, Class A
6. Pizza Hut  
6420 N Oak, Class F
7. Cascone's Liquor & Deli  
7400 N Oak, Class C
8. Zarda Dairy Store #16  
6211 N Chestnut, Class G
9. Nadine's Restaurant & Bar  
6821-25 N Oak  
Class A&B
10. Red Lobster  
6221 N Chestnut, Class A&B
11. Minsky's Pizza, 6311 N Antioch Rd  
Class A&B
12. Guthries Restaurant & Bar  
6425 N Oak, Class A&B
13. Gene's Party Shop, Inc.  
6313 N Prospect, Class C
14. China Plaza Restaurant  
7521 N Oak, Class A&B
15. Cellarmaster Wines of Missouri  
6942-42½ N Oak, Class C
16. Bobby Bell Bar-B-Que  
7013 N Oak
17. Begulia's  
6401 N Antioch, Class C

Public Safety Department recommends renewal of the 10 listed establishments although each received 3 day suspension for sale to minors on January 10, 1983.

1. Bob's IGA  
5945 N Antioch Class C
2. Zarda Dairy Store  
6417 N Oak, Class G
3. Gladstone Party Center  
7102 N Oak, Class C
4. Happy Rock Liquor  
6100 N Oak, Class C
5. Quick Trip  
7603 N Oak, Class C
6. Quick Trip  
2000 NE 72nd, Class C
7. Aardvark Liquor & Deli  
7507 N Oak, Class C
8. Shop N Go Market  
5821 N Antioch Road, Class C
9. Shop N Go  
7125 N Broadway, Class C
10. F&R Liquors  
6587 N Oak, Class C

MINUTES

CITY COUNCIL MEETING

GLADSTONE, MISSOURI

July 11, 1983

The July 11, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Ashcroft moved to approve the minutes of the regular May 23, 1983 City Council Meeting as submitted; Mr. Whitton seconded. The vote: Aye - Whitton, Karns, Ashcroft. Pass- Fairlie, Bussinger. (3-0)

Mr. Whitton moved to accept the June 27, 1983 regular City Council Meeting minutes as submitted; Mr. Karns seconded. The vote: Aye - Whitton, Karns, Bussinger. Pass - Fairlie, Ashcroft. (3-0)

Item 4 on the Agenda:      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to R-2, Two Family Dwelling District, property located at 4914 N Central. Applicant: W.V. Bell.

Mayor Bussinger opened the public hearing explaining the procedure that those in favor would be invited to speak followed by those in opposition.

Mr. W.V. Bell was present to review his rezoning application. He explained that several years ago a 1,000 sq. ft. addition was constructed onto his residence to accommodate his mother-in-law. He would now desire to rent this portion of his residence thus necessitating this rezoning application.

Council noted that the Planning Commission will make their recommendation at their regular meeting on July 18, 1983.

In response to question from Mr. Ashcroft Mr. Bell indicated he did not have an interested tenant at the present time.

Mr. Bell indicated he had tried to sell the property but would have to find just the right buyer who would have a similar situation and need this type of a house. Presently his daughter lives there.

Mr. Bell noted that it would be ideal for an elderly couple or someone with a small child. He pointed out that it is a dead-end street and the rezoning would not add any additional traffic or bother anyone.

The Mayor noted that the Planning Commission had discussed the possibility of a special use permit.

Mr. Fairlie commented that he did not believe that a special use permit could be issued for that purpose. Mayor Bussinger said he was not sure.

Mr. Fairlie noted that the staff report indicates that north and east of this property is developed residential.

Mr. Bell noted that residents Clevenger, Scott and Boeding on Old Pike Road were not notified of the rezoning application. It is his understanding that they live within 185 feet and questioned if it was an oversight by the City. Council clarified that although it is not a requirement by law, the city customarily sends to all within 185 feet as a courtesy and indicated we would check our records.

East are two residences, south is a vacant lot and west is undeveloped light industrial. Most affected neighbors Malones and Dennis have indicated they do not oppose the rezoning but are not present this evening.

#### Opposition

Mrs. Clarence Johnson, 4921 N Central, stated she built her home 25 years ago at that location and opposes this rezoning application because of traffic that they have there now. They are constantly plagued with dumping. She has to go out every night or so and pick up a half of a trash bag full of papers, beer cans, etc. She has had car parts dumped on her and she thinks it is a problem down there and the property should remain as it is presently zoned. Her home was burglarized several years ago. She wants to be Mr. Bell's neighbor now and in the future and intends no hardship on him.

Sylvia Gould, 4900 Old Pike Road, stated she owns adjacent property with her children both on Old Pike Road and N Central. She explained that the area is a quiet, peaceful, cul-de-sac. She noted that she was in agreement with the possible solution suggested by the Planning Commission of a special use permit. She indicated that she had contacted Mr. Bell and told him that she might have to oppose his rezoning application and he said that is perfectly alright. However when they left the Planning Commission, Mr. Bell lashed-out at her and Mrs. Johnson and she feels he was infringing on their civil rights by being so obnoxious. She feels he tried to intimidate them by threatening to sell to a large colored family as quickly as possible. Over the years there have been people dump things in the area and when Mr. Bell worked for a construction company there were things that made her believe he might have infringed on that area.



She does not feel that Mr. Bell should "muzzle" them because they oppose. She believes they have to voice their opinion because he is in the process of selling it and her personal opinion is that he wants this zoning so he can "unload" the property and get out. If he intends to stay there and intends to rent it out as a mini-condo or whatever you would call it, she would favor a special use permit with a stipulation that the special use and zoning is for his purpose only and would revert back to R-1 if he sells.

Mayor Bussinger said he was not saying there would be a special use permit granted but if there was - there would have to be some sort of stipulation that if sold it would revert back to R-1 use. Mrs. Gould said she thinks a special use would be reasonable and the neighbors would be in favor of it.

There were no additional comments, whereupon Mayor Bussinger closed the public hearing. He advised that the Planning Commission would make their recommendation at the July 18, 1983 meeting.

Item 5 on the Agenda:      Approval of Building Plans.

- a. 202A NW 72nd Street, The Shootist Firing Range.  
Applicant: Don Pind. Owner: Ben Rose

Applicant Don Pind reviewed building plans with Council noting that operation hours are 10AM - 9PM. The Detroit Bullet Trap Corporation is designer of the bullet trap. He described the filtering system and other environmental controls. The facility is designed for any handgun and small bore rifles. With respect to staff note on July 7, 1983 staff report (Item 4), Mr. Pind said that Mr. Rose believes the drains all run through the car wash; if not there is a pit that can be used for that purpose. The air will be filtered and exhausted every 1.48 seconds. Walls are 8" masonry and will be lined with 4" concrete.

Mayor Bussinger asked about noise. Mr. Pind noted it has been tested and with the design and insulation there should be no more than conversation level.

Mr. Whitton moved to approve the building plans as submitted with the requirement that mechanical and floor drain plans be approved by the City Engineer as referenced in staff report dated July 7, 1983. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

- b. 701 NE 76th Street, warehouse distribution center  
Applicant; Oak Park Development Company

Mr. Jerry Butler of George Butler Associates, architects for this project, introduced the owners present in the audience.

Mr. Butler reviewed plans for the one story office warehouse building designed for van entry in the front and dock high on the backside.

The site is already zoned for this use and approximate coverage is about 28% of the land area. This type of building is being built very successfully south of the river and the owner feels there is a market for this type of a building here. Office space will be in the front and warehouse storage in the rear. The driveway to the south will be increased to meet city requirements. They have tried to accommodate their neighbors by developing only 28% of the land. Heavy landscaping is planned and the facility is designed for city trucks rather than over the road trucks. Present tractor trailer parking will be eliminated. Smooth face Cherokee block will be used. Mr. Butler noted that he understands that the City will have to approve their final landscape plans. It was noted that storm water detention pond is shown on the southeast corner of the property.

Mr. Marion Christie, 801 NE 76th Street, noted his residence is to the east of this property and while he is not opposed to the development notes the present problems with truck traffic and drainage problems from old railroad track bed. He asked if they will landscape next to his property and asks if it will be fenced. He commented that neighbors are in opposition to this and didn't know of the meeting. Mr. Bussinger pointed out that this is not a rezoning application and the property is already zoned for this use.

Mr. Christie suggested a fence between the properties of 3-4'. Mr. Christie said that his property is 283 feet deep and suggests fencing the full length. Following lengthy discussion of fencing suggestion, Mr. Butler recommended construction of a berm with landscaping in lieu of the fence. Mr. Christie expressed concern that the berm would put additional water on his property. Mr. Butler noted that the berm would have the water drain south not on Mr. Christie's lot.

Mr. Christie said a berm is fine if maintained well. Mr. Bussinger noted that the company is making a considerable investment and he feels they want to do it right.

Mr. Ashcroft moved to approve the building permit with landscaping berm in place of fencing; Mr. Fairlie seconded. the vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Karns suggested that Mr. Christie come back if the water does not go where Mr. Butler said it would.

Mr. Christie asked if neighbors would have an opportunity to come to a subsequent meeting to talk about this as they were unaware of the proposed construction. Mr. Bussinger explained again that the property is already zoned M-1 which allows this use, therefore the applicant need only submit building plans for council approval that conform to all city codes.

c. 208 NE 72nd Street, dance studio building plans.  
Applicant: Susie Ibsen Owner: N Oak Associates

Susie Ibsen reviewed plans for this 1,300 sq. ft. building that would finish interior to provide for an office area, small storage and two restrooms as well as the dance floor space. Council noted that the plans meet all code requirements and ample parking for this space is provided as part of parking calculation for shopping area. Mrs. Ibsen advised that she and her husband both taught at St. Mary's College in Leavenworth, Ks. and were anxious to locate in this area. They have a three year lease on this space.

Mr. Fairlie moved to approve the building plans as submitted: Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

d. 6553 N Oak Building Plans. Gladstone Plaza Shopping Center  
Applicant: Byers & Gunn Architects

Mr. Robert Byers representing owner Alan Wolff reviewed plans for partitioning the former TGY store in the Gladstone Plaza Shopping Center to house Milgrams (37,500 sq. ft) and another occupant yet to be signed. Plans call for construction of a loading dock 4ft. high on the existing grade at the SE corner of the building. A compressor room and employee lounge will be above the dock. Milgrams would like to be in business before Thanksgiving. He indicated that Sears has an interest in the other space but nothing has been finalized. Sears would actually desire more space than would be available in this facility so it is unknown at this time if they will finalize the lease.

Discussion was held on the material to be used for the dock addition. Mr. Byers pointed out that from an architectural standpoint using the same concrete block as existing construction would be more desirable than another material.

Mr. Fairlie moved to approve the building plans for 6553 N Oak as submitted with use of concrete block. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 6 on the Agenda: Communications from the Audience.

Jack Evans, 5702 NE Antioch Road asked when the sign ordinance review was scheduled. Mayor Bussinger stated that Council had requested staff recommendations and would be looking at this ordinance for possible amendment sometime in September.

Nell Boswell, 4 NE 74th Street, suggested that no parking on one side of 74th Street as was suggested would only aggravate homeowners and requested that school be asked to provide parking on their tract of ground. One property owner put up 12 posts along their property to keep school patrons off of their property.

City Council directed City Manager Achen to communicate with the North Kansas City School District to request they provide additional parking facilities at Linden West School.

\* \* \*

Edna Johnson, 4921 N Central, asked the status of the culvert restoration at 49th and Old Pike Road citing the dangerous situation recently when flashers have been vandalized.

Sylvia Gould, 4921 N Central, also attested to the dangerous situation and indicated that now the west bank is getting weak and visibility is a problem because of hanging limbs. Cars have fallen off the west bank and the Henry mailbox in that area has been hit 3 times. She stressed the need for widening.

Mr. Achen responding to their inquiries noted that this is a major drainageway and needs to be well designed with future improvements to N Broadway in mind. The street will need to be closed for approximately 30 days to make the repairs. He will review the status with staff but it is his understanding that the contract will be awarded sometime in August for replacement of the existing arched culvert and 30 ft. wide street including curbs and gutters. He agreed to communicate with both Mrs. Gould and Mrs. Johnson after ascertaining the status with city staff.

Item 7 on the Agenda:      Communications from the City Council.

Councilman Whitton asked the status of trash and drainage problems in the southwest corner of Meadowbrook Shopping Center. Mr. Achen advised that the public works department has communicated with Peterson Company on the problems and he will determine the status and report back to Council.

Mr. Fairlie asked the status of the N Troost project. Mr. Achen advised that sod will be laid in September and property owners so notified. Construction company indicates completion expected by July 15.

Mayor Bussinger expressed City's sympathy to family of David Bauman, Board of Zoning Adjustment member, who died on July 8th.

Mayor Bussinger also congratulated city staff on the successful Fireworks display July 4th which was very well attended.

Mr. Bussinger asked the status of problems at the arcade at 72nd & Oak and suggested that the city remind the arcade that we extended their operation hours provided that there were no problems. Mr. Achen advised that public safety staff is meeting with property owners to discuss the owners taking on the responsibility of policing the areas.

Item 8 on the Agenda:      Communications from the City Manager.

Mr. Achen requested the addition of liquor license renewals for 27 establishments. Mayor Bussinger designated the addition as agenda item 8-a.

Item 8a. on the Agenda:      Liquor License Renewals.

Mr. Ashcroft moved to approve liquor license renewals for the following establishments as recommended by the Public Safety Department following their application review; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft, Bussinger. (5-0)

Balls Super Food Store, Inc, 7503 N Oak, Class E  
Aldi's 6577 N Oak, Class C  
Shady Lane United Super, 7219 N Oak, Class C  
21-21 Club, Inc., 5941 N Antioch, Class A  
Pizza Hut, 6420 N Oak, Class F  
Cascone's Liquor & Deli, 7400 N Oak, Class C  
Zarda Dairy, 6211 N Chestnut, Class G  
Nadine's Restaurant & Bar, 6821-25 N Oak, Class A&B  
Red Lobster, 6221 N Chestnut, Class A&B  
Minsky's Pizza, 6311 N Antioch Road, Class A&B  
Guthries Restaurant & Bar, 6425 N Oak, Class A&B  
Gene's Party Shop, Inc, 6313 N Prospect, Class C  
China Plaza, 7521 N Oak, Class A&B  
Cellarmaster Wines of Missouri, 6942 N Oak, Class C  
Bob's IGA, 5945 N Antioch, Class C  
Zarda Dairy Store, 6417 N Oak, Class G  
Gladstone Party Center, 7102 N Oak, Class C  
Happy Rock Liquor, 6100 N Oak, Class C  
Quick Trip, 7603 N Oak, Class C  
Quick Trip, 2000 NE 72nd, Class C  
Aardvark Liquor & Deli, 7507 N Oak, Class C  
Shop N Go Market, 5821 N Antioch Road, Class C  
Shop N Go, 7125 N Broadway, Class C  
F&R Liquors, 6587 N Oak, Class C  
Bobby Bell Bar B Que, 7013 N Oak, Class A  
Begulias, 6401 N Antioch, Class C  
Williams United Super, 7219 N Oak, Class C

Item 9 on the Agenda:      First Reading: Bill No. 83-25, amending the Model Traffic Ordinance by the addition of new stop sign locations.

Mr. Ashcroft moved to place Bill No. 83-25 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft noting an error in stop sign location No. 502 and moved to amend Bill No. 83-25 to have sign location No. 502 read: "Northeast 68th Street and North Wayne, southwest corner, governing eastbound traffic on 68th Street". Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Ashcroft moved to accept the first reading of amended Bill 83-25 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 83-25, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the bill.

Mr. Ashcroft moved to accept the third and final reading of amended Bill No. 83-25 and enact said bill as Ordinance No. 2.481. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 10 on the Agenda:      First Reading: Bill No. 83-26, authorizing renewal of a mutual aid agreement for fire protection with the Village of Claycomo, Missouri.

Mr. Whitton moved to place Bill No. 83-26 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-26, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-26, waive the appropriate paragraph of Ordinance No 1.83 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Whitton moved to accept the third and final reading of Bill No. 83-26, and enact said bill as Ordinance No. 2.482.

Item 11 on the Agenda:      Other Business.

Mayor Bussinger acknowledged receipt of staff report detailing the expenditure of the Bolling Heights Homeowners Association's \$11,931 donation for community building improvements. He noted that the homeowners association was instrumental in construction of the original community building and expressed his pleasure with the improvements. He requested that former homes association president Frank Scully be provided the staff report together with a letter of appreciation from the city.

Mayor Bussinger discussed the August 2nd bond election issues and urged citizen support.

Mr. Fairlie in responding to question from reporter Ken Hatfield as to his stand on the current sign ordinance, stated that the section dealing with pole signs could be improved and he does not like sign proliferation and appendages.

There was no further business to come before the July 11, 1983 meeting of the City Council, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected  
amended: ☐

Marilyn Ahnefeld  
Marilyn Ahnefeld, City Clerk

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
8 August 1983

A G E N D A

NOTICE OF MEETING

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes - July 11, 1983 City Council Meeting
4. PUBLIC HEARING: Request to rezone from C-1, Local Business District, to RP-3, Planned Garden Apartment District, property at SW corner of NE 72nd and N. Antioch. Applicant/owner: Kingston Court Development Co. (Gary Gable and Ron Topham)
5. PUBLIC HEARING: Request to rezone from R-1, Single Family District to CP-1, Planned Local Business District, and CP-3, Planned Commercial District, property described as south of NE 72nd Street at N. Euclid. Applicant: John Worrel  
Owner: Assembly of God Church.
6. PUBLIC HEARING: On setting the annual rate of levy for 1983 Real and Personal Property Taxes for the City of Gladstone.
7. Approval of Building Plans
  - (a) 7273 North Oak, Applicant: Flash Cube, Inc.
  - (b) 400/404 N.W. Englewood Road, Applicant: Varnum-Armstrong-Deeter, Inc.
  - (c) 6200 N. Antioch Road, Applicant: James Webb
8. Liquor License Renewals
  - (a) Renewal Class A Liquor License, Carrollton Bowl Lounge, Inc., 300 NW 72nd Street. New Managing Officer: Joseph R. Clooney, Sr.
  - (b) Renewal Class F Liquor License, Pizza Inn, Inc., 7000 North Oak Street Trafficway. Managing Officer: Carl A. Hummel
9. Communications from the Audience.
10. Communications from the City Council
11. Communications from the City Manager
12. FIRST READING: BILL NO. 83-27, rezoning property from R-1, Single Family Dwelling District to R-2, Two-family Dwelling District at 4914 North Central. Applicant: W. V. Bell
13. FIRST READING: BILL NO. 83-28, approving the final plat of Englewood Plaza, First Plat, Englewood and Broadway. Applicant/Owner: Northwoods Development Co., Bob Gingrich, President.
14. FIRST READING: BILL NO. 83-29, approving the final plat of Maple Woods, 2nd Plat, NE 74th Street and North Olive. Applicant/Owner: J.A. Peterson Investment Co.
15. FIRST READING: BILL NO. 83-30, an ordinance declaring the results of the August 2, 1983, special bond election.
16. FIRST READING: BILL NO. 83-31, an ordinance fixing the annual rate of levy for the 1983 real estate and personal property taxes within the City of Gladstone.

( continued )



7. RESOLUTION NO. R-83-39, establishing a procurement policy in the area of certain professional services.
18. RESOLUTION NO. R-83-40, authorizing the sale of surplus city property at public auction.
19. RESOLUTION NO. R-83-41, authorizing acceptance of a proposal for culvert reconstruction at 4900 Old Pike Road.
20. RESOLUTION NO. R-83-42, authorizing execution of water main extension contract no. 184.
21. Approval of Financial Reports:  
(a) Interim Financial Report for June, 1983  
(b) Interim Financial Report for July, 1983
22. Other Business
23. Questions from the News Media
24. Adjournment

MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
August 8, 1983

The August 8, 1983 meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor, those in attendance were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler, and the acting city clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Whitton moved to approve the minutes of the regular July 11, 1983 City Council Meeting as submitted; Mr. Karns seconded. The vote: Aye - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 4 on the Agenda: Public Hearing: Request to rezone from C-1, Local Business District, to RP-3, Planned Garden Apartment District, property at SW corner of NE 72nd and N. Antioch. Applicant/Owner: Kingston Court Development Co. (Gary Gabel and Ron Topham.)

Mayor Bussinger opened the public hearing explaining the procedure that those persons in favor of the proposal would be invited to speak followed by those in opposition.

Mr. Gary Gabel, 2212 NE 74 Street, Gladstone, was present to review his proposal. The development consists of 49 luxury apartments ranging in area from 960 square feet to 1200 square feet, to rent from \$400-\$525 per month. The apartments would be fully equipped and the majority of them would have a garage.

Mr. Bussinger asked how many buildings are proposed? Mr. Gabel said that the new buildings would be twins to the existing buildings and will be of different size. The project would consist of four buildings with identical exterior finish.

Mr. Ashcroft asked why only 3.8 acres of a 4.0 acre tract are being addressed by this proposal? Mr. Gabel indicated that the remaining corner acreage is being held back for future commercial use and not being included as it is not needed for this project.

Mr. Fairlie asked the developer for clarification on the number of units per building. Mr. Gabel said that there had been an error in the engineering report, stating that the first staff report was classified as nine buildings, but should have indicated four. Parking spaces have been added to conform to the required 123. Sidewalks will be installed on adjacent property on Antioch Road and 72nd Street.

Mr. Whitton pointed out the staff report that indicated the development exceeded square footage allowed. Mr. Gabel said that was a misunderstanding and that that had been changed in a subsequent staff report. The development does comply with the city's requirements. He also indicated that the proposal has the support of the three adjacent property owners.

Opposition

There were no responses in opposition to the proposal. Mayor Bussinger announced that the First Reading of this bill would be placed on the agenda of the City Council meeting of August 22. The Public Hearing was closed.

Item 5 on the Agenda: Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, and CP-3, Planned Commercial District, property described as south of NE 72nd Street at North Euclid. Applicant: John Worrel. Owner: Assembly of God Church.

Mr. John Worrel, 1236 Dunwich Drive, Liberty, Missouri, addressed the Council concerning his proposed development. Five buildings would be proposed in addition to a 10-bay car wash. In five to six years, the car wash would be converted to office space. He indicated that this request was to rezone the property from residential due to the proximity of the power lines. The area could not be utilized as residential within 30 feet of the power lines, and the rear of the property cannot be utilized due to the flood line. The area would be leveled and a pool or holding area would be installed for water detention in the rear of the property. Mr. Worrel felt that there would be no problems from the on-off traffic off 72nd Street.

Mayor Bussinger indicated that he has had a great number of calls in response to this rezoning application and there is a great concern about the traffic problem and also the noise that would be created by a business of this type. He asked what assurance the developer could give the Council that he, in fact, would close down the car wash and convert to the office space. Mr. Worrel indicated that in five to six years, continuing the car wash would not be advantageous at that point. It would be more profitable to change to the office space. Mr. Worrel again stated that the conversion is the plan at this time; that they know the land cannot be utilized as single-family residences.

Mr. Karns questioned the premise of turning a car wash into office space being more profitable than another purpose. Mr. Worrel pointed out that Mr. Ben Rose recently has done the same thing with his business and that the cost of manpower, utilities involved, etc., are prohibitive. With a structure such as this, with the car wash bays, you have the sides and backs of the buildings and they are readily converted into office building structures.

Mr. Fairlie asked about the marketability of office buildings in the future? Mr. Worrel said that the professional office buildings are more marketable than retail or commercial buildings, as they change too rapidly.

Mr. Ashcroft commented that Mr. Worrel's references to Mr. Rose's development was not understandable, as Mr. Rose has recently closed down his car wash and converted to another purpose. Mr. Worrel indicated that Mr. Rose had many other business interests and he did not feel that lack of profits was the primary motive in Mr. Rose's conversion of his property into another purpose.

Mr. John Swenson, 102 NW 65 Terrace, Gladstone, addressed the Council in favor of the proposed development. He said that it was his observance that there were a lot of other areas of the city where there was more traffic congestion than this development would create. He indicated that Gaslight Realty had interviewed residents in the area of Mr. Rose's car wash and on 75th Street and the residents had indicated there has not been a problem with noise. Mayor Bussinger commented that when he tried to rezone his property, that was not what the residents had said. Mr. Swenson felt that the traffic problem would not be in going onto Euclid, but rather in going off Euclid onto 72nd Street. With the car wash being on the opposite side, he felt that it should not create a problem in the traffic pattern.

Mr. John Long, 18 NE 88 Terrace, represented the Assembly of God Church in addressing the Councilmembers in favor of the proposal. He was one of a number of persons in the audience from the Church and they urged the Council to approve the rezoning so that the property could be utilized. The Church could not benefit from idle property.

Mayor Bussinger said that the Council appreciates the fact that the Church desires to utilize the property and understands their position, but it is the responsibility of the Council to make certain that the land in the City of Gladstone is zoned to the highest and best use for all of the community. The Master Plan does not show the type of facility proposed on 72nd Street, but rather defines the area as primarily R-1 zoning.

#### Opposition

Mrs. Sandra Woody, 7201 North Woodland appeared in opposition to the rezoning proposal and expressed the concern of many of the area residents who had signed a petition against this development. Mrs. Woody pointed out information from the Master Plan that the City of Gladstone had published in 1972, which forecast the increased traffic flow on 72nd Street by 1984. She felt that the Day Care Center and Quick Trip convenience store could create an increasingly dangerous situation for area residents and their school-age children. She urged the Councilmembers to reject this request for rezoning.

Mr. Bob Sturm, 7311 North Euclid, presented a signed petition in opposition to the development and said that traffic congestion and safety should be of great consideration in this matter. He said that most area residents feel that it is already at the danger level and that the opening of the Day Care center will contribute to the already-existing congestion. Property owners feel that the value of their property will quickly deteriorate should this request be approved. He noted that the Planning Commission has gone on record as being opposed to any additional commercial zoning in this area. He said that this zoning is contrary to the Gladstone's Master Plan for this area.

There were no other comments from the audience and Mayor Bussinger closed the public hearing.

Item 6 on the Agenda: Public Hearing On setting the annual rate of levy for the 1983 Real and Personal Property Taxes for the City of Gladstone.

Mr. Achen explained that the Missouri State Statutes require that the City of Gladstone City Council conduct a public hearing before setting its property tax levy. Ordinarily, this would be done at the same time as the budget public hearing, but in the past several years, the certification of the assessed valuation has not been received from the county offices in time for the budget process. The present recommended tax rate is to remain 82¢ per \$100 assessed valuation, which has been in force for the past 24 years.

Mrs. Sylvia Gould, 4900 Old Pike Road, addressed the Council with the comment that she felt that it was wonderful that the tax rate is so low and she doesn't believe that the fact is advertised enough. Mayor Bussinger thanked her for her comment.

Mr. Fairlie asked Mr. Achen if the current budget would allow the city to operate at the 82¢ tax levy level? Mr. Achen said that it would, but that the property tax is not the primary funding for the city. It is the second largest source of revenue in the General Fund for operating purposes and the budget was adopted in anticipation of the revenues that we will still expect to receive from this tax levy. Actual figures that were certified by the County were in line with those estimates given to us earlier in the budget preparation process.

There were no further questions or comments and Mayor Bussinger closed the public hearing.

At this time, the Mayor declared a five minute recess to allow those persons to leave who had no further interest in items on the remaining agenda.

Item 7 on the Agenda. Building Plans

a. Flash Cube, Inc., 7273 North Oak, Applicant: Flash Cube, Inc.

Mr. Ralph Spence, 6144 NW Wales Road, Kansas City, Missouri, the distributor for Flash Cube, Inc., in the Kansas City area indicated that he had been asked by the St. Louis home office to appear to try to answer any questions of the Councilmembers regarding the development.

Mr. William O. Eisler, 6140 NW Wales Road, Kansas City, the owner of the franchise for the proposed location was also present and explained that this location was chosen to get away from a congested intersection. The kiosk would be built in front of the meat market and barber shop at the adjacent corner of the existing buildings. As the plans indicated, due to a lack of available space, only one service window on one side would be utilized.

Mayor Bussinger asked the developers what would happen if the franchise did not prove to be profitable? Would they remove the building if they decided to move elsewhere? Mr. Eisler indicated that he would own the building and would remove it if it should be relocated.

The Councilmembers expressed concern regarding utilization of the parking lot of adjacent businesses as entrance and exit to the kiosk. They felt that there was a parking and traffic problem already with the barber shop and meat market and this development could possibly contribute to that problem.

Mr. Eisler and Mr. Spence both indicated that they would have to research some information before they could give the Council answers to their concerns.

Mr. Fairlie said that he would like to have a determination on how the building is going to sit on the property, access to and from the building, and is the development going to encroach on the neighbors' parking lot. Mr. Fairlie moved to table the approval of the building plans for Flash Cube, Inc., 7273 North Oak, until these issues are ironed out. Mr. Whitton seconded the motion. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

7b. Building Plans - 400-404 N.W. Englewood Road. Applicant: Varnum-Armstrong-Deeter, Inc.

Varnum-Armstrong-Deeter Inc. representative Ron Smith addressed the Council with the building plans for the development at 400-404 NW Englewood Road. Only two shops in the development are within the city limits of Gladstone. Two large occupants of the development will be N.T.W./Tire Wholesale and Northwest Fabrics. The other occupants have not been determined as of this time.

Discussion was held regarding the placement of the fire wall between the two spaces and the remainder of the building in the Kansas City jurisdiction. Mr. Achen explained the reasoning in the fire wall being installed between the shops at this point was to provide, in essence, separate fire containment systems at the jurisdiction line between Gladstone and Kansas City, Missouri. The construction problems that the developer has encountered to meet this requirement have been due to the grade of the land. The Council suggested moving placement of the fire wall to the west side of space 3.

Mr. Fairlie moved to approve the building plans of 400-404 NW Englewood Road with the modification of moving the fire wall to the west side of leased space 3, and allow these spaces to be served by Kansas City water. Mr. Whitton seconded the motion. The vote: "Aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) (Mr. Karns left the meeting prior to the vote.)

7c. 6200 North Antioch Road. Applicant: James Webb

Mr. James Webb, 3003 NW Oakcrest Drive, Kansas City, Missouri explained to the Council that he plans to use the existing building at the corner of 62 and North Antioch Road. The exterior of the building will be improved, the door will be boarded up, and a display window will be installed. The property is paved on both sides, so there would be no requirement of sidewalk installation. Mr. Webb agreed to contribute \$500 toward the installation of a traffic signal at North Antioch and Shady Lane.

Mr. Ashcroft moved to approve the building plans of 6200 North Antioch Road as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 8 on the Agenda: Liquor License Renewals.

Mr. Fairlie moved to approve the liquor license renewals of (1) Class A, Carrollton Bowl Lounge, Inc., 300 NW 72 Street, new managing officer: Joseph R. Clooney, Sr., and (2) Class F, Pizza Inn, Inc., 7000 North Oak Street Trafficway. Managing officer: Carl A. Hummel. Mr. Ashcroft seconded. Mr. Achen told the Council that the public safety investigation had revealed no problem with either applicant and did recommend approval. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 9 on the Agenda: There were no communications from the audience.

Item 10 on the Agenda: Communications from the City Council.

Mr. Whitton asked the City Manager about the recent program on television about the poll taken on water in the state of Missouri. He indicated that the program alleged that Liberty had the worst water in the state. Mr. Achen said that the City of Liberty feels that they have been treated unfairly by the Missouri Department of Conservation. In the City of Gladstone, there is a regular program of testing by the state and also tested privately. Water is pumped from ground sources beneath the Missouri River, which provides additional filtration from possible impurities. The water used by the City of Gladstone, therefore, is very safe.

Mr. Fairlie thanked all the people who got out and voted in the recent bond election and those who worked on the campaign. As a result of the passage of the bond election, the City Council now has some direction on storm drainage and street improvement within the City of Gladstone.

Mayor Bussinger asked the City Manager if any response had been received from Mrs. Pam Walsh from the letter sent to her several weeks ago. He indicated no response had been received to his knowledge. Mayor Bussinger asked the Manager to pursue that, as members of boards and commissions need to be active participants, and Mrs. Walsh has not been in attendance at the Planning Commission for many months.

Mayor Bussinger also thanked all the voters who supported the bond election. A work session is scheduled for August 17 to try to determine priorities and the engineering people at that time. The Council will work as quickly as possible to get the wheels turning. The Missouri State Highway Department will be urged to take action as soon as possible on North Prospect improvement.

Item 11 on the Agenda: Mr. Achen asked that Item 17 on the Agenda, Resolution No. R-83-39, be deleted from the agenda.

Item 12 on the Agenda: First Reading: Bill No. 83-27, rezoning property from R-1, Single Family Dwelling District, to R-2, Two-family Dwelling District at 4914 North Central. Applicant: W. V. Bell.

Mr. Fairlie moved to place Bill 83-27 on first reading; Mr. Ashcroft seconded. The vote: "Aye" - Whitton, Fairlie, Bussinger. "No" - Ashcroft. (3-1) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill 83-27 and place on second reading. Mr. Ashcroft seconded. The vote: "no" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The bill has been denied.

Item 13 on the Agenda: First Reading: Bill No. 83-28, approving the final plat of Englewood Plaza, First Plat, Englewood and Broadway. Applicant/owner: Northwoods Development Co., Bob Gingrich, President.

Mr. Ashcroft moved to place Bill 83-28 on its first reading; Mr. Whitton seconded. The vote: all "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill 83-28, waive the appropriate paragraph of Ordinance No. 1.83, and place said bill on second reading; Mr. Whitton seconded. The Council recommended that approval of this Bill is conducive on receipt of the payment by John Chezik. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the bill.

Mr. Ashcroft moved to accept the second reading of Bill 83-28, waive the appropriate paragraph of Ordinance No. 1.83, and place said bill on its third and final reading. Mr. Whitton seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 83-28 and enact said bill as Ordinance No. 2.483. Mr. Whitton seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 14 on the Agenda: First Reading: Bill No. 83-29, approving the final plat of Maple Woods, 2nd Plat, NE 74 Street and North Olive. Applicant/owner: J.A. Peterson Investment Co.

Mr. Whitton moved to place Bill 83-29 on its first reading. Mr. Fairlie seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the bill.

Item 15 on the Agenda: First Reading: Bill No. 83-30, an ordinance declaring the results of the August 2, 1983, special bond election.

Mr. Ashcroft moved to place Bill 83-30 on its first reading; Mr. Fairlie seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill 83-30, waive the appropriate paragraph of Ordinance No. 1.83, and place said bill on its second reading. Mr. Whitton seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill 83-30, waive the appropriate paragraph of Ordinance. 1.83, and place said bill on its third and final reading. Mr. Fairlie seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 83-30 and enact said bill as Ordinance No. 2484. Mr. Fairlie seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 16 on the Agenda: First Reading: Bill No. 83-31, an ordinance fixing the annual rate of levy for the 1983 real estate and personal property taxes within the City of Gladstone.

Mr. Whitton moved to place Bill 83-31 on its first reading; Mr. Ashcroft seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

(Mr. Fairlie briefly left the meeting at this point and was absent for the next vote.)

Mr. Whitton moved to accept the first reading of Bill 83-31, waive the appropriate paragraph of Ordinance No. 1.83, and place said bill on its second reading. Mr. Ashcroft seconded. The vote: All "ayes" - Whitton, Ashcroft, Bussinger (3-0) The Clerk read the Bill.

(Mr. Fairlie rejoined the meeting at this point.)

Mr. Whitton moved to accept the second reading of Bill 83-31, waive the appropriate paragraph of Ordinance No. 1.83, and place said bill on its third and final reading. Mr. Ashcroft seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill 83-31 and enact said bill as Ordinance 2485. Mr. Ashcroft seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)



Item 17 on the Agenda - This item was deleted.

Item 18 on the Agenda: Mr. Ashcroft moved to approve Resolution No. R-83-40, authorizing the sale of surplus city property at public auction. Mr. Fairlie seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 19 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-41, authorizing acceptance of a proposal for culvert reconstruction at 4900 Old Pike Road. Mr. Fairlie seconded the motion. Mr. Fairlie was pleased to see that the contract time of 60 calendar days and a notice to proceed with liquidated damages of \$50.00 per day clauses included in the specifications. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 20 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-83-42, authorizing execution of water main extension contract no. 184. Mr. Whitton seconded the motion. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 21 on the Agenda: Mr. Fairlie moved to accept the Financial Reports (1) Interim Financial Report for June, 1983 and (b) Interim Financial Report for July, 1983 as submitted. Mr. Ashcroft seconded. The vote: All "ayes" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 22 on the Agenda: Other Business.


There was no other business, nor were there questions from the news media.

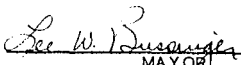
There being no further business to come before the August 8, 1983 City Council Meeting, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Approved as submitted: ✓

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

  
\_\_\_\_\_  
Shirley Orr  
Acting City Clerk

  
\_\_\_\_\_  
MAYOR

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of August 8, 1983 City Council Meeting
4. PUBLIC HEARING: Request for vacation of easement on Lot 21, Tracy Estates Subdivision, denoted as "easement for detention pond". Applicant: Larry Mitchell
5. APPROVALS:
  - (a) Wesco Building Remodeling Plans, 200 NW 72nd Street.  
Applicant/Owner: Ben Rose
  - (b) Limited Beer License - September 30 thru October 2nd, Gladstone Fall Festival. Applicant: Gladstone Jaycees
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. SECOND READING: BILL NO. 83-29, approving the final plat of Maple Woods, 2nd Plat, NE 74th Street and N Olive. Applicant/Owner: J.A. Peterson Investment Co.
10. FIRST READING: BILL NO. 83-32, rezoning from C-1, Local Business District to RP-3, Planned Garden Apartment District, property at SW corner 72nd & N. Antioch. Applicant/Owner: Kingston Court Development Co. (Gary Gable and Ron Topham).
11. FIRST READING: BILL NO. 83-33, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District and CP-3, Planned Commercial District, property described as south of NE 72nd & N Euclid. Applicant: John Worrell. Owner: Assembly of God Church.
12. FIRST READING: BILL NO. 83-34, approving the final plat of ENGLEWOOD PLAZA, SECOND PLAT. Englewood & Broadway. Applicant/Owner: Varnum-Deeter, Inc., George Town/Englewood Plaza Associates.
13. RESOLUTION NO. R-83-43, authorizing acceptance of a proposal for purchase of de-icing salt.
14. RESOLUTION NO. R-83-44, authorizing execution of contract with Mo. Highway and Transportation Commission for reconstruction of N. Prospect.
15. RESOLUTION NO. R-83-45, authorizing acceptance of proposal from Tuttle-Ayers-Woodward for engineering services relative to improvements to Flora Park.
16. Other Business
17. Questions from the News Media
18. Adjournment

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

August 22, 1983

The August 22, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor, those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft and Bob Fairlie. City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk were also in attendance.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Whitton moved to accept the minutes of the August 8, 1983 City Council Meeting as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 3-a on the Agenda: Mayor Bussinger read a proclamation designating the week of September 5-11 as "THE NATIONAL ASSOCIATION OF WOMEN IN CONSTRUCTION WEEK" in Gladstone, Missouri.

Item 4 on the Agenda: PUBLIC HEARING: Request for vacation of easement on Lot 21, Tracy Estates Subdivision, denoted as "easement for detention pond". Applicant: Larry Mitchell

Mayor Bussinger opened the Public Hearing explaining that standard procedure is persons in favor of the easement vacation will be given an opportunity to speak followed by those in opposition.

Mr. Larry Mitchell, developer of Tracy Estates explained to Council and audience that Tracy Estates is approximately 80% developed and the retention basin has been built in the southwest corner. They have now determined that it would be more desirable to move the detention basin 150 feet to the north and vacate the easement on Lot 21 which is a rather large lot (195 ft. wide x approx 400 ft. deep) which would allow the division of Lot 21 into two building lots with a 30 ft. easement on the west side for drainage easement. There is now a field catch in this low spot that would serve adequately for the drainage in that location and then the detention basin would be a little bit to the north. The engineering staff has reviewed their proposal and has no problems with the vacation. A 24" culvert put in by the developer of Stratford Park is under the street and handles the drainage except for what he is adding on; he will add a 15" pipe into the side of it and the detention basin will slow it

down so that the 24" tube will handle the flow. The end result is the same retention he has now; he is just moving it a little bit to the north to allow division of Lot 21 into two lots.

Mr. Fairlie noted that the Planning Commission had questioned why the detention basin could not be placed on one lot rather than two.

Mr. Mitchell responded that ideally one person wouldn't want an L-shaped lot, it is not going to be that hard to mow and maintain and will look like a normal yard.

Mr. Fairlie clarified that the possibility of one owner wanting to fence had come up in Planning Commission discussion and suggested that it must be made clear that no fencing is allowed across the easement.

There were no further comments, whereupon Mayor Bussinger closed the public hearing.

Item 5 on the Agenda:

- (a) Wesco Building Remodeling Plans, 200 NW 72nd Street.  
Applicant/Owner: Ben Rose (note: Council asked that this item be deleted from the agenda as necessary plans were lacking).
- (b) Application for Limited Beer License, September 30th thru October 2nd for Gladstone Fall Festival. Applicant: Gladstone Jaycees.

Les Smith, 6312 N Michigan, Jaycees Treasurer requested the license for the Jaycees noting sales of limited food items (popcorn, chips) in addition to the beer. Permission has been received from the Farland Company to conduct such sales in the northeast corner of their property. The booth will be manned by the Jaycees and customers will be carded. This is the third year for such sales and no problems have been experienced in the past. Hours are Friday (5pm-1am) Saturday (10am-1am) Sunday (1pm-6pm).

Council had no further questions of Mr. Smith whereupon Mr. Ashcroft moved to approve the Limited Beer License for September 30, October 1st and 2nd as requested by the Gladstone Jaycees. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. John Olson, 2007 NE 64th Street, brought to Council's attention that street cuts are being made in the area of 64th/65th/N. Howard noting the street is closed and he sees this as a dangerous situation. He asked if permits to close the street are obtained in advance. He noted that Damon Pursell trucks are in the area but he does not know if they are responsible for closing the street or not.

Mayor Bussinger asked Mr. Achen to take Mr. Olson's telephone number and call him the next day after determining what project the Pursell Company is working on which necessitated the street closure.

Nancy Johnson, 301 NE 74th Terrace, advised that grain trucks continue to travel on 74th Street and 74th Terrace and asked what was being done about it. Mr. Achen responded that NO TRUCK TRAFFIC signs will be posted on those streets. The signs have been ordered.

Item 7 on the Agenda:

Communications from the City Council.

Mr. Whitton asked about the large dirt piles and fill on the Woolard property next to Perkins on N Oak. Mr. Achen said that he understands that the property belongs to the Commerce Bank of Liberty who is attempting to sell it. The fill appears to be done without the property owners' permission. He understands that the bank has posted no dumping signs. The city does not have a lot of authority to regulate the dumping except from a public health perspective. There are no regulations restricting grade and fill work per se.

Mr. Whitton asked if we had received a response from the North Kansas City School District on our request for additional parking area at Linden West. Mr. Achen advised no written response has been received but the matter is under consideration.

Item 8 on the Agenda:

Communications from the City Manager.

City Manager Achen requested building permit for Woodlands office building and liquor license renewals or Aldi's and Cocos/Reubens be added to the agenda. Mayor Bussinger designated the addition as Items 8a and 8b.

Item 8a on the Agenda:

Building Permit, 2nd Floor Woodlands Office Bldg.  
3000 Brooktree Lane. Applicant: Michael B. Mead

Mayor Bussinger asked if the City is required to issue a permit for each floor of the building. Mr. Achen advised that Council could approve both floors at once but that the previously approved plan was only for the shell of the second floor as the occupancy was not known at the time the plans were drawn and there is sufficient work to require a permit at this time.

Following review of plans, Mr. Ashcroft moved to approve the building plans for 2nd floor of Woodlands office building, 3000 Brooktree Lane as submitted; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 8b on the Agenda:                   Liquor License Renewals.

Aldi Foods, 6577 N Oak, Gladstone, Mo., Class E Liquor License  
Mr. Fairlie moved to approve renewal for Aldi's noting Public Safety review shows no liquor license violations during the past year and recommended approval. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger.

Baxter/Coco's, 6129 N Antioch Road, Class A & B License  
Mr. Whitton moved to approve renewal for Baxter/Coco's. Mr. Fairlie seconded.

Mr. Bussinger asked that the record reflect that with the closing of the Reuben's dining area, their license hinges on their ability to meet the 60-40 food/liquor ratio requirement for restaurant/lounge license under the ordinance. He requested that the establishment be so advised in writing. The vote on renewal: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 9 on the Agenda:                   Second Reading: Bill No. 83-29, approving the final plat of Maple Woods, 2nd Plat, NE 74th Street & N Olive. Applicant/Owner: J.A. Peterson Investment Co.

Mr. Fairlie moved to approve the first reading of Bill No. 83-29, and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)  
The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 83-29 and place said bill on third and final reading; Mr. Whitton seconded.  
The Clerk read the Bill.

Mr. Ashcroft asked that the record reflect that inasmuch as the proposed council meeting for September 12th will be cancelled Council will entertain additional readings on this bill this evening. He noted that the city seems to have a problem with the Peterson Company paying their property taxes on time, they make-up about one-half of the delinquent list. It appears the City goes out of its way to accommodate the Peterson Co. and the company goes out of its way to aggravate at least one member of the Council. He can't let the matter go by without making comment. There will come a time when he will vote no regardless of the item of business if it has the name Peterson on it. He stressed the city's cost and time in billing and accounting for the delinquencies. He thinks it is time we started "dragging our feet" and let them see how it feels. Mr. Karns seconded Mr. Ashcroft's remarks.

The vote on the third and final reading: "Aye" - Whitton, Fairlie, Bussinger. "No" - Ashcroft, Karns. (3-2) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 83-29 and enact said bill as Ordinance No. 2.486. Mr. Ashcroft seconded. The vote: "Aye" - Whitton, Fairlie, Bussinger. "No" - Karns, Ashcroft. (3-2)

Item 10 on the Agenda: First Reading: Bill No. 83-32, rezoning from C-1, Local Business District to RP-3, Planned Garden Apartment District, property at SW corner of 72nd & Antioch. Applicant/Owner: Kingston Court Development Co. (Gary Gable and Ron Topham)

Mayor Bussinger suggested Council may want to consider giving three readings to this rezoning bill this evening with the cancellation of the September 12 Council Meeting.

Mr. Ashcroft moved to place Bill No. 83-32 on first reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill.

Mr. Whitton suggested that additional readings could be given at the next regular Council Meeting on September 26 which would put this bill on the normal schedule. Mayor Bussinger clarified that no meeting September 12 would make 5 weeks between council meetings because of 5 Mondays in August and the applicant had just requested that Council consider the additional readings this evening.

Mr. Fairlie commented that he has no problem giving a second reading to the bill this evening. He pointed out that there has been no opposition to this rezoning but he is not certain in his own mind if apartments is a better zoning than the commercial which was originally granted. He noted that by approving the commercial zoning the Council suggested that that was the highest and best use of the land and now are we saying it wasn't? He would prefer to give only the two readings tonite.

Mr. Ashcroft moved to accept the first reading of Bill No. 83-32 and place said bill on second reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)  
The Clerk read the Bill.

It was the consensus of the Council that no further reading of the bill would be given until the Monday, September 26, 1983 City Council Meeting.

Item 11 on the Agenda:      First Reading: Bill No. 83-33, rezoning  
From R-1, Single Family Dwelling District to CP-1, Planned Local  
Business District and CP-3, Planned Commercial District, property  
described as south of NE 72nd & N Euclid. Applicant: John Worrell.  
Owner: Assembly of God Church.

Mr. Ashcroft moved to place Bill No. 83-33 on first reading; Mr.  
Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft,  
Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft suggested that although it is appropriate that Council  
give two readings to this bill because of the cancellation of the  
first meeting in September, it might be well to give the additional  
reading at the September 26 Council Meeting because of the amount of  
public interest in this rezoning request.

Item 12 on the Agenda:      First Reading: Bill No. 83-34, approving  
the final plat of ENGLEWOOD PLAZA, SECOND PLAT, Englewood & Broadway.  
Applicant/Owner: Varnum-Deeter, Inc., Georgetown/Englewood Plaza  
Associates.

Mr. Fairlie moved to place Bill No. 83-34 on first reading; Mr. Whitton  
seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie,  
Bussinger. (5-0) The Clerk read the Bill.

Given the non-controversial nature of this bill approving a final  
plat, Council agreed that three readings were in order.

Mr. Fairlie moved to accept the first reading of Bill No. 83-34, waive  
the appropriate paragraph of Ordinance No. 1.83 and place said bill  
on second reading; Mr. Whitton seconded. The vote: All "aye" -  
Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read  
the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 83-34 and  
place said bill on third and final reading; Mr. Whitton seconded. The  
vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)  
The Clerk read the bill.

Mr. Fairlie moved to accept the third and final reading of Bill No.  
83-34, and enact said bill as Ordinance No. 2.487.



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August 22, 1983  
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Item 13 on the Agenda:

Mr. Whitton moved to adopt Resolution No. 83-43, authorizing acceptance of a proposal from Independent Salt, Kanapolis, Kansas for the purchase of approximately 1,500 tons of medium crushed de-icing salt at the quoted price of \$17.60/ton FOB destination and \$18.60/ton FOB destination for 7 day and 24 hr emergency delivery respectively. Mr. Karns seconded.

Council noted that the quotations are less than the prior year.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 14 on the Agenda:

Mr. Fairlie moved to adopt Resolution No. R-83-44, authorizing the City Manager to execute a supplemental contract with the Missouri Highway and Transportation Commission relative to public improvements on N Prospect. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

With regard to future N Prospect (N-1) improvements, the owner of Gene's Party Shop, 64th & N Prospect intersection questioned Council on temporary access to his business property during the construction.

Mr. Achen pointed out that agreements for right-of-way contain stipulations for access. The City is as concerned about this subject because obviously your success reflects on the city's revenue picture and the City will be working with the Highway Department and attempt to reconcile any problems.

Mr. Jamison pointed out that he leases the property and understands that a small portion of the property will be taken but emphasizes that the flow of traffic into their store is their "life's blood".

Mr. Achen said there will be a major cut at that intersection and that obviously the construction will disrupt traffic somewhat. The construction is sure to have an impact for a while and we will try to minimize that and do our best to represent Gladstone business. He cannot promise their won't be any disruption.

Mayor Bussinger suggested that Mr. Jamison use the City Manager as his contact regarding this matter.

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-45, authorizing acceptance of a proposal from Tuttle Ayers Woodward for engineering services relative to improvements to Flora Park. Mr. Karns seconded.

Mr. Whitton questioned if we had not previously authorized this work. Mr. Achen clarified that the appropriation of the \$110,000 is in the current budget, this is the first step in the implementation of that and when engineering is done, bidding will be conducted and then we will come back to Council to award a bid. The goal is that this be an attractive and useful park in that part of town; this particular property has suffered quite a bit of vandalism and abuse over the years and has not been as positive a part of our park system as the other parks in the city.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 16 on the Agenda: Other Business.

Mr. Ashcroft distributed copies of a proposed bill which adopts a consent agenda for Council consideration at a forthcoming meeting. He pointed out that tonight Council voted on 9 items that generally had the consensus of the Council and such a consent agenda is helpful in expediting the meeting. He asked that Council review the proposed bill for future consideration.

Mayor Bussinger expressed concern for some of the elevations in connection with N Prospect improvement in the area of N Park, Northhaven East and asked if the city had any say-so with regard to the design.

Mr. Achen said the City has had on-going discussion with the Highway Department on this matter. The philosophy of the Highway Department has been that they have to carry a 40mph speed limit from Wabash north to Barry Road and that establishes the site distances and profiles that must be used to comply with the federal standards for the federal funding involved. They looked at the 72nd Street intersection and determined they are basically maintaining the existing profile. There will be a 4' cut to the west on 72nd Street and 4' fill on 72nd to the east. At that intersection the highway is angling off to the northeast. He noted that the city is still talking to the highway department to determine if there are other ways deal with that intersection.

Mayor Bussinger also asked for stepped-up enforcement of the junk vehicle ordinance.

Mayor Bussinger announced for the benefit of the press that the city is moving right ahead on our drainage work and hopes to award a bid for engineering service in that regard at the next regular city council meeting.

City Council Meeting Minutes  
August 22, 1983  
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Mayor Bussinger announced that the next regular meeting of the City Council will be Monday, September 26. The September 12 meeting will be cancelled due to lack of agenda items and conflict with the Missouri League Annual Conference out of the city.

\* \* \*

There being no further business to come before the August 22, 1983 meeting of the Gladstone City Council, upon motion made and duly seconded, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
CITY CLERK

Accepted as submitted: \_\_\_\_\_

Accepted as corrected/  
amended: \_\_\_\_\_

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 8, 1983

A G E N D A


1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
4. Communications from the Audience
5. Communications from the City Council
6. Communications from the City Manager
7. RESOLUTION NO. R-83-46, authorizing acceptance of bids and award of contract for sidewalk construction.
8. RESOLUTION NO. R-83 47, authorizing acceptance of bids and award of contract for street light installations.
9. RESOLUTION NO. R-83-48, authorizing execution of agreement for professional engineering services.
10. Consideration of Building Remodeling Plans:  
Wesco Building, 200 NW 72nd.  
Applicant: Ben Rose
11. Other Business
12. Questions from the News Media
13. Adjournment

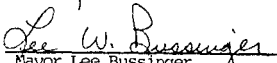
NOTICE OF CALL OF SPECIAL CITY COUNCIL MEETING

September 8, 1983, 3:00 PM

Pursuant to Section 2-4 of the Gladstone City Code, the undersigned Gladstone City Council Members hereby call a Special City Council Meeting to be held at 3:00 pm, Thursday, September 8, 1983, in the Council Chambers of the Gladstone City Hall, 7010 North Holmes for the purpose of considering and acting upon the following agenda:

1. Resolution No. 83-46, authorizing acceptance of Bids and award of contract for sidewalk construction.
2. Resolution No. 83-47, authorizing acceptance of bids and award of contract for street light installations.
3. Resolution No. 83-48, authorizing agreement for professional engineering services.
4. Wesco Building Remodeling Plans: 200 NW 72nd

  
\_\_\_\_\_  
Councilman Larry Whitton

  
\_\_\_\_\_  
Mayor Lee Bussinger

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

September 8, 1983

The September 8, 1983, special meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 3:00 pm. Such meeting having been called pursuant to Section 2-4 of the City Code by Mayor Lee Bussinger and Councilman Larry Whitton and notice thereof having been publicly posted and distributed to the press.

In addition to the Mayor those present were Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, City Manager Mark Achen and Acting City Clerk Julie Betz.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4.                    There were no communications from the audience.

Item 5.                    Communications from the City Council.

Councilman Whitton suggested need for an ordinance providing for enforcement of handicapped parking areas on private property.

Councilman Ashcroft noted this has been a controversial subject in Kansas City, noting that while Kansas City has such an ordinance they have found it difficult to enforce because he understands that owner of the property must personally sign the complaint.

Mr. Whitton advised there are still trash and rat problems to the rear of the Meadowbrook Shopping Center. Mayor Bussinger suggested the Manager give the Peterson Company two weeks to abate this nuisance after which time the City will take legal recourse through the court.

Councilman Ashcroft advised that Carol Relford who operates the Happy Rock Concession stand through contract with the City has advised that outside vendors are selling in the park. Mr. Ashcroft said that while the City of Kansas City has no ordinance prohibiting outside vendors from selling in the parks, it is a policy and parks are posted accordingly. He suggests we consider a similar policy for the next season.

Mayor Bussinger brought to staff's attention that someone has dropped off garbage at 2504 NE 72nd Street. This is the third time this has happened and he requests that staff take appropriate action.

Item 7. Mr. Whitton moved to adopt Resolution No. R-83-46, authorizing acceptance of bids and award of contract for sidewalk construction to Bell Construction Company for construction of approximately 32,500 sq. ft. of sidewalks within the city for a total contract amount of \$45,150.00. Mr. Karns seconded.

Mr. Achen pointed out that the project fell below budget and asked if Council would like to consider any additional locations. Approximately 1,200 running feet could be constructed with the funds available.

Following discussion Council agreed to discuss possible locations in a future study session. Mr. Ashcroft suggested that staff submit recommended locations.

The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 8. Mr. Whitton moved to adopt Resolution No. R-83-47, authorizing acceptance of a proposal with Total Electric Construction Company for installation of thirty-nine street lights for a total contract amount of \$28,550.00; Mr. Karns seconded.

Council noted that \$35,000 has been budgeted for street lighting and following discussion determined that additional locations could be added by a change order to the contract at a future Council meeting.

The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (5-0)

Item 9. Mr. Whitton moved to adopt Resolution No. R-83-48, authorizing the City Manager to execute an agreement with Larkin and Associates, Kansas City, Missouri for engineering services relative to Rock Creek improvements in the area of NE 72 Street to H Troost. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 10. Consideration of Building Remodeling Plans.  
Wesco Building, 200 NW 72nd Street  
Applicant: Ben Rose

In reviewing the staff report dated September 8, 1983, Council noted that plumbing and electrical plans are lacking, work was started without permits or inspection, sheet rock already installed is 5/8" instead of 5/8" required by the fire code.

Mr. Achen pointed out that the City Clerk had just called applicant Ben Rose and Mr. Rose advised that he cannot attend this meeting.

Mr. Achen explained that the problem is that work that needs to be inspected is already covered up and some walls will have to be taken out to inspect some of the plumbing and electrical work. Staff wanted Council to be aware that if we handle it appropriately we would be asking applicant to remove some of the sheet rock walls already in place so that we can inspect some mechanical work already done. Other than that and application of double fees for start with out permit, the Engineering Department has no problem with issuance of the permit.

Mayor Bussinger expressed concern that the applicant went ahead with construction without proper permits when he should know better. Everybody else has to do it right and he doesn't see any exception here.

late  
Mr. Achen pointed out that submission of electrical and plumbing plans is not unusual since Council would not customarily review those in detail anyway. Staff would still review those prior to finalizing permit issuance. He suggests that Council issue the permit with double fees and the staff will proceed as usual. Again, staff wanted Council to be aware that the applicant will be inconvenienced.

Mr. Karns asked if we have had others start without permits in the past.

Mr. Achen acknowledged that we have had people start but he does not know how often there has been a start where they have done mechanical and electrical work before we could inspect it. Starting without a permit is not usual but it is not so rare that we have not seen it before.

Mr. Whitton asked about the problem of the  $\frac{1}{2}$ " sheetrock instead of the required  $\frac{5}{8}$ ".

It was noted that could be corrected by application of additional  $\frac{1}{2}$ " sheetrock.

Mr. Achen advised that in conversation with the City Clerk Mr. Rose indicated he was aware there were some problems and expected the double fees.

Mr. Karns questioned Acting Director of Public Works Steve Warger on what steps the City takes in other situations when we inspect and find something is wrong. Mr. Warger responded that the problem has to be corrected before the City signs off on the work.



Mr. Ashcroft moved to approve the building remodeling plans for Wesco, 200 NW 72nd Street with staff stipulations as noted on the September 8, 1983 staff report and double fees as customary. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger (4-0)

Item 11.

Other Business.

Mr. Pete Hall, President of the Gladstone Chamber of Commerce requested Council grant permission for carnival rides in city north parking area (next to city hall) in connection with the Glad fest activities on September 30, October 1 and 2. In addition, Mr. Hall requested \$500 contribution toward festival expense.

Mr. Ashcroft moved to approve \$500 donation plus expense of insurance coverage. Mr. Whitton seconded.

Mr. Achen noted that a total of \$500 was appropriated in the budget to cover the contribution and insurance needs therefore we would need to appropriate an additional \$250.00 from the general fund contingency.


The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)


Mr. Whitton asked for increase patrol of Happy Rock Park citing the vandalism of vehicles and property at the Public Works Building the previous evening. He understands we are partially covered by insurance but deplored the destruction of what we have worked so hard to build.

\* \* \*

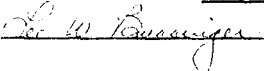
There being no further business to come before the September 8, 1983 meeting of the Gladstone City Council, Mayor Bussinger adjourned the meeting at 3:50 PM.

Respectfully submitted;

  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: 

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



NOTICE OF CALL OF SPECIAL CITY COUNCIL MEETING

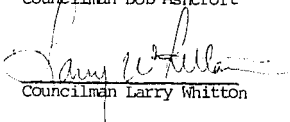
OCTOBER 3, 1983, 7:00PM

Pursuant to Section 2-4 of the Gladstone City Code, the undersigned Gladstone City Council Members hereby call a Special City Council Meeting to be held at 7:00pm, Monday, October 3, 1983, Gladstone City Hall, 7010 North Holmes for the purpose of considering and acting upon the following tentative agenda items:

APPROVAL OF LIQUOR LICENSES

- a. Jaylyn, Inc. dba Jay's Foods, 7219 N Oak  
Class C License. Mgr. Officer: J.N. Weatherly, Jr.
- b. Nurnberg Inn, 6915 N. Oak Trafficway  
Class A&B License. Mgr. Officer: Sigrid Klump
- c. Yount Liquors, 6587 N Oak  
Class C License. Mgr. Officer: James Yount

  
Councilman Bob Ashcroft

  
Councilman Larry Whitton

Dated this 29 th day of September, 1983

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 3, 1983

The October 3, 1983, special meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:00 pm. Such meeting having been called pursuant to Section 2-4 of the City Code by Councilmembers Bob Ashcroft and Larry Whitton and notice thereof having been publicly posted and distributed to the press.

In addition to the Mayor those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, City Manager Mark Achen and the City Clerk. note: Councilman Bob Fairlie joined the meeting at 7:10pm.

Mayor Bussinger led the pledge of Allegiance to the Flag in which all joined.

The purpose of this special City Council Meeting was to consider applications for liquor licenses as follows:

Item 1.                    Jaylyn, Inc. dba Jay's Foods, 7219 North Oak  
Class C License. Mgr. Officer J.N. Weatherly, Jr.

Mr. and Mrs. J.N. Weatherly were present to discuss their application with Council and explained they had purchased the former Williams United Super Store at that location. City Manager Achen advised that the Public Safety Department had conducted their customary review of the applicant and recommends approval. Mr. Whitton moved to approve the Class "C" license for Jay's Foods, 7219 N Oak; Mr. Karns seconded. The vote: all "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 2.                    Nurnberg Inn, 6915 N Oak  
Class A&B License. Mgr. Officer Sigrid Klump

Mr. Achen advised the applicant is seeking a Class A&B license to enable them to sell 5% beer and wine seven days a week. The location is the former Taco John's Restaurant who was not holder of a liquor license. Council advised Mrs. Sigrid Klump, applicant, that she can expect rigid enforcement of our liquor laws and that it is her responsibility to check the ages of her customers.

Mr. Ashcroft moved to approve the Class A&B Liquor license for Nurnberg Inn, 6915 N Oak. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 3.                      Yount Liquors, 6587 N Oak  
                                 Class C Package License. Mgr. Officer: James Yount

Councilman Ashcroft questioned applicant James Yount as to how he can be open for business and have a sign advertising Yount Liquors when he has no license. Mr. Yount explained that he is presently acting as an employee for Frank Bonura (F&R Liquors) current holders of a valid license. As for the temporary advertising sign on a vehicle at the entrance to the shopping center, Mr. Yount indicated that he has talked to the City Engineering office and they are reviewing his application. Mr. Ashcroft noted that it seems the city is frequently pressured into expediting approval of liquor licenses because the business is ready to open and lack their license.

City Manager Achen pointed out that applicants do not understand that transfer of liquor license is not as simple as the handling of an occupation license. Two - three weeks must be allowed for the customary investigation and routine inquiries to the State before our public safety department can make their recommendation to the Council. While the public safety department does not have results of fingerprint inquiries on Mr. Yount, the department indicates any problems or previous violation would have shown up in their computer inquiries and does recommend approval.

Mr. Yount stated that investigation will reveal that he was decorated four times for military service and is a former law enforcement officer.

Mr. Ashcroft moved to approve the Class C Package License for Yount Liquors; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger (5-0)

(note: Councilman Fairlie joined the meeting prior to the vote on this item).

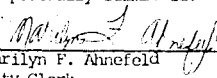
Other Business.


Councilman Whitton noted he has received complaints on truck traffic at 72nd Terrace & N Walnut (rear of Robb Car Wash) and requested erection of signs advising truck traffic not allowed.

Mr. Whitton also asked that sidewalks be considered on Shady Lane from North Flora to area of Oakview city limits.

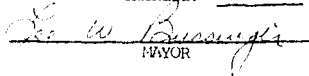
There was no further business to come before the special October 3, 1983 meeting of the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting at 7:15pm.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted:  \_\_\_\_\_

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

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 10, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes - regular City Council Meeting August 22, 1983 and special City Council Meetings September 8 and October 3rd, 1983.
4. APPROVALS:
  - a. Class C, Package Liquor License - Aardvark Liquor & Deli, 7507 N Oak  
New owner and managing officer: Debra Kay Henderson
  - b. Preliminary plat of Carriage Hills Seventh Replat, 62nd & Cleveland  
Applicant/Owner: J.A. Peterson Co.
  - c. Revised Site Plan (CP-1 zone), NE 72nd & Walnut.  
Owner: Romey Enterprises  
Applicant: Gaslight Realty & Choon Lee Academy
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. THIRD READING: BILL NO. 83-32, rezoning from C-1, Local Business District to RP-3, Planned Garden Apartment District, property at SW corner of 72nd & N Antioch. Applicant/Owner: Kingston Court Development.  
(Gary Gable & Ron Topham)
9. SECOND READING: BILL NO. 83-33, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, and CP-3, Planned Commercial District, property described as south of NE 72nd & N Euclid. Applicant: John Worrell. Owner: Assembly of God Church
10. FIRST READING: BILL NO. 83-35, an ordinance vacating a detention pond easement on Lot 21, TRACY ESTATES SUBDIVISION. Applicant: Larry Mitchell
11. FIRST READING: BILL NO. 83-36, repealing City Code sections requiring registration and licensing of motor vehicles and display of city sticker or tag.
12. RESOLUTION NO. R-83-49, authorizing sale of surplus city property.
13. RESOLUTION NO. R-83-50, authorizing adoption of revised Deferred Compensation Plan for municipal employees.
14. RESOLUTION NO. R-83-51, authorizing execution of agreement with Clay County for collection of Gladstone property taxes.
15. APPROVAL OF INTERIM FINANCIAL REPORTS for August and September, 1983.
16. Other Business.
17. Questions from the News Media. 17. Adjournment

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

October 10, 1983

The October 10, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor, those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, Director of Administrative Services Jim Harlow, Counselor Dick Sandler and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:

Acceptance of Minutes.

Mr. Ashcroft moved to approve the City Council meeting minutes of August 22, 1983, September 8, 1983, and October 3, 1983, as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 4 on the Agenda:

Approvals.

- a. Class C, Package Liquor License. Aardvark Liquor & Deli, 7507 N Oak.  
New owner and managing officer: Debra Kay Henderson

Administrative Services Director Harlow advised that the public safety department has conducted their customary review of the applicant and recommends approval of the license. Mr. Fairlie moved to approve the Class C Package Liquor License for Aardvark Liquor & Deli, 7507 N Oak. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Achen. (5-0)

Mayor Bussinger, on behalf of the Council, wished Mrs. Henderson success in her new business.

- b. Preliminary Plat of Carriage Hills Seventh Replat

62nd & N. Cleveland. Applicant/Owner: J.A. Peterson Co.

Mr. Lee McMahon, engineer, was present to review the plat for the J.A. Peterson Company. He noted the plat was originally approved some year ago but the company was not able to proceed until now for a number of reasons, economics being one reason.

Mayor Bussinger referenced the Carriage Hill Home Owners Association's September 12th recommendations: (1) overall integrity of the subdivision is maintained, eg., size and style of dwellings, major entrance gates, statuary on each corner; (2) deed restrictions require membership in Carriage Hills Homeowners Association (dues currently \$15 annually); (3) construction vehicles prohibited from current subdivision streets; (4) a representative of the developer meet with the Board to discuss future plans.

Mayor Bussinger asked Mr. McMahon if Peterson Company will agree to the Carriage Hills Homeowners Association's requests. Mr. McMahon acknowledged that the association's requests are just merely a continuation of the general development of Carriage Hills as it presently exists and they have no problem with that.

Mr. Bussinger asked if there were ever any plans to provide for tennis courts or other recreation facilities in the Carriage Hills Subdivision. Mr. McMahon said he was not aware of any plans other than a proposed park along the city limits that would be near this project although actually within the Kansas City, Missouri city limits. He does recall that tennis courts are shown on that park plan.

dam  
On maintenance of the retention/dam Mr. McMahon advised that permanent storm drainage easement would be deeded to the city with maintenance for now by Peterson Company and ultimately by its successors, the homeowners association or private homeowners.

Mr. Ashcroft pointed out that the ownership would still rest with Peterson Co. and they would be responsible for maintenance if individual homeowners did not. Both Mr. Ashcroft and Mr. Fairlie pointed out that we have had similar situations where maintenance responsibility still poses problems 20 years after development.

Mr. Fairlie moved for approval of the preliminary plat of Carriage Hills Seventh Replat as submitted; Mr. Whitton seconded. The vote: "aye" - Karns, Ashcroft, Fairlie, Bussinger. "no" - Whitton. (4-1)

- 4c. Revised Site Plan (CP-1 zone), NE 72nd & N Walnut  
Owner: Romey Enterprises  
Applicant: Gaslight Realty and Choon Lee Academy

Architect Larry Wickham, 2700 Kendallwood Parkway, representing the applicants explained that their site plan requires reapproval because it is a revision to plans originally submitted along with the rezoning in 1979. The 1979 plans called for construction of three buildings - two along the east side of the property line and one along the southerly property line with parking to the west.

The new plan is basically for the northerly phase of one-half of the property on which they propose a 12,000 sq. ft. building to be occupied by Gaslight Realty and the Choon Lee Academy. 9,600 sq. ft. of the building will be usable space with parking provisions for 56 cars although 48 spaces are required.

Mr. Wickham stated that there is an indication on the plans for a future 33 ft. expansion to the east that would bring them to within 10 feet of the east property line. This posed a question at the Planning Commission meeting because the Commission assumed that neighboring property to the east owned by Mr. Ronnie Owens was R-1 thus requiring a 35 ft. buffer. It has since been determined that the Owen property was erroneously zoned CP-1 in 1979 with zoning of the Romey property. Review of the 1979 rezoning application reveals that Mr. Romey described the property to be rezoned as Lot 14 and the legal advertisements and rezoning ordinance used the same description. When in fact Romey ownership was only a part of Lot 14 with the east part under the ownership of Owens, who was not a joint applicant to the rezoning application.

Mr. Wickham noted the original plan called for a 10 ft. rear setback and he asks that the Council allow the 10 ft. buffer zone because the city's master plan calls for commercial development in this area on 72nd Street. He noted that although there are no present plans for phase 2 development of the southerly 160 ft (zoned CP-1), when developed a 35 ft. buffer zone will be built into that proposal because southerly portion does about R-1.

Mr. Wickham said that he understands Mr. Owen lives in Phoenix, Arizona and while not a party to the 1979 rezoning would assume Owens would be agreeable to leaving his property C-1 as it was zoned.

Mr. Wickham said they would like to reserve the right to build the future expansion to the east. The reason they are not adding it onto this presently proposed construction is that it would be "spec space" and in today's market they don't want to do that and would build for a tenant later instead.

Mr. Whitton asked about storm water retention for this project noting there are already problems in this area. Mr. Wickham explained that they have not designed the drainage system yet but it will be designed to meet city's requirements and that is, after development the water run-off cannot exceed present day run-off. Mr. Wickham said until they engineer it they don't know what the needs are. Right now as undeveloped land you will have a certain run-off but when they get finished if water from the front parking lot exceeds present day run-off they will make modifications. Mr. Whitton noted that Council must recognize that improperly designed lots can delay peaks and cause a greater problem. Mr. Whitton said he understands that but past Councils were anxious to get properties developed and proper attention was not paid to drainage concerns. The present council is very concerned about drainage and he wants to ensure that it is done right.

Mr. Wickham also noted that the construction is planned to be somewhat energy efficient with berm-like construction similar to Coco's Restaurant on Antioch Road to cut down the northern exposure. The entry vestibule will be constructed in such a manner as to keep out the north wind.



Mr. Karns questioned what kind of signage they will use. Mr. Wickham indicated that has yet to be discussed. Mr. Karns explained that his question was because in a recent study session on the sign ordinance it had been suggested that developers try to design the signage with the building design.

There was no further discussion whereupon Mr. Ashcroft moved to approve the revised site plan for Gaslight Realty and Choon Lee Academy at 72nd & N Walnut as submitted; Mr. Whitton seconded. The vote: "aye"- Karns, Ashcroft, Fairlie, Bussinger. "no" - Whitton. (4-1)

Item 5. There were no communications from the Audience.

Item 6. Communications from the City Council.

Mr. Whitton asked that timing be checked on the traffic light at 67th & H Oak.

\* \* \*

Mr. Karns asked how we determine that videogame machines in the city are licensed and in compliance with the ordinance. Mr. Harlow responded that the city is now accepting the license applications, public safety is reviewing them and establishments who lack amusement device licenses are being put on notice. Mr. Harlow acknowledged that we can't say we have 100% compliance at this time but establishments are being notified that they must make application.

Mr. Karns asked what kind of penalty the ordinance calls for. Mr. Harlow responded that he was not familiar with the ordinance provisions.

Mayor Bussinger noted that usually in the case of a new law a second warning is given. He knows that we are following up because he was contacted at his place of business on one machine he has.

Mr. Karns asked if the license is displayed on each machine. Mr. Harlow advised that he can't assure that the establishments are doing that but the license decal is designed to stick on each machine and that is the city's intent.

\* \* \*

Mr. Bussinger suggested the city contact the City Fathers of Oakview to determine if there is interest in working with Gladstone to curb and sidewalk Shady Lane west of Flora since it had been suggested by Mr. Whitton that Gladstone sidewalk Shady Lane from Flora to Oakview city limits.

Item 7. Communications from the City Manager.

Mr. Harlow requested addition of Pizza Hut building addition plans, Resolution Nos. 83-52 and 53 dealing with change orders to the sidewalk and street light construction contracts. Mayor Bussinger designated the additions as agenda items 7-a, 14-a and 14-b.

Item 7a.

Building Addition Plans, Pizza Hut of America  
6420 W Oak

Council agreed the item would be deferred as no company representative was present to review the plans.

Item 8.

THIRD READING: BILL NO. 83-32, rezoning from C-1, Local Business District to RP-3, Planned Garden Apartment District, property at the southwest corner of 72nd & N Antioch. Applicant/Owner: Kingston Court Development. (Gary Gable & Ron Topham)

Mr. Fairlie moved to accept the second reading of Bill No. 83-32 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: "Aye" - Karns, Ashcroft, Fairlie, Bussinger. "No" - Whitton. (4-1) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 83-32 and enact said bill as Ordinance No. 2488; Mr. Whitton seconded. The vote: "Aye" - Karns, Ashcroft, Fairlie Bussinger. "No" - Whitton. (4-1)

Item 9.

SECOND READING: BILL NO. 83-33, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, and CP-3, Planned Commercial District, property described as NE 72nd & N Euclid. Applicant: John Worrell. Owner: Assembly of God Church.

Mr. Fairlie moved to accept the first reading of Bill No. 83-33 and place said bill on second reading; Mr. Ashcroft seconded. The vote: All "no" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0 to deny)

Mayor Bussinger announced that Bill 83-33 is dead having been unanimously denied on its second reading.

Item 10 on the Agenda:

FIRST READING: BILL NO. 83-35, an ordinance vacating a detention pond easement on Lot 21, Tracy Estates Subdivision. Applicant: Larry Mitchell

Mr. Whitton moved to place Bill No. 83-35 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-35, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-35, and place said bill on third and final reading. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-35 and enact said bill as Ordinance No. 2.489. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 11. FIRST READING: BILL NO. 83-36, repealing City Code sections requiring registration and licensing of motor vehicles and display of city stickers or tag.

Mr. Ashcroft moved to place Bill No. 83-36 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Harlow explained that this ordinance eliminates the need for city stickers and motorcycles tags. Although issued at no charge since 1972, proof of payment of the city's personal property tax was required to obtain a sticker. Therefore the sticker was used as an effective tool to enforce collection of the personal property tax. Tonight's agenda contains a resolution that authorizes an intergovernmental agreement with Clay County for collection of the city's ad valorem taxes. Under the agreement the Gladstone personal property tax will be a part of the County's personal property tax statement, which must be paid before residents can obtain their state auto license.

Staff has recommended that the city sticker be eliminated effective January 1, 1984. The city will have available unnumbered identification stickers for those drivers who experience difficulty in verifying their residence to Kansas City, Missouri police.

In response to Council question, Mr. Harlow further advised that elimination of the sticker will save the city \$500 in the cost of the sticker as well as staff processing expense.

Mr. Ashcroft moved to accept the first reading of Bill No. 83-36, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 83-36 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 83-36 and enact said bill as Ordinance No. 2.490; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 12. Mr. Fairlie moved to adopt Resolution No. R-83-49 authorizing sale of surplus city property (7 public safety patrol vehicles and nuisance abatement van) to the highest bidder by sealed bid. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 13. Mr. Ashcroft moved to adopt Resolution R-83-50 authorizing adoption of revised Deferred Compensation Plan for municipal employees administered by the ICMA Retirement Corporation. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Harlow explained that the revisions to the existing plan deal with compliance of recent federal legislation and Internal Revenue Service regulations.

Item 14. Mr. Whitton moved to adopt Resolution No. R-83-51 authorizing execution of agreement with Clay County for collection of Gladstone ad valorem taxes. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Karns asked how the city can be assured that we are getting all the taxes due us explaining that he lives in the last house in Gladstone in s.w. corner and has had problems with utility companies giving his utility tax to the city of Kansas City because of his zip code and wonders if County also errs. Mr. Harlow said that although there are instances where properties are missed, a tax account code for each city is shown on the County's tax statement. The county works from the recorded plat in the Assessor's office.

Mr. Karns suggested that spot checking the fringe areas of the city would be a good idea to ensure we are collecting all that is due us.

Mr. Harlow agreed to work with the Assessor's office on this matter.

Item 14a. Mr. Whitton moved to adopt Resolution No. R-83-52 authorizing Change Order No. 1 in the amount of \$5,802.90 to the sidewalk construction contract with Bell Construction Company for construction of additional sidewalk as shown on the change order. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 14b. Mr. Whitton moved to adopt Resolution No. R-83-53, authorizing execution of Change Order No. 1 to the street light construction contract with Total Electric in the amount of \$6,300.00. for nine additional locations. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Ashcroft asked if a petition for street light at 67th & Park had been received, it was his understanding that location was to be included in this change order. The Clerk advised that a petition had been picked up for neighborhood circulation but had not been returned to the city.

Item 15.

Approval of Financial Reports for August and  
September, 1983.

Mr. Fairlie moved to approve the financial reports as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Karns noted in the financial report that water revenues have increased 23.4%. He asks why we are doing better without the rate increase that Council turned down some months ago.

Mr. Harlow stated that revenues are up this year because we have experienced very little rain during July, August and September. He has prepared a review for the City Manager that indicates we are still going to have a problem meeting our budget. He noted that the percentage Mr. Karns refers to is comparing a dry year to a wet year.

Mr. Karns asked if we still need a rate increase if the revenues are up 23% and the expenditures are only up 10%. Mr. Harlow noted that we have gained some ground because of the weather conditions but he is projecting it will not be sufficient to meet the budget.

Item 16.

Other Business.

Mayor Bussinger expressed concern that there is discussion in Clay County on a proposal to circulate a petition urging the Court not to build the west side County annex. He personally thinks the Clay County Court should take a hard look at this issue and follow through with their commitment to the voters.

Mr. Ashcroft seconded the Mayor's remarks.

Mr. Fairlie said he had also heard about this and agrees this it would be more economical to drop the west side facility construction but points out that the vote to approve the construction required a 2/3 vote. Now they propose a simple majority petition to urge the Court not to build it. He thinks they need to hear from the voters on the west side who were instrumental in passing the original issue.

\* \* \*

There being no further business to come before the October 10, 1983, meeting of the Gladstone City Council, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 24, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of October 10, 1983 City Council Meeting
4. APPROVALS:
  - a. Pizza Hut of America, Inc. building addition plans  
6410 N Oak Owner: Angelo & Giovanna Porcillo
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. FIRST READING: BILL NO. 83-37, an ordinance amending the City Code to provide for a Consent Agenda in the order of business of meetings of the City Council permitting the Council to consider and approve routine items without discussion.
9. FIRST READING: BILL NO. 83-38, amending the City Code pertaining to the term of the Student Member on the Gladstone Park Board.
10. RESOLUTION NO. R-83-54, reducing temporarily the amount of occupation and license tax imposed upon the Gas Service Company to customers within the city of Gladstone to six percent of gross receipts during the months of December, January and February.
11. RESOLUTION NO. R-83-55, authorizing execution of an agreement with Whiteo Metrocom for lease of city property for erection of an outdoor advertising sign.
12. RESOLUTION NO. R-83-56, urging the Clay County Court to proceed with construction of the west side county administrative offices.
13. RESOLUTION NO. R-83-57, authorizing Change Order No. 2 to the Total Electric street light installation contract.
14. Other Business
15. Questions from the News Media
16. Adjournment

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

October 24, 1983

The October 24, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Whitton moved to accept the Minutes of the October 10, 1983 City Council Meeting as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 4 on the Agenda:      Approval of building addition plans -  
Pizza Hut of America, Inc.  
6410 N Oak. Owner: Angelo & Giovanna Porello

Pizza Hut representatives reviewed plans for an 8' x 16' carry-out foyer addition to the present facility. The addition materials will match the existing structure (bat and board, red shingle roof with quarry tile entry floor) and meets all City Code and standards. The new construction will require the removal of one existing entrance door. This is not a drive-up window but rather a carry-out window and was designed as a convenience for the large volume carry-out business they have. The parking lot will be re-stripped to gain three additional parking spaces. Spaces are presently 10 ft. while 8ft. is required under the Code.

Council had no further questions of the applicants whereupon Mr. Ashcroft moved to approve the building plans as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 5 on the Agenda:      Communications from the Audience.  
None.

Item 6 on the Agenda:      Communications from the City Council.

Councilmember Ashcroft requested drafting of an ordinance calling for fluoridation of Gladstone water for introduction at the next City Council meeting.

Item 7 on the Agenda:

Communications from the City Manager.  
None

Item 8 on the Agenda:

First Reading: Bill No. 83-37, amending the City Code to provide for a Consent Agenda in the order of City Council business permitting the Council to consider and approve routine items without discussion.

Mr. Ashcroft moved to place Bill No. 83-37 on first reading. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill. (5-0)

Mr. Ashcroft explained that a "Consent Agenda" allows the approval of routine, non-controversial items of business by singular motion, second and unanimous vote of the members of the City Council. Such Consent Agenda will expedite Council Meetings when there are numerous routine items of business that require no discussion.

Mayor Bussinger stressed that any item can be deleted from the Consent Agenda and placed on the regular agenda at the request of any Councilmember if discussion and debate is desired.

Mr. Achen clarified that ordinances will not be placed on the Consent Agenda as they require three readings under State Statutes.

Mr. Fairlie commented that debate is important to the system and he foresees few items actually being left on the Consent Agenda.

Mr. Ashcroft moved to accept the First Reading of Bill No. 83-37 and place said bill on Second Reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill No. 83-37, waive Paragraph d(2) of Ordinance No. 1.83 and place said Bill on Third and Final Reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill No. 83-37 and enact said Bill as Ordinance No. 2.491; Mr. Karns seconded. The vote: "Aye" - Karns, Ashcroft, Fairlie, Bussinger. "No" - Whitton.

(4-1)



Item 9 on the Agenda: First Reading: Bill No. 83-38, amending the City Code (Section 2-34-c) by changing the established term of the Student Member on the Gladstone Park Board to commence on the first day of October of each year.

City Manager Achen explained that the change will provide for appointment of a student member in his Junior year. The Park Board has had difficulty obtaining a student member and it is hoped this change will attract more students. The amendment changes the appointment month from May to October.

Mr. Fairlie moved to place Bill No. 83-38 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the First Reading of Bill No. 83-38, waive Paragraph d(2) of Ordinance No. 1.83 and place said Bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 83-38, waive Paragraph d(2) of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 83-38 and enact said bill as Ordinance No. 2.492. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 10 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-83-54, reducing temporarily the amount of occupation and license tax imposed on the Gas Service Company to customers within the city of Gladstone from seven to six percent of gross receipts during the months of December, January and February. Mr. Karns seconded.

Mr. Karns asked City Manager Achen if it would be possible to reduce the franchise tax from 6 to 7% for the entire year. Mr. Achen responded that based on this year's budget we would not be able to make the reduction and maintain the budget balance. The budget was based on the projected three month reduction at 6% and receipts have been coming in at least within the range of the budget estimate. This temporary reduction saves the taxpayers about \$30,000. If the reduction was made for the entire year amendments to the expenditure side of the budget would be necessary.

In response to question from Mr. Whitton, Mr. Achen advised that the budget projections were calculated with Gas Service rate increases included.

Mr. Karns asked City Manager Achen where we had made the budget cuts to absorb the \$30,000 loss in revenue. Mr. Achen responded that he could not recall exactly but that in the Administration/Finance Department there had been a one-half position reduction.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger, (5-0)

Item 11 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-55, authorizing execution of an agreement with Whiteco Metrocom for lease of city property for erection of an outdoor advertising sign. Mr. Karns seconded.

Mr. Whitton extended his compliments to Councilman Karns for his negotiation suggestion to include two companies in the lease arrangements that will ultimately provide \$120,000 in revenue to the city over a ten year period.

Mr. Achen reviewed modifications to the lease agreement with Council.

Mayor Bussinger asked about adding a provision - "no removal of trees". Mr. Achen pointed out that the lease as drawn permits them to remove trees, brush, shrubs, etc. which limit the visibility of the sign structure to the traveling public. Mr. Achen noted that within about 15' of the proposed billboard location there is a large oak tree and a maple tree which he presumes will be removed. According to Mr. Achen, the firm's model signs can run anywhere from about 26' off the ground to 77 ft. off of the ground. Their proposal did not specify the elevation so he believes there may be a way to adjust the elevation and still retain the shorter of the trees (approx. 40' oak tree).

Mayor Bussinger reiterated that he opposes cutting of trees if you don't have to. If it was a road project it would be different but the only way the public will benefit from this lease agreement is the revenue derived for the city. It just takes trees too long to grow and he would like to explore alternatives.

Mr. Achen suggested that perhaps the sign could be moved 35 ft. to the north and perhaps not be obstructed by the oak tree. There may be a way to erect the sign without removing both trees. We might provide in the agreement that the city has the right to approval removal of certain size trees. Whiteco and Metro North Bank are going to want to assure themselves that the City is not going to allow trees to grow in front of the signs. This would force the companies to make a decision at the time the sign is put in if the city says "no you can't remove that tree" then they can determine if the sign can be removed to avoid removal. If there is no place they can put it without removing a tree that the city does not want removed, they can back out of the contract.

Following discussion with the City Manager and City Counselor, Mr. Whitton moved to amend his motion for adoption of Resolution No. R-83-55 by adding a stipulation that the City Manager's approval of the agreement is contingent upon working out a location that satisfies their needs yet minimizes the need to remove a tree of more than 3' circumference. (location to be legally described and diagrammed in Attachment 1 to the Lease Agreement). Mr. Karns seconded the amended motion.

The vote on the amendment: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

The vote on adoption of Resolution No. R-83-55 as amended: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 12 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-83-56, urging the Clay County Court to proceed with construction of the west side county administrative offices as authorized by voters on February 3, 1981, and expressing strong opposition to any effort to abolish plans for construction of the western county facility, and further expressing belief that halting such construction could jeopardize Gladstone voters support of future county financing issues. Mr. Karns seconded.

Mr. Karns commented that he would vigorously oppose any County tax increase if the western facility is not built. Mr. Ashcroft seconded Mr. Karns' statement.

Mr. Fairlie pointed out that the jail and court house issue had failed nine times before the western facility was included in the issue. He stated the time has come to say - we want what we authorized you to build.

Mayor Bussinger expressed dismay at the County "scene" and suggested need for a charter form of government. He is embarrassed by the bickering between County office holders and thinks it is time they take a hard look at themselves, and time we stood up and let them know how we feel.

Mr. Ashcroft commented that the County should "get the message" from the resolution.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 13 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-83-57, authorizing Change Order No. 2 in the amount of \$4,900 to the Total Electric Street Light Contract to provide for installation of lighting at seven additional locations. Mr. Karns seconded.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 14 on the Agenda: Other Business.

Mr. Fairlie brought to staff's attention the ongoing problem of the "no man's land" on the west side of Meadowbrook Shopping Center which is continually the dumping site for junk and debris. Council reminded this had been brought to staff's attention previously and requested immediate action and ticketing into Municipal Court is necessary.

City Council Meeting Minutes  
October 24, 1983  
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There were no further comments or business to come before the October 24, 1983, meeting of the Gladstone City Council whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

NOVEMBER 14, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of October 24, 1983 City Council Meeting
4. CONSIDERATION OF PRELIMINARY PLAT OF BROOKTREE MEADOWS  
59th & N Indiana  
Applicant/owner: Jim O'Laughlin
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. FIRST READING: BILL NO. 83-39, an ordinance authorizing and directing the introduction of fluoride into the Gladstone public water supply system.
9. FIRST READING: BILL NO. 83-40, authorizing acceptance of a drainage easement from Milcon, Inc.
10. RESOLUTION NO. R-83-58, authorizing execution of a contract with George Butler Associates for storm water engineering and planning consulting services.
11. RESOLUTION NO. R-83-59, authorizing execution of Change Order No. 6 to the E.H. Hall North Troost reconstruction contract and authorizing final payment.
12. Acceptance of Interim Financial Report for the month of October, 1983.
13. Other Business
14. Questions from the News Media
15. Adjournment

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

November 14, 1983

The November 14, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Whitton moved to accept the City Council Meeting Minutes of October 24, 1983 as written; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 4 on the Agenda:      Consideration of Preliminary Plat of  
Brooktree Meadows, 59th & N Indiana  
Applicant/Owner: Jim O'Laughlin

Owner/Applicant Jim O'Laughlin and Don Weiskirch, Environmental Designers, Ltd., Independence, Missouri, were present to review the preliminary plat of Brooktree Meadows, 59th & N Indiana. Plans call for construction of 31 residential homes on this ten acre tract.

Mr. Ashcroft said he was in a bit of a quandry as the Planning Commission minutes reflect this item was approved by a 4-2 vote with 2 abstentions. He questions how this is an approval without a quorum.

Mr. Achen clarified that he had visited with Chairman Winkler about this matter and technically the PC's motion to approve failed; because it would have taken a majority of those present for passage - in that instance five favorable votes. Chairman Winkler felt if Commission had known that it might have changed the discussion and perhaps altered the vote. He did not think it was fair to the applicant to send the preliminary plat back to the Commission because of their oversight.

City Council Meeting Minutes  
November 14, 1983  
Page Two

Councilman Karns asked Mr. O'Laughlin what the opposition was to his plat on the part of some Commission members. Mr. O'Laughlin stated that one of the Commissioners indicated he was a Brooktree resident and was voting against the plat because he wanted the land left for park purposes. He does not know why those abstaining voted as they did.

Commissioner Les Smith who had abstained pointed out that Mr. Davis' vote had no influence on his own. He had some question in his mind on storm water and very honestly could not make up his mind. He weighed all the reasons it should be approved and reasons it should not be approved and ultimately did not have enough justification to vote either way. If he had known it took five favorable votes it still would not have changed his vote to abstain.

Mr. Karns asked City Manager Achen if he had researched the question on whether the homes could be built on this school property.

Mr. Achen advised that the property is zoned R-1 and there is no reason that it could not be used for residential development. It is his understanding that the discussion at the Commission meeting was more that they had thought it was to be used for school property in the past. However it has been zoned R-1 for some time.

Mr. Whitton pointed out that it really is no different from the residential developments on school owned property in the Linden West school areas.

Mr. Karns commented that he does not think the city can afford any more parks and there is a need for the housing there. The drainage and water problems can be engineered, Council is only considering the preliminary plat.

Mr. Fairlie pointed out that if it is determined that this preliminary plat failed, the Subdivision Ordinance provides that the Planning Commission Chairman notify the applicant stating reasons for disapproval and the applicant may appeal the decision to the City Council by written notification to the City Manager within ten days.

Mr. Achen stated that from discussions with Chairman Winkler the item was treated as having been approved at the commission meeting, even though technically it appears that the item has failed.

Mr. O'Laughlin acknowledged that he was told at the meeting it had passed.

Mr. Fairlie asked where we stood. Was the preliminary plat approved or does the Council hear it on appeal?

Mr. Achen advised that we have two options: (1) consider ordinance literally and refer it back to the Planning Commission; (2) re-interpret the Commission's decision as a denial rather than approval and allow the applicant to lodge that appeal tonight.

Mr. Fairlie suggested that the record show that applicant Jim O'Laughlin is notified of the Planning Commission's November 7, 1983 denial of preliminary plat of Brooktree Meadows and that he does have right of appeal within ten days.

Mr. O'Laughlin acknowledged Mr. Fairlie's statement and requested Council hear his appeal this evening.

Mr. Achen advised that Counselor Sandler indicates by Mr. O'Laughlin requesting the appeal this evening he is waiving his rights to the written notice from the Planning Commission and the other procedural steps required under the Code.

Mr. Sandler noted by the applicant requesting the hearing on the appeal tonight he is approving waiver of the procedures but is still entitled, to the extent possible this evening, to a statement of the reasons for the Commission's denial and failure to approve the preliminary plat. He suggested that he be provided a copy of the Commission meeting minutes.

Mr. O'Laughlin indicated that he was present at the November 7th Planning Commission meeting so he is aware of the discussion that took place and does not need to review the minutes.

Council hearing on the appeal:

Mayor Bussinger commented that he does agree with Mr. Karns that this is a good project. He disagrees with Mr. Davis that this should be left park property.

In response to questions from Mr. Fairlie, Mr. O'Laughlin advised the plat calls for upper \$90,000 homes (31 homes) and that lot 18 has been revised to make it a buildable lot with proper setbacks.

the intersection  
When questioned about the placement of North College at 59th Street, Mr. O'Laughlin pointed out that we are right at the peak of the hill which leaves a little bit to be desired sight distance wise but is a superior location for the intersection by comparison to ligning it up with the driveway immediately north across from the proposed access point. The site distance to the west at that location is a little bit precarious; so between the two they have chosen the best alternative.

Mr. Ashcroft moved to approve the preliminary plat of Brooktree Meadows as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)



Item 5 on the Agenda:

Communications from the Audience.

There were no communications from the audience other than on Bill 83-39 (fluoridation). See Item 8 audience discussion.

Item 6 on the Agenda:

Communications from the City Council.

Mr. Fairlie moved to appoint Bill Reynolds, 1605 NE 72nd Street to a term on the Planning Commission expiring December 1984. Mr. Reynolds will fill the vacancy created by the resignation of Commissioner Pam Walsh. Mr. Whitton seconded. The vote: All "aye"- Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Whitton noted that the 67th & H Oak traffic signal timing sequence is still malfunctioning and requested staff follow-up.

Mr. Whitton noted that he has received another complaint about the nuisance problems at the Meadowbrook shopping center (additional cardboard dumped). Mr. Achen stated that based on memorandum from the staff it was his understanding that trash had been removed but will have staff review the matter again.

Item 8 on the Agenda:

First Reading: Bill No. 83-39, an ordinance authorizing and directing the introduction of fluoride into the Gladstone public water supply system.

Dr. Vic Rodman introduced Dr. K. Lum Young, Deputy Director, Bureau of Dental Health for the Missouri Division of Health, Mrs. Sue Dobbs, Registered Dental Hygienist who holds a masters degree in dental health and is with the State of Missouri Dental Health. He requests Council pass an ordinance that would authorize introduction of one part per million of fluoride into the Gladstone water system. This would bring the level of fluoride up from three-tenths of one part per million which is the naturally present level in the Gladstone water system.

Dr. Young thanked the Gladstone City Council for taking the initiative to introduce this ordinance. He indicated that the Division of Health does have grant funds available for the necessary equipment (metering pump, scale and testing equipment and installation of bulk storage).

According to Dr. Young 75.9% of Missouri's water supply is already fluoridated including Liberty, Smithville and Kansas City in Clay County.

Mr. Fairlie questioned why the Missouri Division of Health is willing to make grant funds available to Gladstone for this purpose.

Dr. Young responded that dental disease is the most common chronic disease in the United States and ranks third in cost to the public. \$15 million dollars was spent by people of the United States in 1981. Documented studies indicate fluoridation reduces dental disease by 50 - 65 percent. Fluoridation is endorsed by virtually every bonafide scientific organization.

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The anti's studies like those of John Yiamouyiannis, Ph.D., according to Dr. Young, have never been published in any accepted scientific journal. In 1979 the Governor's Task Force on Fluoride in Michigan concluded fluoride was beneficial to our health. He noted the American Cancer Society endorses fluoridation.

Mr. Fairlie questioned why a five member City Council should decide for 25,000 people.

Dr. Rodman responded that the Council has the authority to do so and they are not being asked to do something that has not been done time and again. Gladstone is not being asked to be a forerunner or do something that is unheard of. They have been studying fluoride since the early 1900's in England. There is not a proven documented study it is detrimental at one part per million. There are no opponents to fluoridation among the dentistry profession, Dr. Rodman stated. Dr. Rodman noted that dentistry will see more and more attention to prevention rather than repair and suggested that people will go more often for prevention if they don't have tooth decay and aren't worried about having to experience the pain and discomfort of fillings and having teeth pulled. It will probably take five years before there is a significant reduction in the number of cavities to be filled.

Councilman Ashcroft asked if Dr. Young would care to comment on suggestions that fluoride as a by-product of the manufacture of aluminum is poisonous. Mr. Young responded by reading a letter from the President of the Aluminum Company of America. (Copy attached to these minutes).

\* \* \*

Mrs. Anita Duncan, 6405 H. Wyandotte, spoke in opposition of fluoridation commenting that there is an old saying "if it ain't broke -- don't fix it". Referencing documentation previously distributed to Council, Mrs. Duncan cited fluoridation effects of premature wrinkling of the skin, tooth discoloration, possible genetic damage, increased cancer incidence, allergic reaction and increased incidence of torn muscles and ligaments resulting in bone breakage among the elderly and birth defects. She cautioned against accepting it just because it is a government program pointing out that the government has been wrong before as in the case of agent orange, tetracycline, nuclear plants and other chemicals thought "safe" by the government.

Mrs. Duncan stated that the hazards outweigh the benefits and urged the Council to give careful study to the issue. She played a taped interview with John Yiamouyiannis, Ph.D. and local radio personality Mike Murphy on the subject of fluoridation for Council members. Mrs. Duncan suggested that if we want our children to have good teeth we already have dentistry and tooth paste with fluoride to combat tooth decay.

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November 14, 1983  
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Mrs. Catherine Branaham, 6909 N Wyandotte, echoed Mrs. Duncan's remarks and stated that she is proud of the city's artesian wells and would favor leaving the water alone. She suggests that the people who would have to drink fluoridated water be allowed to vote on it.. Mrs. Branaham discussed research material which indicates fluoridation causes arthritis, allergies, backaches and mottling of the teeth.

\* \* \*

Vince Saladino, 3408 NE 72nd Street, spoke in favor of fluoridation and stated that he would like to see the Council add it to our water because it will help our children.

\* \* \*

Gwen Brady, 7417 N Broadway, asked what ages fluoride will help.

Dr. Young responded that children from birth to eight years will benefit the most because the chemical tends to build up their maturing teeth making them harder and less prone to decay. Adults will also benefit because fluoride acts as an inhibitor to bacteria which causes tooth decay. Many nursing homes encourage residents to use fluoride because it helps prevent premature tooth loss due to age.

Ms. Brady suggested providing fluoride tablets or mouth wash to children rather than fluoriding the water.

\* \* \*

Ann Shannon, 1604 NE 65th Terrace asked the Council to bring the matter to a vote of the people suggesting that the City Council did not have the right to decide the issue for all of Gladstone.

\* \* \*

Mayor Bussinger stated that although he is for fluoridation he has some reservations about it too.

Dr. Young pointed out that many symptoms attributed to fluoridation are actually caused by high concentrations of fluoride which are naturally present in the water in some parts of the world. One part per million is very minute compared to the amount of fluoride present in those areas.

Councilmembers Whitton and Karns were in agreement that the matter should be voted upon. Mr. Whitton suggested that it is not the Council's place to make that decision, there is already too much government control.

It was determined that Council would have to take action at the December 12th city council meeting to bring it to the voters on the February 7th election ballot. If it were to appear on the April 3 ballot, Council action would be necessary by the end of January.

Mr. Ashcroft moved to place Bill No. 83-39 on First Reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mayor Bussinger announced that the Monday, November 28 City Council Meeting is cancelled due to Council's absence from the city to attend the National League of Cities Conference in New Orleans, therefore the second reading of the fluoridation bill will appear on the Monday, December 12th City Council agenda.

Item 9 on the Agenda: First Reading: Bill No. 83-40, authorizing acceptance of a drainage easement from Mitcon, Inc. for Tracy Estates Subdivision.

Mr. Whitton moved to place Bill No. 83-40 on first reading; Mr. Karns seconded. The vote: all "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-40 and place said Bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-40 and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 83-40 and enact said bill as ordinance No. 2.493. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 10 on the Agenda: Mr. Fairlie moved to adopt Resolution No. 83-58, authorizing execution of a contract with George Butler and Associates for storm water engineering and planning consulting services for miscellaneous drainage projects. Mr. Whitton seconded.

Mr. Achen advised that this contract will allow the city to have the services of Butler and Associates immediately and will be financed by the General Fund. An additional agreement will be presented at the December 12th Council meeting with a timetable and working permits to do the first phase of the overall storm drainage engineering project.

Mr. Fairlie noted that the firm comes highly recommended and he has only heard good reports about their work. Mayor Bussinger noted for audience awareness that the storm drainage engineering contract to be authorized is a direct result of the bond issue approved by voters in August and Butler Associates was chosen following interviews with ten firms.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 11 on the Agenda:

Mr. Ashcroft moved to adopt Resolution No. 83-59, authorizing execution of Change Order No. 6 in the amount of \$2,630.60 to the E.H. Hall H. Troost reconstruction contract (72-77th) and authorizing final payment of the contract. Total contract amount through this change order is \$631,843.46. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Whitton brought to Mr. Achen's attention that property owner Hill's guard rail (south section Troost project) still had not been replaced to her satisfaction. Mr. Achen agreed to meet with the property owner on this matter and explained that the work will be done separate from the City Wide contract.

Item 12 on the Agenda:

Mr. Ashcroft moved to accept the Interim Financial Report for the month of October 1983 as submitted; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 13 on the Agenda:

Other Business.

Council requested Mr. Achen to look into possibility of an ordinance that would require removal of underground gas tanks where service stations have vacated the property.

Cancellation of the Monday, November 28th was again announced. Sign Code Study Session is set for Monday, December 5th at 7:00 pm

\* \* \*

There being no further business to come before the November 14, 1983 City Council Meeting, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: ✓

Approved as corrected/amended: —

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 12, 1983

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of November 14, 1983 City Council Meeting
4. CONSENT AGENDA: (see reverse)
  - a. Carport construction building plans, Sun Gate Apartments  
68th & N Broadway Applicant: Glen Bolling
  - b. Kiosk addition, Getty Self Service Station (building plans)  
6305 N Prospect
  - c. Resolution No. R-83-60, authorizing the City Manager to engage  
the firm of Peat, Marwick, Mitchell & Co to conduct the city's  
annual audit.
  - d. Resolution No. R-83-61, authorizing execution of an engineering  
services agreement with George Butler Associates, Inc. for  
development of a Storm Water Management Master Plan for the  
city of Gladstone.
  - e. Resolution No. R-83-62, declaring the necessity for February  
7, 1983 Primary Councilman Election and authorizing notification  
to the Clay County Election Board.
  - f. Resolution No. R-83-63, authorizing execution of a Cooperative  
Agreement with Mid America Council of Public Purchasing for purchase  
of goods and services for the city of Gladstone.
  - g. Approval of Interim Financial Report for November 1983

REGULAR AGENDA

5. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling  
District, to CP-1, Planned Local Business District, property described  
as the northwest corner of NW 72nd and North Broadway.  
Applicant: Main Enggas
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. SECOND READING: BILL NO. 83-39, an ordinance authorizing and  
directing the introduction of fluoride into the Gladstone public  
water supply system.
10. FIRST READING: BILL NO. 83-41, an ordinance approving the final  
plat of BROOKTREE MEADOWS SUBDIVISION. 59th & N Indiana. Applicant:  
Jim O'Laughlin.
11. Other Business
12. Questions from the News Media
13. Adjournment

A Consent Agenda allows the City Council to consider and approve routine items of business without discussion. Any member of the City Council, the city staff or the public may request removal of any item from the Consent Agenda and request that it be considered under the regular agenda if discussion or debate of the item is desired. Items not removed from the Consent Agenda will stand approved upon motion by any Council member, second and unanimous vote to "approve the Consent Agenda as published or modified".

December 12, 1983

CONSENT AGENDA ITEMS

Sungate Apartment Building Plans, 68th & N. Broadway - construction of 18' x 66' six- bay carport to serve existing apartment units. Approximate valuation - \$5,000

Cetty Self Service Station, 6305 N Prospect - building plans for U' x 10' addition onto the existing cashier's kiosk. Approximate valuation - \$13,000

Resolution No. R-83-41, authorizes City Manager to engage the firm of Peat, Marwick & Mitchell, to conduct city's audit for fiscal year ending June 30, 1984 for amount not to exceed \$18,000.

Resolution No. R-83-42, authorizes City Manager to execute agreement for engineering services with George Butler Associates, Inc. for development of storm water management master plan - Fee not to exceed \$78,500.

Resolution No. R-83-43, declares necessity for February 7th Primary Election to narrow candidates from six to four for three year terms on the City Council to be voted on at general election on April 3, 1984. 6 candidates in order of filing are:

Les Smith  
Jim Butler  
Mike Sloniker  
Larry Whitton  
Ted Porter  
Tim Ruth

Resolution No. R-83-44, authorizes a cooperative agreement with Mid America Council of Public Purchasing for cooperative purchasing of goods and services for the city.

Interim Financial Report for November, 1983 - report of city revenues and expenditures for all funds for the thirty day period.

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

December 12, 1983

The December 12, 1983, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk. Mayor Bussinger advised that Councilmember Bob Fairlie was absent from the city.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Whitton moved to accept the City Council Meeting Minutes of November 14, 1983 as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 4 on the Agenda:      Consent Agenda:

Mayor Bussinger explained that a consent agenda allows the City Council to consider and approve routine items of business without discussion. Any member of the City Council, the city staff, or the public may request removal of any item from the Consent Agenda and request that it be considered under the regular agenda if discussion or debate of the item is desired. Items not removed from the Consent Agenda will stand approved upon motion by any Councilmember, second and unanimous vote to "approve the Consent Agenda as published or modified".

Mayor Bussinger asked the City City Clerk to read aloud the December 12, 1983, Consent Agenda items. Following the Clerk's reading Mayor Bussinger asked if any Councilmember, staff member or anyone in the audience requests removal of any item from the consent agenda for public debate. No request was heard, whereupon Councilman Ashcroft moved to approve the consent agenda as published; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0) (Consent Agenda listing follows under agenda items 4a - 4g).



Item 4-a. Mr. Ashcroft moved to approve building plans for construction of 18' x 66' six-bay carport at Sungate Apartments 68th & North Broadway as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 4b. Mr. Ashcroft moved to approve building plans for 8' x 10' addition onto the existing cashier's kiosk at Getty Self Service Station, 6305 North Prospect as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 4c. Mr. Ashcroft moved to adopt Resolution No. R-83-60, authorizing the City Manager to engage the firm of Peat, Marwick & Mitchell, to conduct the city's audit for fiscal year ending June 30, 1984, for an amount not to exceed \$18,000. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 4d. Mr. Ashcroft moved to adopt Resolution No. R-83-61, authorizing execution of an engineering services agreement with George Butler and Associates for development of a Storm Water Management Master Plan for the city of Gladstone. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 4e. Mr. Ashcroft moved to adopt Resolution No. R-83-62, declaring the necessity for February 7th Primary Election and authorizing notification to the Clay County Election Board of order of the ballot as follows: Les Smith, Jim Butler, Mike Sloniker, Larry Whitton, Ted Porter, Tim Ruth. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0).

Item 4f. Mr. Ashcroft moved to adopt Resolution No. R-83-63, authorizing execution of a Cooperative Agreement with Mid America Council of Public Purchasing for purchase of goods and services for the city of Gladstone. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 4g. Mr. Ashcroft moved to approve the Interim Financial Report for November, 1983 as submitted. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 5 on the Agenda:      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property described as the northwest corner of NW 72nd and North Broadway. Applicant: Main Enggas

Mayor Dussinger opened the public hearing and explained the procedure that those in favor of the rezoning application would be invited to speak followed by those opposed.

Thomas Barzee, Jr., of the Preston Williams law firm, North Kansas City, Mo., indicated he would speak on behalf of the applicant, Main Enggas.

Mr. Barzee noted that this tract of ground is presently owned by Mr. Main Enggas and has been owned by the Enggas family for a number of years having been acquired by Mr. Enggas' parents in the late 1920's. Four and one-half acres of this tract is located within the Gladstone city limits with the balance of the thirty acres in Kansas City, Missouri. The property is presently used for single family residency and the property has a barn and some other minor improvements. Immediately south is the Gladstone Post Office, service station on the S.E. corner of 72nd & Broadway; a bowling alley to the east, residential property to the north and east, and agricultural, residential-type property to the north. 169 Highway lies to the west of this property.

The rezoning request several years ago was for multi family dwelling use. The present application is for CP-1, Planned Commercial District and the application has been filed with both Gladstone and Kansas City. The new proposal calls for three cuts on North Broadway, however Mr. Enggas has consulted with his planners and potential developers and they have indicated that the northernmost cut on N Broadway could in fact be removed and that the road shown on the northernmost part of the property would simply become a cul de sac immediately west of N. Broadway, it would not be a cut onto Broadway. So there would be only two street cuts onto N. Broadway, with the southernmost cut being not too far from 72nd Street and another cut approximately half-way up onto N. Broadway. It has been suggested that this second cut be immediately opposite the street there, but in talking to the developers they have indicated it would probably be best if moved south opposite the north exit of the bowling alley rather than across from anyone's home. The previous application two years ago suggested four street cuts on N Broadway and we are now down to two. The developer believes there needs to be two street cuts on N Broadway as a minimum taking fire and police protection needs into consideration.

Mr. Barzee stressed that Mr. Enggas has attempted to work out possible problems at all times and take into account the concerns of both the city and residents and that is why he is back again requesting a rezoning change so he can use the property for some type of commercial development, which he believes to be the highest and best use. Basically an office park with perhaps medical buildings is what Mr. Enggas envisions. There are no plans for fast food or some of the others uses that CP-1 would allow. The City of Kansas City is unaware of any State Highway Department plans for any kind of access onto 169 from 72nd Street. Some kind of outer-road or cul de sac will be necessary but this has not been developed or finalized. This would be a matter that would come about as the project is developed but there must be access to all the buildings on the property. Most of the access would be from NW 72nd Street.

On the subject of traffic, Mr. Barzee noted that they envision day-time traffic from the professional type buildings. He stressed again that there would be no apartments, no multi-family and no fast food use. He reminded that if the property was developed as single family that a tremendous amount of traffic would be put on the streets given the fact that many people have 2-3 cars - this should be taken into consideration.

Mr. Ashcroft asked if there were any jurisdictional questions that would have to be addressed because he understands that one of the buildings will straddle both cities.

Mr. Barzee said that jurisdictional questions have not been fully looked into but noted that the Gladstone Post Office is in the same situation and he assumes they are provided police and fire protection. If necessary they may have to move the building. He noted that he understands Gladstone's ordinance limits the building to 2 1/2 stories, while 3 stories is proposed.

Mr. Ashcroft said it puts Gladstone in a dilemma because all the revenue produced would go to Kansas City yet Gladstone has to service roads, etc. Mr. Barzee responded that the owner desires to build as many buildings as reasonably possible in Gladstone and noted that the plans do call for two other 7,000 sq. ft. buildings to be located entirely in Gladstone. As for the building on the corner he is sure there is no objection to building it entirely in Gladstone if engineering and architecturally it is feasible.

Mayor Bussinger asked if they had approached Kansas City on their rezoning yet.

Mr. Barzee advised they had met with the KC Planning Commission and the application received a vote to deny but with the specific recommendation and direction that they go back to the City of Gladstone first. Kansas City agreed to waive additional filing fees in connection with the re-submittal.

Mayor Bussinger asked what happens if Gladstone approves the application and Kansas City denies it. Mr. Barzee acknowledged that was a good question and that obviously Enggas could go ahead and develop the Gladstone portion of the property with the two 7,000 sq. ft. buildings. The one on the corner would present a problem given its present size, it might have to be made smaller. There are so many possibilities it is difficult to say at this time.

Mayor Bussinger also suggested that if Gladstone agrees to rezone with requests for improvements (sidewalks, etc), it is possible the applicant could not justify the expense of the improvements in which case Gladstone would be sitting there with the property zoned C-1. Gladstone's zoning should conform to what Kansas City wants. It is a problem and he wishes we had a better reading from Kansas City.

Mr. Barzee said this is one of the reasons they are requesting planned zoning because it would still give the Council and citizens further input as far as what goes in there.

Mr. Karns expressed concern that if Gladstone grants CP-1, the applicant could go to KC and get their rezoning and never develop the Gladstone part. Mr. Barzee acknowledged this is a possibility but the issue has never been raised.

Mr. Karns also asked if the building could be placed in Gladstone with the parking to the rear in Kansas City.

Mr. Ashcroft asked if Mr. Enggas will personally develop the property and if so how soon. Mr. Barzee responded that Mr. Enggas does want to personally develop it and he would guess he would start at the Gladstone corner. He would not be developing the entire 30 acres immediately, but he would have to ask Mr. Enggas how soon he would start the first phase. Mr. Barzee noted that Mr. Enggas was not able to attend this meeting.

Mayor Bussinger noted the considerable expense of a traffic signal at 72nd & Broadway and asked if Mr. Enggas would be willing to contribute. Mr. Barzee said he would make a note of the request and ask Mr. Enggas. According to Mr. Achen the light expense would be approximately \$60,000.

Mr. Whitton questioned why the Gladstone Zoning Ordinance limits the building to 2 1/2 stories. City Manager Achen pointed out that the provision has been in the Code for a number of years but with new advances in fire fighting the department may want to examine the question to determine if higher buildings could be allowed without compromising the city's firefighting capabilities. Mayor Bussinger agreed this was an item that should be discussed at a future Council study session.

Resident of 308 NW 73rd Terrace expressed concern about traffic and drainage problems resulting from the proposed project. She indicated 73rd Street residents have water ponding problems now. She suggests that commercial zoning go only as far north as the bowling alley property.

There were no additional comments, whereupon Mayor Bussinger closed the public hearing and announced that first reading of the rezoning bill would be scheduled for the Monday, January 9th city council meeting.

Item 6 on the Agenda:            Communications from the Audience.

Mayor Bussinger recognized thirteen scouts and their leaders from Scout Troop 270, Holy Cross Lutheran Church present in the audience.

George Delisle, 603 NE 73rd Terrace, Gladstone resident since 1951, addressed the Council on the need for replacement of the 2" water lines serving his street. He noted that there have been four main breaks (1980, 1979, 1978 and 1977). They have low water flow with 60 lb. static pressure which drops to 28 lbs. when the bath tub is filled. He questions why we would pay for fluoridation when we can't afford the water line replacements. He was joined by Mr. Charles Cassidy, 602 NE 73rd Terrace who agreed the low pressure presents a real problem for residents and urged the Council to fund water line replacement.

Mr. Achen advised that there are some 15 locations with 2" line compared to 6"-8" throughout the city. \$140,000 was budgeted for water line replacement this year however this street was not included.

Mayor Bussinger said this street would be considered in the FY'85 budget planning.

\* \* \*

Mayor Bussinger invited persons in the audience who wished to make comment for or against fluoridation to speak at this time and asked that remarks be limited to seven minutes total time for each side.

Dr. Vic Rodman spoke in favor of fluoridation and urged the Council to authorize fluoridation of Gladstone's water supply. He was joined by Dr. Lonnie Prince and Dr. Ed Kavanaugh who also indicated their total support of fluoridation as well as Sue Dobbs, Dental Health Specialist for the State of Missouri.

Dr. K.L. Young, Deputy Director of the Bureau of Dental Health for the State of Missouri read a report from the American Academy of Allergists, which indicates there is no evidence of allergy from use of fluoride in water supplies. He also referred to a report from the Michigan Governors' Task Force on Fluoridation that concluded that no evidence

is available to indicate that any adverse health affects could be attributed to fluoridation. As far as the legality of fluoridation, Dr. Young pointed out that no court of last resort has ever rendered an opinion adverse to fluoridation on the grounds of safety, ethnicizes, or constitutionality. A report from the American Cancer Society in 1983 shows a 15% drop in cancer death rates from 1950-78 while fluoridation opponents have claimed cancer is on the increase as a result of fluoridation. Dr. Young stated that the Clay County Medical Society supports fluoridation and left additional studies with the City Clerk for Council and public review supporting fluoridation.

#### Opposition

Mrs. Ann Shannon, 1604 NE 65th Terrace, pointed out that children don't drink water but rather drink pop and questioned how much water a child or teenager would have to drink a day for fluoridated water to have any positive affect. She would like to see all the facts and figures on both sides of this important issue and a debate of the issue in the newspaper.

Mrs. Kathy Branham, 6909 N Wyandotte, pointed out that research she has indicates that fluoride is a poisonous waste product and as little as one-tenth per ounce will lead to death. Fluoride leads to birth defects and genetic damage and has been linked with cancer, kidney disease and diabetes and is of no benefit to the people.

Anita Duncan, 5406 N Wyandotte, challenged Dr. Young's statement that fluoride does not cause allergic reaction and noted the allergic reactions discussed in the Dentist Desk Reference such as mottling of the teeth, etc. She also noted that more and more foods are processed with fluoride water and if persons are thirsty they will drink an excessive amount. If the Gladstone water supply is fluoridated, citizens will have to buy bottled water and she does not think the Council is qualified to medicate the 25,000 Gladstone population. If we are going to slow poison ourselves we can do it with cigarettes or vote on it.

Mr. Russ Zimmerman, 6719 North Michigan noted that the Missouri Pharmaceutical Association endorses fluoridation and it is likewise recommended as highly useful in fighting tooth decay by the National Research Council Sub Committee on Food and Nutrition. Mr. Zimmerman urged Council approval of this issue and left material with the City Clerk for Council review.

Item 7 on the Agenda:                      Communications from the City Council.

Mayor Bussinger acknowledged Gladstone Jaycees visiting the City Council Meeting this evening: Vice President Keith Langle, Treasurer Les Smith and member Jim Butler.

Mr. Ashcroft noted that salt had been applied on 68th Street that morning and question why this was done when weather conditions had not warranted it. Mr. Achen said he would look into the matter.

Item 8 on the Agenda:                      Communications from the City Manager.

Mr. Achen requested the addition of Resolution No. R-83-64, authorizing Change Order No. 1 to the Damon Pursell Construction Company construction contract for Old Pike Road Improvements and sign code variances to the agenda: Mayor Bussinger designated the additions as agenda items 10-a and 10b.

Item 9 on the Agenda:                      Second Reading: Bill No. 83-39, an ordinance  
authorizing and directing the introduction of fluoride into the Gladstone public water supply system.

Mr. Ashcroft moved to table Bill No. 83-39, explaining that although no more than three persons have spoken against fluoridation at the formal council meeting, he has received lots of phone calls and some from persons who would not identify themselves. He believes it behooves the Council to be totally appraised of all the issues on this matter and also suggests by tabling the item until after Councilmanic elections, we would keep it from becoming a political issue.

Mr. Whitton said he is running for the City Council but does not see it as a political issue.

Mr. Karns suggested that by tabling it we may be making a political issue out of it even though that is not the intent. He has no problem with voting on it tonight but understands that we have a legal opinion that the issue cannot be placed on the ballot. He will vote in favor of fluoridation if given the opportunity.

Following Council discussion Council agreed to give second reading to the bill this evening and schedule third and final reading for the January 9th council meeting when a full Council would be present.

Mr. Ashcroft moved to accept the First Reading of Bill No. 83-39 and place said bill on Second Reading; Mr. Karns seconded. The vote: "Aye" - Karns, Ashcroft, Bussinger. "No" - Whitton. (3-1) The Clerk read the Bill.

Item 10 on the Agenda:      FIRST READING: BILL NO. 83-41,  
an ordinance approving the final plat of BROOKTREE MEADOWS SUBDIVISION,  
59th & N Indiana. Applicant: Jim O'Laughlin

Mr. Ashcroft moved to place Bill No. 83-41 on first reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the First Reading of Bill No. 83-41, and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill No. 83-41, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on Third and Final Reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill No. 83-41 and enact said bill as Ordinance No. 2.494. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 10a. on the Agenda:      Mr. Whitton moved to adopt Resolution No. R-83-64, authorizing Change Order No. 1 to the Damon Pursell Construction Company contract for Old Pike Road improvements. The Change Order adds \$2,475 to the contract amount for a grand total of \$81,950.00; Mr. Karns seconded.

Mr. Chuck Logan, Pursell Construction Company representative advised Council that an extension of time is required due to construction delays due to the bad weather. He reviewed with Council a report detailing the weather conditions and days they were able to work since September 28th when the contract was started. They must have at least 40 degree weather to place asphalt and concrete. They estimate the contract could be completed with 10 days of favorable weather. It is now likely it may be May before the project is completed due to unforeseen wet weather conditions in the spring months ahead. The change order will provide for a 6-8" base of crushed rock to allow local traffic to drive on Old Pike. Mr. Achen advised that he and Mr. Warger have discussed the time extension request and agree that 75 days is reasonable given the unpredictable weather.

Mayor Bussinger agreed that we need to do what is necessary to accommodate the residents in that area as they have been shut down long enough. He asked if it would be signed for local traffic only and if violators will be ticketed. Mr. Achen said we do not have a formal policy and although it has not been discussed his feeling is that we ought not to ticket unless it become a problem as far as destruction to the road surface from heavy traffic or creating a hazardous situation. We would sign it for LOCAL TRAFFIC ONLY to try to discourage its use.



Mr. Logan indicated that assuming Council approval of the change order tonite, the crushed rock base could be put in place immediately.

The vote on the resolution: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 10 b on the Agenda: Sign Code Variance Requests.

Mr. Achen advised Sign Code variance requests have been received from the following establishments following denial of their sign permit by the city staff based on the currently adopted Sign Code regulations:

Golden Corral, 6906 N Oak  
Metro North Motors, 6901 N Oak  
Northland Equipment, 6840 N Oak  
Beck's Bakery, 6728 N Oak  
Annie's Santa Fe, 6129 N Antioch

Mr. said he understands that the Council's intent is to authorize sign permits for these establishments based upon Council study session deliberations about revisions to the Sign Code. Each of the establishments would be able to bring their signs into compliance with the stipulations the Council has agreed will be incorporated into the revised Sign Code. Those new stipulations being: Sign area not to exceed total of 100 sq. ft. for property with 200 ft. frontage (total maximum sign area possible); 50 sq. ft. for 100 ft. frontage and pro-rated for footage in between. The pole sign must be at least 10 ft. in height with the height to be measured from street center line elevation and a minimum of 15 ft. set back. Where there is existing pole sign and foundation that pole and foundation may be used as long as total area of sign is brought into compliance and non-conforming other free standing signs be removed.

Each of the above applications comply with these stipulations except for two applicants who need to modify their sign permit requests. Golden Corral will comply if they reduce their total sign area from 200 to 100 sq. ft. Annie's Sante Fe has applied for a 59 sq. ft. monument sign which exceeds the current ordinance of 50 sq. ft. Council may want to decide on two options: (1) grant variance for monument sign of 59 sq. ft. and (2) grant variance to allow pole sign with 59 sq. ft. This would give Annie's Sante Fe the option of a pole sign or monument sign of 59 sq. ft.

Mr. Ashcroft moved to authorize the variances to the Sign Code for issuance of sign permits for the above listed establishments, subject to compliance with the 100 sq. ft. maximum area that Council previously discussed. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Bussinger. (4-0)

Item 11 on the Agenda:

Other Business.

Mr. Whitton noted a street excavation at 74th and N Oak and indicated need for Safety Flare signs. He also noted that the signal at 67th & N Oak is not blinking in the evenings.

There being no further business to come before the December 12, 1983 meeting of the Cladstone City Council, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: ✓

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

Joe W. Bussinger  
MAYOR



# **CORRECTION**

**THIS DOCUMENT  
HAS BEEN REPHOTOGRAPHED  
TO ASSURE LEGIBILITY**

THE FOLLOWING  
DOCUMENTS BELONG  
IN PREVIOUS FILE

1984 CITY COUNCIL MEETINGS

MEETING

DATE

|            |                    |
|------------|--------------------|
| Regular    | January 9, 1984    |
| Regular    | January 23, 1984   |
| Special    | January 25, 1984   |
| Regular    | February 13, 1984  |
| Regular    | February 27, 1984  |
| Regular    | March 12, 1984     |
| Regular    | March 26, 1984     |
| Regular    | April 9, 1984      |
| Regular    | April 23, 1984     |
| Regular    | May 14, 1984       |
| No Meeting | May 28, 1984       |
| Regular    | June 11, 1984      |
| Regular    | June 25, 1984      |
| Regular    | July 9, 1984       |
| Regular    | July 23, 1984      |
| Regular    | August 13, 1984    |
| Regular    | August 27, 1984    |
| Regular    | September 13, 1984 |
| Regular    | October 8, 1984    |
| Regular    | October 22, 1984   |
| Special    | October 24, 1984   |
| Regular    | November 12, 1984  |
| No meeting | November 26, 1984  |
| Regular    | December 10, 1984  |
| No Meeting | December 24, 1984  |

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 9, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of December 12, 1983 City Council Meeting
- \* 4. Consent Agenda (see reverse side)
  5. Communications from the Audience
  6. Communications from the City Council
  7. Communications from the City Manager
8. THIRD READING: BILL NO. 83-39, an ordinance authorizing and directing the introduction of fluoride into the Gladstone public water supply.
9. FIRST READING: BILL NO. 84-1, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Business District property at the northwest corner of NE 72nd and North Broadway.  
Applicant: Main Enggas
- \* 10. RESOLUTION NO. R-84-1, authorizing one year contract for operation of the Happy Rock Park and Gladstone Municipal Swimming Pool concessions with R&R Company. (15.21% of gross sales less sales tax)
- \* 11. RESOLUTION NO. R-84-2, authorizing one year contract with Kansas City Area Transportation Authority for public transportation serving the city of Gladstone. (Gladstone subsidy \$11,480)
- \* 12. RESOLUTION NO. R-84-3, authorizing Change Orders 5,6,7,8,9 (totalling \$45,754.58) authorizing final payment of the City Wide North Troost/North Flora construction contract (63rd - 72nd Street).
- \* 13. RESOLUTION NO. R-84-4, authorizing the City Manager to make application for a grant-in-aid under the Land and Water Conservation Fund Program for renovations to Hobby Hill Nature Center. (\$9,000 project, city share \$4,500)
- \* 14. Approval of Interim Financial Report for December, 1983.
15. Other Business
16. Questions from the News Media
17. Adjournment

\* = Consent Agenda items

A Consent Agenda allows the City Council to consider and approve routine items of business without discussion. Any member of the City Council, the city staff or the public may request removal of any item from the Consent Agenda and request that it be considered under the regular agenda if discussion or debate of the item is desired. Items not removed from the Consent Agenda will stand approved upon motion by any Council member, second and unanimous vote to "approve the Consent Agenda as published or modified".

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

January 9, 1984

The January 9, 1984, meeting of the Gladstone City Council was called to order by Mayor Lee Bussinger in the Council Chambers of the Gladstone City Hall at 7:30 pm. In addition to the Mayor those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Whitton moved to accept the December 12, 1983 City Council Meeting Minutes as written; Mr. Karns seconded. The vote: "Aye" - Whitton, Karns, Ashcroft, Bussinger. "Pass" - Fairlie. (4-0)

Item 4 on the Agenda: Consent Agenda.

Mayor Bussinger provided the audience an explanation of a "Consent Agenda" and requested the City Clerk to read aloud the January 9, 1984 Consent Agenda listing.

Following the City Clerk's reading Mayor Bussinger asked if any Councilmember, staff member or persons in the audience requests removal of any item from the Consent Agenda for public debate. Mr. Whitton requested that Agenda Item 12 (Resolution No. 84-3) authorizing change orders to the City Wide North Troost/North Flora construction contract be deleted from the Consent Agenda and placed on the Regular Agenda. Mayor Bussinger acknowledged Mr. Whitton's request.

Mr. Whitton moved to approve the Consent Agenda as modified; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) (Approved consent agenda items are detailed under agenda items 10, 11, 13 and 14 of these minutes).

Item 5 on the Agenda:      Communications from the Audience.

Mayor Bussinger invited anyone in the audience who had questions or comments on matters not on the agenda tonight to address the Council at this time. He announced that Item 9 (Third Reading: Bill No. 83-39, authorizing introduction of fluoride into the city's water supply) will not be opened up for audience discussion as discussion had been held at the last two City Council meetings.

There were no communications from the audience.

Item 6 on the Agenda:      Communications from the City Council.

Councilman Whilton asked if there is consideration being given to moving the school crosswalks because of the two recent accidents in the vicinity of 65th & N Howard.

Mr. Achen responded that staff is conducting a review of the intersection. In the meantime we have assigned either a crossing guard or public safety officer at this intersection to minimize hazards until the review has been completed. The department's finding will be reported to Council.

Councilman Ashcroft advised it is his understanding that students have been instructed that as long as they are in the right-of-way, they have the right-of-way. So there may be some misunderstanding on the part of pedestrians, motorists and the school which needs to be clarified. From what he can gather it appears it was carelessness on the part of the pedestrian rather than excessive speed on the part of motorists or other conditions.

\* \* \*

Mayor Bussinger noted that Administrative Services Director James C. Harlow has accepted a position with the City of Independence as their Director of Finance. He acknowledged the fine job Mr. Harlow has done for Gladstone and wishes him well. He commented that although he is sorry to see him go -- you can't keep a good man down.

Item 7 on the Agenda:      Communications from the City Manager.

City Manager Mark Achen echoed the Mayor's sentiments about the departure of Mr. Harlow and said it had been a pleasure to work with him and that the city has benefited tremendously by his leadership in the finance areas these past four years.



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Item 8 on the Agenda:      Third Reading: Bill No. 83-39, an ordinance authorizing and directing the introduction of fluoride into the Gladstone public water supply.

Mayor Bussinger commented that he had had more contacts from citizens on this item via telephone, mail, than on any other single issue. He noted that the anti side has been at work. It is an emotional issue and he believes that the five member City Council should not decide this issue. He strongly supported fluoridation initially and the anti's have not convinced him although they certainly have been busy. He is just not sure. If he voted on it tonight he would vote no for that very reason. Mayor Bussinger moved to put the fluoridation issue to a vote of the people. If voters give the Council some kind of consensus then the Council has some direction. Mayor Bussinger pointed out that he is not an attorney and although he has read the Counselor's legal opinion, he believes the people should have the right to say whether they want it or not.

Counselor Richard Sandler pointed out that his ultimate opinion which he expressed in his letter was that a binding election in which the Council were to adopt an ordinance subject to the approval of the public is unconstitutional because it is a redelegation of power. In addition, the submission of an advisory (non-binding) vote to the public could be subject to challenge as an improper expenditure of public funds for the reason that it is not authorized by statutory authority or constitutional authority. The submissions stand on a little bit different footing but are both subject to challenge.

Mr. Achen noted that his guess is it would run approximately \$500 to add this to the April ballot to cover the cost of the additional ballot printing, etc.

Mr. Fairlie also commented that no other issue had brought such public comment. He has probably read more and understood less. It has been a difficult evaluation to make. He found out quite a while ago that just being elected to the Council does not produce an automatic mantle of wisdom that goes with it to be able to decide these issues without giving considerable study to them. He will say that he is not convinced from the anti literature that fluoride is detrimental to our health. He is convinced that the addition of fluoride to a water system at one part per million has by good reputable authority been beneficial in reducing cavities to at least some part of the population. His biggest concern throughout the entire determination is whether five persons have the authority or right to introduce some additive to the water system.

Mr. Fairlie further commented that adding this issue to the April election may make for a better election if we get more people out to vote for all the issues. But he would hate to see a Council candidate chosen on the basis of one issue. He does not find any concrete evidence against fluoridation. He will defer to the wishes of the balance of the Council on putting this item on the April ballot for public vote.

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Mr. Whitton seconded the motion made by Mayor Bussinger to put this issue on the April ballot. He stated that this issue may start a Civil War in Gladstone, however he believes the people have a right to vote on this issue.

Mr. Ashcroft advised that he was responsible for introducing this Bill and personally advocates fluoridation. We have heard from those in favor of fluoridation and those against, he appreciates the efforts of all because that is part of the way government works. This council is not here to inflict their wishes on the citizens but rather to carry out the wishes of the citizens. Even though he is a proponent, he does not think it in the city's best interest that he vote for it and would like to defer his vote on the bill for the advisory election.

Following discussion with the City Counselor, Mayor Bussinger restated his motion as a motion to table Bill No. 83-39, and submit the fluoridation issue to a non-binding, advisory vote of the citizens on April 3, 1984. Mr. Whitton seconded the motion.

Counselor Sandler clarified that if this motion passes there should be a subsequent ordinance at the next regular City Council meeting formally calling the election and the form of the ballot.

The vote on the motion: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 9 on the Agenda:      First Reading: Bill No. 84-1, rezoning  
From R-1, Single Family Dwelling District to CP-1, Planned Business District  
property at the northwest corner of NE 72nd and Boadway. Applicant: Main  
Enggas.

Mr. Fairlie moved to place Bill No. 84-1 on first reading; Mr. Whitton seconded.

Mayor Bussinger noted that Attorney Tom Darzee had requested a meeting with Council at a future work session between the 1st and 3rd readings of this rezoning bill. The Mayor directed the City Manager to invite representatives of the Planning Commission.

The vote on the first reading: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)      The Clerk read the Bill.

Item 10 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-1, authorizing execution of a contract for the operation of Happy Rock Park and Gladstone Municipal Swimming Pool concessions with R&R Company, Gladstone, Missouri, in exchange for 15.21% of gross sales less sales tax. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 11 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-2, authorizing execution of a contract with Kansas City Area Transportation Authority for public transportation serving the city of Gladstone for the period January, 1984 through December 1984, for a Gladstone subsidy of \$11,480.00. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 12 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-3, authorizing Change Orders 5,6,7,8, and 9 and authorizing final payment of the City Wide North Troost/North Flora construction contract for final contract adjusted amount of \$1,127,935.82. Authorized final payment is \$50,680.79. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

In discussion prior to the vote Mr. Whitton questioned why all these change orders were up to the City to pay.

Mr. Achen advised that all the change order requests had been reviewed in detail. Final change orders 7 and 8 represent costs incurred during the construction project that were not the responsibility of the contractor in the sense that there were something that the contractor should have known ahead of time. Such as cases where their were decisions made in the field. The proposed adjustments are significantly less than what the contractor actually applied for. There were some cases where there was a significant change in the quantities that were a result of the contractor's decision or misunderstandings and in those cases the City has not paid for them. In one case we split the difference where we thought there was reasonable justification. Given the length of time and the problems and frustrations with the contract it is awfully hard to look at the contract and say the contractor is responsible for all. The initial application was for approximately \$85,000, we agreed on \$45,000.

Mr. Whitton said he will vote for the resolution because the change order amounts were negotiated down but does not believe the contract was professional done and believes the contractor was at fault.

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Item 13 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-4, authorizing the City Manager to make application for a grant-in-aid under the Land and Water Conservation Fund Program for renovations to Hobby Hill Nature Center. (\$9,000 project, city share is \$4,500. Mr. Karns seconded. The vote: All "aye" Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 14 on the Agenda: Mr. Whitton moved to approve the Interim Financial Report for December, 1983 as submitted; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 15 on the Agenda: Other Business.

Mayor Bussinger welcomed scouts from Troops 155, 180 and 389 visiting the Council meeting and invited them to introduce themselves.

There being no further business to come before the January 9, 1984 meeting of the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: ☒

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

Joe W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 23, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 9, 1984 City Council Meeting
4. \* Consent Agenda (see reverse)
  - \* Approval of Liquor Licenses for Annie's Santa Fe, 6129 N Antioch, Class A&B, Mgr. Officer: Judy Williams and P&C Liquors, 6587 N Oak, Mgr. Officer: Don Popejoy, Class C
  - \* Resolution No. R-84-5, authorizing a lease agreement with IBM allowing installation of an antenna on the city's No. Locust water tower for two-way radio system operation for five year period at \$1,800/year.
  - \* Resolution No. R-84-6, authorizing Larkin and Associates to design and prepare bidding specifications for replacement of substandard 2" water mains at three locations in the city. Design costs not to exceed \$8,252.
  - \* Resolution No. R-84-7, authorizing Larkin and Associates to prepare plans and specifications for relocation of city's utilities in the M-1 Highway (No. Prospect) reconstruction project. Fees not to exceed \$21,014.
  - \* Resolution NO. R-84-8, authorizes appointment of Assistant to the City Manager Julie J. Betz as Acting City Treasurer and authority to sign checks and drafts on city accounts. Effective February 6, 1984.
5. PUBLIC HEARING: Request to rezone from C-2, General Business District, to CP-3, Planned Commercial District, property described as 6220 N Oak. Owner: Commercial Bank of Liberty. Applicant: Don and Ken Gray
6. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to RCH-1, Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th - 70th. Applicant/Owner: Hudson Oil Company
7. PUBLIC HEARING: On amendments to the Gladstone Zoning and Subdivision Ordinances establishing new filing fees for rezoning applications and preliminary and final plats.
8. Communications from the Audience
9. Communications from the City Council
10. Communications from the City Manager
11. SECOND READING: BILL NO. 84-1, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Business District, property at the N.W. corner of 72nd & N. Broadway. Applicant: Main Enggas
12. FIRST READING: BILL NO. 84-2, adopting the 1984 National Electrical Code for the city of Gladstone.

13. FIRST READING: BILL NO. 84-3, amending the Gladstone Subdivision Ordinance relative to fees for Filing Preliminary and Final Plats.
14. FIRST READING: BILL NO. 84-4, amending the Gladstone Zoning Ordinance relative to rezoning application fees.
15. FIRST READING: BILL NO. 84-5, establishing a new Schedule of Fees and Charges for certain services; subject to voter approval at April 3, 1984, election for such purpose.
16. FIRST READING: BILL NO. 84-6, calling a non-binding, advisory election on Tuesday, April 3, 1984, to determine public sentiment on fluoridation of the Gladstone municipal water supply.
17. Other Business. 18. Questions from News Media. 19. Adjournment

MINUTESCITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 23, 1984

Mayor Lee Bussinger called the January 23, 1984 meeting of the Gladstone City Council to order at 7:30 pm in the Council Chambers of the Gladstone City Hall. In addition to Mayor Bussinger those present were Council Members Larry Whitton, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Richard Sandler and the City Clerk. Mayor Bussinger announced that Councilman Ken Karns was out of the city.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Whitton moved to accept the Minutes of the January 9, 1984 City Council Meeting as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 4 on the Agenda: Consent Agenda.

The City Clerk read the January 23, 1984 Consent Agenda items as listed. Mayor Bussinger asked if any member of the City Council, the City Staff or any member of the audience desired to remove any item from the Consent Agenda for discussion or debate under the Regular Agenda. No request was heard, whereupon Councilman Fairlie moved to approve the January 23, 1984 Consent Agenda items as listed; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) (Detail of Consent Agenda items: liquors licenses and Resolutions 84-5,6,7 and 8 follows)

Liquor Licenses: Mr. Fairlie moved to approve new liquor licenses for Annie's Santa Fe, 6129 N Antioch, Class A&B, Managing Officer: Judy Williams; and P&C Liquors, 6587 N Oak, Class C, Managing Officer: Don Popejoy. Mr. Whitton seconded the motion. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Mr. Fairlie moved to adopt Resolution No. R-84-5, authorizing a lease agreement with International Business Machines allowing installation of two-way radio antenna on the city's water tower at 70th & N Locust for a five year period at \$1,800/year. Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Mr. Fairlie moved to adopt Resolution No. R-84-6 authorizing an agreement with Larkin and Associates to design and prepare bidding specifications for replacement of sub-standard 2" water mains at three locations in the city for a total contract amount not to exceed \$8,252. Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Fairlie moved to adopt Resolution No. R-84-7, authorizing Larkin and Associates to prepare plans and specifications for relocation of the city's utilities in connection with the North Prospect (M-1 Highway) reconstruction project. Total contract amount not to exceed \$21,014. Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie Bussinger. (5-0)

Mr. Fairlie moved to adopt Resolution No. R-84-8, authorizing the appointment of Assistant to the City Manager Julie J. Betz as Acting City Treasurer with authority to sign checks and drafts on the city's accounts until such time as a permanent City Treasurer is appointed. Ms. Betz's appointment is effective February 6, 1984. Mr. Whitton seconded the motion. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 5 on the Agenda. Public Hearing: Request to rezone from C-2, General Business District, to CP-3, Planned Commercial District, property described as 6220 N Oak. Owner: Commercial Bank of Liberty. Applicant: Don and Ken Gray.

Mayor Bussinger opened the public hearing explaining the procedure that those in favor of the rezoning are invited to to speak followed by those opposed.

Mr. Ken Gray, Olympic Car Wash, advised that they presently own and operate three car wash facilities in Tulsa, Joplin and Leavenworth. The car washes they build generally cost from \$350,000-\$600,000 with the proposed Gladstone car wash estimated at a half-million dollars. There has been some mis-conception in the past as to what car washes actually are. In the past most car washes have been "eye-scores" with low maintenance, poor decor and poor operation. The concept they have by investing so much money is to have attendants on duty seven days a week, use of stone and cedar building front, fiberglass walls on the interior rather than brick or metal. Mr. Gray stressed that if you pay \$12,000-\$16,000 for an automobile you don't want to drive into a tin shed to wash your car.



Mr. Gray continued that floor heat is provided so there is no icing in the winter and a number of things other car washes don't-such as tire brushes and cleaners and a no-spot rinse using de-mineralized water. You do your final rinse with the no-spot rinse and it eliminates the need for chamois and your car virtually dries spot free. The car wash will be positioned back off of the street 120 ft. to avoid any congestion that might happen. They have a separate vacuum canopy so there is no waiting in line to vacuum your car as you wait to get in line to wash; this helps to speed the traffic flow in and out. The car wash will be open 7 days a week and there will be employees on duty from 8:00am - 8:00pm and will be a well lighted area with no loitering permitted at all.

Mr. Gray stated that after talking to the Planning Commission they do agree to all of the Commission's stipulations and will work with the City on any other conditions to get this project underway.

Mayor Bussinger asked what the full depth of the zoning change from C-2 to CP-3 was? Mr. Fairlie noted 225 ft.

Mr. Gray stated that there was some discussion by Planning Commission on this and they intend to drop the back part of the zoning.

City Manager Achen clarified that a letter had been received January 23, 1984, from Mr. Don Gray who is the co-applicant, stating that it is the applicant's intent and commitment to request down-zoning from R-2 to R-1 for the property directly west of this location. This down-zoning request will be completed within thirty days of approval of the present rezoning request. Mr. Achen pointed out that the letter does not indicate any specific legal descriptions of the land to be down-zoned but is described as west of 6220 N Oak.

Mr. Gray noted that the property as they are purchasing it from the Commercial Bank of Liberty is an L-shaped piece of land and they are only interested in the front portion but had to purchase it all to get the front part. Because there was concern that apartments could be built behind the car wash they have agreed to down-zone it to R-1, Single Family.

Mr. Fairlie noted that if the balance of that property (R-1 portion) were to be included with this CP-3 then it would be tied to no development at any future time unless it were brought before the Planning Commission and the Council for a change in that Planned zoning. It looks to him like safeguards can run either way; by zoning it R-1 and then having a future Council say "oh yes it could be C-2 or CP-2 or CP-3". It looks to him like the safeguards are the same

whether you break it out as a separate R-2 to R-1 or just leave it as a part of the CP-3 package.

Mr. Gray advised that deed restrictions had also been requested. Mr. Gray stressed that he wanted to work it the way the Council wishes to get the front portion rezoned.

Mr. Ashcroft asked if Mr. Gray had seen the recommendations of the Planning Commission: R-2 to R-1; provide for one street cut 40' wide close to the center of the property; and dissipator and sidewalks. Mr. Gray acknowledged he had seen these recommendations.

Mr. Ashcroft noted that the original staff report noted that storm drainage had not yet been addressed. He asked if it has now been addressed with the Planning Commission.

Mr. Gray said it has now been addressed with the installation of a dissipator. He will work with the City Engineer to accommodate the city's requirements in this regard.

Mr. Bussinger asked if one egress/ingress is sufficient to handle the size of the operation. Mr. Gray said it would be sufficient because the traffic flow pattern eliminates crossing with one side for entrance and one side for exit.

In discussing the hours of operation Mr. Gray noted that the lights will be turned on at 6:00am in the morning and will go off at 11:00pm with attendants there from 8am - 8pm. Mr. Whitton noted that we have an ordinance that limits the hours of operation. Mr. Achen advised that our ordinance limits the hours to 7:00am - 10:00pm.

Mr. Fairlie asked about provisions for stacking the cars.

Mr. Gray said the two automatics are on the north end and when you come in the entrance you will turn right and stay along the curbs and will line up clear around to the two automatics on the north end. Two lines will probably hold in excess of 25-30 cars.

Mayor Bussinger noted that there have been problems with the car wash at 73rd & N Oak with vehicles obstructing traffic on N Oak heading south. He wants Mr. Gray to be aware that we don't want cars stacked on N Oak and if that becomes a problem they will expect him to provide someone to direct traffic.

Mr. Gray said this is the reason their facility will be put as far back as possible from the street and they will have attendants there 12 hours a day.

Mr. Bussinger expressed concern about water drainage in that area noting that adjacent resident Mr. Porter has been up here several times regarding the problem. He asked what is being done to alleviate additional water onto Mr. Porter's property.

Mr. Gray responded that they will do whatever the city recommends within reason. He understands that the run-off cannot exceed what is there now so whatever the City Engineer recommends they will construct to retain the water to assure no more outflow any more rapidly than at the present time. This is what is shown on the plans now with the dissipator.

Mayor Bussinger suggested that he wants the record to reflect this because there is some problem there now and we do not want your development to add to it. Mr. Bussinger continued that we don't think Mr. Gray should be asked to assume the whole problem and correct it but he should take care of the water this project will contribute.

Mr. Gray responded that when they asphalt the area they will control the water to the city's specifications.

Mr. Fairlie asked about the amount of traffic leaving the car wash. Mr. Gray advised the automatic takes five minutes. They charge 50¢ for four minutes in the manual bays so you normally spend \$1-\$1.50 so you are talking 8-12 minutes. So running full capacity for all ten bays probably 10 cars will be leaving every 8 minutes.

Mr. Fairlie asked if two lines would be used for exiting - one for north and one for southbound traffic. Mr. Gray noted that is their other car washes you enter on the right and exit on the left. With one 40 ft. curb cut they have experienced no crossing problems in their other car washes.

Mr. Whitton suggested Mr. Gray may want to check into the city's water rates noting that there are car washes closing in the city because they can't make it.

\* \* \*

No additional comments were received in favor or against this rezoning, whereupon Mayor Bussinger closed the public hearing.

Item 6 on the Agenda:      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to RCH-1, Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th - 70th. Applicant/Owner: Hudson Oil Company

Mayor Bussinger opened the public hearing explaining the procedure that those in favor of the rezoning application will speak followed by those opposed.

Favor

Mr. Preston Williams, Attorney, introduced himself and Mr. Everett Hedeen, Engineer as representatives of the Hudson Oil Company for this application.

Mr. Williams pointed out that the tract of land in question is approximately 70th and N Prospect on the east side of the street. The property has a total of some 75 acres however this application addresses itself to the 60 most easterly acres.

Mr. Williams stated that they have tried to address the questions that were raised with respect to this project and individually reviewed the Planning Sub Committee's questions/recommendations:

1. The applicant present a plan satisfactory to staff on landscaping the entire area which plan shall include a provision for a greenway along the existing creek bed adjacent to the Meadowbrook North housing area. MR. WILLIAMS ADVISED THEY AGREE TO THIS.
2. The applicant present a satisfactory storm water retention plan to be approved by staff which shall include that the water retention pond provided in the plans be adequate to provide for a 100 year flood, etc. MR. WILLIAMS ADVISED THEY ARE IN AGREEMENT.
3. The applicant provide by deed restriction that the home owners' association shall be responsible for maintenance of all green space within the area. MR. WILLIAMS ADVISE THEY ARE IN AGREEMENT.
4. The plan include a request that there be no parking on Indiana adjacent to said subdivision. MR. WILLIAMS POINTED OUT THAT THIS IS THE STREET THAT BORDERS THE EASTERNMOST BOUNDARY AND THEY UNDERSTAND THAT THERE IS A TRAFFIC SITUATION THERE THAT THE CITY DESIRES TO ADDRESS AND HUDSON IS PROTECTIVE OF THIS AND SO AGREE.
5. The strip of land to the south of the street proposed off of Prospect at approximately 70th have specific provisions for maintenance with the applicant to give consideration to the possibility of donating said strip to the adjacent landowner to assure proper maintenance of the area.

Mr. Williams pointed out that this street has been provided in recent State Highway plans which gives us a 40 ft. entrance way there and the street corresponds with the entrance way to the west that will be a control intersection.

Where that street comes in it leaves a gap between the church property to the south and the street of some 30 ft. for the extended length of the church property. Mr. Williams noted that they recognize there has been a water problem there because the land to the north slopes towards the church. With the construction of that street they can control the water that is caught on that street and the Highway plans show a controlled structure at the northeast corner of 70th & Prospect that carries the water underneath and to the west side where the Highway plans and the city plans pickup the water. As far as the maintenance of that 30 ft. strip is concerned, it can be maintained as a greenway; it can be maintained as a parking way or whatever is necessary. Hudson agrees to do whatever is necessary to assure proper maintenance.

6. There be a natural buffer along Indiana Street as it faces the existing Meadowbrook North addition with a set back of any housing of at least 50 feet from the street with the details of such landscaping to be a part of the aforementioned landscape plan. MR. WILLIAMS SAID THEY ALSO AGREE TO THIS POINT NOTING THAT THIS IS A CLUSTER HOUSING PLAN AND THAT THEY WILL NOT CONSTRUCT ANY HOUSE CLOSER TO INDIANA THAN 50 FT. HE NOTED THAT THERE ARE ONLY TWO POINTS IN THE PLAN WHERE THIS REQUIREMENT COMES INTO PLAY AS MOST ARE FURTHER BACK.
7. The applicant amend their application to ask for RPI-CH zoning. MR. WILLIAMS STATED THEY AGREE TO THIS AND POINTED OUT THAT THE PLANNED ZONING VERY CLOSELY RESTRICTS WHAT CAN BE BUILT AND THE PLAN MUST CONFORM .
8. Applicant agree to place into escrow its equitable share of money as determined by staff to provide for the ultimate signalization at 70th & N Prospect. MR. WILLIAMS ACKNOWLEDGED THAT THEY AGREE TO PUT IN ESCROW THEIR PROPORTIONATE SHARE OF THE SIGNAL COST.
9. In view of the uncertain financial condition of applicant, a completion bond in an amount to be determined by staff be filed with the city prior to commencement of any grading on said property.

To point No. 9, Mr. Williams stated there is some difficulty with that because they don't know to what extent the staff might want such a bond but Hudson is sure that they can agree with the staff as to any arrangement they feel is necessary.

Mr. Williams stated that there has been some publicity concerning the condition of the Hudson Oil company and so forth. The Bankruptcy Attorney appeared here a week or so ago concerning this matter and we are now assured that anything we do in connection with this property is going to have to be done under the jurisdiction of the bankruptcy court. The Court will have to approve everything that has been done which will add credence to what we are trying to do.

Mr. Williams continued that the plan is to build cluster housing that will end up as individual ownership which is the type of development he understands the city wants. Also this plan utilizes as little of the land as they possibly can for housing leaving a lot of greenway. For this reason we can get the project going to the city's satisfaction and with the jurisdiction of the bankruptcy court involved we know that it will proceed properly. The applicant will proceed within one year of the rezoning approval with planning and engineering on an acceptable phase schedule and with the approval of the bankruptcy court.

Mr. Williams noted that he has been advised as of this date by the proper people with Hudson Oil Company that the engineering is authorized to proceed with the necessary survey encompassing boundary, topo and tree locations; prepare plat drawings, setting out roads and parcels and legal descriptions; landscape plats showing the required buffer zones; a storm water plan showing the management of the storm water; and utility plan reflecting all of the utilities required for this project; and a roadway plan showing streets and thoroughfares located within the project with their connection to existing roads, etc.

Mr. Everett Hedeon reviewed the details of the plans for Council and audience noting that the total number of units is 277. Because of the low density there will be 70 ft. between units at the closest point and in most cases there is far more than that. This zoning category requires that they provide 8,400 sq. ft. for each unit which is the same size as a single family lot. By clustering we have fewer public streets to maintain and more green space.

Mayor Bussinger asked about ability of fire apparatus to turn around in the streets. Mr. Hedeon stated that all streets would be approved by the city. They have shown 24-28' roadways coming in and they will be required to provide adequate turn around area. All streets will have drive through with exception of 1 or 2 cul de sacs which they will have to handle.

In response to a question from the Mayor, Mr. Hedeon acknowledged that there is no cluster housing buffering Meadowbrook North and Christopher Heights but rather single family lots.

Mr. Fairlie asked about the square footage in the cluster homes. Mr. Hedeon advised that he would imagine they will all exceed the required 1,200 sq. ft. under the ordinance and would range from 1,400 to 1,500 sq. ft.

Mr. Fairlie commented that Mr. Williams had indicated the greenspace maintenance would be turned over to the Homeowners Association. He questioned association's ability to constantly maintain greenspace over long period of time. Mr. Williams responded that historically people take pride in property ownership and he foresees some fee and contractual arrangement at the time of purchase. It would be a deed restriction.

Mr. Fairlie asked what if certain members decided not to participate.

Mr. Williams answered it would likely be handled the way you collect taxes -- you have to sue somebody.

Mr. Fairlie asked about lots sold to individual homeowners. Will the greenspace be broken down and sold to individuals. Mr. Williams stated that the greenspace will be maintained as a common area. When you get a deed to your particular tract on which your home is located, you also have a deed in common with everyone else in that area to the greenspace. Mr. Williams said this a very common concept. He believes this is where you get some systematic maintenance.

Mr. Fairlie asked about the 30 ft. strip south of 70th Street as far as maintenance. Mr. Williams said it would be in common as part of the rest of the greenspace.

Mr. Ashcroft said it seems to him it would be a lot easier to deed the 30 ft. in question to the church. Mr. Williams said that was one of the suggestions and they might very well do that. They know the problem must be addressed and will do what ever is necessary to assure maintenance.

Mr. Ashcroft said he agrees that homeowners' associations do have pride in their own cubicle. But once it is moved outside of that it seems to be forgotten and all of the sudden it is the city's responsibility to take care of it. Mr. Williams responded that maintenance should be a proper restriction that should become a part of the deed of conveyance that you, Mr. Property Owner, have an interest in this green area - that does not just mean immediate green area around you - you have interest in the entire green area and you collectively with others are going to contribute x dollars per month or whatever for maintenance. Although this concept is uncommon in this part of the country it is common in resort areas.

Mr. Ashcroft asked that Mr. Williams explain the newspaper reports of the "trade-off" of this property and other Hudson property, etc.

Mr. Williams said the zoning has nothing to do with the trade at all. This property is being developed for one purpose only and that is to turn a piece of raw ground into a very stylish development for the city. It is going to be developed like any other project, with the thought of creating individual property ownerships so that you get the interest in the community that you are looking for. I know the Council's objections generally to apartments and you will recall that this was presented at one time. We have tried to do everything possible to assure that you get the right thing in Gladstone and that it is well done.

Months ago the trade off situation had been planned and he had thought that it had been legally accomplished. Now we find out that it had not been accomplished, but it is to our advantage now because the bankruptcy attorney says we want this property in the Hudson Oil Company properly exchanged so that the bankruptcy court will have proper jurisdiction over it. This is the best assurance you can have that it will proceed as planned.

Mr. Williams clarified that he only represents Hudson Oil Company for this project and knows nothing of the workings of the Hudson Oil Company in other respects.

Mr. Fairlie asked if there were plans for the 15 acres that are not included in this application. Mr. Williams said there were no plans at present because it is not known what the city wants there.

Mr. Hedeon responded to Mr. Fairlie's inquiry that 115 ft. deep lots with 75-77 ft. frontages are planned for the area across the top of the plans by Christopher Heights. He said they would stipulate that lots be at a minimum the same size as Christopher Heights' lots.

In response to Council question, Mr. Hedeon said he would foresee this development proceed as any other development, with one or several developers putting in curbs, streets, gutters, water, gas sewers and selling lots to builders.

Mr. Bussinger commented that with a project of this scale he believes it would require a general developer rather than have it be piecemealed.

Mr. Fairlie commented that cluster housing is not a bad word in his vocabulary, that it can be well done and the Woodlands is an example.

Mr. Bussinger asked what the average price would be. Mr. Hedeon said that in today's market for 12000- 14000sq. ft. he would say \$70,000-\$80,000.

Mr. Whitton said he wanted the Council to be aware that the land across the street from this development on the west side of Prospect at approximately 70th Street has been zoned for some time for apartments and approximately 100 units would be constructed some time this spring.

#### Opposition

Martha Marx, 6723 N Indiana, addressed the Council indicating she represents homeowners from Meadowbrook North, Meadowbrook Manor, Christopher Heights and Tall Timbers. These residents have held neighborhood meetings and discussed the plan thoroughly. Until tonight they had no idea Hudson Oil intended to develop the project. There has been a lot of confusion as to who the actual owner is - every week they hear a different story.

Mr. Preston Williams addressed this issue at the request of Mayor Bussinger and explained that Mary Hudson is the present title owner under an agreement to exchange it with the Hudson Oil Company.

Ms. Marx submitted a legal protest petition and stated that the petition was circulated because they wanted the Council to consider their views very carefully and wanted to be assured of a majority vote of the Council. There is still some concern for traffic flow. They do not feel the plan is all bad but do want to be assured that all their comments are taken into account and the the planned zoning is adhered to when built. She commented that homeowners' associations do not last long and noted that the swimming pool in their area is an example. She stressed that signators to the petition wanted to express their concern and asked that the Council consider all their needs in making this decision.



Pastor Abeke, Gladstone Church of the Nazarene, noted that their concern was that a street outlet to the north and west of Indiana be provided for. They signed the petition in opposition so that they could be heard. He asked if the single family homes would be built by a contractor and sold or lots sold to individuals to build their own.

Mr. Williams answered that it could be either way like any other developer that might take on a group of lots - he might build them to sell as he goes or he might just buy one or two, like they are doing in Claymont or other areas. The market would dictate it. He does not know that it makes any difference so long as all restrictions are complied with and the City supervises those restrictions.

Pastor Abeke asked what obligations their church would have if Hudson Oil decided to give them the 30 ft. strip. Would it include a sidewalk, and if so who pays for it? If a street, who pays for it?

Mayor Bussinger said if that comes about a stipulation would have to be worked out so that there is no cost to the church because it would be to the convenience of the developer to dispose of the 30 ft.

Mr. Achen said he understands from the State Highway plans, the existing alignment of 70th Street on the west side of Prospect would be realigned slightly to the north so that you would have a rectangular intersection rather than a cockeyed one.

Mr. Fairlie asked if the church was constructed right to their property line. Pastor Abeke said it is hard to tell because they have a drive-in awning on the north side of their building. So he is uncertain where the property line is.

Mr. Joe Arse, 6731 N Bellefontaine Circle, said all of the residents are still a little bit confused as to what really will happen with this land. He does not feel the city is doing any single family housing - he is upset that a new development of 70 new homes is going in behind St. Andrews church in Kansas City yet Gladstone does not have any in our city.

Mayor Bussinger pointed out that money dictates what will be built where. The City has no control all they can do is encourage certain types of development.

Mr. Arse also commented that some persons see this project as helping their water problems he does not think that is the case and does not want to see Meadowbrook North ruined because of this project.

R.E. Carver, 3400 NE 68th Terrace, expressed concern for children walking to Chapel Hill School and asked why Walrond was not being put through. At least a sidewalk in the area of the detention pond so that the kids could walk through. Buffering is also needed across from him. He also noted traffic control is needed.

Phil Brinkman, 6811 North Bellefontaine, stated that he was opposed to the rezoning because he already has water damage at his residence and questions what might happen if Hudson sells this property.

Grant Riles, 3002 NE 68th Terrace, asked if owners of the individual homes would belong to the home owners association? Mr. Williams responded that they would. Mr. Riles urged that 68th Terrace be closed and perhaps turn the homes around and use a cul de sac instead.

William L. Patterson, 2613 NE 69th Terrace, noted that 69th Terrace is an extension of Bellefontaine and expressed concern that this development would place a burden traffic-wise on 69th Terrace as it is quite narrow.

Erna Thomas, 6812 North Walrond, expressed concern for additional water from the project. This project needs a 100 year flood and she wants to be assured that the Council is aware that 100 year is needed for this area. Mr. Williams assured that 100 year flood is included in the plans.

Michael Sloniker, 6107 North Howard, stated that with the problems Hudson Oil is having he does not know how it will be feasible to funnel this much money into this project.

Mr. Bussinger responded that it is his duty to look at the proposal and determine if it is good zoning for this particular property. Who owns the property is not an issue.

Mr. Hudson said he would hate to see a number of unfinished homes. He also feels the traffic will be out of control with apartments going in across the street. There are a lot of streets now that do not have ample room for one car when cars are parked on the street.

Mr. Bussinger stressed that although the Planning Commission's recommendation was tabled at the last meeting, the Council will have the benefit of their recommendation before the first reading of the rezoning bill on this proposal.

Craig Eckhart, 3404 NE 68th Terrace, expressed concern for the elevation of the dam.

Mr. Hedeon, responding to Councilman Fairlie's question, advised that rough calculations are 1.5 acres of surface water to hold 6' of water with approximately 3 ft. of freeboard.

Mike Martin, 6745 North Bellefontaine Circle, asked what protection his small children would have from the storm basin and suggested fencing for itself, it is a typical Corps of Engineers project where a lot of money has been spent, the basins do not fill up but the basements do.

Tim Schallberg, 6802 North Askew, suggested that this project reminds him of Brooktree where the water was supposed to be contained. Brooktree speaks for itself, it is a typical Corps of Engineers project where a lot of money has been spent, the basins do not fill up but the basements do.

There were no further comments, whereupon Mayor Bussinger closed the public hearing.

Mayor Bussinger announced a five minute recess at this time.

Item 7 on the Agenda: Public Hearing: On amendments to the Gladstone Zoning and Subdivisions Ordinances establishing new filing fees for rezoning applications. Applicant: City of Gladstone

City Manager Mark Achen explained that the proposed revision to these two ordinances takes specific fees that are established in those two ordinances and instead specifies that the fees will be established from time to time by the City Council. The reason for this is to change the fees requires going through the entire public hearing process in order to amend the zoning ordinance. He would recommend that the Council adopt these ordinances which would allow Council to establish fees for zoning applications and platting and subdivision requests independent of the zoning ordinance.

Mr. Achen advised that present fees would remain until Council approves increases and the increases are approved by the voters. Bill No. 84-5 later on the agenda would authorize new fee schedules and authorize placing these on the April ballot.

There were no further comments whereupon Mayor Bussinger closed the public hearing.

Item 8 on the Agenda: Communications from the Audience.

Dr. A. C. Edwards, expressed his regret that statements to the effect that the Council are "cowards" was attributed to him in the press. He indicated he made no such statements and appreciates the job the Council does. He is not a good loser but no ill feelings are wished.

Mayor Bussinger thanked Dr. Edwards for his statement.

Mr. Bill Patterson, 2612 E N 69th Terrace, stated that he had been upset by the statements that were reported in the press that the Council was cowardly. Everyone is entitled to their position but the remark was not appropriate. He is glad to see an apology was made.

Item 9 on the Agenda: Communications from the City Council.

Councilman Whitton inquired if a decision had been made on changing the cross walk on 65th Street near Antioch Middle School.

Mr. Achen said he had received no additional reports from Public Safety. He assumes they are continuing to provide staffing there to assure safety. He expects a recommendation soon.

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January 23, 1984

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Mr. Fairlie moved to reappoint Jim Butler, Jim Hake, Pat Partington and Vince Saladino to three year terms on the Gladstone Planning Commission expiring December 31, 1986. Mr. Ashcroft seconded.

Mr. Whitton pointed out that Mr. Butler and Mr. Partington have only made about half of the meetings in the past year and questions if that qualifies them to be reappointed. Mayor Bussinger noted that Mr. Partington's job requires him to travel and he has agreed to serve at least until summer time. Mr. Bussinger noted that three commissioners have recused their positions temporarily because they are running for Council seats and it is important to retain Mr. Partington for the time being.

Mr. Fairlie advised that there is a possibility that two of the commissioners may be on the Council after the elections and he suggests that the reappointments be made and if we find they are not serving their purpose appropriate action can be taken.

Mr. Whitton asked that the roll be called individually.

Vote on Mr. Butler: "aye" - Ashcroft, Fairlie, Bussinger. "no" - Whitton (3-1)

Vote on Mr. Hake: "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Vote on Mr. Partington: "aye" - Ashcroft, Fairlie, Bussinger. "no" - Whitton (3-1)

Vote on Mr. Saladino: "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Park Board

Mr. Fairlie moved that Edith McDaniel be reappointed to a three year term on the expiring December 31, 1986; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft, Bussinger. (4-0)

Mr. Fairlie moved to reappointment Virginia Bauman, James Furlong, Jim Youngers, Larry Gromer and Marvin Moityre to one year terms on the Public Safety Advisory Board. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Mr. Fairlie moved to reappoint Mr. Frank Scully <sup>/on the Gladstone Special Rd. Dist.</sup> to a three year term expiring January 1987, such appointment to be confirmed by the Clay County Court. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger (4-0)

Mr. Fairlie moved to appointment Mr. Derrell Cunningham and Rev. Lloyd Gentry to three year terms on the Cable T.V. Advisory Board expiring December 1986. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Fairlie, Ashcroft, Bussinger. (4-0)

Mr. Fairlie moved to appointment Mrs. Anita Duncan to a five year term on the Board of Zoning Adjustment; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Mayor Bussinger announced that the Council will hold a special Council Meeting on 7:30 pm on January 25, 1984 to accept a bid for purchase of 4 million general obligation bonds and approval of a contract for bond registrar which is the firm that will handle the tracking of the bonds.

Mayor Bussinger asked that the Manager contact the owner of the car wash at 73rd and N Oak and see if he can get his help to channel cars waiting to the side streets, it is obstructing North Oak traffic.

Item 10 on the Agenda: Communications from the City Manager.

Mr. Achen requested the addition of Resolutions 84-9, 84-10, 84-11 and Bill 84-7, payment of a claim.

Item 11 on the Agenda: Second Reading; Bill No. 84-1, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Business District, property at the NW corner of 72nd & Broadway. Applicant: Main Enggas

Mr. Achen advised that the Attorney for the Applicant has advised that they are in the process of revising the site plan based on discussions with the city staff and would like to meet with the staff and Council on Monday, January 30th at 4:00 pm. They expect to prepare a detailed site plan for formal council consideration. Mr. Achen recommended that Council consider tabling the item until the Planning Commission has an opportunity to review the revisions. Council agreed that Planning Commission should review changes and make recommendation. Mr. Achen noted that the March 5th Planning Commission may be the first opportunity for the Commission's review since their February 20th meeting falls on a city holiday.

Mr. Ashcroft moved to table Bill No. 84-1; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 12 on the Agenda: First Reading; Bill No. 84-2, adopting the 1984 National Electrical Code for the city of Gladstone.

Mr. Ashcroft moved to place Bill No. 84-2 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-2 and place the bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-2 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to enact Bill No. 84-2 as Ordinance No. 2.495; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 13 on the Agenda: First Reading: Bill No. 84-3, amending the Gladstone Subdivision Ordinance relative to fees for filing preliminary and final plats.

Mr. Whitton moved to place Bill No. 84-3 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill. (4-0)

Mr. Whitton moved to accept the first reading of Bill No. 84-3 and place said bill on second reading; Mr. Ashcroft seconded the motion. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 84-3 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 84-3 and enact said bill as Ordinance No. 2.496; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 14 on the Agenda: First Reading: Bill No. 84-4, amending the Gladstone Zoning Ordinance relative to rezoning application fees.

(Note: Councilman Ashcroft was absent from the meeting during this item)

Mr. Fairlie moved to place Bill No. 84-4 on first reading; Mr. Whitton seconded. Counselor Dick Sandler suggested an additional sentence to read: "The remainder of Paragraph Two (2) of Section 32-6 of Ordinance 2.475 is to read as presently stated" be added as an amendment to the bill under Section 1. The vote on the Bill as amended: All "aye" - Whitton, Fairlie, Bussinger. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Amended Bill No. 84-4 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0)

Mr. Fairlie moved to accept the second reading of Bill No. 84-4 (Amended) and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third reading of Amended Bill No. 84-4 and enact said bill as Ordinance No. 2.497. The vote: All "aye" - Whitton, Fairlie, Bussinger. (4-0)

Item 15 on the Agenda: First Reading: Bill No. 84-5, establishing a new Schedule of Fees and Charges for certain services as follows:

Sign Permit - \$1.00/sq. ft.

Rezoning Application Fee - \$75.00 plus deposit determined by Director of Public Works based on estimated cost of postage and advertisement.

Subdivision Platting Fees - Preliminary Plat \_ \$75.00 plus \$2.00/lot  
Final Plat - \$25.00 plus \$1.00/lot

and calling a special election on April 3, 1984, to submit a proposition for approval of such fees and charges in compliance with state law. It was noted that existing fees shall remain in effect until such time as approved by a majority of the qualified voters of the city.

Mr. Whitton moved to place Bill No. 84-5 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 83-5, and to place said Bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 83-5 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 84-5 and enact said bill as Ordinance No. 2.498. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 16 on the Agenda: First Reading: Bill No. 84-6, calling a non-binding advisory Election on Tuesday, April 4, 1984, to determine public sentiment on fluoridation of the Gladstone municipal water supply.

Mr. Whitton moved to place Bill No. 84-6 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 84-6 and place said bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 84-6 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 84-6, and enact said bill as Ordinance No. 2.499. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 16-a on the Agenda: First Reading: Bill No. 84-7, authorizing the City Manager to make payment of \$3,500.00 out of the city's General Fund to Curry Investment Company in settlement of a disputed claim arising out of the removal of certain trees and damage to turf on property owned by Curry Investment Company, all subject to the approval of the City Counselor.

Mr. Whitton moved to place Bill No. 84-7 on first reading: Mr. Ashcroft seconded, the vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 84-7 and place said Bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 84-7 and place said Bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 84-7 and enact said bill as Ordinance No. 2.500.

Item 16-b on the Agenda: First Reading: Bill No. 84-8, an ordinance calling a General Election for April 3, 1984, specifying the form of the ballot, and directing the City Clerk to notify the Board of Election Commissioners of the enactment of this Ordinance.

Counselor Sandler explained that the State Statutes require notification to the Clay County Election Board by the eight Tuesday prior to any election, by 5:00 pm. The eight Tuesday falls on the date of the Primary election and the results of the election are not known until the Election Board certifies the results, therefore we cannot comply with the State Law. This ordinance will call the election and call for the election board to insert the four names on the ballot.

After discussion with Council, Mr. Sandler suggested additional language that would state the form of the ballot would list the candidates names, who were the top four vote-getters at the Primary Councilmanic Election as the nominees for councilpersons for the City of Gladstone, Missouri, at the General Election to be held on Tuesday, April 3, 1984.

Mr. Sandler noted that the same situation will occur if a primary is required in 1985 and he urges lobbying of the state legislature to correct the error.



Mr. Ashcroft moved to place Bill No. 84-8 on first reading: Mr. Whitton seconded. The vote: All "aye"- Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-8 and place said Bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-8 and place said bill on third and final reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-8 and enact said bill as Ordinance No. 2.501.

Item 16-c on the Agenda: Mr. Whitton moved to adopt Resolution No. 84-9 authorizing acceptance of a proposal in the amount of \$15,284.25 from Clay County Tractor, Smithville, Missouri, for the purchase of a four-wheel mower tractor and mower. Mr. Ashcroft seconded.

Mr. Bussinger inquired if this equipment was American made. Mr. Achen said he did not have that information available but believes it may be a Kabota.

The vote: "Aye" - Whitton, Ashcroft, Fairlie. "No" - Bussinger. (3-1)

Item 16-d on the Agenda: Mr. Fairlie moved to adopt Resolution No. 84-10, authorizing acceptance of a proposal from Westfall GMC for the purchase of a four-wheel pickup truck in the amount of \$10,582.63. Mr. Ashcroft seconded.

Mr. Whitton asked if this was a diesel truck. Mr. Achen said he did not have the bid specifications so could not be certain.

Mr. Fairlie commented that in this case we did not purchase the lowest bid because it did not meet the city's specifications which is an example that the lowest bid is not always the best bid.

The vote on the Resolution: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger.

Item 16-e on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-11, authorizing acceptance of a temporary construction easement for access and repair of sanitary sewer main on property at 205 NW 74th Street from Bryan T and Blanche G. Brown. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 17 on the Agenda:      Other Business.

Mr. Whitton noted that the light at 67th & Oak is still malfunctioning. The flash mode does not come on at the proper time. Mr. Achen indicated he would look into the matter.

There being no further business to come before the January 23, 1984 meeting of the Gladstone City Council, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Approved as submitted: ✓

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

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Lee W. Bussinger  
MAYOR

Minde Book

# NOTICE OF MEETING

Public notice is hereby given that a meeting of the City Council of the CITY OF GLADSTONE, MISSOURI, will be held at the City Hall in said City on January 25, 1984, at 7:00 o'clock p.m., to consider and act upon the matters on the following tentative agenda:

1. Reviewing bids for the purchase of \$1,500,000 principal amount of General Obligation Storm Drainage Improvement Bonds, Series 1984A, and \$2,500,000 General Obligation Street Improvement Bonds, Series 1984B, of the City and accepting one of such bids.

2. Consideration of Resolution No. R-84-12, authorizing execution of an Agreement with United Missouri Bank of Kansas City, N.A. for Bond Registrar and Paying Agent Services in conjunction with the sale of \$4 Million General Obligation Bonds.

3. Such further business as may properly come before the meeting.

DATED this 24 day of January, 1984.

Marilyn J. Ahnfeldt  
City Clerk of the City of  
Gladstone, Missouri

This meeting is open to the public.

MINUTES  
SPECIAL CITY COUNCIL MEETING  
CITY OF GLADSTONE, MISSOURI

January 25, 1984

The City Council of the City of Gladstone, Missouri, met in special session on January 25, 1987, at 7:00 p'clock p.m., in the Council Chambers of the Gladstone City Hall, the following being present:

Lee Bussinger, Mayor, and Larry Whitton, Bob Ashcroft,  
Bob Fairlie, members of the City Council.

Absent: Councilman Ken Karns who was out of the city.

The City Clerk was present and performed the duties of said office.

Item 1. Director of Administrative Services James C. Harlow announced that offers had been received by the City for the purchase of \$1,500,000 General Obligation Storm Drainage Improvement Bonds, Series 1984A, and \$2,500,000 General Obligation Street Improvement Bonds, Series 1984B, pursuant to the auction conducted at 10:00 a.m. on January 25, 1984.

The City Council reviewed the bids of United Missouri Bank of Kansas City and the First National Bank of Gladstone, who were the two interested purchasers present at the sale to bid on these bonds.

Mr. Harlow noted that United Missouri Bank of Kansas City represented a syndicate of ten members consisting of the larger Kansas City banks and investment bankers. These were United Missouri Bank of Kansas City, George K. Baum and Company, Stern Brothers and Company, Zahner and Company, Centerre Bank, Commerce Bank of Kansas City, Stifel-Nicolaus and Company, McLiney and Company, E.F. Hutton and Company, and Mercantile Trust Company, Inc.

Council determined that the bid of First National Bank of Gladstone at 8.23% Average Interest Rate and \$1,810,600 Total Interest Cost was the best bid on said bond issue.

On motion duly made by Councilman Bob Fairlie, seconded by Councilman Larry Whitton, and carried by unanimous vote, said bid was accepted and the Mayor was authorized and directed to accept the bid selling said bonds to First National Bank of Gladstone on the basis of said bid. (Vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger (4-0)

Minutes  
Special City Council Meeting  
January 25, 1984  
Page Two

Item 2. Mr. Fairlie moved to adopt Resolution No. R-84-12, authorizing acceptance of a proposal dated January 16, 1984, from United Missouri Bank of Kansas City, N.A. for Bond Registrar and Paying Agent Services in conjunction with the sale of \$4 million general obligation bonds; the proposal of United Missouri Bank having been determined to be the lowest and best bid. The resolution authorizes the City Manager to execute the Transfer Agent/Paying Agent Agreement for Municipal Bonds for services and at fees as outlined in such agreement attached to said resolution as Exhibit "A". Mr. Ashcroft seconded the motion.

The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Mayor Bussinger complimented Mr. Harlow on his diligence in connection with the bond sale and the timeliness of the sale. He also thanked Mr. Paul Degenhardt, President of the First National Bank of Gladstone, for the bank's display of confidence in the city of Gladstone,

There was no further business to come before the January 25, 1984, special meeting of the Gladstone City Council, whereupon on motion duly made and seconded, said meeting was adjourned.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: ✓

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

Lee W. Bussinger  
MAYOR

(SEAL)

Public notice is hereby given that a meeting of the CITY COUNCIL of the City of Gladstone Missouri, will be held at the City Hall in Gladstone, Missouri, on February 13, 1984, at 7:30 P.M. to consider and act upon the matter on the following tentative agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time:

The meeting will be open to the public.

*M. Walsh* *J. Jezak*

# CITY COUNCIL MEETING GLADSTONE, MISSOURI

February 13, 1984  
7:30 P.M.

## A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 23, 1984 City Council Meeting and Special City Council Meeting of January 25, 1984.
4. a. Proclamation: Designating February 19-25 as "National Engineers Week" Requested by National Society of Professional Engineers.
- b. Presentation of Service Awards:  
 Pam Walsh - Planning Commissioner, January 1979 - August 1983  
 Sally Jezak - Maple Woods Advisory Board, March 1981 - Sept 1983
5. Consent Agenda: (Over)
  - \* Approval of Liquor Licenses for Milgram Food Stores, Inc. dba Save Mart Foods, 6553 N. Oak, Class C Package Liquor License, Managing Officer: Frank T. Hopfinger: China Dragon Trading, Inc. dba Szechuan Restaurant, 6465 N. Prospect, Class A&B Liquor by the Drink License, Managing Officer: Elton Leong.
  - \* Resolution No. R-84-13, authorizing Change Order No. 2 to the Bell Construction Company contract in the amount of \$2,568.04 for sidewalk construction on N.E. 65th Street from No. Michigan to No. Howard. \$53,520.94 Grand Total adjusted contract amount.
  - \* Approval of Interim Financial Report for month of January, 1984
6. Site Plan Revision, Fantasyland, 69th & N. Broadway for construction of day care center. (5,325 sq. ft. facility - only 1,000 sq. ft. in Gladstone City limits) Applicant/Owner: Ben Rose
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL No. 84-9, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property described as 6220 N. Oak. Owner: Commercial Bank of Liberty. Applicant: Don and Ken Gray
11. FIRST READING: BILL No. 84-10, rezoning from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th - 70th. Applicant/Owner: Hudson Oil Company
12. FIRST READING: BILL No. 84-11, an Ordinance authorizing the issuance of \$2,500,000 General Obligation Street Improvement Bonds
13. FIRST READING: BILL No. 84-12, an Ordinance authorizing the issuance of \$1,500,000 General Obligation Storm Drainage Improvement Bonds
14. FIRST READING: BILL No. 84-13, an Ordinance declaring the results of the Gladstone Primary Councilmanic Election held in the City of Gladstone, Missouri, on Tuesday, February 7, 1984, as certified by the Clay County Board of Election Commissioners.
15. Other Business
16. Questions from the News Media
17. Adjournment

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 13, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 23, 1984 City Council Meeting
4. a. Proclamation: Designating February 19-25 as "National Engineers Week" Requested by National Society of Professional Engineers.
- b. Presentation of Service Awards:  
Pam Walsh - Planning Commissioner, January 1979 - August 1983  
Sally Jezak - Maple Woods Advisory Board, March 1981 - Sept 1983
5. Consent Agenda: (Over)
  - \* Approval of Liquor Licenses for Milgram Food Stores, Inc. dba Save Mart Foods, 6553 N. Oak, Class C Package Liquor License, Managing Officer: Frank T. Hopfinger: China Dragon Trading, Inc. dba Szechuan Restaurant, 6465 N. Prospect, Class A&B Liquor by the Drink License, Managing Officer: Elton Leong.
  - \* Resolution No. R-84-13, authorizing Change Order No. 2 to the Bell Construction Company contract in the amount of \$2,568.04 for sidewalk construction on N.E. 65th Street from No. Michigan to No. Howard. \$53,520.94 Grand Total adjusted contract amount.
  - \* Approval of Interim Financial Report for month of January, 1984
6. Site Plan Revision, Fantasyland, 69th & N. Broadway for construction of day care center. (5,325 sq. ft. facility - only 1,000 sq. ft. in Gladstone City limits) Applicant/Owner: Ben Rose
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL No. 84-9, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property described as 6220 N. Oak. Owner: Commercial Bank of Liberty. Applicant: Don and Ken Gray
11. FIRST READING: BILL No. 84-10, rezoning from R-1, Single Family Dwelling District to RPDH-1, Planned Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th - 70th. Applicant/Owner: Hudson Oil Company
12. FIRST READING: BILL No. 84-11, an Ordinance authorizing the issuance of \$2,500,000 General Obligation Street Improvement Bonds
13. FIRST READING: BILL No. 84-12, an Ordinance authorizing the issuance of \$1,500,000 General Obligation Storm Drainage Improvement Bonds
14. FIRST READING: BILL No. 84-13, an Ordinance declaring the results of the Gladstone Primary Councilmanic Election held in the City of Gladstone, Missouri, on Tuesday, February 7, 1984, as certified by the Clay County Board of Election Commissioners.
15. Other Business
16. Questions from News Media
17. Adjournment

A Consent Agenda allows the City Council to consider and approve routine items of business without discussion. Any member of the City Council, the city staff or the public may request removal of any item from the Consent Agenda and request that it be considered under the regular agenda if discussion or debate of the item is desired. Items not removed from the Consent Agenda will stand approved upon motion by any Council member, second and unanimous vote to "approve the Consent Agenda as published or modified".



100-5-11

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 13, 1984

Mayor Lee Bussinger called the February 13, 1984, City Council Meeting to order at 7:30 PM in the Council Chambers of the Gladstone City Hall.

In addition to Mayor Bussinger those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Richard Sandler and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:                    Acceptance of Minutes.

Mr. Whitton moved to accept the minutes of the Regular City Council Meeting of January 23, 1984 and the Special City Council Meeting of January 25, 1984 as submitted. Mr. Ashcroft seconded. The vote: "Aye" - Whitton, Ashcroft, Fairlie, Bussinger. "Pass" - Karns. (4-0)

Item 4 on the Agenda:                    Mayor Bussinger read a proclamation Designating February 19-25 as "National Engineers Week" in the city of Gladstone as requested by the National Society of Professional Engineers.

Mayor Bussinger presented a service award to former Planning Commissioner Pam Walsh for her service as a member of the commission from January 1979 to August 1983. He announced that a similar award will be sent to former Maple Woods Advisory Board member Sally Jezak for her service from March 1981 to September 1983. Mrs. Jezak could not be present at this meeting.

Item 5 on the Agenda:                    Consent Agenda.

The City Clerk read the February 13, 1984 Consent Agenda items as listed. Mayor Bussinger asked if any member of the City Council, City staff or audience desired to remove any item from the Consent Agenda for discussion or debate under the Regular Agenda. Hearing no request, Councilman Ashcroft moved to approve the Consent Agenda item as listed; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) (Detail of Consent Agenda items: Liquor licenses, Resolution R-84-13 and Financial Report follows.)

Councilman Ashcroft moved to approve a Class C Package Liquor License for Milgram Food Stores, Inc. dba Save Mart Foods, 6553 N Oak, Managing Officer: Frank T. Hopfinger and China Dragon Trading, Inc. dba Szechuan Restaurant, 6465 N Prospect, Class A&B Liquor License, Managing Officer: Elton Leong; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Ashcroft moved to adopt Resolution No. R-84-13, authorizing Change Order No. 2 to the Bell Construction Company contract in the amount of \$2,568.04 for sidewalk construction on NE 65th Street from North Michigan to No. Howard. \$53,520.94 is grand total adjusted contract amount. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Ashcroft moved to approve the January 1984 Interim Financial Report as submitted: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 6 on the Agenda:

Site Plan Revision, Fantasyland, 69th & North Broadway for construction of day care facility. Applicant: Ben Rose

Mr. Rose reviewed the revised site plans with Council for the 5,325 sq. ft. facility noting that only 1,000 sq. ft. lies within the Gladstone city limits.

Mr. Achen noted that it appears there is not a common wall or fire wall on the city limit lines and he sees no special reason why the city should require it. He recommended that to save the trouble of separate building permit processes in the two cities that Council authorize waiving the permit requirements and allow Kansas City to issue all the permits for this building since the vast majority is in their jurisdiction. Mr. Achen pointed out that although it would mean waiving some fees it also waives the requirement for inspecting it.

Mr. Rose indicated this would pose a problem for him because Kansas City's permit process takes longer. He will obtain permits from Kansas City but would like to obtain a Gladstone permit for the Gladstone portion because he would like to have the facility open June 1st.

Mr. Achen said that Gladstone's problem is that we can't effectively administer a permit for that portion because the building code will require compliance that involves the total area so we will have to inspect the whole building. Whoever does it - the other city will have to waive authority.

Mr. Achen suggested that the Council's motion for approval of the site plans include authorization for Gladstone to negotiate with Kansas City and either one jurisdiction or the other issue permit for entire building rather than duplicate. He said if they won't compromise and insist on splitting it it will raise some technical questions on whether Gladstone can certify the building or whether they (KC) can certify the building without us both inspecting the whole building. He thinks it should be one way or the other. Mr. Ashcroft so moved for the approval of the site plans and building plans for Fantasyland, 6970 N Broadway with authorization to negotiate with Kansas City on either Gladstone or Kansas City's issuance of permits for the entire building as discussed above. Mr. Whitton seconded. The vote: "Aye" - Whitton, Karns, Ashcroft, Fairlie. "Pass" - Mayor Bussinger. (4-1)

Item 7 on the Agenda:

There were no communications from the audience.

Item 8 on the Agenda:

Communications from the City Council.

Mayor Bussinger welcomed scouts from Troop 354 present in the audience in fulfillment of their Citizenship Badge.

Mr. Whitton noted that the traffic light at Oak and 67th Street is still not flashing after 11:00 PM.

Mr. Achen advised that both that signal and one at 72nd & Oak were recently repaired and it was his understanding they now function properly. He agreed to look into the matter again.

Mr. Whitton noted the Change Order to the Sidewalk Construction Contract in the area of 65th and Howard-Michigan and questioned if that had been Public Safety's recommendation in response to the accidents there recently.

Mr. Achen advised that Public Safety recommended moving the cross walk considerably west actually to the western drive access to the school which would provide significant distance away from the hill to allow adequate view in both directions. Recommendation was that walk be built half-way up that block between Michigan and Howard and he recommended that they build the sidewalk the entire distance. It may raise a question in the future as to where we have a crossing guard but hopefully we can get students to abide by that. These improvements will place the crosswalk away from the crest of the hill.

Mayor Bussinger commented on the traffic problems north of 72nd & Oak as far as left turns. He will propose at the next Council Meeting "NO LEFT TURN" and asks that Public Works and Public Safety provide information/recommendation on this location.

Mr. Whitton suggested that accident count be obtained at that location also.

Item 9 on the Agenda:      Communications from the City Manager.

Mr. Achen requested the addition of Resolution NO. 84-14, dealing with Change Order No. 2 to the Damon Pursell Construction Contract for improvements to Old Pike Road. Mayor Bussinger designated the item as Agenda Item 14-a.

Item 10 on the Agenda:      First Reading: Bill No. 84-9, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property described as 6220 N Oak. Owner: Commercial Bank of Liberty. Applicant: Don and Ken Gray

Mr. Ashcroft moved to place Bill No. 84-9 on first reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Item 11 on the Agenda:      First Reading: Bill No. 84-10, an ordinance rezoning from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th - 70th. Applicant/Owner: Hudson Oil Company

Mr. Ashcroft moved to place Bill No. 84-10 on first reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Item 12 on the Agenda:      First Reading: Bill No. 84-11,

Mr. Whitton moved to place Bill No. 84-11, on first reading, being an ordinance authorizing and directing the issuance, sale and delivery of \$2,500,00 Principal Amount of General Obligation Street Improvement Bonds, Series 1984 A, of the City of Gladstone, Missouri, for the purpose of acquiring rights-of-way and constructing, extending and improving the streets and avenues of the City; prescribing the form and detail of said bonds, and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due. Mr. Karns seconded the motion. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-11 and place said Bill on second reading: Mr. Fairlie seconded. The vote: all "Aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Ashcroft moved to accept the second reading of Bill No. 84-11 and place said bill on third and final reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-11 and enact said Bill as Ordinance No. 2.502. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 13 on the Agenda: First Reading: Bill NO. 84-12.

Mr. Fairlie moved to place Bill No. 84-12 on First Reading, being an ordinance authorizing and directing the issuance, sale and delivery of \$1,500,000 principal amount of General Obligation Storm Drainage Improvement Bonds, Series 1984 B of the City of Gladstone, Missouri, for the purpose of making storm drainage improvements in the city, including the acquisition of any necessary land in connection with such improvements; prescribing the form and details of said bonds; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due. Mr. Whitton seconded the motion. The vote: All "aye" Whitton, Karns, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill. Mr. Fairlie moved to accept the first reading of Bill No. 84-12 and place said Bill on Second Reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0) Clerk read the Bill. (note: Councilmembers Ashcroft and Karns left the meeting prior to the second reading).

Mr. Fairlie moved to accept the second reading of Bill No. 84-12 and place said Bill on third and final reading; Mr. Whitton seconded. The vote: Whitton, Fairlie, Bussinger. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 84-12 and enact said Bill as Ordinance No. 2.503. Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0)

Mr. Marvin Dornhoffer, 1203 NE 66th Street, asked what areas will be improved with the bond funds for drainage improvements. He noted that improvements have been needed for some time in his area and that his basement has been flooded. Survey work was done and the retired Public Works Director said it would be fixed but nothing has been done to date. He pointed out that Brooktree area was just a pasture the first time his basement flooded in 1956.

Mayor Bussinger advised that the City will get back to him and let him know what will or will not be done.

Item 14 on the Agenda: First Reading: Bill No. 84-13, declaring the results of the Gladstone Primary Councilmanic Election held on February 7, 1984, as certified by the Clay County Election Board.

Mr. Fairlie moved to place Bill No. 84-13 on first reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the first reading of Bill No. 84-13, and place said bill on second reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 84-13 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 84-13 and enact said Bill as Ordinance No. 2,504. Mr. Whitton seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0)


Based on the returns of the February 7, 1984 Primary Councilmanic Election the nominees for Councilperson for the April 3, 1984 General Election Ballot are in the order as follows: Jim Butler, Les Smith, Larry Whitton, Ted Porter.

Item 14-a on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-14, authorizing Change Order No. 2 in the amount of \$2,475.00 to the Damon Pursell Construction Company Old Pike Road improvement contract; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Fairlie, Bussinger. (3-0)

\* \* \* \*

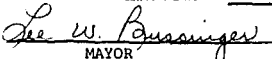
There was no further business to come before the February 13, 1984 meeting of the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 27, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of February 13, 1984 City Council Meeting
4. PROCLAMATION: Designate March 11-17 as "Girl Scout Week" in the City of Gladstone, Missouri.
5. CONSENT AGENDA (over)
  - \* Resolution No. R-84-15, authorizing sale of surplus city property to the highest bidder. Five passenger vehicle's and two trucks:  
(2) '79 Chrysler's; (1) '80 Dodge; (1) '81 Mercury  
(1) '77 Chevrolet; (1) '77 Chevrolet Crew Cab truck; (1) '77 Chevrolet 3/4 ton truck.
  - \* Resolution No. R-84-16, adopting a City Travel Expense Policy for City officials, officers, and employees.
6. Approval of Building Plans for Outdoor Nursery, 74th & N. Oak.  
Applicant: Vince Vitale
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. SECOND READING: BILL NO. 84-9, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property described as 6220 N. Oak. Owner; Commercial Bank of Liberty. Applicant: Don and Ken Gray.
11. SECOND READING: BILL NO. 84-10, rezoning from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th-70th. Applicant/Owner; Hudson Oil Company.
12. FIRST READING: BILL NO. 84-14, an ordinance establishing Gladstone Municipal Swimming Pool Admission Coupon Book rates.
13. FIRST READING: BILL NO. 84-15, an ordinance authorizing execution of a Street Lighting System Contract with Kansas City Power and Light Company.
14. FIRST READING: BILL NO. 84-16, an ordinance amending section 2 of Ordinance No. 2-299 of the City of Gladstone to direct the Municipal Judge to assess as court cost an additional sum of \$3.00 to be collected and maintained separately and to remit on a monthly basis to the Sheriff's Retirement System.
15. Other Business

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

February 27, 1984

Mayor Lee Bussinger called the February 27, 1984, City Council Meeting to order at 7:30 PM in the Council chambers of the Gladstone City Hall.

In addition to Mayor Businger those present were: Councilmembers Larry Whitton, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk. Absent: Councilman Karns.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:                      Acceptance of Minutes.

Mr. Whitton moved to approve the February 13, 1984 City Council Meeting Minutes as submitted; Mr. Fairlie seconded. The vote: "Aye" - Whitton, Fairlie, Bussinger. "Pass" - Ashcroft.

Item 4 on the Agenda:                      Mayor Bussinger read a proclamation designating the period March 11-17 as "Girl Scout Week" in the city of Gladstone.

Item 5 on the Agenda:                      Consent Agenda.

The City Clerk read the February 27, 1984 Consent Agenda items as listed. Mayor Bussinger asked if any member of the City Council, City staff or audience desired to remove any item from the Consent Agenda for discussion or debate under the Regular Agenda.

Mr. Les Smith requested that Resolution No. R-84-16, dealing with adoption of a City Travel Expense Policy be removed from the consent agenda and discussed under the regular agenda for public awareness of the allowable expenses and city's policy in that regard.

Mayor Bussinger acknowledged Mr. Smith's request.

Mr. Fairlie moved to approve the remaining Consent Agenda item, Resolution No. 84-15; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) Resolution No. R-84-15 authorizes the sale of surplus city property to the highest bidder: Five passenger vehicles and two trucks as follows: (2) 1979 Chryslers; (1) 1980 Dodge; (1) 1981 Mercury; (1) 1977 Chevrolet; (1) 1977 Chevrolet Crew Cab truck and (1) 1977 Chevrolet 3/4 ton truck.



Item 5-a on the Agenda:      Resolution No. R-84-16, adopting a City Travel Expense Policy for city employees, officers and officials.

Mayor Bussinger advised that the city has in practice been following essentially the same procedures as outlined in the travel expense policy that this Resolution adopts. This action tonight formally adopts a written policy setting out our procedures for travel advances, expenses and reimbursements.

Mayor Bussinger read the policy aloud for the benefit of all present and stressed that the policy was not only for city employees but officers and officials of the city as well.

Mr. Whitton moved to adopt Resolution No. R-84-16; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 6 on the Agenda:      Approval of Building Plans for Outdoor Nursery, 74th & N Oak. Applicant: Vince Vitale.

Mr. Vince Vitale, 315 Gladstone Boulevard, Kansas City, Missouri, advised that his plans call for a 4" concrete and metal building with brick and glass front. The proposed 8' x 8' building will house tropical and bedding plants and supplies and operate March through October and then shut down during the winter months. Chain link fenced will surround the area with mesh cloth roof. The facility will be located at 7405 N Oak across from Cascone's Liquor and Deli.

Mayor Bussinger asked if he would agree to curb the parking lot and include restroom facilities in the building as noted on the February 24, 1984 staff report.

Mr. Vitale advised that he would agree to those stipulations but had not seen the staff report referred to. City staff clarified that the plans had only been filed in the engineering dept. late Friday and the staff report could not be provided the applicant prior to the meeting.

Mr. Fairlie suggested that the Council defer action and allow Mr. Vitale opportunity to modify his plans prior to the Council's study session on March 8, 1984. He pointed out that his building will have to be modified in size if he includes restroom facilities. He further noted the present plans call for a metal building which has been discouraged by Council.

Upon motion by Mr. Fairlie and second by Mr. Whitton, Council unanimously voted to defer this item. All "aye" - Whitton, Fairlie, Ashcroft, Bussinger. (4-0)

Item 7 on the Agenda: There were no communications from the Audience.

Item 8 on the Agenda: Communications from the City Council.

Councilman Whitton asked the status of guard rail discussions with property owner at 67th & Flora. Mr. Achen advised discussions had been held with Mrs. Hill but he was not certain of the outcome and agreed to check into the matter.

Mr. Bussinger asked if the turning movement study and been conducted at 72nd & N Oak and recommendations ready. Mr. Achen advised that although the study has been made Staff is not ready to make recommendation yet and this will be forthcoming soon.

Item 9 on the Agenda: Communications from the City Manager.

City Manager Achen requested the addition of Class C Liquor License for Quick Shop, 7603-5 N Oak and deletion of agenda item 14 (Bill No. 84-16) which the City Counselor has determined is not necessary.

Mayor Bussinger acknowledged the deletion and designated the addition as agenda item 9-a.

Item 9-a on the Agenda: Class C Package Liquor License, Brothers Venture, Inc. dba KWIK SHOPPE, 7603-5 N Oak. Managing Officer: Victor C. Sirna.

Mr. Achen noted that the full background investigation with fingerprint response from the Missouri Highway Patrol had not been completed. However, the Public Safety Department's review of the applicant reveals no problems and approval is recommended subject to completion of the investigation.

Applicant Victor C. Sirna was present and indicated he hopes to open this establishment March 15th. This was formerly a Quick Trip and will be operated much the same (general convenience store).

Mr. Fairlie noted that this does not increase the existing C licenses as it is merely a change in ownership at that location.

Mr. Ashcroft moved to approve the Class C Package Liquor License for Kwik Shoppe, 7603-5 N Oak. Managing Officer: Victor C. Sirna. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 10 on the Agenda:      Second Reading: Bill No. 84-9, rezoning  
From C-2, General Business District to CP-3, Planned Commercial District,  
property described as 6220 N Oak. Owner: Commercial Bank of Liberty.  
Applicant: Don and Ken Gray.

Mr. Ashcroft moved to accept the First Reading of Bill No. 84-9 and  
place said Bill on Second Reading; Mr. Whitton seconded.

Mr. Fairlie pointed out that there is a legal petition protesting  
this rezoning and suggests that final action be taken at the next  
meeting when a full Council is present since it takes four affirmative  
votes to pass this bill.

The vote on the second reading: All "aye" - Whitton, Ashcroft, Fairlie,  
Bussinger. (4-0) The Clerk read the Bill.

Item 11 on the Agenda:      Second Reading: Bill No. 84-10, rezoning  
From R-1, Single Family Dwelling District to RPCH-1, Planned Cluster  
Housing District, property described as 60 acres between Agnes and Indiana,  
68th - 70th. Applicant/Owner: Hudson Oil Company

Mr. Fairlie moved to accept the First Reading of Bill No. 84-10, and place  
said Bill on Second Reading; Mr. Whitton seconded.

Council pointed out that this Bill also has a legal protest petition  
thus requiring four affirmative votes for passage. For this reason  
the Council will only give the Second Reading tonight and give Third  
and Final Reading at the next meeting when a full Council is present.

Mayor Bussinger acknowledged that there are still some questions in his  
mind on this rezoning application. He is still not comfortable with it  
and cannot say at this time how he will vote two weeks from tonight.

Mr. Fairlie said he felt the same as the Mayor and will vote in favor  
of the second reading but does not know how he will vote on the third  
and final reading on this Bill or the 6220 N Oak application (Bill 84-9)

The vote on the Second Reading: All "aye" - Whitton, Ashcroft, Fairlie,  
Bussinger. (4-0) The Clerk read the Bill.

Item 12 on the Agenda:      First Reading: Bill No. 84-14, an ordinance  
establishing Cladstone Municipal Swimming Pool Admission Coupon rates.

Mr. Whitton moved to place Bill No. 84-14 on First Reading; Mr. Fairlie  
seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)  
The Clerk read the Bill.

Mr. Achen noted that this revision will eliminate the City's season pool pass  
system and replace it with the coupon book system. The rationale was that  
we were seeing declining sales of season passes and declining revenue.  
Following discussions with operators of private recreational facilities  
it was concluded that the most effective way to generate revenue was to charge  
more by the frequency of use. There will be reduced rates for quantity purchases.

By this method the city will generate more revenue from daily users. The coupon books will sell in books of twenty admissions and can be used for anybody - you can bring twenty people to the pool one time or one person can come twenty times. They will not require advance sign up or photographs or the administrative procedures required in the past.

Books purchased in quantities of one or more will sell for \$32 and three or more books at \$25 with Senior Citizen book at \$20.

Mr. Fairlie moved to accept the first reading of Bill No. 84-14 and place said Bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 84-14 and place said Bill on third and final reading. Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 84-14 and enact said Bill as Ordinance No. 2.505 Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 13 on the Agenda:      First Reading: Bill No. 84-15, an ordinance authorizing execution of a Street Lighting System Contract with Kansas City Power and Light Company.

Mr. Whitton moved to place Bill No. 84-15 on firstreading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Ashen noted that this contract had just been received and the City will look at this matter further to determine what the City's options are therefore only one reading of the bill is requested this evening.

\* \* \*

There were no questions from the news media or further business to come before the February 27, 1984 meeting of the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Mary L. Ahnfeldt  
Mary L. Ahnfeldt, City Clerk

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

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 12, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of February 27, 1984 City Council Meeting
- 3a. PROCLAMATION: Designating Saturday, April 7, 1984, as the first annual "Arbor Day" in the city of Gladstone.
4. CONSENT AGENDA:
  - \* Approval of Financial Reports - Interim report for the month of February, 1984.
  - \* Building Plan Approval
    - Kansas City Power & Light Customer Service facility, 5600 N Broadway, Englewood Plaza Center. Approval subject to compliance with Uniform Building Code regulations and written commitment for 7 additional parking spaces in Kansas City, Missouri jurisdiction. (4,000 sq. ft. building)  
Applicant: Varnum-Armstrong-Deeter
    - Catalog showroom and warehouse in existing shell building, 701 NE 76th Street. Approval subject to compliance with Uniform Building Code regulations. 5,220 sq. ft.  
Applicant: Jim Pieschl Construction, Inc.  
Owner: Oak Park Development Co.
    - Basement and classroom finishing, 1810 NE 65th Street  
Approval subject to compliance with Uniform Building Code regulations.  
Applicant: Fairview Christian Church  
Contractor: F. J. Mobley & Associates
5. Consideration of Preliminary Plat and Building Plans - Resurvey of Lot 14, Linden Heights, NE 72nd & N Walnut. Applicant/Owner: Gaslight Realty and Choon Lee Academy
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. THIRD READING: BILL NO. 84-9, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property described as 6220 N Oak. Owner: Commercial Bank of Liberty. Applicant: Don and Ken Gray
10. THIRD READING: BILL NO. 84-10, rezoning from R-1, Single Family, Dwelling District to RPCH-1, Planned Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th - 70th. Applicant/Owner: Hudson Oil Company
11. FIRST READING: BILL NO. 84-16, amending Section 3-6 of the City Code to prohibit liquor licensees from knowingly employing felons in positions involving the sale, dispensation, delivery and/or handling of alcoholic beverages.

13. FIRST READING: BILL NO. 84-18, approving the Final Plat of Carriage HILLS SEVENTH REPLAT, approximately 63rd & N Cleveland. Applicant/Owner: J.A. Peterson Company.
14. FIRST READING: BILL NO. 84-19, approving the Final Plat of Resurvey of Lot 14, LINDELL HEIGHTS SUBDIVISION NE 72nd & N Walnut. Applicant/Owner: Gaslight Realty and Choon Lee Academy
15. RESOLUTION NO. R-84-20, authorizing acceptance of a proposal for construction of improvements on Rock Creek Channel.
16. RESOLUTION NO. R 84-21, authorizing acceptance of a proposal from Tuttle-Ayers-Woodward for construction staking and inspection services involved with improvements at Wild Plum Lane on Rock Creek.
17. Other Business
18. Questions from the News Media
19. Adjournment

Agenda additions: Resolution No. R-84-22, appropriate not to exceed \$1,000. from Street Improvement Fund for installation of wrought iron fencing at 6900 N Troost.

Resolution No. R-84-23,

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

March 12, 1984

Mayor Lee Bussinger called the March 12, 1984, City Council Meeting to order at 7:30 PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were: Councilmembers Larry Whitton, Ken Karns, Bob Ashcroft, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandier and the City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Whitton moved to accept the Minutes of the February 27, 1984 City Council Meeting as submitted. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger.(5-0)

Item 3a on the Agenda: Mayor Bussinger read a Proclamation designating Saturday April 7, 1984 as the first annual "Arbor Day" in the city of Gladstone. Local Girl and Boy Scouts will take part in a planting ceremony and distribute seedlings to all residents who attend. This event will begin at 10:30AM in the Central Park at 70th and North Holmes.

Item 4 on the Agenda:      Consent Agenda.

The City Clerk read the March 12, 1984 Consent Agenda items as listed. Mayor Bussinger asked if any member of the City Council, City staff or audience desired to remove any items from the Consent Agenda for discussion or debate under the Regular Agenda. No request was heard whereupon Mr. Fairlie moved to approve the Consent Agenda items as listed; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) Detail of Consent Agenda follows:

Mr. Fairlie moved to approve the Interim Financial Report for the month of February, 1984 as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger.(5-0)

Mr. Fairlie moved to approve the Building Plans for 4,000 sq. ft. Kansas City Power & Light Customer Service Facility at 5600 N Broadway subject to compliance with the Uniform Building Code regulations and written commitment for 7 additional parking spaces in KCMo jurisdiction. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Consent Agenda Detail (continued)

Mr. Fairlie moved to approve Building Plans for Catalog Showroom and Warehouse in existing shell building at 701 NE 76th Street subject to compliance with Uniform Building Code regulations. Applicant/Owner: Oak Park Development Co. Mr. Ashcroft seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Mr. Fairlie moved to approve Building Plans for Basement and Classroom Finishing at 1810 NE 65th Street subject to compliance with Uniform Building Code regulations. Applicant: Fairview Christian Church. Mr. Ashcroft seconded the motion. The vote: All "aye"- Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 5 on the Agenda:      Consideration of Preliminary Plat and Building Plans. Resurvey of Lot 14, Linden Heights NE 72nd & Walnut. Applicant/Owner: Gaslight Realty and Choon Lee Academy.

Mr. John Swenson, Gaslight Realty, was present to represent this application and advised that the bank is requiring them to split this property for loan purposes. The property has been re-surveyed and divided into three sections- Choon Lee Academy on the east portion; Dan Robard (Gaslight Realty) on the west portion of Lot 14; with the back south portion in joint ownership of Mr. Lee and Mr. Robards with future development in mind.

The general outline of the building has not been changed from what was previously shown. The front is bermed and plans call for 60 parking space which leaves them 1 short from the 61 required by the City Code. Mr. Swenson pointed out that the academy and the real estate offices do work opposite hours with the academy doing most of their business at night while the realty company does theirs during the day-time. Future development on the back lot would also provide parking spaces making them ultimately 8-10 over the required number.

Mr. Swenson reviewed detailed building plans with Council noting that plans call for storm water and water retention to the city's specifications as well as sidewalks on 72nd Street and sidewalks and street improvements on North Walnut.

Mr. Ashcroft moved to approve the Preliminary Plat and Building Plans for Resurvey of Lot 14 Linden Heights, NE 72nd & Walnut as submitted. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)



Item 6 on the Agenda.

Communications from the Audience.

None.

Item 7 on the Agenda.

Communications from the City Council.

Mr. Whitton asked if the light at 67th & N Oak will be taken care of in the study of traffic lights noted in a memorandum to the Council. Mr. Achen advised it would.

street

Mr. Karns inquired why the lights across from the city hall in front of the swimming pool are not lit. Mr. Achen noted that the wiring to those lights was disrupted when the sidewalks were constructed. It has been repaired once and the problem has re-occurred so will have to be repaired again.

Item 8 on the Agenda.

Communications from the City Manager.

Mr. Achen requested the addition of Resolutions R-84-22 and R-84-23 to tonight's agenda. Mayor Bussinger designated the additions as agenda items 15-a and 15-b.

Item 9 on the Agenda.

Third Reading: Bill NO. 84-9, rezoning from C-2, General Business District to CP-3, Planned Commercial District, property described as 6220 N Oak. Owner: Commercial Bank of Liberty. Applicant: Don and Ken Gray.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-9, and place said bill on third and final reading. Mr. Fairlie seconded.

Discussion:

Mr. Whitton advised he would be voting no on this proposal and would like to state why. He referred to letters to Mr. Ted Porter from two city managers promising Mr. Porter an energy dissipater since 1977. For seven years a dissipater has been promised on all three pieces of property that have been developed adjacent to Mr. Porter's property. The city has failed to make these developers hold true to their promises. Until an energy dissipater is physically installed there he cannot vote for any rezoning. This is eroding his property and has been since 1977. If we let this go on it will be another ten years before a dissipater is installed. He added that he would vote for this project as soon as there is physical evidence of a dissipater. This issue came to the Council before and was denied. If the people who are proposing this rezoning had read those minutes they would realize the lack of a dissipater was reason he voted no on the previous application. Mr. Porter is a taxpayer of this city and has a right to get what was promised.

Mr. Bussinger reminded Mr. Whitton that he had been a member of this Council for the past three years and questions why he is just now bringing the matter up.

Mr. Achen pointed out that the dissipater Mr. Whitton refers to in the correspondence to Mr. Porter deals solely with the tributary to the creek coming from the residential plat west of this property which is now owned by a local builder. The city's stipulation for the development of that property into residential lots was for the developer to install an energy dissipater. It is true a number of years have passed and the property has not been developed. However the energy dissipater on the channel under consideration with this application is an entirely different dissipater.

Mayor Bussinger said he would have to agree with Mr. Whitton that we probably have been remiss in not following up on this but reminds Mr. Whitton that he too has been a part of the Council for the past three years.

Mr. Karns asked if the landfill at this location meets state and city laws. He also asked if the city should not level it out and make it look decent. It has been there for many months and quite an eyesore.

Mr. Achen responded that the state apparently has regulations that prohibit this activity however the city has no laws prohibiting it as long as the fill is sanitary. He pointed that the state does not give us the responsibility for enforcing state law. It is private property and he would recommend to Council that the city not assume financial responsibility or liability for a violation of state law on private property. For the city to go in and level it out and take care of the problem would be absorbing expenses that are the responsibility of the private property owner.

Mr. Karns said it was obvious that the state law has been violated and asked who was responsible for the dumping.

Mr. Achen said that he doubted very much that it was the present owner (Commercial Bank of Liberty) because a good deal of the fill appeared prior to their ownership. So he can assume it was done either with or without the knowledge of the previous owner. The State indicates it will take no action and will not demand the present owner remedy the site in terms of putting a fill cap over it.

In response to question from Mr. Karns as to requirements for building on the site, Mr. Achen advised that the property owner would have to remove the fill or put in piers on solid ground. This way if a developer comes in and receives approval for development on the property they will not be authorized to just go in and put a fill cap over it and proceed with development. In talking with the State Department of Natural Resources this was one of their concerns that if they required the property to be capped it might be unwittingly sold and a developer develop right on the surface rather than doing the work the city would require.

Mr. Karnas asked how we can protect the citizens of Gladstone if we don't enforce the state laws.

Mr. Achen cited other situations where the city does not establish ordinances which would duplicate the state's activities. He pointed out that the city relies on the state's expertise and their resources to enforce this kind of a situation. He questions the city establishing the resources to enforce the state law and pointed out that there would be the expense of hiring a sanitarian and establishing a permit system which runs contrary to the Council's philosophy of not creating additional staff and administrative regulations to deal with a problem that is dealt with elsewhere.

Mr. Whitton commented that he is looking out for the entire city not just Mr. Porter's interests. A \$1.5 million dollar bond issue was passed last year for storm drainage work and it should not be up to the taxpayers to remedy this situation. We are already short of funds for the number of areas that need attention and we keep passing by problems like this and saying we will worry about them later. He does agree that this Council has in the past 8-10 months met drainage problems head-on. He again stated that he will vote in favor of a proposal for this property when an energy dissipater is physically installed.

Councilman Fairlie stressed that we have a written statement from the applicant, Varnum, Armstrong, Deeter agreeing to install a dissipator shown as Item 4 in their letter. If this application passes and the building is built then it is up to the city to withhold their occupancy permit and occupation license until the dissipater is put in, so we do have some leverage.

Vote on the third and final reading: "No" - Karns, Whitton, Ashcroft, Bussinger. "Aye" - Fairlie. (note: Mayor Bussinger initially voted "Aye" and asked that his vote be changed to "No". (4-1 AGAINST)

Mayor Bussinger announced that this rezoning request had a legal protest petition requiring 4 favorable votes for passage, thus this bill as been denied.

Item 10 on the Agenda:      Third Reading:      Bill No. 84-10, rezoning  
from R-1 to RPCH-1, property described as 60 acres between Agnes  
and Indiana, 68th - 70th. Applicant/Owner: Hudson Oil Company.

Mayor Bussinger advised that he had received a call from Hudson Attorney Preston Williams who indicated that he was going to meet with Hudson Trustees and following this meeting would be able to give Council information on time of development and possibly the developer. He requests two week deferment for this reason.

Mr. Whitton moved to accept the second reading of Bill No. 84-10 and place said bill on third and final reading; Mr. Karns seconded.

Mr. Ashcroft moved to table Bill No. 84-10; Mr. Fairlie seconded.

Mayor Bussinger asked which motion should be voted on first. Mr. Sandler advised that the motion to table takes precedence over the motion to place the bill on third and final reading;

Discussion on the motion to table:

Mr. Ashcroft said he feels it is in the cities as well as the Council's best interests to have as much information as possible and for that reason he will be voting to table the motion.

Mr. Fairlie noted that the principal concerns have been the status of the owner of the property and how it will be developed. He would like to learn as much as he can and it is the prerogative of the Council to make that decision, however.

Councilman Whitton said that he will be voting no for the reasons that the drainage pond is in the wrong place on the project. It will be right outside one person's kitchen window and the placement by the school will encourage kids to play in it. He does not think the proposed use is the best for the property and traffic is a problem now and the project will make it worse. It will cost taxpayers a lot of money to do something with the grade of the hill on 72nd Street. Our allegiance is to our citizens not to Mary Hudson who is trying to upgrade the value of her property to get herself out of trouble.

Mr. Karns echoed Mr. Whitton's opposition. He also opposes giving Hudson Oil preferential treatment by deferring the vote. It is not the Council's fault that they are not fully prepared. He does not think any of the other major developers in the city would bring us a project as ill prepared. He would favor the Council voting on it tonight.

Mr. Ashcroft said he takes exception to the statement that the rest of the Council should be concerned about the citizens, because they are concerned about the citizens. He is not saying he is or is not in favor of the project but the maximum amount of information he can received will benefit him in making his decision.

Mr. Fairlie again stated that if there is information available it is in the best interests of the citizens to obtain it to enable Council to make their decision and this is the reason he favors tabling the bill. He also noted that the Council has the Enggas rezoning tabled presently for additional information.

Mayor Bussinger agreed with Mr. Whitton that it should not be tabled until after the election and said he would favor tabling for two weeks only until the March 26 meeting.

The vote on the motion to table until March 26: "AYE" - Ashcroft, Fairlie, Bussinger. "NO" Whitton, Karns. (3-2)

Item 11 on the Agenda:      First Reading: Bill No. 84-16, amending  
Section 3-6 of the City Code to prohibit liquor licensees from  
knowingly employing felons in positions involving the sale, dispensation,  
delivery and/or handling of alcoholic beverages.

Mr. Fairlie moved to place Bill No. 84-16 on first reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Achen pointed out this ordinance brings the City into compliance with appeal court level decisions which have struck down city ordinances that are unnecessarily vague. For example restricting a liquor establishment from hiring an ex-felon from doing janitorial services or other non-liquor related activities. The Counselor's recommendation is to make the code very specific in prohibiting ex-felons from being involved in the liquor activity of the establishment.

Mr. Fairlie moved to accept the first reading of Bill No. 84-16 and place said bill on second reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 84-16 and place said bill on third and final reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 84-16 and enact said bill as Ordinance No. 2.506.

Item 12 on the Agenda.      First Reading: Bill No. 84-17, amending  
the Schedule of Fees and Charges to indicate collection of Missouri  
State sales tax on certain fees and charges in compliance with State Law.

Mr. Whitton moved to place Bill No. 84-17 on first reading; Mr. Fairlie seconded.

Mr. Achen explained that this Bill is a reaction to a Supreme Court decision that holds municipalities liable for collection of sales tax on fees charged by the city. Not all fees are subject to sales tax and the ones in this ordinance are sale of materials such as maps, publications and copying services, animal adoption fees, rental of public buildings.

Following discussion on which water accounts are presently subject to sales tax, Council agreed to give only one reading this evening to give the City Manager time to research.

The vote on the first reading: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Item 13 on the Agenda:      First Reading: Bill No. 84-18, approving the Final Plat of Carriage Hills Seventh Replat, approximately 63rd & H Cleveland. Applicant/Owner: J.A. Peterson Company

Mr. Gary Duffey, J.A. Peterson Company, reviewed the Final Plat with Council and noted that the Company has agreed to meet all the requests of the Carriage Hills Homeowners Association detailed in their letter dated September 12, 1984 (copy attached and made a part of these minutes) Mr. Duffey noted that the small spur of land on future Lot 3 referenced in the city staff report dated February 22 has now been included in Lot 2.

Mayor Bussinger asked if sidewalks are included in this plat noting that there are not presently sidewalks in all of Carriage Hills.

Councilman Fairlie pointed out that the City's Subdivision Ordinance does require them on both sides of the street.

Spokesman for the Homeowners Association suggested in area of 62nd Terr. where this plat starts, leave sidewalks on one side and continue at the first cross street.

Mayor Bussinger clarified that he only raised the issue because the staff report did not show the requirement and if they were to be waived it should be done by Council action at this time when the plat is being approved.

City Manager Achen advised that we have consistently required sidewalks even on individual homes where there are no other sidewalks in the neighborhood.

Mr. Ashcroft also pointed out that we have had situations where homes have been reconstructed after a fire and we have required sidewalk construction in those situations even when they may be the only sidewalk in the block.

There was no further discussion on the plat, whereupon Mr. Whitton moved to place Bill No. 84-18 on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 84-18 and place said Bill on second reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 84-18 and place said Bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 84-18 and enact said Bill as Ordinance NO. 2.507. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 14 on the Agenda: First Reading: Bill NO. 84-19, approving the Final Plat of Resurvey of Lot 14, LINDEN HEIGHTS SUBDIVISION, NE 72nd & N Walnut. Applicant/Owner: Gaslight Realty and Choon Lee Academy

Mr. Whitton moved to place Bill No. 84-19 on first reading: Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 84-19 and place said Bill on second reading: Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill No. 84-19 and place said Bill on third and final reading: Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0) The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 84-19 and enact said Bill as Ordinance No. 2.508. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 15 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-20, authorizing the City Manager to execute a contract with R.A. Pohl Construction Company for Rock Creek Channel Improvements south of Indiana along Wild Plum Lane in the amount of \$169,430.00; Mr. Fairlie seconded.

is  
Mayor Bussinger noted that this/the start of the drainage improvements from the sale of the bonds authorized by voters last August. The City Manager has indicated this project can be completed hopefully in ninety days. The Rosewood area is the next area to be earmarked for drainage improvement work.

Mr. Fairlie noted that the Brooktree area is seen as a priority project because of the exposed power lines.

The vote: All "aye" - Whitton, Karns, Ashcroft, Fairlie, Bussinger. (5-0)

Item 16 on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-21, authorizing execution of an agreement for engineering services with Tuttle Ayers Woodward Company involved with the Rock Creek Channel Improvement Contract for a total amount not to exceed \$4,000. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

note: Councilman Ashcroft left the meeting prior to the vote on Item 16.

Item 16-a on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-84-22, authorizing appropriation of \$1,000 from the Street Improvement Fund for installation of fencing at 6900 N Troost. The wrought iron fencing replaces institutional steel fencing installed with the Flora/Troost construction project. Mr. Karns seconded. The vote: All "Aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Item 16-b on the Agenda: Mr. Whitton moved to adopt Resolution No. R-84-23, authorizing transfer of funds in the amount of \$23,050 from the General Fund Contingency Account to the Public Works Capital Account for certain improvements to the city hall. Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger.

Item 17. on the Agenda. Other Business.

Mr. Whitton noted that he had received a telephone call from a resident expressing his discontent with the newly adopted swimming pool admission coupons. The resident pointed out that no price break is given to Gladstone residents.

Mr. Achen acknowledged that we have done away with a separate fee for residents and non-residents.

Mr. Whitton suggested that Council consider the resident's views before we adopt the coupon method in future years.

Mr. Bussinger said his thoughts had been we could try the coupon method a year and then evaluate it.

\* \* \*

There were no further matters to come before the March 12, 1984 meeting of the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: ✓  
Approved as corrected/  
mended: \_\_\_\_\_

Lee W. Bussinger  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 26, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of March 12, 1984 City Council Meeting
- 3a. PROCLAMATION: Designating Thursday, March 12, 1984 as  
"YOUTH IN GOVERNMENT DAY"
4. CONSENT AGENDA:
  - \* Approval of New Liquor License for new ownership of Gladstone Party Center, 7102 N Oak. Class C Package Liquor License. Owner/Managing Officer: Darrell W. Steiner
  - \* Approval of Building Addition Plans, 21-21 Restaurant/Lounge, 5941 N Antioch Rd. Additional Dining and Kitchen Area. Approval subject to compliance with Uniform Building Code, Uniform Plumbing Code, National Electrical Code and construction of sidewalks on Antioch Road and North Chestnut. Applicant: Nick Arrelo. Owner: Curry Investment Co.
  - \* RESOLUTION NO. R-84-24, authorizing acceptance of a bid from Metro Ford in the amount of \$8,222.29 for purchase of 3/4 ton cab and chassis pickup.
  - \* RESOLUTION NO. R-84-25, appointing Antoinette J. Anderson, Director of Administrative Services as the Treasurer for the City of Gladstone effective April 9, 1984, with authority to sign checks and drafts on all City fund accounts.
5. PUBLIC HEARING: Request to rezone from C-1, Local Business District and CP-2, Planned General Business District to CP-3, Planned Commercial District, property described as 7618-7692 North Oak. Applicant/Owner: Lloyd R. Harblison.
6. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District, property at Southeast corner of HW 70th & H Broadway. Applicant: Howard Realty. Owner: North Kansas City State Bank
7. Building Plan Approval: Precision Tune, 5711 H Antioch Road 3 bay tune-up shop. Applicant: Stine-Scovill Construction. Owner: Terry Morgason
8. Communications from the Audience
9. Communications from the City Council
10. Communications from the City Manager
11. INTRO READING: TABLED BILL NO. 84-10, rezoning from R-1, Single Family Dwelling District to RPCH-1, Planned Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th-70th. Applicant/Owner: Hudson Oil Co.

12. SECOND READING: BILL NO. 84-17, amending the Schedule of Fees and Charges to indicate collection of Missouri State Sales Tax on certain fees and charges in compliance with State Law.
13. RESOLUTION NO. R-84-26, supporting the concept of a World's Fair in the Kansas City area and designating the City of Gladstone's representative to the World's Fair metro planning committee.
14. RESOLUTION NO. R-84-27, authorizing execute of a lease agreement with ABC Auto for lease of city right-of-way.
15. Other Business
16. Adjournment
17. Questions from the News Media.

Agenda additions:

- 14-a Resolution R-84-28, appropriating \$25,000 from General Fund Contingency for storm debris removal.
- 14-b Site Plan Modification, 6930 N Broadway - Day Care Center Ben Rose .
- 14-c First Reading Bill 84-21, enact new Sign Code

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

March 26, 1984

Mayor Lee Bussinger called the March 26, 1984, City Council Meeting to order at 7:30 PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were: Councilmembers Larry Whitton, Ken Karns, Bob Fairlie, City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk.

Absent: Councilman Bob Ashcroft

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

#### Item 3 on the Agenda: Acceptance of Minutes.

Mr. Whitton moved to accept the Minutes of the March 12, 1984 City Council Meeting as submitted. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Item 3-a on the Agenda: Mayor Bussinger read a proclamation designating Thursday, April 12, 1984 as "YOUTH IN GOVERNMENT DAY" in Gladstone. Students from Oak Park High School, Winnetonka High School and St. Pius X High School will participate in a Youth in Government Day program hosted jointly by the City of Gladstone and the Gladstone Optimist Club.

#### Item 4 on the Agenda: Consent Agenda.

The City Clerk read the March 26, 1984 Consent Agenda items as listed. Mayor Bussinger asked if any member of the City Council, City staff or audience desired to remove any items from the Consent Agenda for discussion or debate under the Regular Agenda. No request was heard whereupon Mr. Fairlie moved to approve the Consent Agenda items as listed; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0) Detail of Consent Agenda follows:

Mr. Fairlie moved to approve a Class C Package Liquor License for new owner of Gladstone Party Center, 7102 N Oak. Owner/Managing Officer: Darrell W. Steiner. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Mr. Fairlie moved to approve the Building Addition Plans for 21-21 Restaurant/Lounge, 5941 N Antioch Road for additional dining and kitchen area. Approval subject to compliance with Uniform Building Code, uniform Plumbing Code, National Electrical Code and construction of sidewalks on Antioch Road and North Chestnut. Applicant: Nick Arrelo. Owner: Curry Investment Co. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)  
(NOTE: see sidewalk waiver - Item 9, Page 12 of these minutes)

Mr. Fairlie moved to adopt Resolution No. R-84-24, authorizing acceptance of a bid from Metro Ford in the amount of \$8,222.29 for purchase of 3/4 ton cab and chassis pickup. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Mr. Fairlie moved to adopt Resolution No. R-84-25, appointing Antoinette J. Anderson, Director of Administrative Services as the Treasurer for the City of Gladstone effective April 9, 1984, with authority to sign checks and drafts on all City fund accounts. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

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At this time Mayor Bussinger deviated from the agenda sequence and entertained questions from the audience.

Item 8 on the Agenda:      Communications from the Audience.

Mr. Ken Kiely, 6221 N Garfield, discussed the costs of swimming pool admissions. He stated the swimming pool is the best around, is well run and he would like to see it stay that way. The cross section of ages is what makes this a good pool - the very young and the very old. If the coupon method is implemented that cross section of ages will decline. Parents will be less inclined to attend because they want to save that last coupon for their children. If there is a high influx of teenagers, older residents may not attend. If our pool is used as a dropping off place for kids, additional City supervision may be required.

Carlene Edwards, 6310 N Highland, commented that the coupon method is too costly. By using this method the City is changing the municipal pool to an elite, exclusive country club. The City may find the pool empty because the pool is the main source of entertainment and recreation for many children in the summer and they will not be able to afford it.

Steve Hufford, 2502 NE 63rd Place, pointed out that with 99 days this summer between Memorial Day and Labor Day it would cost his family \$500/ person per family member for the entire season. Other pools are cheaper and we can expect attendance to drop off. He estimates \$220 if his family goes 3 times a week. He further noted that his neighbor has two cerebral palsy children who use the pool daily for exercise. Persons in these special situations need a cost break. He urged that we keep the pool rates to attract family entertainment.

Charles Lamont, 7107 N Tracy suggested free admission for special medical problems because these persons already pay high medical expenses.

Sue Lovell, 6220 N Garfield, questioned why season pass holders were not notified of the change to coupons. When she called City Hall she was told that a letter will be sent out - but now it will be after the fact. Would have been a nice gesture to let citizens know. She will have to look elsewhere because her family used to use pool regularly 45 minutes in the evening and the cost will be prohibitive now.

6217 N Garfield resident suggested that the new method will be triple what she has paid in the past. Gladstone residents should get a break.

Mr. Karns asked Mr. Achen to explain the City's rationale in changing from the season pass to the coupon method.

Mr. Achen pointed out that the issue came up when we were considering items for the April fee election. As Council knows the Hancock Amendment provides that any fee increases be placed on the ballot. The increase that staff was proposing, it was felt, would drive patrons away.

In 1980, 1725 passes were sold. 1981-1266; 1982-844; 1983-783. Staff took the position that the pool should be self-supporting rather than subsidized with property taxes or some other form of revenue source; so coupon rates were geared to cover the costs. This season is the first year that the City will be paying a full debt service cost on the pool and that increases our operating costs. So we have had a combination of declining pass sales and increasing costs more than just inflationary. The debt service is built low for the first few years and then increased so that it will be at its peak for the next seven years.

The city contacted other recreation providers to explore the city's options. Suggestions were video games or higher margins at concessions. Neither was a good option. One of the vendors suggested we look at the coupon book method as a way to say the high users of the pool ought to pay more than the low or medium users. Currently your options are \$2.00 daily or \$65/membership. The spread between these two options was so great that we looked at what we could do in terms of coming up with a way to have the moderate users pay about the same or even a little less than they are currently paying and place more of the burden on the heavier user.

Mr. Karns asked if we had look at why pass sales have declined.

Mr. Achen said that he does not think patrons feel the service has declined but pointed out that for a couple of seasons we had a lot of rain and last year there were a lot of days when the temperature was not very warm so the pool was not enticing. The newness of the pool has worn off and staff thinks the weather has not been dependable enough for consumers to layout \$65 and feel they are going to have a "good deal" for the summer.

In response to Mr. Karns, Mr. Achen said it would require a minimum of 10% of the budget just to cover additional cost of debt service if we were to subsidize the pool.

Mr. Karns suggested subsidy for one year and then charge staff with promoting the pool to bring it back to 1700 pass sales. Mr. Achen felt a fair amount of effort was made to promote the pool in the past two seasons.

Virginia Bauman, 1400 NE 67th Place, stated there was nothing wrong with the pool being subsidized from the city treasury pointing out that other recreation facilities are such as tennis courts, baseball diamonds. She is a very frequent user so it will be a big increase for her. She will not be swimming twice a day on weekends as example with the new rates.

A person in the audience commented that Worlds of Fun has taken a lot of the patrons from the Gladstone Pool.

In discussing pool promotion, Mr. Achen stated that new residents are given a free admission to the pool when they have their water turned on.

A resident of 6838 N Charlotte stated she moved in last summer and did not receive a free pass or information about the pool. Mr. Fairlie urged that the City Manager rectify this.

Mr. Whitton commented that we subsidize bus service and they have limited ridership.

Following discussion Mr. Achen pointed out that we really have two options: continue the coupon method just recently adopted by Council ordinance or rescind the coupon method and go back to the season pass. Since pass rate if increased, would have to be placed on the August ballot, it would not have a affecton this season. He suggested that if Council is receptive to rescinding the coupon method and going back to the pass at the currently authorized rates, they take such action tonight to allow time to order forms, etc.

Mr. Fairlie said he was involved in the swimming pool bond campaign and it was anticipated that the usership could pay the operating expenses of the pool. He noted that a \$250,000 BOR grant left us with a much lower debt service than we might have had. It was not felt that we should do anything but break even on the pool. It is apparent that we need more users.

The Council agreed that the staff needed to study an increase for next year and advertising.

Mr. Whitton moved to place Bill No. 84-20, repealing Ordinance No. 2,505 to eliminate the sale of swimming pool coupon books and to reinstate swimming pool season pass sales at their previous rates on first reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

Mr. Whitton moved to accept the first reading of Bill No. 84-20 and place said Bill on second reading: Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the second reading of Bill NO. 84-20, and place said bill on third and final reading; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)  
The Clerk read the Bill.

Mr. Whitton moved to accept the third and final reading of Bill No. 84-20 and enact said bill as Ordinance No. 2.509. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Additional communications from the Audience:

Gwen Brady suggested distribution of surveys to season pass holders who don't renew to find out why they didn't. She also noted the need for repainting of intersection lines by the State Highway Department at the Antioch-Shady Lane-Brooktree intersection.

Nancy Johnson, 301 NE 74th Terrace, asked Mayor Bussinger when he intended to replace the sign at his laundry. Mr. Bussinger said he had taken a couple of bids on it and asked if it was obnoxious to her. Mrs. Johnson replied that people in the community try to keep their yards in order and everybody is taking their debris out to the curb. She indicated the sign had been damaged for 8-9 months.

Mr. Bussinger agreed that the sign is obnoxious. He has two bids on the repair but has not decided which way to go.

Mrs. Johnson also asked Mayor Bussinger if he had future plans to request a rezoning on his property. Mr. Bussinger said he probably would.

Mr. Bussinger asked if there were any other parts of the city that were obnoxious to her. Mrs. Johnson said there probably are but she worries about her own block first.

At this time Mayor Bussinger requested Mr. Fairlie to take his chair to act as temporary Mayor to enable him to step down from the Council table to address this meeting as a private citizen.

Mr. Lee Bussinger, 3031 NE 73rd Terrace, said he totally agrees with the lady that previously came before the Council to speak about his sign. The sign is bad and should have been fixed a long time ago. She has a Whitton sign in her yard across across from his laundry which indicates she is supporting him and thinks probably that's where she is coming from. Mr. Bussinger said he thinks it is time someone in the city approaches Mr. Whitton about the condition of his property at 72nd & Broadway. He referred to the City Code of Ordinances which indicate Mr. Whitton has been in violation for a number of years with the junk cars sitting on his property. He wants to point out that it is a damn shame that the gateway to this city has to have something up

there at 72nd & Broadway that looks like that. He does not know why Mr. Whitton as a Councilman sits at that table and does not clean that up and make it look presentable. Mr. Whitton said probably for the same reason he hadn't repaired his sign. Mr. Whitton remarked that the Mayor had sat with him at the Council table for three years and never mentioned it until somebody attacked his sign. Mr. Bussinger said he had not discussed it out of consideration for Mr. Whitton but wanted to say how he felt about it.

Mr. Karns asked if the lady (Mrs. Johnson) gets a chance to come up and defend herself as Mr. Bussinger is accusing her of being Mr. Whitton's pawn.

There were no further comments and Mr. Bussinger returned to the table.

Item 5 on the Agenda: Public Hearing: Request to rezone property at 7610-92 N Oak from C-1 and CP-2 to CP-3, Planned Commercial District. Applicant/Owner: Lloyd R. Harbison.

Mayor Bussinger opened the public hearing stating that persons in favor of the rezoning are asked to speak followed by those opposed.

Applicant Rex Harbison, stated that he is requesting this rezoning to allow more extensive use of the existing commercial location due to financial needs. He noted stipulations on the previous rezoning that were not completed have been brought to his attention. He has worked diligently in the last two months on these items. Curbing and sidewalks and parking lot finishing are left to be done and he is working with the engineering office on the curb location because our engineer says if he completed curbs to the west on 76th Terrace, 76th Street will be narrowed. He will comply with the City Engineer's direction in this regard. He stated he is only requesting the same privilege granted to other businesses and that N Oak Street is commercial and the City should attract commercial business rather than send it to Kansas.

Mr. Fairlie asked if this rezoning was to accommodate equipment parking. Mr. Harbison said that the only equipment that does not conform to the present zoning is 2 backhoes, 1 small crawler and 4 trailers. There has been trucks parked there in the past but this is permissible in the present C-2 zone.

Mr. Harbison said the storm sewer will be put in when the curbs and paving are installed.

Opposition :

Becky Bledsoe, 206 NE 76th Terrace, advised that a legal protest petition has been submitted to require 4 favorable votes of the Council for passage of the rezoning bill. Twelve persons are here in opposition. She and her husband have been working with the City since October 1983 to follow up on the previous rezoning stipulations that Mr. Harbison failed to complete. Namely the roof-top screening - completed in February of this year, 5 1/2 years after the zoning approval.



Brick trash enclosures were built in October, 1983 but still do not meet city specs, again five years after the zoning was approved. Curbs, gutter and sidewalks on 76th Terrace are still not complete from 1978. The 35 ft. buffer zone was stipulated as a greenway buffer. That area that faces 76th Terrace is grass; the 35 ft. on the west side of the property is a combination of grass, dirt, concrete and asphalt; the 35 ft. behind the north building is not even a buffer zone and is used as a driveway.

Mrs. Bledsoe stated that from the beginning of his zoning change on 300 NE 76th Terrace, Mr. Harbison stated that he purchased that property for parking for the existing zoning. He stated this on his application, at Council meetings and at Planning Commission meetings. Some members of the Planning Commission as well as some property owners were concerned at the time with the depth of the commercial zoning going into residential neighborhood. They also questioned the parking of his construction equipment. Mr. Harbison had stated that the building and parking lot would be completed by January 1980 and as of that date there would be no heavy equipment parked there. He had indicated there would be nothing larger than a riding lawnmower and the entire property was to be used for parking except for the 35 ft. buffer.

She stated that the city manager and the engineering staff have advised that the house removal and the paved parking were not actually stipulations of the zone change, but she believes that when Mr. Harbison's zoning change was presented to the commission and the Council they were led to believe that the house would be removed and parking lot paved. That is what the plans show and his statements would indicate.

According to Mrs. Bledsoe the parking of construction equipment should not even be a question because it is not allowed in a C-2 zone. Mr. Harbison has stated he purchased other property for storing his equipment. His equipment was parked at a another location in violation of a KC ordinance. After he was forced to move from there he brought it back to this property in Gladstone where it has been for four years. After she brought it to the city's attention he suddenly applied for this zoning change to legalize the equipment storage.

Of all the prior zoning stipulations that Mr. Harbison has worked to complete he did so only after she (Mrs. Bledsoe) and her husband talked with the City about them in October. Mrs. Bledsoe went on to say that although Mr. Harbison indicates he is trying to fulfill these stipulations it should not be viewed as any great accomplishment because he is not being asked to do anything that should not have been done five years ago.

She indicated residents are concerned about their property values because there is no doubt they are decreasing due to the machinery and the condition of the house and general appearance of the property.

Mrs. Bledsoe also pointed out that there is concern that the appearance of Mr. Harbison's property detracts from the attractiveness of Hobby Hill Park close by. Because of his equipment on 76th Terrace, there is potential for an accident. The street is used for hiking and bicycling.

The Council has asked them to be patient and she feels they have been. She stressed that she is not totally against business, there should be a balance between business and residential but property should not be rezoned at the expense of the residents. C-3 zoning would not add anything to the neighborhood in general or the community in her opinion. For this reason and Mr. Harbison's inability to maintain his property and follow city ordinances she and area residents request denial of this application.

Mrs. Bledsoe provided Council with pictures of the property in question and asked that they be returned to her following Council's use.

Agnes Shields, 7701 N McGee, stated that she would not have moved here in July if she had seen his property and noted the noise and dirt from the equipment. When they moved in her view was blocked by the tree foliage. In her view when you introduce heavy construction in to an area the residential nature of the neighborhood is gone.

Truman Dungan, 205 NE 76th Terrace, stated that it would appear Mr. Harbison does as he pleases. The curbing appears to be sitting out in the middle of the street and he can't understand why the city and Mr. Harbison can't get together and set the curbing back. Four years have passed and the previous zoning stipulations remain undone. 30-40 ft. of the parking lot has never been paved. The house is used to spray construction equipment and he thinks this constitutes another business. The city cannot see the damage the water has done. He has nothing against business but these problems have been going on for a long time.

Barbara Sennett, 203 NE 77th Street, Mr. Harbison has put up a nice commercial center in Gladstone but we do not need another construction company. She has been awakened by backhoes and sounds of other machinery from Damon Pursell up the street and we don't need another company in the area. Her children play and bike in the street but can't on the south side of the building because of the equipment parked there. She has a large redwood deck and she is able to view the unsightly property in question. If this property is to be rezoned it should not be for large equipment but rather limited to a truck or very small equipment.

There were no further comments, whereupon Mayor Bussinger closed the public hearing.

Item 6 on the Agenda:                      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-O, Non-Retail Business District, property at southeast corner of NW 70th & N Broadway. Applicant: Howard Realty. Owner: North Kansas City State Bank

Gary Howard, 6140 N Baltimore, stated they are requesting CP-O, which is the lowest grade of commercial zoning. They propose to build three brick ranch style office buildings which will be 30 ft. wide x 70 ft. long, the average style of a ranch home in Hamilton Heights subdivision. They plan to build two offices now. One of which will be used for their realty office, the other will be leased to insurance agency. The third building will be built when it is leased out. Approximately 75% of the ground will be developed and used in a way that any drainage from the project that drains onto Broadway will be handled by the storm system instead of draining backwards to N Central. . They will landscape and maintain the buffer zone instead of the vacant field they presently exists. They will plant evergreens between their project and the homes on N Central.

As their company will be housed in one of the buildings they will be there everyday to make sure the area is properly maintained. They realize 70th Terrace is a steep street and during rush hour traffic it is hard to turn onto N Broadway. They will have one entrance and exit onto Broadway, no drives onto 70th Terr. Thus they will not be adding to the traffic problem. Traffic in and out of the project will be very low because it is a professional office building not like a convenience store or other high traffic business. 25 parking spaces required, they plan to provide 36.

Mr. Howard pointed out that any type of bldg. on this property will require a variance regardless if it is single family housing, duplex or office building. They are asking for a 10' variance in order for this plan to work. The building will setback 36 feet from the curb line on Broadway and will have 25 ft. greenzone between the back of the buildings and the fence line of the property owners on Central.

This piece of land is approximately 1 acre with 535' frontage on Broadway and the plan fits this property and can be an asset to Gladstone utilizing this land to its highest and best use.

Mr. Whitton noted that the plan is short on the buffer for the rear property line and this proposal resembles the liquor store proposal at 67th & N Oak which was turned down because of the drainage. Although he may not be sitting on the Council in two weeks he would have a hard time being convinced this is a good project.

Mr. Fairlie noted there is a tremendous amount of fall and asked what they intend to do about it.

Mr. Howard said they would put a retaining wall in between the buildings and all the way up to 70th Terrace.

Mr. Bussinger said he assumes this particular project was purchased based on zoning. He agrees with Mr. Whitton that this property is a bad egg. The property is so narrow that he is not sure what would be compatible for this property. He asked if the Board of Zoning Adjustment would not have to rule on the variance requested.

Mr. Achen advised that the City Counselor has ruled in the past that Council may vary when it is a "P" zoning.

Mr. Fairlie said this site has been looked at for years and it always comes back to the same problem the property is just not deep enough for development without being a burden for the neighbors to the rear. It is difficult to consider putting something there now into a neighborhood that has been in existence for 25 years. The only reason it wasn't developed 25 years ago is because it wasn't deep enough then - and it hasn't grown any. By the time you meet the setback requirements you don't have any property yet. It makes for a good single lane bowling alley or a rifle range. It is just a difficult piece of ground.

Opposition:

Robert Mesa, 6906 N Central, said the traffic congestion and water drainage had already been mentioned. This is a property that is not of great value in its present state and he thinks the applicant's want to rezone it so they can increase the value. He will go on record opposing it.

Sandy McKenzie, 7004 N Central, said she is definitely against this rezoning. Although they have the right to develop their property, as has been stated they (residents) were there first. This property is bordered by 6 homes valued at over \$60,000, and if rezoned their property values will decline. She received 100% of the signatures on the legal protest petition they submitted. The way this is designed the parking lot will be right in their backyard and they will get all the carbon fumes from the cars which will not be good at all for her son who suffers from asthma. She provided pictures to show the proximity of the project to her property. She asks that the City Council please deny this application stressing again that it would be a nightmare. She asked that persons agreeing with her stand up. Numerous persons stood.

Mr. Joe McNary, 6904 N Central, said he is adjacent to the southern exposure of the development and see no way they can keep the water off his property.

Garland Douglas, 7003 N Central, expressed concern that three homes across from him to the west went on sale last week. This not a good sign for their neighborhood. They need the Council's help in denying this application.

Joe Hudson, 102 NW 70th Terrace, he comes out on 70th Street at Broadway to go to work and it is a dangerous traffic situation because of the hill. If we put cars or anything there it will block the view that much more. Property should not be developed.

Don Wilson, 7002 N Central, stated he is a life long resident and is concerned for his neighborhood. It is time we start looking at the needs of the residential areas.

There were no further comments. Mayor Bussinger closed the public hearing.

Item 7 on the Agenda:

Building Plan Approval: Precision Tune,  
5711 N Antioch Road. Owner: Terry Morgason  
Applicant: Stine-Scovil Construction

Mr. Terry Morgason and the general contractor explained that Mr. Morgason plans to move his business from its present location to this property which was previously a service station. The plans call for a 3-bay tune-up center with oil changes.

Council discussed requirement for sidewalks on Antioch Road and 57th Street. The contractor stated because of the open ditches construction would be a problem on 57th Street. They will use the two exits off of Antioch Road. Of the 5 tanks there, 4 have been removed and 1 will be used for storage. They will not be using the present pole sign but will erect a new one if proposed sign code amendments pass. Pre-engineering steel and glass and brick blocks are the materials planned. The back east and north side will be completely out of view.

The Council pointed out that they have been very reluctant to approve metal buildings. Following discussion Council agreed to waive the sidewalk requirement and require south and west elevations to be finished with other than metal.

Mr. Fairlie moved to approve the building plans for Precision Tune with the requirement that the west and south exposure be other than metal and waiver of sidewalk requirement; Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Item 9 on the Agenda:

Communications from the City Council.

Mr. Karns noted that 21-21 Restaurant Building Plans were approved with sidewalks required. In light of the previous waiver for Precision Tune building plans he moved to reconsider the Building Plans for 21-21 Restaurant; Mr. Whitton seconded. The vote to reconsider the plans: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0) Mr. Karns moved to approve the Building Plans for 21-21 Restaurant and waive sidewalk requirements on Antioch Road and N. Chestnut; Mr. Whitton seconded. The vote: All "aye"- Whitton, Karns, Fairlie, Bussinger. (4-0)

Mr. Whitton stated that he had several complaints from employees on the new required direct deposit for city employees. He asked if the First National Bank is being compensated for this.

Mr. Achen said the direct deposit totally eliminates the check writing on the part of our payroll staff and explained the procedure. There is no law that says the employees must be paid in any special form. Employees choose where they want to bank, so there is no advantage to First Nat'l. The system has been talked about for several years but until this time we had not been able to deposit the funds in virtually any financial institution in the metro area. This can now be done. The employee does have to provide us with their bank account number but the city has no access to their account nor can we make any inquiries into employees account. Mr. Achen stressed that there is no motive on the part of the administration.

Mr. Whitton inquired if we put the city's legal services up for bid. Mr. Achen said he would not recommend a bid as such because getting the lowest price legal service may not provide the service quality we want. But we could do the same thing we do with auditors and engineers where we invite a number of firms in for interviews.

Mr. Karns asked what our agreement with Shook, Hardy, and Bacon is.

Mr. Achen said it is an agreement of long standing at the rate of \$45/hr. Last year he would estimate the expense at less than \$12,000. He would not recommend it be done on a bid base.

Mr. Karns said we do not keep our auditors for 20 years and he has no complaints about the service we are getting but he thinks this is an area that we should look at as a savings to our taxpayers.

Mr. Fairlie said he understands the rationale of saving money but there are a number of considerations. It is important to have continuity so that you don't have to research every decision if it has been done before. He feels we have had excellent service and would not favor "bidding" but would listen to setting criteria for selection of legal services.

In response to Mr. Karn's question, Counselor Sandler said the services are provided by a contractual agreement between the city and the firm and the fee is approved by Council and set out in the Code.

Mr. Karns noted that Shook, Hardy also represents the First National Bank of Gladstone and some other municipalities and although they are well qualified some other attorneys have asked how they might be considered for the position.

Mr. Bussinger agreed with Mr. Fairlie that he would not be interested in bidding as such but would be agreeable to interviewing firms.

Mr. Whitton moved that we take proposals for legal services for the City of Gladstone; Mr. Karns seconded. The vote: "Aye" - Whitton, Karns. "No" - Fairlie, Bussinger. (2-2) MOTION FAILED

Item 10 on the Agenda:

Communications from the City Manager

Mr. Achen requested additions to the agenda of site plan modification for Rose property, 6930 N Broadway and Resolution No. R-84-28 appropriating \$25,000 from the general fund contingency for storm debris clean-up expense.

Item 11 on the Agenda:

Third Reading: Tabled Bill No. 84-10,  
rezoning from R-1, Single Family Dwelling District to RPCM-1, Planned Cluster Housing District, property described as 60 acres between Agnes and Indiana, 68th-70th. Applicant/Owner: Hudson Oil.

Mr. Fairlie moved to remove Bill No. 84-10 from the table; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Mr. Bussinger advised that Mr. Preston Williams had requested that he be allowed a two week extension to meet with Hudson representatives to obtain additional information. Residents had also requested an opportunity to address the Council.

Mr. Preston Williams said he had requested the time extension because of the status of the title to the property and the various matters involved in the bankruptcy. Since that time he has not been able to resolve any of those questions/issues and he has no further comment.

Mr. Joe Arse, stated that there are just too many indicators that Mary Hudson plans to sell the land. Granted the new purchaser has to abide by Council's decisions as to what can be built there. But the City should not rezone that land for a sale. The neighborhood, community and city will gain nothing by this rezoning. If Mary Hudson were to start building and plans fall through, the project would become a ghost town and greatly affect the neighborhood. A legal petition has been submitted protesting this rezoning. He urges a no vote. One thing that has come out of this rezoning request is that it has opened up the community's and council's eyes that there are serious water problems in the community. He asked that Council take a serious look at water problems after the election in Meadowbrook North. He thanked the Council for the opportunity to speak and stressed that no one put him up to it but rather he put himself up to getting involved.

Laurie Marks, 6723 N Indiana, urged that Council deny this application.

Mr. Whitton moved to accept the second reading of Bill No. 84-10 and place said Bill on third and final reading: Mr. Fairlie seconded.

Mr. Fairlie commented that the proposal is not all bad but the question is do we have someone involved with this project who will make it compatible with the neighborhood.

The vote: "No" - Whitton, Karns, Fairlie, Bussinger. (0-4)  
BILL No. 84-10 DENIED.

Item 12 on the Agenda: Second Reading: Bill NO. 84-17,  
amending the Schedule of Fees and Charges to indicate collection of Missouri State Sales Tax on certain fees and charges in compliance with State Law.

Mr. Achen said there had been a question at the previous meeting on water sales. For clarity he asked that Council amend Exhibit "A" to read "metered and unmetered water sales, EXCEPT AS PROVIDED BY RSMo 1440.030". This is the state statute that exempts residential sales from Missouri State Sales Tax. Commercial accounts are currently charged.

Mr. Fairlie moved to amend Exhibit A of Bill No. 84-17, by addition of language as stated by Mr. Achen. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger.

Mr. Fairlie moved to accept the first reading of Amended Bill No. 84-17 and place said bill on second reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)  
The Clerk read the Bill.

Mr. Fairlie moved to accept the second reading of Bill No. 84-17 and place said Bill on third and final reading: Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)  
The Clerk read the Bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 84-17 and enact said bill as Ordinance No. 2.510. Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Item 13 on the Agenda: Mr. Whitton moved for the adoption of Resolution No. R-84-26, urging support for the concept of a World's Fair in the Kansas City area and designating Mayor Lee Bussinger as Gladston's representative to the metropolitan area fair planning committee. Mr. Karns seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)



Item 14 on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-84-27, authorizing execution of a Lease Agreement with ABC Auto Sales, 7113 N Oak for lease of city right-of-way for \$400.00 annually; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Item 14-a. on the Agenda: Mr. Fairlie moved to adopt Resolution No. R-84-28, appropriating \$25,000 from the General Fund Contingency Account to the Public Works Contractural Services account for removal of storm debris; Mr. Whitton seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Mr. Achen explained that the city has been left with a tremendous amount of curb-side tree debris and he recommends that we get it off the streets as quickly as possible. Mr. Warger estimates two more weeks for this project. Private firms will be used to assist in chipping and hauling.

Item 14-b. on the Agenda: Site Plan Modification, 6930 N Broadway Day Care Center. Applicant: Ben Rose

Mr. Bussinger noted that this center has been relocated entirely within Gladstone city limits rather than half in Kansas City and half in Gladstone as the previous site plan depicted. The plans for the building itself remain essentially the same.

Mr. Whitton moved to approve the revised site plan as submitted; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0)

Item 14-c on the Agenda: First Reading: Bill No. 84-21, repealing Chapter 25 of the City Code and enacting a new Chapter 25 regulating signs and outdoor structures in the City of Gladstone.

Mr. Whitton commented that hopefully enactment of the new sign ordinance will have long range affects for the business community and in particular help to fill some of the vacant spaces as business will be able to advertise themselves. This new ordinance has been a year in the making and both he and Mayor Bussinger acknowledged the Gladstone Chamber's input.

Mr. Whitton moved to place Bill No. 84-21 on first reading; Mr. Fairlie seconded. The vote: All "aye" - Whitton, Karns, Fairlie, Bussinger. (4-0) The Clerk read the Bill.

\* \* \*

There was no further business to come before the March 26, 1984 City Council Meeting, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

*Marilyn F. Ahnfeldt*  
Marilyn F. Ahnfeldt  
City Clerk

*Lee W. Bussinger*

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
April 9, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of March 26, 1984 City Council Meeting
4. First Reading: Bill NO. 84-22, an ordinance declaring the results of the April 3, 1984 special and councilmanic elections.
5. Oath of Office: Councilmen Elect Jim Butler and Les Smith
6. Election of Mayor and Oath of Office
7. Election of Mayor Pro-Tem

\* \* Recess for Lobby Reception honoring out-going \* \*  
and in-coming Councilmen and Mayor.

8. Consent Agenda:

- \* Building Permit approval - finishing interior space for medical office of 1,240 sq. ft. - 5601 N Antioch Road. Approval subject to compliance with UBC, UPC, NEC, and construction of sidewalks on Antioch Road. Applicant: Moore Associates. Owner: Shelton Bower
- \* Jaycee Carnival Permit Approval - Prospect Plaza Shopping Center, April 12-21.
- \* Resolution No. 84-29, authorizing sale of surplus city property to the highest bidder. 1977 Chevrolet Truck and 1977 Dodge Ambulance
- \* Approval of Interim Financial Reports for March 1984.

9. Communications from the Audience
10. Communications from the City Manager
11. Communications from the City Council.
12. THIRD READING: TABLED BILL NO. 83-32, authorizing the introduction of fluoride into the Gladstone water supply.
13. SECOND READING: BILL NO. 84-21, enacting a new Chapter 25 of the City Code regulating signs and outdoor structures in the city of Gladstone.

14. FIRST READING: BILL NO. 84-23, rezoning from C-1, Local Business District and CP-2, Planned General Business District to CP-3, Planned Commercial District, property described as 7618-92 N Oak.  
Applicant: Lloyd R. Harbison
15. FIRST READING: BILL NO. 84-24, request to rezone from R-1, Single Family Dwelling District to CP-O, Non-Retail Business District, property at southeast corner of NW 70th & N Broadway  
Applicant: Howard Realty. Owner: North Kansas City State Bank.
16. FIRST READING: BILL NO. 84-25, accepting an easement for public utility mains and drainage from the J.A. Peterson Co.
17. Other Business
18. Questions from the News Media
19. Adjournment

MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 9, 1984

Mayor Lee Bussinger called the April 9, 1984 City Council Meeting to order at 7:30PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were:  
Councilmembers Larry Whitton, Bob Ashcroft, Bob Fairlie, City Manager Achen, City Counselor Dick Sandler and the City Clerk. Councilman Ken Karns was absent.  
Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Whitton moved to accept the Minutes of the March 26, 1984 City Council Meeting as submitted. Mr. Fairlie seconded:  
The vote: All "aye" - Whitton, Ashcroft, Fairlie  
Bussinger. (4-0)

Item 4 on the Agenda:      First Reading: Bill No. 84-22, an ordinance declaring the results of the April 3, 1984 special and councilmanic election.

Mr. Fairlie moved to place Bill No. 84-22 on first reading;  
Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the bill.

Mr. Fairlie noted the totals for the Fluoridation Proposition and the City Fee Proposition did not reflect the absentee votes and moved to amend Bill No. 84-22 to correct those totals; Mr. Whitton seconded. The vote on the Amendment: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Mr. Fairlie moved to accept the first reading of Amended Bill No. 84-22 and place said bill on second reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the bill.

Mr. Fairlie moved to accept the second reading of Bill No. 84-22 and place said bill on third and final reading; Mr. Whitton seconded. The vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0) The Clerk read the bill.

Mr. Fairlie moved to accept the third and final reading of Bill No. 84-22 and enact said bill as Ordinance No. 2,511  
Mr. Whitton seconded. The Vote: All "aye" - Whitton, Ashcroft, Fairlie, Bussinger. (4-0)

Item 5 on the Agenda: City Clerk Marilyn Ahnefeld administered the Oath of Office to Councilmembers Jim Butler and Les Smith for three year terms on the City Council.

Prior to stepping down from the Council table, Mr. Whitton thanked those who supported him in his election campaign and his wife and family. He also thanked the City Manager and city staff.

Item 6 on the Agenda: Election of Mayor.

Councilman Smith nominated Councilman Fairlie as Mayor; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie, Ashcroft. (5-0)  
The Clerk administered the Oath of Office to Mayor Fairlie.

Mayor Fairlie said he was proud to serve as Mayor of this city. He commented it's a brand new day and a new council and there is plenty of work to do. Our first direction will be to meet in study session next Monday evening to review the storm drainage plans and studies and to take up other business and set priorities for the year. He pointed out that while we have excellent department heads that can and will fulfill their obligations and responsibilities the Council does have the responsibility of securing a new city manager in short order.

He welcomed Councilmembers Smith and Butler and stated he hoped they will have the right to disagree often and have the right to meet as friends with respect for one another following those disagreements. He said he does not believe that any Council can perform this job without honest differences of opinion. He said in looking back he does not recall a problem with Councils disagreeing on any matters that were significant and of great importance to the city and he looks for that to continue.

Prior to Mayor Fairlie's remarks Mr. Bussinger said it had been his honor to serve more terms on the Council than any other person in the history of the city and as well been honored by his fellow City Councilmembers by holding the office of Mayor more than any other councilman.

Before ending his most recent term as Mayor he felt compelled to comment on the recent election which brings new members to this Council. He stated that he supported Les Smith and Jim Butler and is proud to have them on this Council. He expressed concern about some of the statements made by their opponents because many of those statements were just plain wrong. This Council has never been a "rubber-stamp" for anyone. There has never been a power broker, to use their opponents phrase, that has had the power to control this Council. This Council has never engaged in back-room, closed-door, rubber-stamp decisions. Those who have followed this Council know it has had debates and disagreements and decisions have been right out in the open on the council table. One of the accusations made by the opponents was that the selection of the City's legal counsel was dominated by someone not on the Council. The law firm that has represented the city since we went to the City Manager form of government 20 years ago has served us well, efficiently and economically. They serve at the will of the Council and the City Manager and have been loyal to the city and professionally independent.

Mr. Bussinger continued that we regret that City Manager Mark Achen has accepted a new and challenging position. Although we will miss him, we wish him well. Mr. Achen has been one of a long history of many outstanding and capable city managers who have been a credit to this community. He joins an impressive group of men who have moved on to greater challenges.

Mr. Bussinger said it was obvious that the irresponsible accusations made by Les and Jim's opponents in this last election were seen by the voters for what they were -- unsupported, irresponsible, political rhetoric. He reminded the Council that they have a continuing responsibility to provide independent leadership to this community to select competent, experienced professional staff to manage this city and to rely on professional, experienced advisors to assist the staff and City Manager.

He expressed his pride at serving as Mayor and said he was proud to continue to serve as a member of the council and proud to be a resident of a community that demands, expects and receives honorable and dedicated service by its elected officials and competent, professional services by its employees. This is what mayors and councils have given this community since we went to the City Manager form of government and it is the same thing that he expects the citizens will demand and the Council will give in the future.

Item 7 on the Agenda: Election of Mayor Pro-tem.

Mr. Butler nominated Councilman Lee Bussinger to serve as Mayor Pro-tem; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

At this time Mayor Fairlie called a short recess and invited all present to adjourn to the lobby area for refreshments honoring the incoming and outgoing City Council.

\* \* \*

Mayor Fairlie called the meeting back to order following the recess.

Item 8 on the Agenda: Consent Agenda.

The City Clerk read the April 9, 1984 Consent Agenda items as listed. Mr. Bussinger requested that building permit for 5601 N Antioch Road be deleted from the consent agenda and placed on the regular agenda for debate. He asked if any member of the City Council, City staff or audience desired to remove any other item from the Consent Agenda for discussion or debate under the regular agenda. No additional requests were heard whereupon Mr. Ashcroft moved to approve the Consent Agenda items as listed; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) Detail of Consent Agenda items follows:

(Consent Agenda detail):

Mr. Ashcroft moved to approve the Jaycee Carnival Permit on property at 65th & Prospect in the Prospect Plaza Shopping Center for the period April 12-21. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft moved to adopt Resolution No. R-84-29, authorizing the sale of surplus city property (1977 Chevrolet Truck and 1977 Dodge Ambulance) to the highest bidder. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft moved to approve the Interim Financial Reports for March, 1984. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 8a on the Agenda:

Building Permit Approval - 5601 N Antioch Road  
Owner: Shelton Bower Applicant: Moore Associates

Mr. Bussinger moved to approve the Building Permit for Moore Associates, 5601 N Antioch Road and waive the construction of sidewalks on Antioch Road to be consistent with recent waivers of sidewalk requirement on building permits that have come before the Council. Mr. Ashcroft seconded.

Mr. Ashcroft noted that he was absent from the previous City Council Meeting when sidewalks were waived on several building permit on Antioch Road but pointed out that Council has required construction or contribution to the sidewalk fund in similar instances in the past year.

Mr. Fairlie pointed out that Antioch Road is a state highway and the state highway department has no plans for sidewalks on Antioch so to be consistent we have been waiving sidewalks on Antioch Road. There is a hard surface shoulder that acts as a sidewalk and in most cases is paved.

Mr. Bussinger said that although he is an advocate of sidewalks he sees no rationale for "band-aid" construction of them because pedestrians do have some place to walk and there is little pedestrian traffic on Antioch Road.

Mr. Smith noted this is a corner lot and questioned if sidewalks will be constructed on the side street even if we waive them on Antioch

Mr. Bussinger said that the way that particular property lays he would have no problem with sidewalks not being constructed on the side street but agrees that Mr. Ashcroft has made a valid point that we have required escrow contributions on similar situations on N Oak.

Mr. Achen said that unless Council objected he will take Council direction based on tonight's action and that of last week to basically interpret the sidewalk ordinance not to require sidewalks on the four-lane section of Antioch Road that has a hard-surface frontage and that only the side streets are an issue. This will avoid Council taking waiver action each and every time.

The vote on motion to approve the building permit waiving all sidewalk requirements: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 9 on the Agenda:

Communications from the Audience.

Mrs. Ann Shannon 1604NE 65th Terrace, thanked the Council on behalf of the 60+ Well Water Committee Members and the citizens of Gladstone for having the courage to bring the fluoridation question to a vote of the people. She noted that Chairman Anita Duncan was unable to attend this meeting. She thanked this Council and the previous Council for having the faith in citizens to inform themselves on this vital issue and make an intelligent decisions. It was not an easy way and they appreciate the Council's responsiveness to the people they serve.

Mrs. Ann Shannon noted that their group was labeled "the little old ladies of Gladstone" who had nothing better to do than get on the phone and work on this issue. She invited members of their committee to stand and be recognized.

A resident of 1203 NE 66th Street thanked the City for the storm debris clean-up. He asked if the city will follow up with our street sweeper to pick up remaining debris.

Mayor Fairlie said the debris removal process was more of an undertaking than we imagined and asked that the resident just give the city time.

Item 10 on the Agenda:

Communications from the City Manager.

Mr. Achen asked for addition of Resolution No.84-29 appropriating additional \$35,000 for storm debris clean up to the agenda. Mayor Fairlie acknowledged his request and designed the addition as Item 16-a on the Agenda.

Item 11 on the Agenda:

Communications from the City Council.

Mr. Butler introduced his wife Debbie and their two children and thanked her for all her help.

Mr. Smith commented that he worked very hard in this election and expressed his appreciation to all his supporters. Speaking for Mr. Butler he said he hoped they will do a good job of serving everyone in the city. He thanked his wife for all her support. He is glad to be on this Council with three fine men and he and Mr. Butler hope to be a welcome addition.

Mr. Achen introduced Toni Anderson, Administrative Services Director. Mr. Fairlie welcomed Ms. Anderson on behalf of the Council and said they certainly look forward to working with her.

Item 12 on the Agenda:

Tabled Bill No. 83-39, authorizing the introduction of fluoride into the Gladstone water supply.

Mr. Bussinger moved to remove Bill 83-39 from the table; Mr. Ashcroft seconded. The vote: All "aye" - (5-0)

Mr. Bussinger moved to accept the second reading of Bill No. 83-39 and place said Bill on its third reading; Mr. Ashcroft seconded.

Mr. Ashcroft said he is a proponent of fluoridation but will be voting the will of the people and appreciates their efforts and their opinions.



The vote: Unanimous "No" - Butler, Smith, Ashcroft, Fairlie, Bussinger.  
(5-0) Mayor Fairlie announced that the Fluoridation Bill had been defeated.

Item 13 on the Agenda:      Second Reading: Bill No. 84-21, enacting a new Chapter 25 of the City Code regulating signs and outdoor structures.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-21 and place said bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Butler, Smith, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Item 14 on the Agenda:      First Reading: Bill No. 84-23, rezoning from C-1, Local Business District and CP-2, Planned General Business District to CP-3, Planned Commercial District, property described as 7618-92 N Oak. Applicant: Lloyd R. Harbison.

Mr. Bussinger moved to place Bill No. 84-23 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mayor Bussinger explained for the benefit of the audience that it is customary to approve the first reading of a rezoning bill. The second reading will be two weeks from tonight.

Item 15 on the Agenda:      First Reading: Bill NO. 84-24, an ordinance rezoning from R-1 Single Family Dwelling District to CP-0, Non-Retail Business District, property at southeast corner of NW 70th & N Broadway. Applicant: Howard Realty. Owner: North Kansas City State Bank.

Mr. Bussinger moved to place Bill NO. 84-24 on first reading; Mr. Butler seconded. the vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 16 on the Agenda:      First Reading: Bill No. 84-25, accepting an easement for public utility mains and drainage from the J.A. Peterson Co.

Mr. Achen noted this easement acceptance is for detention basin serving the Seventh Replat of Carriage Hills and asks that the Council give three readings to allow the formal platting process to proceed.

Mr. Butler moved to place Bill No. 84-25 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill

Mr. Ashcroft moved to accept the first reading of Bill NO. 84-25 and place said bill on second reading; Mr. Butler seconded. The vote: All "aye"- Butler, Smith, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-25 and place said bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Butler, Smith, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill NO. 84-25, and enact said Bill as Ordinance No. 2,512; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 16-a on the Agenda: Mr. Bussinger moved for adoption of Resolution No. R-84-29, authorizing an additional appropriation of \$35,000 from the General Fund Contingency Account to the Public Works Contractural Services Account for storm debris removal; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie.

Mr. Achen noted that the estimate presently for completely picking up the debris and burning it is \$116,000. The Council has appropriated so far \$60,000. They are hopeful they will come in under their estimate but the appropriation tonight will use all of the remaining balance of the contingency fund. He hopes to come to the Council meeting on April 23rd with a recommendation on how to finance those expenditures that exceed the appropriations. The financing may come from a variety of sources so it is premature tonight to predict how the additional expenditures will be financed. 575 loads of brush have been picked up thus far.

Item 17 on the Agenda: Other Business.

Mayor Fairlie announced a study session on Monday, April 16 with George Butler & Associates on storm drainage. He also announced a joint meeting with the Planning Commission on Monday, April 30th at 7:30PM

There being no further business to come before the April 9, 1984 meeting of the Gladstone City Council, Mayor Fairlie adjourned the meeting.

Respectfully submitted:

Approved as submitted: \_\_\_\_\_

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

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Robert J. Fairlie  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 23, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of April 9, 1984 City Council Meeting
4. Proclamation: Designating month of May as "ABWA EDUCATION MONTH"  
requested by American Business Women's Association
5. Consent Agenda: \*
  - \* Approval of Building Plans - construction of pump island canopy.  
Vickers Station, 5800 N Oak. Applicant: Glenn Chapman, Total  
Petroleum, Inc. Approval subject to compliance with 1982 UBC  
and completion of sidewalks on 58th Street.
  - \* Resolution No. R-84-31, adding a new section to the City of  
Gladstone Personnel Manual to be entitled Unwanted Conduct dealing  
with discriminatory behavior and sexual harassment.
  - \* Resolution NO. R-84-32, authorizing appointment of Public Safety Director  
Kenneth A. Francis as Interim City Manager for the City of Gladstone  
effective May 11, 1984 with additional compensation of \$500/monthly.  
Appointment is until such time as the City Council appoints a permanent  
city manager.
  - \* Resolution No. R-84-33, authorizes additional \$300 annual subsidy to  
Kansas City Area Transportation Authority for providing public  
transportation. Subsidy will result in 10¢ reduction in all zone  
fares.
  - \* Approval of Class C Liquor License for P&B Drivethru Liquor & Deli,  
7507 N Oak. Managing Officer: Brad L. Lineberry  
(formerly Aardvark Liquor & Deli)
6. Communications from the Audience
7. Communications from the City Manager
8. Communications from the City Council
9. Approval of Preliminary Plat of Gladstone Meadows Apartments, NE of 70th  
& Olive and NW of 70th & Park. Applicant: NPI, Inc.
10. Third Reading: Bill No. 84-21, enacting a new Chapter 25 of the City  
Code regulating signs and outdoor structures.
11. Second Reading: Bill No. 84-23, rezoning from C-1, Local Business District  
and CP-2, Planned General Business District to CP-3, Planned Commercial  
District property at 7618-92 N Oak. Applicant: Lloyd R. Harbison

12. Second Reading: Bill No. 84-24, request to rezone from R-1, Single Family Dwelling District to CP-O, Non-Retail Business District property at southeast corner of NW 70th & N Broadway.  
Applicant: Howard Realty. Owner: North Kansas City State Bank
13. First Reading: Bill No. 84-26, an ordinance requiring Child Passenger Restraint Systems and providing penalties for violation thereof.
14. Other Business
15. Questions from the News Media
16. Adjournment

\* \* \* \* \*

The Gladstone Chamber of Commerce cordially invites you to join them for refreshments in the lobby immediately following the Council Meeting and meet your City Council Members.

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 23, 1984

Mayor Bob Fairlie called the April 23, 1984 meeting of the Gladstone City Council to order at 7:30 PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were: Councilmembers Les Smith, Jim Butler and Bob Ashcroft. City Manager Mark Achen, City Counselor Dick Sandler and the City Clerk were also in attendance. Absent: Councilman Lee Bussinger

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Butler requested the April 9, 1984 City Council Meeting Minutes be corrected to show that he made the motion to appoint Lee Bussinger as Mayor ProTem with Mr. Smith seconding. Mr. Ashcroft moved to approve the April 9, 1984 minutes as corrected; Mr. Butler seconded. Vote: "All "aye". (4-0)

Item 4 on the Agenda:      Mayor Fairlie read a proclamation designating the month of May, 1984 as "ABWA Education Month" and invited Happy Rock Diamond Chapter and Gladstone Ruby Two American Business Association members to accept the proclamation and be recognized.

Item 5 on the Agenda:      Consent Agenda:

The City Clerk read the April 23, 1984 Consent Agenda items as listed. Mayor Fairlie asked if any member of the City Council, City staff or audience desired to remove any items from the Consent Agenda for discussion or debate under the regular agenda.

Mr. Ashcroft requested the removal of Resolution No. R-84-33, dealing with additional \$300 subsidy to Kansas City Area Transportation Authority.

No additional items were removed whereupon Mr. Smith moved to approve the April 23, 1984 Consent Agenda items as listed. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) Detail of Consent Agenda items follows:

Mr. Smith moved to approve Building Plans for construction of pump island canopy at Vickers Station, 5800 N Oak. subject to compliance with the 1982 Uniform Building Code and completion of sidewalks on 58th Street; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Consent Agenda Detail continued:

Mr. Smith moved to adopt Resolution No. R-84-31, adding a new section to the City of Gladstone Personnel Manual to be entitled Unwanted Conduct dealing with discriminatory behavior and sexual harrasment. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Smith moved to adopt Resolution No. R-84-32, authorizing appointment of Public Safety Director Kenneth A. Francis as Interim City Manager for the City of Gladstone; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) Effective May 11, 1984 with additional compensation of \$500/monthly until such time as the City Council appoints a permanent city manager.

Mr. Smith moved to approve Class C Liquor License for P&B Drive Thru Liquor and Deli, 7507 N Oak. Managing Officer Brad L. Lineberry; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Fairlie introduced Director Francis and commented that Mr. Francis runs the public safety department well and that the Council is confident that the city will be in good hands with Mr. Francis as Interim City Manager.

Item 6 on the Agenda:                    Communications from the Audience.

There were no communications.

Item 7 on the Agenda:                    Communications from the City Manager.

Mr. Achen requested the addition of Resolution No. R-84-34, authorizing execution of supplemental agreement No. 1 with George Butler and Associates. and Resolution 84-35 authorizing execution of Letter of Agreement with Robert Saunders in connection with city manager selection process. Mayor Fairlie acknowledged the agenda additions.

Item 8 on the Agenda:                    Communications from the City Council.

There were no communications from the City Council.

Item 9 on the Agenda:                    Approval of Preliminary Plat of Gladstone Meadows Apartments.

Mayor Fairlie announced that the applicants have requested that Council delete this item from tonight's agenda and defer the item until the May 14, 1984 City Council Meeting.

Item 10 on the Agenda:                    Third Reading: Bill No. 84-21, enacting a new Chapter 25 of the City Code regulating signs and outdoor structures.

Mr. Smith moved to accept the Second Reading of Bill No. 84-21 and place said Bill on third and Final Reading; Mr. Ashcroft seconded. The vote: "Aye" - Smith, Butler, Fairlie. "No" - Ashcroft. (3-1) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill No. 84-21 and enact said Bill as Ordinance No. 2.513; Mr. Butler seconded the motion.

Discussion:

Mr. Butler moved to amend Bill No. 84-21 by deletion of Section 25-16(d) (Page Eight of the proposed Bill) dealing with Billboard Signs. Mr. Smith seconded.

Mr. Smith asked the amount of revenue the sale of billboard signs permits would represent. Mr. Achen responded that he could not say for certain but it was not a substantial amount.

Mr. Smith further commented that although he is lukewarm on allowing pole signs, the business community feels the need for pole signs to be competitive in their businesses and he views deletion of Billboard Signs as a trade-off for allowing pole signs again. Billboard signs would be allowed in very few locations in the city under the criteria set out in the ordinance. In view billboard signs will add unnecessary clutter in certain areas particularly 72nd Street and Antioch Road.

Mayor Fairlie agreed that only few locations would be lawful for billboards. The present billboard signs at the few locations in the city would be "grandfathered" in.

In explaining his position, Mr. Butler said that the proposed Sign Code represents a great deal of effort and is well written. He attended the study sessions on the sign code and is familiar with the issues. He too believes billboards will add clutter. He is also lukewarm on pole signs, but does think they do some good. He would hate to see the new sign code defeated because of deletion of the billboard section.

Following discussion with the City Counselor, Mr. Achen suggested the motion to amend the Bill also include deletion of Section 25-5 (1) Billboard Definition. He also suggested that the Sections within the sign code be renumbered sequentially so that there is no "gap" in the numbering because of the suggested deletions.

The vote on the amendment to Bill No. 84-21: "Aye" - Smith, Butler, Ashcroft. "No" - Fairlie. (3-1)

Mr. Ashcroft noted for the record that he would be voting no on this ordinance. He was involved in the process of drafting the ordinance before us tonight and was the initiator of the existing ordinance which prohibits pole signs. He believes the existing ordinance was a step in the right direction and gave Gladstone the opportunity to be a leader in the metro area in prohibiting pole signs. He believes we are taking a backward step by the adoption of the new ordinance and will find that we will ultimately go back to pole sign prohibition. He is still a proponent of no pole signs in the city of Gladstone.

The vote on enactment of Bill No. 84-21 as Ordinance NO. 2.513.  
"Aye" - Smith, Butler, Fairlie. "No" - Ashcroft. (3-1)

Second Reading

Item 11 on the Agenda: Bill No. 84-23, rezoning from C-1, Local Business District and CP-2, Planned General Business District to CP-3, Planned Commercial District at 7618-92 N Oak. Applicant: Lloyd R. Harbison.

Mr. Ashcroft moved to accept the First Reading of Bill No. 84-23 and place said bill on Second Reading. Mr. Butler seconded.

The vote: "Aye" - Smith, Butler, Fairlie. "No" - Ashcroft. (3-1)

The Clerk read the Bill.

Item 12 on the Agenda: Second Reading: Bill No. 84-24, rezoning from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District property at southeast corner of NW 70th & N Broadway. Applicant: Howard Realty. Owner: North Kansas City State Bank.

Mr. Smith moved to accept the First Reading of Bill No. 84-24 and place said Bill on Second Reading: Mr. Ashcroft seconded.

The vote: All "No" - Smith, Butler, Ashcroft, Fairlie. (4-0 AGAINST)

Mr. Fairlie announced that Bill No. 84-24 had been unanimously defeated.

Item 13 on the Agenda: First Reading: Bill No. 84-26, an ordinance requiring Child Passenger Restraint Systems and providing penalties for violation thereof.

Mr. Ashcroft moved to place Bill No. 84-26 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)  
The Clerk read the Bill.

Mr. Smith commented that he supported State Representative Sandra Reeves' bill in the legislature on this issue. He cringes every time he sees a small child standing up in the front seat or crawling around in the back seat of a vehicle. He is of course very sensitive to the issue having a three year old son. He would suggest three readings on this bill tonight because it will assist our public safety department.

Mr. Achen clarified that although there is presently state law that requires child passenger restraints, Gladstone must take any cases to the Circuit Court for enforcement. Adoption of a Gladstone ordinance will allow resolution of the cases in our own municipal court which will be more convenient as well as cost saving. The proposed ordinance does not differ from the state law. So we are not breaking any new ground by enacting our own ordinance merely allowing for easier enforcement.

Mr. Smith further commented that if the word gets around the we have the ordinance on the books, people will hopefully start strapping in their children.



The vote on First Reading: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the First Reading of Bill No. 84-26, and waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on Second Reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill No. 84-26 and place said Bill on Third and Final Reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill NO. 84-26 and enact said bill as Ordinance No. 2.514. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Item 13-a on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-84-33, authorizing appropriation of \$300.00 subsidy to Kansas City Area Transportation Authority; such subsidy to allow 10¢ reduction in Gladstone zone fares. Mr. Smith seconded.

Discussion:

Mr. Ashcroft noted that inasmuch as the City of Gladstone is already subsidizing the ATA and the initial subsidy was quite a matter of discussion, he will be voting no for any additional subsidy and would recommend denial of this resolution.

Mr. Smith asked if the fares in the Gladstone area would not be 20¢ higher north of Englewood Road if this resolution fails.

Mr. Achen said that is basically correct. Gladstone is all in one zone with its border at Englewood Road so that all riders who get on the bus north of Englewood Road pay a dime more than they would south of Englewood Road. All fares at the request of Kansas City, Missouri are being reduced 10¢ system-wide. If Gladstone authorizes the additional subsidy then our fare within the corporate limits of Gladstone would be consistent with their concentric ring zone system. If the subsidy is not authorized then it would be 10¢ higher and be 20¢ higher when they come into our boundaries.

Mr. Butler asked what our current ridership is. Mr. Achen said he does not have any current figures with him but he recalls at the time of the agreement last winter basically 150 people riding the bus.

Mr. Smith asked if this is part of ATA's marketing program. Mr. Achen said he is not certain but was prompted by Kansas City, Mo.

The vote on the Resolution: "Aye" - Fairlie. "No" - Smith, Butler, Ashcroft. (3-1 AGAINST)

Item 13-b on the Agenda: Mr. Ashcroft moved to adopt Resolution NO. R-84-34, authorizing the City Manager to execute Supplemental Agreement No. 1 to the George Butler Associates, Inc. Engineering Services Agreement for Storm Water Management Master Plan in the amount not to exceed \$86,500; such funds to be authorized from the Storm Drainage Improvement Fund. Mr. Butler seconded.

Mr. Achen pointed out that the engineering design contemplated in this contract are the three top priority drainage projects recommended to the Council by Butler and Associates those being in the areas of Rock Creek - Highland Rosewood area; Detention basin at Brooktree Lane including emergency spillway, the replacement of one culvert at N. Indiana and ditch improvements between N Indiana and Brooktree Lane; and Old Maids Creek in the area of N Wyandotte.

The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Item 13-c on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-84-35 authorizing an agreement with Robert Saunders in the amount of \$3,000 for Phase One of the services to be performed relating to selection of a new city manager; Mr. Butler seconded.

The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie.

Item 14 on the Agenda: Other Business.

Mr. Smith nominated Mr. Lee Laramore to a one year term expiring December 1984 on the Gladstone Planning Commission. Mr. Ashcroft seconded.

The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Butler moved to appoint Mr. Keith Langel to a one year term on the Gladstone Planning Commission expiring December 31, 1984; Mr. Smith seconded.

The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Fairlie read a proclamation designating the week of April 23, 1984 as "National Egg Salad Week" in Gladstone as requested by Councilman Ashcroft through the Missouri Merchandising Egg Council.

Questions from the News Media.

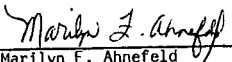
Reporter Ken Hatfield questioned Council on why they voted as they did on the Harbison rezoning.


Mr. Ashcroft said he did not feel the rezoning application is compatible with the surrounding R-1 neighborhood. Mr. Butler said he had not yet made up his mind how he would vote on the third and final reading. Mayor Fairlie and Councilman Smith both stressed that their votes tonight are not necessarily indicative of how they will vote on the third and final reading.


\* \* \*

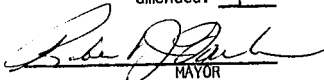
There being no further business to come before the April 23, 1984 City Council Meeting, the meeting was adjourned.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as written: 

Approved as corrected/  
amended: 

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 14, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of April 23, 1984 City Council Meeting
4. SPECIAL PRESENTATION OF CITY KEY TO FORMER CHAMBER OF COMMERCE PRESIDENT, PETE HALL
5. CONSENT AGENDA: \*
  - \* Building Plan Approval - 7001 N Locust, remodeling for real estate offices. 29,754 sq. ft. Subject to UBC, NEC, UPC regulations.
  - \* Building Plan Approval - 7620 N Oak, remodeling lower floor for Elks Lodge, #2376. Subject to UBC and NEC.
  - \* Resolution No. R-84-36, authorizing renewal of Prisoner Detention Agreement with City of Kansas City, Missouri, for use of their Municipal Corrections Institution for housing of prisoners at \$25.34/day per prisoner.
  - \* Resolution No. R-84-37, authorizing the City Manager to enter into a Cooperative Agreement with other municipal corporations in the State of Missouri to provide pooled self-funded health and dental insurance for Gladstone employees.
6. Communications from the Audience
7. Communications from the City Manager
8. Communications from the City Council
9. Approval of Preliminary Plat of Corporate Hills North Condominium. 4444 N Belleview. Applicant/Owner: The Motter Company
10. Approval of Preliminary Plat of Gladstone Meadows Apartments, NE of 70th & Olive and NW of 70th & Park. NFI, Inc., Applicant.
11. Third Reading: Bill NO. 84-23, rezoning from C-1, Local Business District and CP-2, Planned General Business District to CP-3, Planned Commercial District property at 7618-92 N Oak. Applicant: Lloyd R. Harbison. (Legal protest petition)
12. Other Business
13. Questions from the News Media
14. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 14, 1984

Mayor Bob Fairlie called the May 14, 1984 meeting of the Gladstone City Council to order at 7:30 PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were: Councilmembers Les Smith, Jim Butler, Bob Ashcroft and Lee Bussinger. Interim City Manager Ken Francis, City Counselor Dick Sandler and the City Clerk were also in attendance.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Ashcroft moved to accept the minutes of the April 23, 1984, City Council Meeting as submitted: Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Item 4 on the Agenda: Special Presentation.

Mayor Fairlie presented former Chamber of Commerce President Pete Hall with a Key to the City. He thanked Mr. Hall for his contributions and commented that Mr. Hall was always available to become involved in projects benefiting the city.

Mr. Hall thanked the City Council for the honor and commented that anything he has done was done out of love for the city and the northland area.

Councilman Bussinger also thanked Mr. Hall for a job well done and said that it had been a pleasure to work with him as the Council representative to the Chamber and particularly applauded him for getting the City and the Chamber to working together.

Item 5 on the Agenda: Consent Agenda:

The City Clerk read the May 14, 1984 Consent Agenda as listed. Mayor Fairlie advised that he had received a request for removal of Building Plans for 7620 N Oak and 7001 N Locust from the Consent Agenda and asked if any member of the Council, staff or audience desired removal of additional items.

No additional items were removed whereupon Mr. Bussinger moved to approve the remaining Consent Agenda items as listed. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger Fairlie. (5-0) Detail of Consent Agenda follows:

Consent Agenda Detail:

Mr. Bussinger moved to adopt Resolution No. R-84-36, authorizing renewal of Prisoner Detention Agreement with City of Kansas City, Missouri, for use of their Municipal Corrections Institution for housing of prisoners at \$25.34/day per prisoner; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-37, authorizing the City Manager to enter into a Cooperative Agreement with other municipal corporations in the State of Missouri to provide pooled self-funded health and dental insurance for Gladstone employees. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5-a.                      Building Plan Approval, 7001 N Locust,  
remodeling for real estate offices. 29,754 sq. ft. Subject to  
UBC, NEC, UPC regulations.

Interim City Manager Francis advised Council that after this item had been placed on the agenda, several deficiencies were noted upon closer review. He asked Acting Public Works Director Steve Warger to review the items for Council.

Mr. Warger explained that one of the concerns was that on the west side of the building the proposed portico addition will violate the required 15 ft. setback. The portico goes up to the property line.

Applicant Charles Ferrara acknowledged that the portico would take up approximately two parking spaces and is designed to be aesthetically pleasing as well as keeping people out of the weather. The portico will be four columns and open in the front.

Mr. Smith questioned what effect there would be if the portico is not run all the way out to the parking spaces. Mr. Ferrara said he would think only the looks of the portico.

Mr. Ferrara, responding to question from Mr. Butler, said building occupants would be real estate and professional offices.

In reviewing plans, Mayor Fairlie noted that the applicant would be short 9 parking spaces if the 35 foot buffer zone between this facility and the residential property to the north is met. Council clarified that the residentially zoned property to the north is occupied by the Odd Fellow's Lodge not a residence and that the buffer is actually between two parking lots.

Mr. Bussinger moved to approve the building plans as submitted for 7001 N Locust WITH VARIANCE FOR THE PORTICO CONSTRUCTION AND PARKING SPACE SHORTAGE. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5-b.                      Building Plan Approval, 7620 N Oak, remodeling lower floor for Elk Lodge #2376. Subject to UBC and NEC.

Mr. Steve Warger, Acting City Engineer, advised that the May 11, 1984 Engineering Department Staff Report on this building plan submission points out that although the plan appears to conform with all applicable building codes, required public improvements of curbs, sidewalks, and parking lot do not exist. These improvements were stipulations of the previous zoning on this property and to date have not been completed by the property owner.

Mayor Fairlie questioned if Mr. Warger had provided the property owner with the actual survey of 76th Terrace so that they know where curb and sidewalk are to be located. Mr. Warger responded that the owner has had it surveyed and the locations have been sketched by the staff.

Mayor Fairlie asked if Mr. Warger, as acting Director of Public Works and Utilities is able to withhold an occupancy permit until all stipulations have been complied with. Mr. Warger responded that the City does have a few leverages, such as withholding water service.

Mr. Butler asked to clarify if the curbs and sidewalks are on 76th Terrace, and if the parking lot is directly west of the building. He wants to ensure that the property owner specifically understands which parking lot, curbs and sidewalks are being discussed. Mr. Warger acknowledged that the property owner is aware of the specific areas where improvements are required.

Mr. Smith noted that in discussing this matter with the property owner, the Elk's Club has made stipulations in their contract for the lease that the parking lot and other required improvements are to be completed.

Mr. Butler said that promises have been made before and not kept by the property owner and he wants the record to show that the owner specifically knows the location of curbs, sidewalks and parking lot.

Motion: Mr. Ashcroft moved to approve the Building Plans for the Elk's Lodge, 2376, 7620 N Oak as submitted with the CONTINGENCY THAT ALL OCCUPANCY PERMITS BE WITHHELD UNTIL ALL PREVIOUS COMMITMENTS FOR PUBLIC IMPROVEMENTS ARE MET. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 6.                      Communications from the Audience.

None

Item 7.                      Communications from the City Manager.

Interim City Manager Ken Francis noted the addition of Interim Financial Reports for April 1984 as Agenda Item 11-a.

Item 8 on the Agenda:     Communications from the City Council.

None.

Item 9 on the Agenda:     Approval of Preliminary Plat of Corporate Hills North Condominium.  
Applicant/Owner: The Motter Company

Applicant Eual M. Motter, 4006 Briarcliff Road, was present to review the preliminary plat with Council. He explained that under the new Condominium Law passed this last year, condominium offices must be divided and platted the same as subdivisions. This plat provides for 12 offices on the first floor and 9 on the second level.

Responding to Council questions on ownership, Mr. Motter explained that individual offices would be owned from the floor level to the ceiling with common ownership of the common areas inside and outside the building based on a percentage basis.

Mr. Bussinger moved to approve the Preliminary Plat of Corporate Hills North Condominium as submitted; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 10 on the Agenda:     Approval of Preliminary Plat of Gladstone Meadows Apartments, NE of 70th & Olive and NW of 70th and Park. Applicant: NFI, Inc.

NFI spokesman Mark Morgan, 2500 Grand and Architect Dirk Ellis, 6771 NE Askew Circle, reviewed the preliminary plat which calls for expansion of the present Gladstone Meadows Apartments (70th & N Prospect). The existing complex contains 108 units and this plat calls for 150 additional units (60 on the eastside and 90 on the westside).

Lengthy discussion was held at the Council table with the applicants on the plat and planned street pattern, density and existing right-of-way. Mr. Butler said he would like to see 71st St. extended from North Olive on west to the property line. Mr. Morgan said their plans do not call for the extension adding that if put in, the street would have a race track effect around the apartments. Mr. Francis said the street extension would be good in terms of fire fighting capabilities because the more pavement they can get the happier we are. Responding to Mr. Smith, Mr. Ellis said their plans had been discussed with Butler & Associates as far as drainage and the firm approves of plans.

Motion: Mr. Smith moved to approve the Preliminary Plat of Gladstone Meadows Apartments as submitted. Mr. Bussinger seconded.  
Discussion:

Mr. Butler stated that the Subdivision Ordinance requires the developer of the plat to construct all streets in that plat. 71st Street is a street in that plat and should be recognized and put in. It is the responsibility of the developer to put in the street when necessary and he sees it necessary to open up the west part of that ground. He would like to see 71st Street constructed clear to the end of this development.



(Discussion (continued))

Mayor Fairlie said that Mr. Butler is asking the applicant to make a commitment to something but he does not hear a motion to make this a requirement of the plat approval although it is Mr. Butler's prerogative to do so.

Mr. Butler said he appreciated Mr. Fairlie's help to a newcomer on the Council in understanding the rules of order and he would like to amend the motion for approval to include plans for construction of 71st Street from North Olive west to the end of their property.

Mr. Smith asked the approximate cost of constructing 71st Street. It was estimated at \$54,000.

Mr. Butler asked the cost of the project noting he had read somewhere that it was approximately a \$6 million dollar project. He suggested that compared to the cost of the project \$54,000 is small amount.

Mr. Ellis took exception to the notion that \$50,000 is a small amount.

Mr. Fairlie asked if there was second to Mr. Butler's amending motion. No second to the motion was made.

Mr. Ashcroft said he finds it difficult to vote on the original motion to approval the preliminary plat without some clarification as to right-of-way and the density questions earlier discussed.

Mr. Fairlie said the issues as he understands them are that because of our requirements for M-1 Highway, by the time the developer reduces the actual land area for development by the necessity for M-1 right-of-way they will have too many apartments for the remaining land. He doesn't see that we can ask for right-of-way and then deny the number of units that could have been built. Right-of-way negotiations are not yet completed with the property owners.

MR. SMITH RESTATED HIS MOTION TO APPROVE THE PRELIMINARY PLAT OF GLADSTONE MEADOWS APARTMENTS ALLOWING THE VARIANCE ON THE DENSITY REQUIREMENTS UPON ACQUIRING NECESSARY RIGHT-OF-WAY FOR NORTH PROSPECT.

Mr. Ashcroft seconded. The vote: "Aye" - Smith, Bussinger, Ashcroft, Fairlie. "No" - Butler. (4-1)

Item 11 on the Agenda: Third Reading: Bill No. 84-23, rezoning from C-1, Local Business District and CP-2, Planned General Business District to CP-3, Planned Commercial District property at 7618-92 N Oak. Applicant: Lloyd R. Harbison.

Mr. Bussinger moved to accept the second reading of Bill No 84-23 and place said Bill on third and final reading: Mr. Smith seconded.

Vote: "Aye" - Smith, Bussinger, Fairlie. "No" - Butler, Ashcroft (3-2)  
The Clerk read the Bill.

Mr. Bussinger moved to approve the Third Reading of Bill No. 84-23 and enact said Ordinance No. 2.515. Mr. Smith seconded. The vote: "Aye" - Smith, Bussinger, Fairlie. "No" - Butler, Ashcroft. (3-2)

MAYOR FAIRLIE ANNOUNCED THAT THE BILL TO REZONE THIS PROPERTY HAD BEEN DENIED HAVING FAILED TO RECEIVE 4 FAVORABLE VOTES AS REQUIRED BY THE LEGAL PROTEST PETITION.

Item 11-a on the Agenda: Financial Reports.

Mr. Bussinger moved to approve the Interim Financial Report for the month of April, 1984 as submitted. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) (Mr. Ashcroft seconded.

Item 12 on the Agenda:

Mayor Fairlie noted that the next regular Council Meeting (May 28) would fall on Memorial Day and suggested cancellation of the council meeting unless there was pressing business for the agenda. Mr. Francis said he was not aware of items needing Council attention prior to the next regular Council Meeting on Monday, June 11th.

Mayor Fairlie then announced that the May 28 meeting is cancelled and advised that multiple readings would be given on any ordinances where readings were missed due to the meeting cancellation.

Mr. Bussinger requested posting of all Study Session agendas for public awareness since all sessions are open to the public.

\* \* \* \*

There being no further business to come before the May 14, 1984 City Council Meeting, the meeting was adjourned.

Respectfully submitted.

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: ☐

Approved as corrected/  
amended: ☒

*Robert D. Fairlie*  
MAYOR

NO MAY 28, 1984 CITY COUNCIL MEETING

DUE TO MEMORIAL DAY HOLIDAY

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 11, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 14, 1984 City Council Meeting
- 3a. Special Presentation by Gladstone Jaycees. Jaycee representative Vince Saladino
4. CONSENT AGENDA: \*
  - \* Resolution No. R-84-38 authorizing the City Manager to execute an agreement with Clay County for collection of 1984 Gladstone Ad Valorem Taxes for a fee of 1% of collections.
  - \* Resolution No. R-84-39 authorizing renewal of Hamilton Heights Swim Club Special Use Permit for a five year period expiring May 30, 1989.
  - \* Building Plan Approval, Shoney's Restaurant, 6303 N. Antioch - 825 sq. ft. addition to south and west of existing restaurant and restroom expansion. Approval subject to construction of sidewalks on N Chestnut and UBC, NEC, and UPC.
  - \* Building Plan Approval, 405 NE 70th St - 6,000 sq. ft. office addition to existing building. Approval subject to construction of sidewalks on 70th Street and on Locust and UBC, NEC, and UPC.
  - \* Approval of Interim Financial Reports for May, 1984.

REGULAR AGENDA:

5. Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-O, Non-retail Business District-Planned, property described as 2109 NE 72nd Street. Applicant: Varnum-Armstrong-Deeter, Inc. Owner: Frank B. Gardner
6. Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-O, Non-retail Business District-Planned, property described as the southwest corner of N. Broadway and NW Englewood Road. Applicant/owner: Gus E. Leimkuhler, Jr.
7. Public Hearing: Request to rezone from C-2, General Business District, to CP-3, Planned Commercial District, property described as 6220 N. Oak. Applicant: Don & Ken Gray. Owner: Commercial Bank of Liberty
8. Public Hearing: Proposed 1984-1985 Annual Fiscal Budget including proposed use of General Revenue Sharing Funds for the City of Gladstone, Missouri.
9. Communications from the Audience.
10. Communications from the City Council.
11. Communications from the City Manager.
12. SECOND READING: TABLED BILL NO. 84-15, (Tabled 2/27/84), authorizing execution of Street Light System Contract Renewal with Kansas City Power & Light Company.
13. FIRST READING: BILL NO. 84-27, an ordinance approving the final plat of Corporate Hills North Condominium.
14. Other Business.
15. Questions from the News Media.
16. Adjournment.

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 11, 1984

Mayor Bob Fairlie called the June 11, 1984 meeting of the Gladstone City Council to order at 7:30PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were: Councilmembers Les Smith, Jim Butler, Lee Bussinger and Bob Ashcroft. Interim City Manager Ken Francis, City Counselor Dick Sandler and the City Clerk were also in attendance.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes.

Mr. Butler asked for correction to the May 14 City Council Minutes (Page Five, Item 11 correct "NO" vote on Bill No. 84-23 to Butler, Ashcroft). The City Clerk acknowledged the correction.

Mr. Smith moved to approve the May 14, 1984 City Council Meeting Minutes as corrected. Mr. Butler seconded. The vote: All "aye". Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 3-a on the Agenda:      Gladstone Jaycees Special Presentation.

Gladstone Jaycee Representative Vince Saladino presented the Mayor with a check in the amount of \$319.50 representing the Jaycee's share of the May 23-28 co-sponsored carnival. Mr. Saladino noted the funds are being donated to the Gladstone Parks & Recreation Department.

Mayor Fairlie thanked the Jaycees for their efforts and assured the City would find a place to use the donation in the parks and recreation department.

Item 4 on the Agenda:      Consent Agenda:

The City Clerk read the June 11, 1984 Consent Agenda as listed.

Mayor Fairlie asked if any member of the Council, staff or audience desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Architect Larry Wickham, applicant for Building Permit on 405 NE 70th Street requested the removal of that item for placement under the Regular Agenda.

There were no further deletions whereupon Mr. Ashcroft moved to approve the remaining Consent Agenda items as listed. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
Detail follows:

Consent Agenda Detail:

Mr. Ashcroft moved to approve Resolution No. R-84-38, authorizing the City Manager to execute an agreement with Clay County for collection of 1984 Gladstone Ad Valorem Taxes for a fee of 1% of collections. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft moved to approve Resolution No. R-84-39, authorizing renewal of Hamilton Heights Swim Club Special Use Permit for a <sup>year</sup> ~~five~~ year period expiring May 30, 1984. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft moved to approve Building Plans for Shoney's Restaurant, 6303 N Antioch Road. 825 sq. ft. addition to the south and west of existing restaurant and restroom expansion as submitted. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft moved to approve the Interim Financial Reports for May 1984 as submitted; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 4-a.

Building Plan Approval, 405 NE 70th Street.  
6,000 sq. ft. office addition to existing building. Approval subject to construction of sidewalks on 70th Street and on Locust and UBC, NEC, and UPC.

Applicant Larry Wickham, explained that he requested this item be deleted from the Consent Agenda to discuss Item 4 on the City Staff Report dealing with the requirement for handicap restrooms.

He pointed out that the building is really not accessible for handicapped patrons because the existing portion has steps. The new addition is designed to be a split level addition and quite frankly in the past fifteen years he has owned the building he does not recall there being a need. They have little public traffic because generally the offices have been owner/operator businesses.

Mr. Wickham said they are in full agreement with all other stipulations listed in the Staff Report - parking spaces, sidewalks on Locust and 70th Street.

Mr. Ashcroft questioned if the City has the option of deviating from the Building Code requirement.

Counselor Sandler noted that he does recall instances in the past where the Council has waived such requirements under the UBC and he is not aware of any state statute that would require handicapped restrooms in a building used for other than state, municipal, or federal government use.

Mr. Bussinger moved to approve the Building Permit for 405 NE 70th Street with waiver of the handicap restroom requirement shown as Item 4 on the Staff Report; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda:      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-0, Non-retail Business District, Planned, property described as 2109 NE 72nd Street. Applicant: Varnum, Armstrong, Deeter, Inc. Owner: Frank B. Gardner.

Mayor Fairlie opened the public hearing inviting those in favor of this application to speak followed by those opposed.

Mr. Dan Wall, Varnum, Armstrong, Deeter, noted his firm is representing Dr. Frank Gardner and several other area dentists who are the present owners of the property and desire to build a medical office building for their own business use. The site is 5 acres and immediately east and adjacent to the KCP&L substation and the city tennis courts. Three buildings are proposed-two single story and one 2½ story. All three are residential in flavor and designed to tie in with the general neighborhood as well as provide a good buffer for the power plant. They have met with the Planning Commission and incorporated a couple of suggested changes and their plans now comply with the Zoning Ordinance and all setbacks. They have provided for right-of-way and have incorporated a 24. ft. full width driveway in their first phase of development.

Mr. Wall stated that the 3rd building of 2½ story will be the last to be built and the elevation will be compatible with the other single story buildings because of the topography of the ground. It will also be the furthest from 72nd Street. At this time Mr. Wall reviewed an artist rendering of their plans with Council and audience. He noted the rendering had not been available at Planning Commission meetings.

In his review of plans Mr. Wall pointed out that there is presently an older white house and barn on the property. The intended use is office use only thus no retail traffic. Lots of green areas are planned and they have exceeded the setback requirement. He believes the project will enhance the neighborhood.

Mr. Ashcroft noted that the 4/25/84 Staff Report, Item 3 noted that the plan makes provision for necessary right-of-way for the north one-half of NE 71st to be extended in the future. He asked if they are willing to participate in the construction of that street.

Mr. Wall responded that they are more than willing to participate whenever the planning is completed. Given the limited information they have been provided to date (how is the street to be constructed? the width and the land area?), he does not feel they have enough information to make a financial commitment at this time. He pointed out that they have provided for an exit onto that street in their plans.

Mr. Butler noted there had been reference to 70th Street on the Staff Report. It was clarified that the future street is 71st Street.

Mr. Wall pointed out that when their plans were sketched they were uncertain where 71st Street was going. Is it just going to dead-end at their property or will it go on through and tie in to the street on the east of them by the power station or does it go on to the west. He does not have those facts. Council acknowledged they were also uncertain.

Mr. Bussinger noted the plans call for construction of only one building at present and asked if they had a timetable for the two remaining buildings. Mr. Wall said although not a definite timetable, he believes at a minimum 1 1/2 - 2 years. Their primary goal at this time is to develop with owner/user facility dental office and one optometrist they have been talking to. The other two buildings are intended to be related uses (medical, legal, accounting - basically professional service type office buildings)

Mr. Butler asked when peak traffic hours would be. Mr. Wall said that in the initial phase of development they would not anticipate any large traffic flow and what traffic there is would be spread throughout the day as patients are coming and going. The only time of major traffic movement is when the staff arrives and departs and even then you are talking about 12-15 cars.

Mr. Butler also asked how many total offices in the three buildings.

Mr. Wall said he could not exactly say but the first building will contain 8 suites and of those 6 are presently committed. All 3 buildings combined will have 48,000 sq. ft and a rough estimate of 1,000 sq. ft. per suite he would say possible 30 offices. The 2nd and 3rd buildings are to be spec building so it would depend on the space requirements of the tenants.

Mayor Fairlie asked if any one in the audience desired to speak in opposition or had further questions. No one spoke in opposition.

Mr. Bussinger asked to comment on questions raised at Planning Commission as to why Quick Trip was zoned for that heavy commercial use. He said that site was zoned probably 20 years ago and had the request come to the Council in the past 15 years the store likely would not be there today. There was also some suggestion from the Planning Commission meeting on duplexes as a buffer to the KCPL area. He personally thinks this is a good plan (the plan presented by Mr. Gardner) and believes apartments would be creating more traffic onto 72nd Street. The plan presented tonight is a good plan with a low profile as far as a buffer.

There were no further comments, whereupon Mayor Fairlie closed the hearing.



Item 6 on the Agenda.      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District-Planned, property at southwest corner of N Broadway and NW Englewood. Applicant/Owner: Gus E. Leimkuhler.

Mayor Fairlie opened the public hearing and asked that persons in favor of the rezoning speak followed by those opposed.

Mr. Gus Leimkuhler said he has a contract with a group of businessmen to build a two-story office building on this corner. He is not involved in the building but is requesting the zoning for their use as a law office/professional office space. The lot is 150 x 200 and plans call for 20,700 sq. ft. 2-story building. The site is located on the SW corner east of Quick Trip and north of property the City of Gladstone purchased several years ago as a future fire station site.

Mr. Smith noted that staff reports indicates they will be short 15 parking spaces. Mr. Leimkuhler said in talking to the lawyers who are working with the architect on the plans he learned that the preliminary plan figures were wrong. All he knows is that after the appearance before the Planning Commission they agreed to the parking spaces required. So he does not know if they initially calculated the spaces incorrectly or have since reduced the size of the building, but the plans will meet the City's requirements.

Mr. Bussinger also noted that the 35 ft. buffer is not provided. Again, Mr. Leimkuhler said he talked to the lawyer and architect following the Planning Commission Meeting and they seemed to think there would be no problem in complying with the buffer requirement.

In response to question from Mayor Fairlie, Mr. Leimkuhler said Sycamore Hills is directly west of this property.

Audience comments.

Mr. Frank Palermo said his residence is across the street and he was opposed to this office building until he walked the property. He now sympathizes with Mr. Leimkuhler because this property is land-locked and is unsuitable for single family development. He is not now opposed but is concerned for the type of buffer put there and would like to see any parking placed on the west end of the building to help buffer the noise for his residence and his neighbors.

Opposition.  
No one spoke.

Mayor Fairlie closed the public hearing.

Item 7 on the Agenda:      Public Hearing: Request to rezone from C-2, General Business District to CP-3, Planned Commercial District, property described as 6220 N Oak. Applicant: Don and Ken Gray. Owner: Commercial Bank of Liberty.

Mr. Ken Gray introduced his brother Don and explained they again propose a 10-bay car wash or auto care facility for this property. He noted that their application was denied by the City Council two months ago.

This facility will cost \$600,000 and will benefit the Gladstone economy as well as provide employment for five persons. One of the items that has been brought up in the past is that of traffic congestion, this facility will be 150 ft. off of N Oak and ample line up space for vehicles waiting is provided.

Mr. Gray presented an artist rendering of the buildings and noted that the walls are fiberglass with floor heat and attendant on duty at all times. This facility is similar to one in Leavenworth, Kansas and is a clean, well-run operation.

With regard to a dissipater, they agree to comply with the City's recommendations and specifications. They agree to retain the water coming off the property so that it is no greater than the present run-off.

On the issue of the clean up of the lot. He understands that the State has required that the lot be cleaned up by the person owning or responsible. If the zoning is passed, it will become their responsibility and will be cleaned up as they put the car wash in.

Mr. Bussinger commented that he drove up and looked at the Leavenworth facility and asked if they planned to put in the same type of vacuum with roof as the Leavenworth facility. Mr. Gray said they do and it will be located on the south side.

Mr. Bussinger said he had no problem with the car wash in Leavenworth but was expecting to see more brick - similar to one at 23rd & Sterling in Independence owned by Larry Gilliam. He was not impressed with the aesthetic appearance and would not personally care to see it on N Oak. If the proposed facility could be similar to that in Independence, he would have no problem with it at all if we can take care of the drainage problem. He realizes the Independence facility would be more costly but that is what he had in mind.

Mr. Gray agreed that you get customers to come back by building a quality facility and agreed to look at the Independence facility and make some modifications to their plans by the next Council Meeting.

Mr. Ashcroft asked if the proposed facility is similar to the one on Burlington. Mr. Gray said the North Kansas City car wash Mr. Ashcroft is referring to is fully automatic and the reason it is so popular is because there are few car washes around like they are proposing which work all the time, with heated floor, and fiberglass walls so you don't have rust and well maintained.

Opposition.

Mr. Ted Porter, said he would ask the record to show that he opposes the car wash. He said as you all know this is the fourth attempt to rezone this property for a car wash. Gladstone presently has 4 car washes in the immediate area - 7224 N Oak (recently closed), 6412 N Oak, 74th Terrace off Oak and 70th Terrace and Oak. He said the car wash at 200 West 72nd former Wesco was closed because of the high cost of operation. Gladstone does not need another car wash in this immediate area.

A car wash would not conform to the business and residential setting along North Oak, would be an eye sore, decrease property values and become a neighborhood obsolescence. Car washes in Gladstone are not economically feasible due to the high water rates. Traffic here is a prime concern with so many cars in and out of this dangerous location. He noted the staff report of January 20, 1983, stated that the proposed additional driveway would make three drives. At that time the drive proposed was 30 ft. This time it is 40 ft. and then one 35 ft. existing, with another 45 ft. existing within 325 feet of North Oak frontage. This is a total of 9 drives between this point and 64th Street - a distance of only 1,000 ft.

Mr. Porter said flooding is his other major concern. Sub-basin B of East Creek which this project lies in, drains 56 acres of water. Peak outflow from Sub-basin B is 342 ft. per second. The recommendation for flood control from Larkin and Associates East Creek Drainage Study dated June 24, 1982 states if any future development south of Hardees property is to take place and that existing 60" storm sewer from Sub-basin B is to be extended, it is recommended that an energy dissipater be installed to slow the velocity of storm water at the outlet of this pipe to control local erosion at this point. In regards to development of the property to the rear of the proposed car wash it is my thought that a dry detention basin be constructed. This concept is to store the water on site and release it slowly into the stream. Mr. Porter further said the report states that former Gladstone City Engineer was off by 50% in detention of water from the parking lot of Hardees constructor earlier.

Mr. Porter questioned how the waste water oil sludge from the car wash going to be disposed of. It should be directly into the sanitary sewer and no into the creek. Water is never properly treated from these car washes before it is put back in the creek. Lighting of the lot should be restricted so it is not offensive to neighbors and wooden stockade fence installed on the south edge of the car wash lot to block out the view of adjoining residential neighbors and block out the noise.

Mr. Porter said next he would discuss the violation of State law and the attempt of the City to cover up this violation.

Mayor Fairlie suggested that we are talking about the car wash now and he would take up that discussion later.

Mr. Porter said this is directly tied to the car wash. He referenced a letter dated March 2, 1984 from the Missouri Department of Natural Resources pertaining to illegal dumping from July 1981 to January 1983. Reading from the letter Mr. Porter said city officials were told of the illegalities of allowing unauthorized dumping and stated that such activities were halted more than 9 months ago. In summary this site has been operated as an illegal dump for non-hazardous solid waste for a considerable amount of time prior to May 1983. There is no substantial evidence to confirm or deny the existence of toxic waste at this site without removing 1,000 to 1,500 cubic yards of legal demolition.

Mr. Porter said Missouri Natural Resources wrote a letter to the present legal owner of this ground, the Commercial National Bank of Liberty requesting assistance in getting this area cleaned up. He said the letter stated that they understand the bank is not responsible for the actual dumping, however their regulations hold the owner of record as being the party they must deal with. I understand the city has information who may have been responsible for dumping the material originally. Perhaps all parties could cooperate in removing the demolition or at least covering it with 2 ft. of soil to eliminate the nuisance. Mr. Porter said the letter was signed by James R. McConathy, Regional Administrator.

Mr. Porter said during the past two years he has made countless complaints of illegal dumping and gotten absolutely no where. He would like to ask three questions. Who is responsible for these deliberate violations of state law and the City government of Gladstone? Have these parties been reprimanded? Do we have a double system in Gladstone - one for the private individual and one for city officials who blatantly violate the state law?

Mr. Porter said in closing if the Council approves this rezoning after previous failures it will be for only one reason - to cover up the gross negligence of an embarrassed city who has violated state law and possibly buried barrels of toxic waste. He said he had turned this case over to the EPA as of last week.

There were no further comments. Mayor Fairlie closed the public hearing.

Mayor Fairlie asked for a copy of the March 2, 1984 letter and Mr. Porter's three questions.

In response to question from Mr. Fairlie, Mr. Gray said water from the car wash goes into an oil separator and then into the sanitary sewer.

Mr. Smith asked the City Manager if we have any problem with the drives from a public safety point of view.

Mr. Francis acknowledged that is a very heavily travelled street and drive ways going in and out are not that controlled all the way up and down N Oak. It is a matter of good driving and good judgement and there is very little public safety can do. We do have accidents on N Oak but he cannot say that the additional driveway would cause any more.

Mr. Smith asked if Mr. Gray would have any problem erecting a private screen if Council deemed it necessary. Mr. Gray said he sees no problem putting up a wooden fence.

Mr. Gray added as far as the environmental question. The easy way out is for them to cover with asphalt.

Mr. Smith referred to a memorandum from Mr. Warger recommending piers drilled to support the footings or all the fill removed. Mr. Warger recommended removal of the fill. Mr. Gray said that is their intention to remove all the fill.

Mr. Butler asked if the privacy fence will be around all the property or just the south side. Mr. Gray said they would construct whatever Council required.

Mr. Butler asked if we normally make business construct privacy fences as a rule. Mr. Fairlie said we have required it in the past particularly when adjacent to R-1. However he prefers green area and shrubbery screening to fence.

Mr. Gray told Mr. Butler he was not opposed to evergreen or shrub screening in fact their plans call for planting shrubs along the south side and along the back and there are a number of trees on the south side now.

Mr. Ashcroft said in light of the accusations of coverup on behalf of the city and city officials he would like to clarify the results of un -controlled waste site investigation which was conducted by the Missouri Department of Natural Resources and signed by the same James R. McConathy, Regional Administrator referred to earlier. The report dated June 4, 1984 read: "CONCLUSIONS AND RECOMMENDATIONS" Barring any additional information on this site, it appears that any further investigation would be an exercise in futility. Therefore, it is the recommendation of this office that this issue be declared closed pending additional information. Should the case warrant re-opening in the future, additional actions will be taken as appropriate." Mr. Ashcroft said he thinks this serves as the city's defense.

Mr. Porter said this matter was turned over to the Environmental Protection Agency in Washington, D.C. as of last week.

Mr. Fairlie asked Mr. Porter if he is aware that EPA's solid waste matters are handled by Missouri Department of Resources whose conclusions Mr. Ashcroft just read.

Mr. Ashcroft asked that the record show in the report and investigation carried out by Mo. Dept of Resources, one of the persons interviewed was Mr. Ted Porter and that it was their conclusion after interviewing Mr. Ted Porter that it was an exercise in futility.

Item 8 on the Agenda:      Public Hearing: Proposed 1984-1985 Annual  
Fiscal Budget and use of General Revenue Sharing Funds for the City of  
Gladstone, Missouri.

Acting City Manager Francis noted that the front of the budget contains the budget message and he has tried to condense that information for purposes of this meeting. The proposed budget is set a 3.59 million dollars. It is virtually the same level of spending as 1984. The proposed budget represents a 3.7% increase over the funds budgeted in last year's budget. Under our proposed budget we plan to employ 97 people. This is a reduction of one position. We will also be allowing a 5% cost of living adjustment to the personnel salaries.

Capital expenditures include replacement of patrol and administrative vehicles; replacement of trucks and spreaders in the public works department, replacement of equipment in the city ambulance and replacement of the city hall telephone system.

Sales tax revenues are being proposed that would include funds for the park systems, sidewalk construction on N Oak from Englewood to 64th Street and 64th Street from N Oak to Broadway. \$30,000 is also being budgeted for additional street lights in the city.

Revenue Sharing Funds estimated at \$176,016 are recommended for the police, fire and ambulance functions.

It is felt this budget represents a spending level that will continue to provide good service to our citizens.

Mr. Francis invited questions at this time.

Mr. Fairlie said the budget proposals were reviewed by Council at two lengthy budget work sessions. What is really happening in our world is that revenues are not keeping pace with the increased costs. We have been fortunate to budget sparingly over the past several years. Citizens can be assured there will be no decline in the level of services. At some point in the future we will again have to tackle the question of whether or not we can continue to make capital improvements from the 1¢ sales tax fund that is set aside for capital improvements and be able to maintain those improvements with the additional street lighting and parks and recreation. The question is whether we can maintain those improvements strictly out of our general budget. A few years back we did use some of the capital improvements money to maintain capital improvements. This has not been our practice for the past several years. Given a turn in the economy that would again generate business and fill our shopping centers, that would be a blessing but remember 1¢ sales tax is still a commitment to capital improvements and at some point we will have to balance the increase in those costs with additional revenue from some other source or decrease services.

He noted that the ice storm costs estimated at \$100,000 were absorbed from the contingency fund of \$70,000 plus other sources. He commented on the exceptional job Acting Director of Public Works Director Steve Warger did on this clean-up project.

Mr. George DeLisle, asked if the budget provides for water line replacement on 73rd Terrace. He has brought this need to the city's attention on numerous occasions. Mr. Steve Warger acknowledged that the budget allocates \$100,000 for water line replacement and the street mentioned is included in those to be replaced.

There were no further comments, whereupon Mayor Fairlie closed the public hearing.

Item 9 on the Agenda.

Communications from the Audience.

None.

Item 10 on the Agenda:

Communications from the City Council.

Mr. Smith asked if the new sign code addresses vehicles with either signs painted or attached or in the bed of the truck. He noted the roller rink on Broadway has a sign on a large panel truck at the curb and a temporary sign in the bed of a pick-up at the Gladstone Shopping Center. Mr. Francis agreed to look into the matter.

Mr. Smith asked about an expenditure to East Side Auto Parts of over \$1300 in the financial report and said he would hope we spend most of our money in the city of Gladstone. He asked if that might have been a special purchase. Mr. Francis said the majority of parts purchases he is aware of occur through the city of Gladstone. Occasionally parts houses will order parts out of another parts house but that is still billed locally. He agreed to look into the expenditure.

Mr. Butler said he and Mr. Smith had recently attended the Missouri Municipal League's Newly Elected Officials Conference in Jefferson City. He thanked the city for the opportunity to attend noting that it was very informative and educational.

Mr. Bussinger asked that the City Counselor draft an ordinance amending the existing car wash ordinance to provide for 24-hr operation with provision that lighting be directed away from residential areas. He would like this ready for introduction soon.

about

A member of the audience asked /an 8ft. billboard sign on the Gould property in the area of Englewood & Broadway and questioned if it was in violation. Mayor Fairlie suggested that the sign to his memory has been there for some years and prior to adoption of the sign code. Mr. Francis agreed to check into the question.

Item 11 on the Agenda:

Questions from the City Manager.

None.

City Council Minutes  
June 11, 1984 - Page Twelve

Item 12 on the Agenda.

Second Reading: Tabled Bill No. 84-15, authorizing execution of Street Lighting System Contract Renewal with Kansas City Power & Light.

Mr. Ashcroft moved to take Bill No. 84-15 off the table; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft moved to accept the first reading of Bill No. 84-15 and place said Bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill No. 84-15 and place said Bill on Third and Final Reading; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-15 and enact said Bill as Ordinance No. 2.515. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 13 on the Agenda: First Reading: Bill No. 84-27, an ordinance approving the final plat of Corporate Hills North Condominium.

Mr. Bussinger moved to place Bill No. 84-27 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 84-27 and place said Bill on second reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill NO. 84-27 and place said bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 84-27 and enact said Bill as Ordinance No. 2.516. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Other Business. None.

There was no further business to come before the June 11, 1984 meeting of the City Council, whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: ✓

Approved as corrected/  
amended:

Robert J. Fairlie  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 25, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of June 11, 1984 City Council Meeting
4. Presentation of Service Plaques to former City Council Members  
Larry Whitton and Ken Karns.
5. CONSENT AGENDA: \*
  - \* Approval of Building Permit - 6555 N Oak, 11,250 sq. ft. for Ben Franklin Retail Store. Subject to UBC, NEC and UPC. Owner: Clay County Rlty.
  - \* Liquor Renewals - Shop-N-Go, 5821 NE Antioch Rd, Class C; Gene's Party Shop, 6313 N Prospect, Class C; Pizza Inn, 7000 N Oak, Class F; Pizza Hut, 6420 N Oak, Class F; Jay's Foods, 7219 N Oak, Class C; Nadine's, 6821-25 N Oak, Class A&B; Szechuan Restaurant, 6465 N Prospect, Class A&B.
  - \* New Liquor Licenses (Change of Ownership) - Wetterau, Inc. dba Save Mart Foods, Inc. 6553 N Oak. Mgr. Officer: Frank Hopfinger, Class C. Rees's Thriftway, Inc. 7503 N Oak, Mgr. Officer: Rees Heycock. Class E. Northland EIKS #2376, 7620 N Oak, Mgr. Officer: Ray L. Jennings, Class A
  - \* Resolution No. R-84-40, adopting the 1985 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing the expenditure of funds.
  - \* Resolution No. R-84-41, setting a Public Hearing on August 13, 1984 to establish the 1985 Property Tax Levy in compliance with the Missouri Open Window Law.
  - \* Resolution No. R-84-42, authorizing the City Manager to write-off as uncollectible, "closed" water accounts in the amount of \$1,840.00, representing accounts delinquent and uncollected prior to July 1, 1983.
6. PUBLIC HEARING: Request to rezone from R-1, Single Family District to CP-1, Local Business District-Planned, property described as 3000 NE Antioch Road. Applicant: Donald L. Knapp, Sr.. Owner: Meadowbrook United Methodist Church.
7. PUBLIC HEARING: Request for vacation of dedicated streets in Carriage Hills Seventh Plat. Applicant: J.A. Peterson Co.
8. Communications from the Audience
9. Communications from the City Council
10. Communications from the City Manager
11. Site Plan Approval - 2850 Kendallwood Parkway, Remax Office Building.  
Applicant Roger A. Kaster, Architect.
12. SECOND READING: Tabled Bill No. 84-1, request to rezone from R-1, Single Family to CP-1, Planned Local Business District and RCHP-1, Planned Cluster Housing District, property at NW corner of NW 72nd & N Broadway.  
Applicant/Owner: Main Enggas

13. FIRST READING: BILL NO. 84-29, rezoning property at 2109 NE 72nd Street from R-1, Single Family District to CP-0, Non-Retail Business District, Planned. Applicant: Varnum Armstrong Deeter Owner: Frank B. Gardner
14. FIRST READING: BILL NO. 84-30, rezoning property described as the Southwest corner of N Broadway and N W Englewood Road from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District Planned. Applicant/Owner: Gus E. Leimkuhler, Jr.
15. FIRST READING: BILL NO. 84-31, rezoning property at 6220 N Oak from C-2, General Business District to CP-3, Planned Commercial District. Applicant: Don & Ken Gray. Owner: Commercial Bank of Liberty
16. FIRST READING: BILL NO. 84-32, amending the City Code to establish new water service rates for the City of Gladstone, Missouri.
17. FIRST READING: BILL NO. 84-33, amending the City Code to establish new sewer service charges for the City of Gladstone, Missouri.
18. FIRST READING: BILL NO. 84-34, amending the City Code to permit car washes to remain open 24 hours per day provided that all approved lighting is directed away from adjacent residences.
19. FIRST READING: BILL NO. 84-35, authorizing execution of renewal agreement with City of Kansas City, Missouri for mutual assistance for protection from fires.
20. FIRST READING: BILL NO. 84-36, authorizing execution of renewal agreement with the City of Riverside, Missouri, for mutual assistance for protection from fires.
21. Approval of Preliminary Plats - Oakwood Manor Office Condominium. 5950 N Oak. Applicant: Gary Gabel (Platting land and building)
22. FIRST READING: BILL NO. 84-37, approving the Final Plat and Final Condominium Plat for Oakwood Manor. Applicant: Gary Gabel Construction, Inc.
23. Other Business.
24. Questions from the News Media
25. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 25, 1984

Mayor Bob Fairlie called the June 25, 1984 meeting of the Gladstone City Council to order at 7:30PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were: Councilmembers Les Smith, Jim Butler and Bob Ashcroft. Interim City Manager Ken Francis, City Counselor Dick Sandler and the City Clerk were also in attendance.

Absent: Councilman Lee Bussinger.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:

Acceptance of Minutes.

Mr. Ashcroft moved to accept the Minutes of the June 11, 1984 City Council Meeting as submitted. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Item 4 on the Agenda:

Presentation of Service Plaques.

Mayor Fairlie presented former Councilmember Larry Whitton with a plaque signed by members of the City Council recognizing his service to Gladstone citizens as a member of the City Council from April 1981 to April 1984. He thanked Mr. Whitton for the work he had done and commented on his continued interest and attendance at City Council meetings.

Former Councilmember Ken Karns could not be present to accept his plaque recognizing his service as a City Council member for the same period.

Item 5 on the Agenda:

Consent Agenda:

The City Clerk read the June 25, 1984 Consent Agenda items.

Mayor Fairlie asked if any member of the Council, staff or audience desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mrs. Becky Bledsoe requested removal of the Northland Elks Liquor License for 7620 N Oak from the Consent Agenda.

There were no further deletions whereupon Councilman Bob Ashcroft moved to approve the June 25, 1984 Consent Agenda as listed; Mr. Butler seconded. The vote: "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Consent Agenda Detail:

Mr. Ashcroft moved to approve the Building Permit for Ben Franklin Retail Store, 6555 N Oak subject to the Uniform Building Code, Uniform Plumbing Code and the National Electrical Code. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Ashcroft moved to approve the liquor license renewals and new liquor licenses as listed below: Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Renewals - SHOP-N-GO, 5821 N E Antioch Road, Class C;  
GENE'S PARTY SHOP, 6313 N Prospect, Class C  
PIZZA HUT, 6420 N Oak, Class F  
JAY'S FOODS, 7219 N Oak, Class C  
NADINE'S, 6821 -25 N Oak, Class A&B  
PIZZA INN, 7000 N Oak, Class F  
SZECHUAN RESTAURANT, 6465 N Prospect, Class A&B

New License - WETTERAU, INC. dba SAVE MART FOODS, Inc. 6553 N Oak, Class C  
REES'S THRIFTWAY, INC. 7503 N Oak, Class E

Mr. Ashcroft moved to approve Resolution No. R-84-40, adopting the 1985 Annual Operating Budget for the City of Gladstone, Missouri and authorizing the expenditures of funds. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Ashcroft moved to approve Resolution NO. R-84-41, setting a Public Hearing on August 13, 1984 to establish the Fiscal Year 1985 Tax Levy in compliance with the Missouri Open Window Law. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Ashcroft moved to adopt Resolution No. R-84-42, authorizing the City Manager to write-off as uncollectible "closed" water accounts in the amount of \$1,840.00, representing accounts delinquent and uncollected prior to July 1, 1983. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Item 5a on the Agenda:      Consideration of Liquor License for  
Northland Elks #2376, 7620 N Oak. Managing Officer: Ray L. Jennings.  
Class A License.

Mr. Ashcroft moved to approve the license as requested; Mr. Smith  
seconded the motion. Discussion: None  
The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)  
(see related discussion Item 8 - Communications from the Audience)

Item 6 on the Agenda:      Public Hearing: Request to rezone from  
R-1, Single Family Dwelling District to CP-1, Planned Local Business  
District, property described as 3000 NE Antioch Road. Owner:  
Meadowbrook United Methodist Church. Applicant: Donald L. Knapp, Sr.

Pastor Don Smith of the Meadowbrook Methodist Church read a statement  
on behalf of the Church Board of Trustees withdrawing the church's  
offer to sell the approximate 300 ft. frontage described as 3000 NE  
Antioch Road to Mr. Donald Knapp for the purpose of building a family  
eating establishment. He expressed their gratitude to Mr. Knapp for  
his interest and integrity in pursuing this transaction and wished him  
well in his future endeavors. He read that the Board of Trustees and the  
Administrative Council of Meadowbrook Methodist Church would like to  
express their sincere thanks to the Gladstone Zoning Commission and Mr.  
Brian Hall for their leadership and consideration in this request to  
rezone their property. We appreciate their sensitivity in this matter  
and respect their consideration and recommendations. And finally, we  
wish to thank our neighbors for their concern in this matter and we  
pledge to them, the Zoning Committee and the City of Gladstone, our  
intent to work with all interested parties in any future zoning  
considerations.

Mr. Ashcroft asked that the record reflect that the City is appreciative  
of this kind of attitude from the seller.

Item 7 on the Agenda:      Public Hearing: Request for vacation of  
dedicated streets in Carriage Hills Seventh Plat. Applicant: J.A. Peterson.

Gary Duffy, representing J.A. Peterson Company, advised this vacation  
is necessary for legal purposes to obtain clear titles. He explained  
that the 7th Plat of Carriage Hills was approved and recorded back in  
February of 1973 however the subdivision was never built. Since that  
time they have re-drawn the alignment of the lots and streets as shown  
on the Carriage Hills 7th Replat approved by the Council.

Mr. Duffy showed the Council copies of the old Seventh Plat and the  
new Seventh Replat for their understanding of the street alignment changes.

Mayor Fairlie invited persons to speak for or against this street vacation  
request. No one spoke whereupon Mayor Fairlie closed the Public Hearing.

Item 8 on the Agenda:

Communications from the Audience.

Becky Bledsoe, 206 NE 76th Terrace, stated that on May 14, 1984, the Council approved the building plans for the Elk's Lodge with the contingency that the occupancy permits be withheld until all previous commitments for public improvements were met by the property owner. She noted their occupation license has been issued and the public improvements have not been made.

Mrs. Bledsoe explained that she wanted to pull the liquor license from the consent agenda hoping the Council would withhold the liquor license as a leverage to see that these improvements were made.

She noted that one year ago, she and her husband came to the City about an open storm drain on the east side of 77th Street on N Oak. It is a 4 ft. square and the drain is still open. Nothing has been done to date although Mr. Warger did come out at that time. She expressed concern that a child could fall in although she realizes that kids should not be playing around it.

Mrs. Bledsoe asked why the public cannot speak on an item that is pulled from the consent agenda. Mr. Sandler clarified that it is at the discretion of the Council whether to pull an item from the consent agenda when requested. If it is pulled off and placed on the regular agenda, it is open for public comment like any other agenda item.

Mrs. Bledsoe said she assumed she would be invited to speak and she had not felt she was encouraged to do so. She does think something should be done about the Elks because she sees that as her only leverage in getting the improvements done.

Mayor Fairlie asked who are we holding hostage?

Mrs. Bledsoe said she is sorry that the Elk's are involved. She went on record at the Board of Zoning Adjustment variance hearing as not opposing the application. She is not opposed to the Elks being there. Council is the one that put that contingency on the approval of their building permit and all she wants to know is - are these items going to get done? If the Elks contract with the Harbisons calls for paving of parking lot by the 15th of September and if improvements are not made by that date does the city have the option of fining the property owner, she asked. She pointed out this has been a five year problem.

Mr. Fairlie reported that the Elk's have spent about \$30,000 remodeling this property and have physically moved from their former NKC location. All of their property is now in the Gladstone building. He said the Council got caught bluffing and now the only hold they have is on the Elk's Lodge. Mr. Warger is still withholding the permanent electrical connections at Council's request. The water is all on one meter so if they withhold water service it will affect other tenants who have no part in this.

Mayor Fairlie suggested that the best lever right now is to use the date the improvements are due and the Elk's Lodge to withhold payment of rent. There is no provision in the ordinance to keep the Elk's from operating.

Mrs. Bledsoe asked if the Council is not asking the Elk's to do the city's work for them.

Mr. Fairlie reiterated that there is no penalty provision under the ordinance and that the error was made five years ago. The Occupancy License should never have been granted until all the work was completed. Now we have persons who have been operating for five years in the building.

He said the Council has asked Mr. Warger to notify Mr. Harbison that work must be completed by September 1. Mr. Fairlie said he understands Mr. Harbison intends to have a crew in next week to do the curbs and gutters. He said he also understood previously it was to have been done by the 15th of June but does know we have had great amounts of rain.

Mrs. Bledsoe said that the City Council and Mr. Harbison must know by now that all she wants is to see that this is taken care of. Again, she has nothing against the Elk's Lodge. They have been very nice to her. She just wants assurance that the City is behind her to take care of this.

Mayor Fairlie pointed out that if the City withholds the Elk's license for 60 days it will put them out of business and we will have bankrupted the Lodge.

Mayor Fairlie directed Acting Director of Public Works Steve Warger to gather information for the Council's 7:00AM, Monday, July 9th study session on the 77th and N Oak storm drain problem Mrs. Bledsoe brought up.

Mr. Bledsoe addressed the Council on the same subject and suggested a simple solution. He suggests the City hold up the Elk's liquor license then the Elk's won't pay their rent. He said the rent is what counts. Mr. Harbison has all the equipment to complete the improvements in a week and can do it if he has to.

R. Dean Cromer, 2401 NE 72nd, said he is an officer of the Elk's Club and suggested that withholding rent would not encourage Mr. Harbison to pave the parking lot. As he has not been getting rent from that portion of the building for five years. The Elk's have come to this city in good faith and have spent all the money they have. They are tied down and have no choice but to open up. Mr. Cromer said he thinks it is the City Council's job to see that they are not held for ransom over something Mr. Harbison should have done five years ago.

Item 9 on the Agenda:

Communications from the City Council.

copy of a

Mr. Ashcroft noted that he had a letter from George Butler and Associates, the engineering firm retained by the city to do a water drainage study and to coordinate the city's storm drainage efforts. He said it is a little embarrassing to read the letter written to our Director of Public Works.

He said the first paragraph says, "Please be advised that I received a phone call from Mr. Ted Porter. He indicated he was acting for the vacated city manager's position."

Mr. Ashcroft said he had a little bit of a problem when some of our citizens decide to act on behalf of the city manager and for the record it is a little bit of an embarrassment for this Council to have someone the city retains call and ask us what's going on? who is this individual? why am I talking to them and what are the circumstances?

Mr. Ashcroft said he is not accusing anybody. He is just reporting and reading exactly what has been reported to him. He feels that the city has been somewhat compromised in their position as to who we are and what we are doing. When people act and disguise themselves and report to be someone they are not, it is in the city's best interest that this not take place.

Mayor Fairlie said he heard Mr. Porter declare from his seat that he did not and had not represented himself to be an officer of the city. He asked Mr. Porter if he did or did not.

Mr. Porter said he contacted several people from George Butler and Associates at the suggestion of Mark Achen before he left. Mr. Achen told him that he had a right to talk to these people and be involved in the survey of the East Creek drainage area as he previously was with Larkin and Associates when they did their evaluation. Mr. Porter said he also contacted Butler and Associates today to find out when they are going to make their presentation to the Council. That is the full extend of it. He said he wanted to coordinate these two reports and see that Mr. Ashcroft had not interfered in any changes from the original report made by Larkin.

Item 10 on the Agenda:

Communications from the City Manager.

None.

Item 11 on the Agenda:

Site Plan Modification. 2850 Kendallwood Parkway, Remax Office Building. Applicant: Roger A. Kaster, Architect.

Mr. Roger Kaster reviewed the site plan and explained that this building was built in about 1978 with a proposed addition shown some ten years down the road. The owner of Remax Realty, Mr. Dennis Curtin, is wanting to expand much earlier than they anticipated. The plan calls for a 6,000 sq. ft. addition plus additional parking. The building aesthetics are similar to the present construction.



Mr. Kaster noted the majority of the building is over 30 feet, however on one end they will be 5' under due to the curve of Kendallwood Parkway, so they feel that the intent of the ordinance is being met. The addition will be in alignment with the existing building.

Mr. Fairlie agreed that the only option would be to inset the building 5' or reduce the size of the building since the streets are in.

Mr. Ashcroft moved to approve the site plan revision for 2850 Kendallwood Parkway; Mr. Smith seconded. The vote: Smith, Ashcroft, Fairlie. (3-0) note: Mr. Butler was absent for the vote.

Item 12 on the Agenda: Tabled Bill No. 84-1, request to rezone from R-1, Single Family to CP-1, Planned Local Business District and RCHP-1, Planned Cluster Housing District, property at NW corner of NW 72nd Street and N Broadway. Applicant/Owner: Main Enggas (Tabled 1/24/84)

Mr. Ashcroft moved to remove Bill 84-1 from the table; Mr. Smith seconded. The vote: Aye" - Smith, Ashcroft, Fairlie. Pass- Butler. (3-0)

Mr. Ashcroft moved to accept the first reading of Bill No. 84-1 and place said bill on second reading; Mr. Smith seconded. Mr. Ashcroft moved to amend Bill No. 84-1 to reflect the addition of RCHP-1, Planned Cluster Housing District to the rezoning application. Mr. Smith seconded the amendment. The vote on the amendment: Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the amended Bill. (note: original application was to rezone from R-1 to CP-1. Amended application is from R-1 to CP-1 and RCHP-1).

Mr. Fairlie noted that the bill has now been placed on its second reading and it has been amended to include the cluster housing. Mr. Fairlie said as he recalls the original application called for commercial zoning the full length of the tract and asked that Mr. Barzee described the changes.

Mr. Tom Barzee, attorney for the applicant and Mr. Craig Epps, representing Abend Singleton, architects explained that in line with public comments as well as members of the Council they have lowered their zoning request for the approximate northern two-thirds to be more in conformity with the present use on the east side of N Broadway which is single family residential use and have simply requested that the commercial zoning be on the southeast corner of the project.

Mr. Barzee reviewed the architectural drawings for the Council and audience.

Mr. Larry Whitton pointed out that he is an adjacent property owner and understands that there was a public hearing before the Planning Commission on the changes in the application. He did not receive notification of the Plan Commission hearing and suggests it might be better to have another hearing on it since there was a 120 day stay on the project.

Mayor Fairlie asked Counselor Sandler if this should not have gone to the Planning Commission and through the hearing process. Mr. Sandler advised that an opinion was issued by Counselor John Dods that since the revised plan for the rezoning was more restrictive than the earlier CP-1 request, a second hearing was not necessary at that point.

Mr. Barzee added that they had voluntarily gone back to the Plan Commission for a public hearing. He said although they were not in charge of sending out the notices it was his understanding that notices were in fact sent out to adjoining property owners and there were several property owners present who did speak that evening. It was their understanding that everyone had been given the opportunity to be heard.

Mayor Fairlie asked if notification was sent to property owners. Mr. Warger acknowledged that notifications were sent and he would have to look into why Mr. Whitton was not notified.

Mr. Whitton, 301 NW 72nd, said he had not received notification and if he had not attended this meeting he would not have been aware that the item was being brought up this evening. In fact he was a Councilmember when it was tabled and had voted against the rezoning application. Mayor Fairlie noted that first readings are customarily unanimously approved by the Council and Mr. Whitton is likely referring to the much earlier application denied by Council to which he voted against.

Mr. Barzee continued that the commercial line will basically go only as far as the bowling alley cuts off. The previous application had two cuts onto N Broadway. That has been reduced to one cut onto N Broadway and that is opposite the northernmost exit from the bowling alley onto north Broadway. As far as the rest of the application within the city of Cladstone itself we are only talking about cluster housing to the north and there are 14 units that would be located in our city limits. Otherwise it is basically the same proposal as submitted before. They have tried to re-work it carefully and conscientiously with the members of the Planning Commission and he does know for a fact that a public hearing was conducted even though legal counsel had indicated it was not necessary. Mr. Barzee said they respectfully request that the Council approve their rezoning application.

Mayor Fairlie said we have had the second reading and the question before us is whether a public hearing is required and whether a public hearing has been held. Between now and the third reading we will determine that.

Mayor Fairlie pointed out that the applicant (Barzee) had recognized that the application for commercial development was not going to gain approval for the full length of the property, so they made some alterations accordingly. Again, the question is were those changes made a matter of public information and public input sought. We will have answers to those questions prior to the third reading.

Gwen Brady commented tht the hearing was informal with no legal publications advertised and lacked the legal description as far as the revisions. Letters were only sent to persons who had expressed an active interest in the application at previous meetings. She does not consider this good enough and requests a public hearing before the Council.

Mr. Fairlie said the Council would make that determination before the third reading.

Item 13 on the Agenda:      First Reading: Bill No. 84-29, rezoning property at 2109 NE 72nd Street from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District Planned. Applicant: Varnum, Armstrong, Deeter. Owner: Frank B. Gardner.

Mr. Smith moved to place Bill No. 84-29 on first reading: Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Item 14 on the Agenda:      First Reading: Bill No. 84-30, rezoning property described as the Southwest corner of N Broadway and NW Englewood Road from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District-Planned. Applicant/Owner: Gus E. Leimkuhler, Jr.

Mr. Smith moved to place Bill No. 84-30 on first reading: Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Item 15 on the Agenda:      First Reading: Bill No. 84-31, rezoning property at 6220 N Oak from C-2, General Business District to CP-3, Planned Commercial District. Applicant: Don & Ken Gray. Owner: Commercial Bank of Liberty.

Mr. Butler moved to place Bill No. 84-31 on first reading: Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Item 16 on the Agenda:      First Reading: Bill No. 84-32, amending the City Code to establish new water service rates for the City of Gladstone, Missouri.

Mr. Butler moved to place Bill No. 84-32 on first reading; Mr. Ashcroft seconded.

Discussion: Mayor Fairlie asked Interim City Manager Francis to briefly describe the rates changes. Mr. Fairlie said our water service sales have not kept pace with the cost of doing business in our water department. The Council has felt very strongly that it is an area that needs to meet and pay its own way. Therefore increases have been proposed to keep pace with the reflective costs.

Mr. Francis noted that the increase is 7% across the board on water rates and as well passes on the direct costs we pay to Kansas City, Missouri and other entitites. The bi-monthly customer using approximately 15,000 gallons of water will be charged an additional \$3.21 for their usage. Total sewer and water bill for customers in the range of 15,000 gallons bi-monthly wouldbe approximately \$35.75.

Mr. Fairlie said we are required to maintain enough money within our water and sewer accounts to maintain necessary improvements. We would lose in the neighborhood of \$70,000 this year in operation of our water service. A couple of years ago we had a sewer rate increase imposed by the City of Kansas City that we did not act on because it was such a minor change that we chose to review our entire situation until a later time. That later time is now and Kansas City, Missouri has imposed another increase on us this year. Bill 84-33 effectively passes along the increase Kansas City is charging us.

Mr. Ashcroft commented that a citizen was present at the last Council Meeting who had low pressure and we also have problems getting water to the east side of town water tower and some of these rates increases should give us a cushion to start to establish some priorities in some of these areas. This is a difficult thing we do because the water department must pay for itself.

Mr. Smith commented that obviously he lives in Gladstone and will have to pay it. He hates to do it but any good business person realizes the fact that some things need to be able to carry themselves. We cannot continue a \$70,000 deficit which will only increase. It is a very necessary evil. One good thing about water is the more you use the more you pay for it, the less you use the less you pay. So although it is a necessity in each home, the homeowner does have some control over it. We hate to do it and each Councilmember would agree. But everyone with good common sense realizes that from time to time it must be done.

The vote on first reading: All "Aye" - Smith, Butler, Ashcroft, Fairlie. (4-0). The Clerk read the Bill.

Mr. Ashcroft moved to accept the First Reading of Bill No. 84-32 and place said Bill on Second Reading: Mr. Smith seconded. The vote: All "aye"- Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill No. 84-32 and waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on Third and Final reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill No. 84-32 and enact said Bill as Ordinance No. 2.517; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie.

Item 17 on the Agenda:      First Reading: Bill No. 84-33, amending the City Code to establish new sewer service charges for the City of Gladstone, Missouri.

Mr. Ashcroft moved to place Bill No. 84-33 on First Reading: Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the First Reading of Bill No. 84-33, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on Second Reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill No. 84-33, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on Third and Final Reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill No. 84-33 and enact said Bill as Ordinance No. 2.518. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Item 18 on the Agenda:      First Reading: Bill No. 84-33 (car wash amendment not introduced). Mayor Fairlie noted this was a bill recommended by Councilman Bussinger and Council will wait for him to be present for its introduction.

Item 19 on the Agenda:      First Reading: Bill No. 84-35, authorizing renewal of agreement with City of Kansas City, Missouri for mutual assistance for protection from fires.

Mr. Smith moved to place Bill No. 84-35 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-35 and place said Bill on second reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-35 and place said bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-35 and enact said Bill as Ordinance No. 2.520; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie.

Item 20 on the Agenda: First Reading: Bill No. 84-36, authorizing execution of renewal agreement with the City of Riverside, Missouri, for mutual assistance for protection from fires.

Mr. Smith moved to place Bill No. 84-36 on first reading: Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 84-36, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading: Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Mr. Smith moved to accept the second reading of Bill No. 84-36 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 84-36 and enact said Bill as Ordinance No. 2.521; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (5-0)

Item 21 on the Agenda: Approval of Preliminary Plats for Oakwood Manor Office Condominium. Platting land and building. Applicant: Gary Gabel.

Mr. Gabel was present to review these plats with Council and explained they were necessary due to the new condominium laws requiring separate platting of ground and building.

Mr. Ashcroft moved to approve the Oakwood Manor Office Condominium Plats as submitted; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Item 22 on the Agenda: First Reading: Bill No. 84-37, approving the Final Plat and Final Condominium Plat for Oakwood Manor. Applicant: Gary Gabel

Mr. Ashcroft moved to place Bill No. 84-37 on first reading: Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie, The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-37, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-37, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading: Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-37 and enact said bill as Ordinance NO. 2.522; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie. (4-0)

Item 23 on the Agenda:                      Other Business.

Mayor Fairlie suggested that the City Manager and his staff will require some direction from the Council on the Northland Elk's occupancy of property at 7620 N Oak following discussions and audience input this evening.

Mr. Ashcroft moved to direct the Manager and staff to issue all necessary licenses and permits to provide the Elk's Lodge the opportunity to do business in the city of Gladstone in that it is not the Elk's that the city has a problem with and the Council does not wish to hold them hostage in this regard. (Mayor Fairlie clarified that the Elk's be issued any licenses or permits to which they are legally entitled having met the city's building code and other code requirements).

Mr. Butler seconded the motion. The vote: All "aye" - Smith, Butler, Ashcroft, Fairlie.

\* \* \*

A member of the audience asked if Bill No. 84-29 had been approved. Mayor Fairlie reviewed the Council procedure on rezoning bills for him.

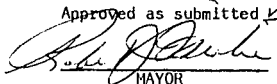
Mayor Fairlie thanked Counselor Dick Sandler for being a part of the City. Mr. Sandler is moving to Chicago, Illinois.

\* \* \*

There being no further business to come before the June 25, 1984 meeting of the Gladstone City Council, the meeting was adjourned.

Respectfully submitted:

  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted ✓  
  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

July 9, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of June 25, 1984 City Council Meeting
4. CONSENT AGENDA: \*
  - \* Building Plan Approval - 7400 N Oak, 4680 sq. ft. remodeling for retail sales. Approval subject to requirements of UBC, NEC, UPC and approval of detailed construction plans by the City Engineer. Applicant: Eual Motter
  - \* Liquor License Renewals
    - Shady Lane United Super, 6316 N Oak, Type C
    - Quick Trip #181, 2000 NE 72nd, Type C
    - Begulia's, 6401 N Antioch Road, Type C
    - Happy Rock Liquor #1, 6400 N Oak, Type C
    - D&F Enterprises dba PB Drive-thru Liquor & Deli, 7507 N Oak, Type C
    - China Plaza Restaurant, 7521 N Oak, Type A&B
    - Red Lobster, 6221 N Chestnut, Type A&B
    - Godfather's Pizza, 328 NE 72nd Street, Type A&B
  - \* Resolution No. R-84-43, authorizing Change Order No. 3 (\$-2,026.80) and authorizing acceptance and final payment of the Damon Pursell Construction Contract for Old Pike Road improvements. Final adjusted contract amount \$82,398.20. Final payment due: \$35,182.15
  - \* Resolution No. R-84-44, authorizing temporary reduction of the license tax imposed on electricity suppliers to customers within the City of Gladstone to 6% of gross receipts during the months of July, August and September as authorized by Ordinance No. 2.478.
5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. Third Reading: Bill No. 84-1 (Amended), requested to rezone from R-1, Single Family Dwelling District to CP-1, Planned Local Business District and RCHP-1, Planned Cluster Housing District property at NW corner of NW 72nd & N Broadway. Applicant: Main Enggas
9. Second Reading: Bill No. 84-29, rezoning property at 2109 NE 72nd Street from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District, Planned. Applicant: Varnum, Armstrong, Deeter. Owner: Frank B. Gardner.
10. Second Reading: Bill 84-30, rezoning property described as the Southwest corner of N Broadway and NW Englewood Road from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District Planned. Applicant: Gus E. Leimkuhler, Jr.



11. Second Reading: Bill No. 84-31, rezoning property at 6220 N Oak from C-2, General Business District to CP-3, Planned Commercial District, Applicant: Don & Ken Gray. Owner: Commercial Bank of Liberty.
12. First Reading: Bill No. 84-34, amending the City Code to permit car washes to remain open 24 hours per day provided that all approved lighting is directed away from adjacent residences.
13. First Reading: Bill No. 84-38, an ordinance vacating streets in Carriage Hills 7th Plat.
14. Other Business
15. Questions from the News Media
16. Adjournment

*Minute Book*

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

July 9, 1984

Mayor Bob Fairlie called the July 9, 1984 meeting of the Gladstone City Council to order at 7:30PM in the Council Chambers of the Gladstone City Hall.

In addition to the Mayor those present were: Councilmembers Les Smith, Jim Butler, Lee Bussinger and Bob Ashcroft. Director of Administrative Services Toni Anderson, City Counselor John C. Dods and the City Clerk were also in attendance.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:                      Acceptance of Minutes.

Mr. Ashcroft moved to approve the June 25, 1984 City Council Meeting Minutes as submitted; Mr. Smith seconded. The vote: "Aye" - Smith, Butler, Ashcroft, Fairlie. "Pass" - Bussinger (4-0)

Item 4 on the Agenda:                      Consent Agenda.

The City Clerk read the July 9, 1984 Consent Agenda items.

Mayor Fairlie asked if any member of the Council, staff or audience desired the removal of any item from the Consent Agenda for placement on the Regular Agenda. No requests were made whereupon Councilman Smith moved to approve the Consent Agenda as read; Mr. Butler seconded.

Discussion: Mayor Fairlie commented on Resolution No. R-84-44 on the Consent Agenda pointing out that this is the second year that we will temporarily reduce the franchise tax by 1% on electric utility during the months of July, August and September, and gas service for the three month period December, January, February. This reduction on the two items amounts to \$57,500. This is one method of responding to some windfall due to the ever increasing rate increases on those utilities. As soon as something is decided about Woolf Creek coming on line the Council will be taking a look at the franchise tax again.

The vote on the motion to approve the Consent Agenda: "All aye"-Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Consent Agenda Detail:

Mr. Smith moved to approve the Building Plans for 7400 N Oak for remodeling of 4,680 sq. ft. building for retail sales as submitted with approval subject to requirements of the Uniform Building Code, National Electric Code, Uniform Plumbing Code and approval of detailed construction plans by the City Engineer. Mr. Smith seconded. The vote: All "aye"-Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to approve the liquor license renewals as listed below; Mr. Butler seconded. The vote: All "aye"-Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Shady Lane United Super, 6316 N Oak, Type C License  
Quick Trip, 2000 NE 72nd, Type C License  
Begulia's 6401 N Antioch Road, Type C License  
Happy Rock Liquor, 6400 N Oak, Type C License  
D&F Enterprises dba PB Drive-thru Liquor & Deli, 7507 N Oak, C License  
Ebony Plaza Restaurant, 7521 N Oak, Type A&B License  
Red Lobster, 6221 N Chestnut, Type A&B License  
Godfather's Pizza, 328 NE 72nd Street, Type A&B License

Mr. Smith moved to adopt Resolution No. R-84-43, authorizing Change Order No. 3 in the amount of -\$2,026.80 to the Damon Pursell Construction Contract for Old Pike Road Improvements and authorizing acceptance of the contract and authorizing final payment in the amount of \$35,182.15. Total adjusted contract amount \$82,398.20. Mr. Smith seconded. The vote: All "aye"-Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to adopt Resolution No. R-84-44, authorizing temporary reduction of the license tax imposed on electricity suppliers to customers within the City of Gladstone, Missouri, from 7% to 6% of gross receipts during the months of July, August and September as authorized by Ordinance No. 2.478. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. John Woody, 7201 N Woodland, submitted a Petition signed by over 150 residents representing the areas of Rosewood, No. Woodland, No. Euclid, 72nd Terrace, 73rd Street, No. Park, 75th Street, No. Olive, etc. protesting the 2109 NE 72nd rezoning application on this evening's agenda as Item 9. He noted this is intended to be a neighborhood petition not a legal protest petition.

In response to question from the Mayor, the Clerk verified that no legal protest petition against this rezoning has been filed as of this date.

Mr. Woody remarked that in the past Council has stated 72nd Street between Prospect and Oak should remain single family and commented they (Council) do not know how the commercial zoning at 72nd & N Euclid (Quick Trip) got there, and that commercial should be kept on Antioch Road.

Mr. Woody said that when circulating the petition many of the resident's comments were the same. He asked what the Council was trying to do and hasn't the Council told us in the past that 72nd Street should remain single family residential? One person questioned why they have to pass a petition around everytime a rezoning application is made. They asked why the developer shouldn't circulate a petition around to determine those in favor of the rezoning. Then sit down and compare the number of signatures on the developer's petition with resident's protest petition and the one with the most signatures wins.

Mr. Woody noted that Councils in the past have favored retention of 72nd Street as residential. This issue will test the new Council on their standing before the election and their actual performance.

Mr. Woody continued that several arguments have been made - that the property is not good for anything but business. If they are referring to the slope of the land you can drive around Gladstone and see homes constructed on pilings and rocks. He noted in the Briarcliff area there are homes on cliffs. Developers can build wherever they feel homes can be sold. Some people will say homes are not desirable right up against the power station yet there are some pretty high priced homes in the area of the Gladstone Water Treatment Plant. Others might say you can't sell homes on a four lane road yet homes with a handsome price tag have been built on Vivion Road in the area of the Bill Allen property. He also pointed out that the new business building at 72nd & Antioch Road stands vacant. Originally this building was built for business, the builder could not market it and has since come back to get apartment zoning on it.

Mr. Woody closed his remarks by stating that the signators go on record as opposing commercial zoning at 2109 NE 72nd are are hopeful that the Council will be responsible to the 150 signators of the petition.

Mr. Dan Wall, representing Varnum, Armstrong, Deeter, the developer for the owner of the property in question stated that this proposal had received unanimous approval of the Planning Commission Subcommittee and also approval of a majority of the Planning Commission itself. They have been told numerous times that this is the best plan ever submitted for the property.

Mr. Wall continued that this is a commercial but it is the lowest possible in terms of density. At peak hours, less traffic than a multi family use would be generated. He said the public hearings started in April and this is the first mention of opposition. In fact at the public hearing before the Planning Commission residents north and east of the property spoke in favor of the application and they are the most impacted. The plan conforms with all requirements of the Zoning Ordinance and they have provided for right-of-way for future 71st extension. The plan as submitted utilizes existing curb cuts and no additional entrance or exists off of 72nd are proposed. In his view the development will enhance the area and is not marketable for single family development or would have been developed for such.

\* \* \*

Mr. George McCuistion, 6600 N McGee, delivered correspondence from Mr. Joe Wally, Gladstone Chamber of Commerce President.

Mayor Fairlie did not read the correspondence but indicated that it dealt with the matter of a street continuation in a proposed development to come before the Council.

Item 6 on the Agenda:

Communications from the City Council.

Mr. Smith asked that Mr. Warger compile data from other metro area cities on their minimum square footage requirements for apartment units. He noted that we are faced with a large number of units being built on some very nice tracts of ground. He does know that Kansas City has minimum requirements.

Mr. Smith also asked that Counselor Dods research a possible ordinance establishing fines and penalties for non-compliance by developers with Council stipulations on building plans as well as direct code violations on such items as failure to build sidewalks, curbing, etc. This is prompted by the problems in the past where some developers have not completed promises or specs of the Code in regard to construction projects yet they have gotten occupational licenses and been allowed to operate. We have found that we have no recourse in these instances. We need some teeth in our ordinances if we are going to enforce the law.

City Council Meeting Minutes  
July 9, 1984 - Page Five

Mr. Smith noted there were vacancies on some boards and commissions and moved to nominate Mr. Dave Fricke to a one year term on the Board of Zoning Adjustment, Mr. Earl Sawyer to a one year term as Board of Zoning Adjustment Alternate and Mr. C. Milton Wallace to a one year term on the Board of Zoning Adjustment; Mr. Butler seconded.

Following discussion Mr. Butler withdrew his second and Mr. Smith amended his motion to reappoint Mr. Wallace for a five year term with Mr. Fricke and Mr. Sawyer's terms remaining at one year. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mayor Fairlie noted Mr. Wallace returns to the Board of Zoning Adjustment having been a member of that board for a number of years. Mr. Fricke was chairman of the Planning Commission for a number of years and is very knowledgeable in planning and zoning laws; and Mr. Sawyer spent about four years on the Planning Commission.

\* \* \*

Mr. Butler advised that the Maple Woods Preserve information sign on 72nd & Prospect is down as well as the city limit/population sign on 76th Street at the point of our east city limits.

Mr. Butler expressed appreciation to Mr. Woody for his time and effort and interest in the affairs of the city in submission of the petition signed by 150 residents. He said this is why we give three readings to a bill so we have an opportunity to obtain information like this. This gives Council time to absorb any new information presented prior to making their decision. The citizens out there that care are what makes the governmental process work.

Mr. Butler moved to nominate Erna Thomas, 6812 N Walrond to a one year term on the Planning Commission ending 12/31/84. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie.

\* \* \*

Mayor Fairlie advised that the drainage structure is in and the lid in place in the area of 76th & N Oak by the trailer courts in response to citizen complaint made at the June 25th council meeting.

City Council Meeting Minutes  
July 9, 1984 - Page Six

Mayor Fairlie noted at the last Council meeting he asked the City Counselor to determine whether or not Council could proceed with the Enggas rezoning matter without taking it back for a public hearing. The Counselor is of the opinion that having once complied with the notice and hearing requirements of the Statutes, the Council may now consider and approve an amended request especially where the ultimate change is more restrictive than that originally proposed. Here the original application was for a commercial zone while the amended application asks only for a portion to be rezoned commercially with the balance to remain residential. Although the new proposal is for planned cluster housing rather than single family residences. Thus it does not constitute the kind of change that would require a new public hearing.

Mayor Fairlie announced that having received that legal opinion Council will proceed with the item (Item 8 on the Agenda).

Item 7 on the Agenda: Communications from the City Manager.

Mayor Fairlie advised that Interim Manager Ken Francis was out of town and Director of Administrative Services Toni Anderson was present this evening as his representative. Ms. Anderson had no communications.

Item 8 on the Agenda: Third Reading: Amended Bill 84-1,  
request to rezone from R-1, Single Family Dwelling District to CP-1, Planned Local Business District and RCHP-1, Planned Cluster Housing District, property at NW Corner of NW 72nd & N Broadway. Applicant: Main Enggas

Mr. Bussinger moved to accept the second reading of Bill No. 84-1, and waive the appropriate paragraph of Ordinance No. 1.83, and place said Bill on third and final reading; Mr. Ashcroft seconded.

Mr. Smith stated that he felt comfortable with the Counselor's opinion that no public hearing is required. If he felt the residents had something to add and we not had the opportunity for a pseudo-public hearing before the Plan Commission he might have felt differently.

The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Amended Bill 84-1 and enact said Bill as Ordinance No. 2.523. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 9 on the Agenda:      Second Reading: Bill No. 84-29,  
rezoning property at 2109 NE 72nd Street from R-1, Single  
Family Dwelling District to CP-0, Planned Non-Retail Business  
District. Applicant: Varnum, Armstrong, Deeter. Owner:  
Frank B. Gardner

Mr. Smith moved to accept the first reading of Bill No.  
84-29 and place said Bill on second reading; Mr. Bussinger  
seconded. The vote: "Aye" - Smith, Bussinger, Ashcroft.  
"No - Butler, Fairlie. (3-2) The Clerk read the Bill.

Item 10 on the Agenda:      Second Reading: Bill No. 84-30,  
rezoning property described as the Southwest corner of N  
Broadway and NW Englewood Road from R-1, Single Family  
Dwelling District to CP-0, Planned Non-Retail District.  
Applicant: Gus Leimkuhler, Jr.

Mr. Ashcroft moved to accept the first reading of Bill No.  
84-30 and place said Bill on second reading; Mr. Butler  
seconded. The vote: All "aye" Smith, Butler, Bussinger,  
Ashcroft, Fairlie. The Clerk read the Bill.

Item 11 on the Agenda:      Second Reading: Bill No. 84-31,  
rezoning property at 6220 N Oak from C-2, General Business  
District to CP-3, Planned Commercial District. Applicant:  
Don & Ken Gray. Owner: Commercial Bank of Liberty.

Mr. Butler moved to accept the first reading of Bill No. 84-  
31, and place said bill on second reading; Mr. Smith  
seconded. The vote: All "aye" - Smith, Butler, Bussinger,  
Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 12 on the Agenda:      First Reading: Bill No. 84-34,  
amending the City Code to permit car washes to remain open  
24 hours per day provided that all approved lighting is  
directed away from adjacent residences.

Mr. Bussinger moved to place Bill No. 84-34 on first reading;  
Mr. Smith seconded. The vote: All "aye" - Smith, Butler,  
Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Item 13 on the Agenda:      First Reading: Bill No. 84-38,  
an ordinance vacating streets in Carriage Hills Subdivision-  
7th Plat.

Mr. Bussinger moved to place Bill No. 84-38 on first reading;  
Mr. Smith seconded. The vote: All "aye" - Smith, Butler,  
Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.



City Council Meeting Minutes  
July 9, 1984 - Page Eight

Mr. Bussinger moved to accept the first reading of Bill No. 84-38, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 84-38, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Smith seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 84-38, waive the appropriate paragraph of Ordinance No. 1.83 and enact said Bill as Ordinance No. 2.524. Mr. Smith seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 14 on the Agenda:      Other Business.

Mr. Butler announced there is a storm water drainage meeting on July 11th at 7:00 pm. He also noted that July 11th is the deadline for voter registration for the August primary election.

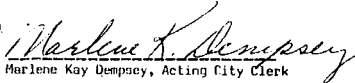
\* \* \* \*

There being no further business to come before the July 9, 1984 meeting of the Gladstone City Council, the meeting was adjourned at 8:20pm.

Respectfully submitted:

Approved as submitted: X

Approved as corrected/  
amended: ---

  
Marlene Kay Dempsey, Acting City Clerk

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

JULY 23, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of July 9, 1984 City Council Meeting
4. CONSENT AGENDA:
  - \* Liquor License Renewals

Brothers Venture, Inc. d/b/s/ Kwik Shoppe, 7603 N. Oak, Class C  
Bob's Antioch IGA, 5945 N. Antioch Rd., Class C  
Bobby Bell's Bar-B-Que, 7013 N. Oak, Class A&B  
Gladstone Party Center, 7102 N. Oak, Class C  
Carrollton Bowl Lounge, Inc., 300 NW 72nd, Class A&B  
Twenty-One/Twenty-One, 5941 N. Antioch Rd, Class A  
Annie's Santa Fe, 6129 N. Antioch Rd, Class A&B
  - \* Resolution No. R-84-45 - Appointing an Acting City Clerk for the City of Gladstone, Missouri.
5. Communications from the Audience
6. Communications from the City Council.
7. Communications from the City Manager
8. Consideration of Preliminary Plat - Prospect 1, Southwest Corner of N.E. 70th Street & North Prospect. Applicant/Owner: Northaven East, Inc.
9. Building Plans - 7351 N. Oak, to construct a 5,000 sq.ft. building for a Berbiglia store. Applicant: Joe Cannova. Owner: Mr. Kendorza
10. Resolution No. R-84-46 - Consenting to and approving the project of Woodlands Investment Associates for issuance of Industrial Revenue Bonds in the approximate amount of \$2,600,000 by the Industrial Development Authority of Clay County, Missouri.
11. Third Reading: Bill No. 84-29 - Rezoning property at 2109 N.E. 72nd Street from R-1, Single Family Dwelling District to CP-O, Non-Retail Business District, Planned. Applicant: Varnum, Armstrong, Deeter. Owner: Frank B. Gardner.

12. Third Reading: Bill No. 84-30 - Rezoning property described as the Southwest Corner of North Broadway and N.W. Englewood Road from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District, Planned. Applicant: Gus E. Leimkuhler, Jr.
13. Third Reading: Bill No. 84-31 - Rezoning property at 6220 N. Oak from C-2, General Business District to CP-3, Planned Commercial District. Applicant: Don & Ken Gray. Owner: Commercial Bank of Liberty. (Legal Protest Petition).
14. Second Reading: Bill No. 84-34 - Amending the City Code to permit car washes to remain open 24 hours per day provided that all approved lighting is directed away from adjacent residences.
15. First Reading: Bill No. 84-35 - Establishing a new rate schedule for purchase of individual and family non-resident Municipal Swimming Pool season memberships.
16. Resolution No. R-84-47 - Amending the 1985 fiscal year budget for the City of Gladstone and authorizing expenditure of funds.
17. Resolution No. R-84-48 - Authorizing the City Manager to accept a proposal for purchase and installation of a new City Hall telephone system.
18. Resolution No. R-84-49 - Authorizing execution of a lease agreement with the Gas Service Company allowing installation of an antenna on the City's North Locust water tower.
19. Other Business
20. Questions from the News Media
21. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
JULY 23, 1984

PRESENT: LES SMITH, JIM BUTLER, LEE BUSSINGER, BOB ASHCROFT, MAYOR FAIRLIE

#####

Mayor Bob Fairlie called the July 23, 1984 meeting of the Gladstone City Council to order at 7:30 p.m. in the Council Chambers of the Gladstone City Hall.

Other persons present at the meeting included: Interim City Manager Francis, Administrative Services Director Anderson, Assistant to City Manager Betz, Acting Public Works Director Warger, City Counselor John C. Dods and Acting City Clerk Dempsey.

Mayor Fairlie led the Pledge of Allegiance to the Flag which all joined.

Item 3 on the Agenda:

Acceptance of Minutes.

Mr. Bussinger moved to approve the July 9, 1984 City Council Meeting Minutes as submitted. Mr. Butler seconded. The vote: "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0).

Item 4 on the Agenda:

Consent Agenda

Mayor Fairlie read the July 23, 1984 Consent Agenda items and asked if any member of the Council, staff or audience desired the removal of any item from the Consent Agenda for placement on the Regular Agenda. No requests were made, whereupon, Councilman Butler moved to approve the Consent Agenda as read and Councilman Ashcroft seconded.

There being no discussion, roll was called and the vote on the motion to approve the Consent Agenda was: "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Consent Agenda Detail:

Councilman Butler moved to approve the liquor license renewals as listed below; Councilman Ashcroft seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Brothers Venture, Inc. d/b/a Kwik Shoppe, 7603 N. Oak, Class C.  
Bob's Antioch IGA, 5945 N. Antioch Road, Class C.  
Bobby Bell's Bar-B-Que, 7013 N. Oak, Class A&B  
Gladstone Party Center, 7102 N. Oak, Class C  
Carrollton Bowl Lounge, Inc., 300 NW 72nd, Class A&B  
Twenty-One/Twenty-One, 5941 N. Antioch Road, Class A  
Annie's Santa Fe, 6129 N. Antioch Rd, Class A&B

Mr. Butler moved to adopt Resolution No. R-84-45, appointing Marlene K. Dempsey to serve as Acting City Clerk for the City of Gladstone, Missouri. Mr. Ashcroft seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Item 5 on the Agenda:

Communications from the Audience

Mayor Fairlie invited comments on any matter not on the agenda at this time and asked that only new information be presented on third reading Bills 84-29, 84-30 and 84-31.

Mr. Ted Porter, 7501 N. Euclid, Gladstone, Mo. commented about the East Creek drainage problem, stating from documentation he had, that nothing had been done to date.

He also addressed the subject of the dumping of demolition fill at 6220 N. Oak. Mr. Porter commented that from documentation he had obtained, it was the City of Gladstone's problem to correct.

Lastly, Mr. Porter spoke to the Council regarding the southern part of the Oak Meadow Heights Subdivision. He stated that it has suffered soil erosion, and the subdivision was promised an energy dissipater installation, however, installation would be paid for by the property owners before development of the remaining lots. This is totally unacceptable to him because it may be a number of years before development occurs and he expects immediate action from the City.

Mr. Burt Masters, 2112 N.E. 67th Street addressed the issue of N.E. 68th Street. He indicated that he had a petition from 180 people wanting another outlet out of Northhaven East besides 67th Street.

Mr. Gary Burrows (lives on 68th Street) had a petition of 285 signatures that indicated they didn't want the cut through of 68th Street.

Mr. Bob Stern, 7311 N. Euclid, presented the Council with new information on Item #11 of the Agenda. He indicated that a petition of 150 signatures opposing the rezoning request, which had been submitted previously to the Council, now had 189 names on the petition. Mr. Stern indicated this was not a legal petition.

Mr. Ron McKeesie, 2108 N.E. 67th Street, addressed the 68th Street issue and was for the cut-through of 68th Street.

Mr. John Woody, 7201 N. Woodland, addressed the 72nd Street issue and presented a document signed by Gladstone residents protesting the rezoning. Residents assumed the City tennis court property was city-owned and as Gladstone residents were therefore protesting on behalf of the City. Mayor Fairlie sought the City Counselor's response to this issue and Mr. Dodo pointed out that to his memory the property was owned by Kansas City Power and Light and leased to the City. Mr. Woody indicated that to his knowledge, the City of Gladstone was listed as receiving a registered letter as an adjacent property owner. Acting City Engineer Steve Warger verified that the tennis

court property is in fact owned by Kansas City Power & Light and leased to the City.

Mr. Don Wall, representing Varnum, Armstrong, Doeter, the developer for the owner of the property in question stated that all people would benefit from this project. He indicated that Mr. Woody and other residents should have attended the zoning hearings and pointed out that the filing of the request was done last April and that it took that long to get the plan approved. Mr. Wall indicated that they had incorporated into the plan every recommendation the Planning Commission made, including greenbelt buffers on both sides with 40% of the land being used for greenbelt areas. Since it has commercial zoning to the west and east, it doesn't make any sense to want residential. Mr. Wall said that it has been suggested that if this property is rezoned it will open the door to commercial zoning, however, he does not promote retail use for 72nd Street but does see additional non-retail (low density office use) as being compatible.

Mr. Cliff Guthrie, 67th & N. Garfield, spoke as a resident of Northhaven regarding considering 68th as a through street. He stated that if 68th Street is cut through, the primary problem is flood drainage. Also he asked the Council if there is anything the Northhaven residents could do to get better apartments in the area. Mayor Fairlie replied by stating that the zoning classification is based on density.

#### Item 6 on the Agenda:

#### Communications from the City Council.

Councilman Smith responded to Mr. Guthrie's comments by asking City Counselor Dodds to do some research on any apartment projects in the future regarding establishing an amendment to our present zoning ordinance requiring different types of apartments, i.e. offic, 1 bdrm, 2 bdrm & 3 bdrm, to be built into a certain number of sq.ft. of habitable area which would establish or require the developers to build decent size units with decent rental rates and draw more attractive units.

Councilman Smith also stated that he received information over the weekend that citizens reported to the City a rat problem at 67th Terrace, east of Main Street, and stated that it was explained to the residents that the City could not go in without the assistance of the Clay Co. Health Department and the residents wanted to know whether or not the problem was ever taken care of, and that they have received no report, and no one got back to them. Mr. Smith asked Interim City Manager Francis to assist in this matter and to do whatever we could to help and get back to them as to the progress.

Councilman Smith also introduced his father, Everett Smith who was vacationing here from Phoenix, Arizona and stated that his father was the oldest Councilman to serve on City Council and that he was the youngest to serve on Council in the father/son combination. Mr. Everett Smith served on and off for about 18 years.

Councilman Bussinger commented in follow-up to Councilman Smith's suggestion regarding the drafting of an Ordinance for apartments and was in complete agreement.

Item 7 on the Agenda:Communications From the City Manager

Interim City Manager Francis responded to Mr. Smith's comments and question regarding the rat problem on 67th Terrace and stated that the area was baited today. He didn't know if the people were contacted, but would make sure they were advised of what was being done.

Item 8 on the Agenda:Consideration of Preliminary Plat-Prospect 1

Southwest Corner of N.E. 70th Street & N. Prospect. Applicant/Owner: Northaven East, Inc.

Discussion: Mayor Fairlie asked for the plat. Mr. Bussinger asked Mr. Rose if he had any problems with items 2-10 on the staff report. Mr. Rose indicated that there were no problems.

Mr. Smith asked Acting Public Works Director Warger that if the pool and clubhouse were deleted from this plat, would, in Mr. Warger's opinion, in the future, 68th Street still be able to be connected and run through to Prospect. Mr. Warger responded by stating that a right-of-way could be put in. Mr. Smith asked if there would be a tie-in problem with Olive to the east of the proposed clubhouse. Mr. Warger responded that there might be some problems, but if we get the right-of-way, there shouldn't be any problems. Mr. Warger indicated there may be some minor adjustments. Mr. Smith directed a question to Mr. Rose asking if the Council accepted the plat, not including 68th Street, and pulled out the clubhouse, would Mr. Rose be willing to pull out the clubhouse and dedicate the right-of-way for 68th Street and not build the road at this time. Mr. Rose responded that they could do that. Mr. Smith reconfirmed from Mr. Rose's response that Mr. Rose was willing to move the clubhouse and pool, dedicate the right-of-way for 68th Street for future construction if the Council determined necessary.

After much discussion, Mr. Ashcroft moved to accept the preliminary plat as recommended by the Planning Committee and Mr. Smith seconded. Mayor Fairlie indicated that the motion before the floor did not include the construction of 68th Street and stated that the issue was whether 68th Street is going through and then the plat could stand on its own merit.

Mr. Butler stated that the way the plat was layed out with 68th Street coming out to Prospect, he wanted to make sure there were provisions for a three lane coming off to Prospect with a turning lane to the North (left-hand turning lane). He asked Mr. Warger if there was room for this. Mr. Warger indicated that there is a possibility of signalizing 70th & Prospect since more people would be exiting out at that location, but that it would depend on development.

\*See correction pg.10 Mr. Butler then proposed to Amend the Motion showing that the right-of-way be left in and the existing ground for the construction of 68th Street be approved along with the preliminary plat approval. Mr. Bussinger seconded the motion. (The Amendment would require the construction of 68th Street through to North Olive). \*

With there being no further discussion, Mayor Fairlie asked that roll be called with the vote on the Amendment being: "Aye" - Smith, Butler, Fairlie; "No" - Bussinger Ashcroft (3-2).

Councilman Ashcroft asked Mr. Rose to maintain a buffer and to try to keep property values as high as possible and separate the two areas. He also stated that the property has creek and drainage problems and asked Mr. Rose if everything would be on the east side of the creek, which Mr. Rose responded this was so. Mr. Rose also indicated there may be a problem with the buffer because of having to mow weeds that are past 18" in height.

Councilman Smith indicated that this is a heavily wooded area and we should cut as few trees as possible. Mr. Smith also asked Mr. Rose if it could go along 68th Street to where it runs through the complex and burm it against the roads and landscape it to give it the secluded driveway effect, as opposed to a street going through a parking lot. Mr. Rose stated some alleys could be put along there, but the parking could not be covered up.

Councilman Butler then asked Mr. Rose that when cutting through a 60' wide strip, noting that there is 150'+ of wooded area, to put in a 36' wide street, why knock down all the trees. Mr. Rose indicated that the only way to cut the 18" high weeds are with a bulldozer.

Mr. Ashcroft asked if the property was in the flood plain. Mr. Rose stated a good portion of it was and then stated that they didn't have any problem with cutting a 36' strip.

With there being no further discussion, Mayor Fairlie asked for roll call with the vote: "Aye" - Smith, Butler, Fairlie; "No" - Bussinger, Ashcroft (3-2).

Item 9 on the Agenda

Building Plans - 7351 N. Oak

To construct a 5,000 sq.ft. building for a Berbiglia store. Applicant: Joe Cannova. Owner: Mr. Kendorza.

Mr. John Shank, representing Mr. Cannova, stated that his client had the opportunity to review the staff report and has no problem with any of the requirements stated. In providing a quality project, Mr. Cannova according to Mr. Shank, plans to landscape the 35' buffer area between residents to the east with trees and greenery. It was his understanding that a liquor license is also available and the land use and zoning to the west, south and north is previously developed commercial.

Mr. Ashcroft moved to approve said building plans as submitted. Mr. Butler seconded.

Discussion: Mr. Bussinger asked Mr. Shank if this was going to be a brick building like the Council had required everyone else in the past to have. Mr. Shank responded that the anticipation was a metal building with veneer finish on the front. Mayor Fairlie indicated that the plans showed a brick front and indicated that the City wanted brick on exposed sides.



Mr. Bussinger asked Mr. Shank if they were agreeable to the curb cut on 74th Terrace. Mr. Shank replied "yes", then further stated that Mr. Cannova indicated he has no problem providing a brick finish around the building.

There being no further discussion, Mayor Fairlie asked for roll call with the vote: "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Item 10 on the Agenda:

Resolution No. R-84-46

Consenting to and approving the project of Woodlands Investment Associates for issuance of Industrial Revenue Bonds in the approximate amount of \$2,600,000 by the Industrial Development Authority of Clay County, MO.

Pat Howard, Secretary to the Industrial Authority of the County of Clay, spoke to the Council stating they have received the application from Woodlands Investment Associates to construct two 6,000 sq.ft. office buildings at 2800 and 2900 Brooktree Lane, adjacent to the building previously built by this same applicant. In order for the Industrial Development Authority in Clay Co. to consider issuing revenue bonds to finance such a project, they must have approval of the City of Gladstone and the City of Gladstone's request that financing be done for this project. She stated that this does not have anything to do with the City's normal requirements on building permits. This is a separate matter approving the project required by State Law in order for revenue bonds to be issued.

Mayor Fairlie indicated that normally such a request could or would be made to the Industrial Development Authority of Gladstone. Ms. Howard replied that it could and that either entity by statute or Federal law can issue revenue bonds for projects within the City of Gladstone, assuming the City Council gives approval.

Mr. Bussinger moved to adopt Resolution #84-46 and read the Resolution. Mr. Ashcroft seconded.

There being no further discussion, roll was call with the vote: "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Item 11 on the Agenda:

Third Reading: Bill No. 84-29

Rezoning property at 2109 N.E. 72nd Street from R-1, Single Family dwelling District to CP-0, Non-Retail Business District, Planned. Applicant: Varnum, Armstrong, Deeter. Owner: Frank S. Gardner.

Mayor Fairlie indicated that no known legal petition had been filed, whereupon, Mrs. Vincent spoke up from the audience and stated that there was one presented earlier.

Mayor Fairlie stated to Mrs. Vincent that the City Counselor had ruled on that and determined that one person acting individually can not cause the City of Gladstone to be a party to that petition.

In response to Mrs. Vincent's remarks, City Counselor Dodds indicated the fact that there is existing property on land sought to being rezoned does not effect the ability of the Council to consider the zoning. Also, Mr. Dodds further stated that the property, and this was confirmed by the City Engineer, is not owned by the City. It is titled in the name of Kansas City Power & Light and notice was given to Kansas City Power & Light Company.

Mr. Bussinger moved to accepted the second reading of Bill 84-29 and to place said Bill on its third and final reading. Mr. Smith seconded.

There being no further discussion, roll was called with the vote: "Aye" - Bussinger, Ashcroft; "No" - Smith, Butler, Fairlie. (2-3)

Mayor Fairlie stated that Bill 84-29 had been defeated.

Item 12 on the Agenda:

Third Reading: Bill No. 84-30

Rezoning property described as the Southwest Corner of North Broadway and N.W. Englewood Road from R-1, Single Family Dwelling District to CP-0, Non-Retail Business District, Planned. Applicant: Gus E. Leimkuhler, Jr.

Mr. Smith moved to accept the second reading of Bill 84-30 and place said Bill on its third reading. Mr. Ashcroft seconded.

There being no further discussion, roll was called. The vote was: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

The Acting City Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill 84-30 and enact it as Ordinance 2.525. Mr. Butler seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Mayor Fairlie stated Bill 84-30 has been enacted as Ordinance 2.525.

Item 13 on the Agenda:

Third Reading: Bill No. 84-31

Rezoning property at 6220 N. Oak from C-2, General Business District to CP-3, Planned Commercial District. Applicants: Don & Ken Gray. Owner: Commercial Bank of Liberty. (Legal Protest Petition)

Mr. Ashcroft moved to accept the third reading of Bill 84-31 and place it on its final reading. Mr. Butler seconded.

There being no further discussion, roll was called with the vote: "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0).

The Acting City Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 84-31 and enact said Bill as Ordinance 2.526. Mr. Butler seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Mayor Fairlie stated Bill #84-31 has been enacted as Ordinance 2.526.

Item 14 on the Agenda:Second Reading: Bill No. 84-34

Amending the City Code to permit car washes to remain open 24 hours per day provided that all approved lighting is directed away from adjacent residences.

Mr. Bussinger moved to accept the first reading of Bill 84-34 and place it on its second reading. Mr. Smith seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft; "No" - Fairlie (4-1).

The Acting City Clerk read the bill.

Item 15 on the Agenda:First Reading: Bill No. 84-35

Establishing a new rate schedule for purchase of individual and family non-resident Municipal Swimming Pool season memberships.

Mr. Bussinger moved to place Bill 84-35 on its first reading.  
Mr. Smith seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

The Acting City Clerk read Bill 84-35.

Mr. Ashcroft moved to accept first reading of Bill 84-35 and place said bill on its second reading. Mr. Smith seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0).

The Acting City Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill 84-35 and place it on its third and final reading. Mr. Smith seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0).

The Acting City Clerk read the bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 84-35 and enact said Bill as Ordinance 2.527. Mr. Smith seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Mayor Fairlie stated Bill 84-35 has been enacted as Ordinance 2.527.

Item 16 on the Agenda:Resolution 84-47

Amending the 1985 fiscal year budget for the City of Gladstone and authorizing expenditure of funds.

Mr. Ashcroft moved to adopt and then read Resolution 84-47. Mr. Butler seconded.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0)

Mayor Fairlie stated that Resolution 84-47 has been adopted.

Item 17 on the Agenda:Resolution No. R-84-48

Authorizing the City Manager to accept a proposal for purchase and installation of a new City Hall telephone system.

Mr. Smith read and moved to adopt Resolution 84-48. Mr. Ashcroft seconded.

Discussion: Mr. Ashcroft asked Administrative Services Director Anderson if she felt confident in her recommendation of telephone equipment after further telephone research. Ms. Anderson indicated yes.

Mayor Fairlie commented that approximately 8-10 years ago we paid approximately \$45,000 for the current telephone system that is in place.

Mr. Smith commented that he was reached by a concerned party on this date regarding the competency of this system and noted that Ms. Anderson had done extensive research on various systems and Mr. Smith felt confident in Ms. Anderson's recommendation to the Council and was in favor of her recommendation.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie (5-0).

Mayor Fairlie stated that Resolution No. 84-48 has been adopted.

Item 18 on the Agenda:Resolution No. R-84-49

Authorizing execution of a lease agreement with the Gas Service Company allowing installation of an antenna on the City's North Locust water tower.

Mr. Butler moved to accept and read Resolution R-84-49. Mr. Smith seconded.

Discussion: Mayor Fairlie asked Interim City Manager Francis if this had an annual 28%-54% increase in the rate. Mr. Francis responded by saying it was renewable every five (5) years with the City able to adjust the lease payment.

There being no further discussion, roll was called with the vote: "Aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0).

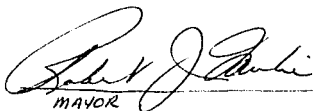
Mayor Fairlie stated Resolution 84-49 has been adopted.

Item 19 on the Agenda:

Other Business

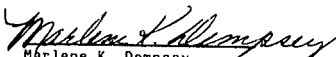
Mr. Bussinger commented on the Brooktree situation regarding the construction of the creek and stated that if the work wasn't started on this week, he would propose that we get someone else to do the job.

There being no further business to come before the July 23, 1984 meeting of the Gladstone City Council, the meeting was adjourned at 9:25 p.m.

  
MAYOR

Respectfully submitted:

Approved As Submitted: \_\_\_\_\_

  
Marlene K. Dempsey  
Acting City Clerk

Approved as Corrected/ \_\_\_\_\_  
Amended: ☒

\* CORRECTION TO JULY 23, 1984 MINUTES AS APPROVED AT 8-13-1984 CITY COUNCIL MEETING

Item 8, Paragraph 7, Page 4

Add - Preliminary Plat of PROSPECT 1 approved was the Plat received by the Gladstone Public Works Department on April 25, 1984, and dated April 24, 1984 by Dirk Ellis, Architects and designated as City Plat Folder 389A.

  
Marilyn P. Ahnefeld, City Clerk

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 13, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of July 23, 1984 City Council Meeting

4. CONSENT AGENDA:

\* Liquor License Renewals

- . Nurnberg Inn, 6915 N Oak, Class A
- . P&C Liquors, 6587 N Oak, Class C
- . Aldi's, 6577 N Oak, Class E
- . Minsky's Pizza, 6311 N Antioch Road, Class A&B
- . Zarda Dairy Store, 6417 N Oak, Class G
- . Zarda Dairy Store, 6211 N Chestnut, Class G

\* New Liquor Licenses

- . Berbiglia, Inc., 7351 N Oak, Class C, Mgr. Officer: Michael Berbiglia
- . Gladstone Jaycees Limited Beer License in connection with Glad Fest, October 5,6,7. Mgr. Officer: Ron Whitaker  
70th & N Holmes (Farmland Industries parking lot)

\* Approval of Interim Financial Reports - months of June and July 1984.

\* Approval of Building Plans

- . 404 NW Englewood Road - 2,190 sq. ft. chiropractic office space in existing building. Subject to UPC, UBC and NEC regulations and approval of complete construction details with material specifications by the City Engineer. Applicant: Dr. Art Coffman  
Owner: Georgetown Medical Group
- . 5601 N Antioch, alteration plans for doctor's office. 1,075 sq. ft. subject to UBC, UPC and NEC regulations. Applicant: Moore Associates. Owner: Shelton Bower

\* Resolution No. 84-50, authorizing Change Order No. 3 (\$-62.10) and authorizing acceptance and final payment of the Bell Construction Co. Sidewalk Construction Contract. Final adjusted contract amount \$53,458.84. Final payment due: \$1,000.00.

5. Approval of Building Plans for car wash, 6220 N Oak.  
Applicant: Don and Ken Gray
6. Public Hearing: On setting the annual rate of levy for 1984 Real and Personal Property Taxes for the City of Gladstone.
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager

10. Third Reading: Bill No. 84-34, amending the City Code to permit car washes to remain open 24 hours per day provided that all approved lighting is directed away from adjacent residences.
11. First Reading: Bill No. 84-36, an ordinance fixing the annual rate of levy for the 1984 real estate and personal property taxes for the city of Gladstone.
12. Other Business
13. Questions From the News Media
14. Adjournment

*Minut Book*

MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 13, 1984

PRESENT: Les Smith, Jim Butler, Lee Bussinger, Bob Ashcroft, Mayor Fairlie

Mayor Bob Fairlie called the August 13, 1984 meeting of the Gladstone City Council to order at 7:30 pm in the Council Chambers of the Gladstone City Hall.

In addition to members of the City Council, those in attendance were: Interim City Manager Francis, City Counselor John C. Dods and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:                      Acceptance of Minutes.

Mr. Butler moved to accept the minutes of the July 23, 1984 City Council Meeting as submitted; Mr. Smith seconded.

Discussion: Mr. Ashcroft suggested the need for clarification in the minutes (Item 8, Paragraph 7, Page 4) dealing with the amendment to the motion for approval of the Preliminary Plat of PROSPECT 1. He said it was not clear in the minutes which plat (of the versions with or without 68th Street) was approved by Council.

Following review of the plat files and discussion of Council's intent, Mayor Fairlie suggested that the July 23, 1984 minutes should indicate that the plat Council was voting on is that plat shown as received by the City of Gladstone Public Works Department on April 25, 1984, and dated April 24, 1984 by G. Dirk Ellis, Architects, and being the plat that shows the alignment of 68th Street with a dotted line. Mr. Fairlie reminded we took the question mark out of it and it was presented in the amended motion to indicate construction of, not future construction of, 68th Street. Mr. Fairlie further identified the plat as Plat Folder 389A.

Mr. Butler then amended his motion to approve the July 23, 1984 Minutes as corrected to show the Preliminary Plat of Prospect 1 approved was the plat received by the Gladstone Public Works Department on April 25, 1984, and dated April 24, 1984 by G. Dirk Ellis, Architects, and designated as Plat Folder 389A. Mr. Smith seconded.

The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)



Item 4 on the Agenda:

Consent Agenda

The City Clerk read the August 13, 1984 Consent Agenda items as listed.

Mayor Fairlie asked if any member of the Council, staff or audience desired the removal of any item from the Consent Agenda for placement on the Regular Agenda. No requests were heard whereupon Councilman Smith moved to approve the Consent Agenda items as listed. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Consent Agenda Detail:

Mr. Smith moved to approve the following liquor licenses; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Renewals - Nurnberg Inn, 6915 N Oak, Class A; P&C Liquors, 6587 N Oak, Class C; Aldi's, 6577 N Oak, Class E; Minsky's Pizza, 6311 N Antioch Road, Class A&B; Zarda Dairy Stores, 6417 N Oak and 6211 N Chestnut, Class G.

New Licenses - Berbiglia, 7351 N Oak, Class C; Gladstone Jaycees Limited Beer License in connection with Glad Fest, October 5, 6, 7.

Mr. Smith moved to approve the Interim Financial Reports for the months of June and July 1984; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to approve the following building plans as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Building Plans for 404 NW Englewood Road, 2,190 sq. ft. chiropractic office space in existing building. Subject to UPC, UBC and NEC regulations and approval of complete construction details with material specifications by the City Engineer. Applicant: Dr. Art Coffman. Owner: Georgetown Medical Group.

Building Plans for 5601 N Antioch Road for alteration for doctor's office. 1,075 sq. ft. subject to UBC, UPC and NEC regulations. Applicant: Moore Associates. Owner: Shelton Bower

Mr. Smith moved to adopt Resolution No. 84-50, authorizing Change Order No. 3 (-\$62.10) and authorizing acceptance and final payment of the Bell Construction Company Sidewalk Construction Contract. Final adjusted contract amount \$53,458.84. Final payment due: \$1,000.00. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda:                      Building Plan Approval, 6220 N Oak car wash  
Applicant: Don and Ken Gray

Messrs. Don and Ken Gray, applicants were present to represent this application.

Mayor Fairlie asked the applicants if they had received a copy and reviewed the Engineering Department staff report. Mr. Gray responded that they had.

Mayor Fairlie asked if they had questions regarding any of the requirements listed in the staff report. Mr. Gray said no.

Councilman Bussinger asked if the exterior would include more brick and wood as had been indicated previously in their correspondence to Council. Mr. Gray acknowledged that was correct.

Mr. Bussinger moved to approve the building plans for car wash construction at 6220 N Oak. Mr. Ashcroft seconded.

Discussion: Mr. Ashcroft commented that due to the nature of this issue and the fact that it has had high visibility in the press it should be noted that the Department of Natural Resources did conduct an exhaustive study and found no evidence of any hazardous waste or foreign substance on this property

The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie.

Item 6 on the Agenda:                      Public Hearing: On setting the annual rate  
of levy for 1984 Real and Personal Property  
Taxes for the City of Gladstone.

Mayor Fairlie noted that the budget for FY'85 has already been approved based on .82¢ on each \$100 valuation as it has been for the past 25 years. Missouri State Statutes require that the City of Gladstone conduct a public hearing before setting its property tax levy. Ordinarily, this would be done at the same time as the budget public hearing, but in the past several years, the certifications of the assessed valuation have not been received from the county offices in time for the budget process. This hearing satisfies the statute requirements.

Interim Manager Francis pointed out that the .82¢ levy has been in effect for the past 25 years and will meet the requirements for the budget therefore it is recommended that the levy again be established at .82¢ on the One Hundred Dollar valuation on all real and personal property within the corporate limits of the City of Gladstone, Missouri, for the taxable year, 1984.

Mayor Fairlie noted that although this public hearing is in some respects after the fact it here for the benefit of the public and invited any member of the audience to ask questions or make comment.

There were no comments from the audience, whereupon Mayor Fairlie closed the public hearing.

Item 7 on the Agenda:

Communications from the Audience.

Mr. Lavon Faught, 1913 NE 68th Street submitted a petition opposing the extension of 68th Street signed by 676 residents of Gladstone and noted that every attempt had been made to avoid duplication of signatures on the previous petition submitted several weeks ago. He pointed out that with this petition of 676 signatures and the previous one of 286 persons it makes a total of 962 signatures of citizens who oppose 68th Street. He added that the petitions represent cross section of northeastern Gladstone including Meadowbrook, Meadowbrook North, Brooktree and Northaven and Northaven East subdivisions.

At the request of Mr. Smith, Mr. Faught read the wording on the petition caption.

Mr. Bussinger asked if there would be as much objection to the street going through if you had a quality-type apartment project going in on Prospect.

Mr. Faught said he personally would not but added that he still had some concerns about flooding and other issues that were talked about.

Mr. Bussinger asked if he was hearing from the people over there that they would not object as much if a proper study was conducted on the drainage, the bridge and there were the quality-type apartments that should be there instead of the junk that is proposed in there now.

Mr. Bussinger's remarks were met with audience applause.

Mr. Bussinger continued that he thinks what this Council has to do is take a serious look in trying to prohibit those apartments from going over there. His thought is that we have to establish some type of an ordinance. He said he doesn't know if it would be legal or not, and we might get beat, but he thinks we have to make an effort to try to upgrade those apartments over there whether the street goes in or whether it doesn't. If the street goes through he wants to see the people have a quality-type apartment on the east side. He commented that he lives on the east side too and he does not want to drive up and down the new Prospect road ten years from now and see a bunch of junk apartments. He said he wanted to see where Mr. Faught stood on the issue and he would imagine the majority of the people would support him and feel the same way.

Mr. Bussinger's remarks were met with audience applause.

Mr. Faught commented to Mr. Bussinger "I think you heard the response from the applause".

Mayor Fairlie said he didn't think there was ever any doubt that the concentrated effort in that part of the city was directed more toward the apartments than toward the street. He does not know how we separate the two of them but Mr. Bussinger seems to have an idea that we can pursue and at least we are going to look into it and see how that develops.

Mr. Bussinger said he thinks it is time this Council takes a stand on what goes in. It's time we challenge some of the developers who are putting the cheap stuff in. This is our city and we want a quality-type development.

Responding to audience applause, Mr. Bussinger said his comments were not made to obtain applause but that he is conveying how he feels.  
several weeks ago

Mr. Smith noted that/he had proposed legislation aimed at the points Mr. Bussinger raised. He suggests that we have the City Engineer advertise it in the paper and proceed with the public hearings before the Planning Commission to see if they will approve it and bring it to a public hearing before the Council for Council action.

Mr. Bussinger agreed with Mr. Smith and urged that we proceed with public hearings. He said he thinks it is time we stood up and see what we can get done.

Mr. Butler said as far as the pros and cons of the street extension that was planned many years ago, he wants to know if extending it is correct for the present time, 1984. He suggests some expert advice and opinion in regards to the extension and evaluation of the cost of the street and disadvantages of building or not building the 68th Street corridor.

He said he would make a motion that we hold the construction and defer any further action on Mr. Rose's property until we have the results of such studies. He would also mention that this study should be completed for Council evaluation to approve or disapprove 68th Street with the view not whether we want the street but rather if the street is needed for the present times. Mr. Bussinger seconded.

Mr. Fairlie asked Mr. Butler to re-state his motion.

Mr. Butler moved for a trafficengineering study on traffic flow and traffic count for the entire 68th Street corridor. The study to include the alignment of the street as well as the construction of the street. He further proposed that George Butler & Associates review and make recommendations with respect to storm water drainage and the size of culvert and repercussions of building 68th Street as far as the people of Northaven.

Mr. Faught asked if the studies would include evaluation of decreased property values and potential increase in crime. Council responded it would not.

Mayor Fairlie commented that he does not see how a traffic study along a street that does not go anywhere is going to be of any value. The storm drainage study has already been addressed in the George Butler study that we are in the process of implementing now. The issues of property value and crime cannot be addressed by an engineering firm. The Council talked about a traffic engineering study some time ago but the Council at that time felt it was up to the Council to make a decision on the street. Mayor Fairlie suggested that all of the study in the world would only come down to one issue - are we for or against the continuation of the alignment of 68th Street and its traffic carrying capabilities east to west across the city and secondly, what kind of development will go in along there.

Mr. Ashcroft pointed out that we have a builder that we have been playing hanky-panky with for a long time and while he is not in favor of the apartments or the street believes we have some responsibility to the construction community to act. He said the Planning Commission passed this hot potato to the Council because they were afraid to make the decision and it appears to him that now the Council wants to pass the problem on to somebody else. Mr. Ashcroft said if we can't stand the heat, let's get out of the kitchen.

Mr. Butler again commented that he is not sure if the street is needed or not; he is no expert on traffic flow and wants an expert opinion and advice. This has become an emotional issue but he is not here to serve just the developers.

Mr. Smith suggested that it is time that emotions be put aside and conduct the study to determine if the street is needed.

Mayor Fairlie said he does not believe the developer wants to bear the cost of putting 68th Street in. To use some of the ploys such as surveying, which required the use of two bulldozers, two days after the Council made a decision tells him that maybe the developers plays on some emotions.

The Mayor continued that Broadway was to be a residential area on the west side of Broadway from 72nd Street down to 58th Street. Through taking members of the Council to court, the developer was able to get some part of commercial development on Broadway. Tall Timbers Subdivision would have 22 ft. width streets as would Northaven East Subdivision had we listened to a developer who did not want to take out some trees. Now we have a 40 ft. wide street coming through the center of town that really goes into Northaven and stops. The Master Plan at one time showed this going all the way across the city - we know that is impractical and we know it can't happen.

Mr. Fairlie said some of the same voices he is hearing who are so violently opposed to cutting 68th thru now, definitely wanted a little spur from Wayne to Flora just two years ago when that construction was underway. He said he hoped we weren't going to build a city on a Ben Rose master plan and if it is the desire of this Council to provide engineering study and information that may be of benefit then that it the way it will be.

The vote on Mr. Butler's motion for studies: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Communications from the audience (continued):

Margie Compernelle, indicated she is a 24 year resident living at 68th & N Euclid for the past 14 years. She said there were social and psychological ramifications of the proposed 68th Street extension that would have an impact on women and children, few men might understand. She went on to give examples of precautions women are told to take in shopping centers such as locking your car, wearing whistles, checking the back seat and floor of vehicles, etc. She asked how many men worry about such things.

Mrs. Compernelle stated that women must live in fear when unprotected and she will no longer feel safe in her own neighborhood. Nor will we feel safe allowing children or grandchildren to play out of sight or come home to an unattended house.

She said she is being robbed of her being, her right to be who she is, without fear. She provided facts from the Kansas City Police Department for a period of one year in the 3800 -3900 block on N Cherry. She noted this block includes 36 low rent apartments similar to the ones intended for the Northaven area. She read the statistics as sex offense - 1; armed robbery -0; assaults - 4; residential burglaries -7; non-residential burglaries -3; larceny -3; auto theft -5. She suggested ten times more crime could occur in the proposed apartment complex. She asked if anyone had the right to deny her the freedom she has today? Has no one any obligation to the women and children of our residential area? She asked if it not the role of government to assure a climate of freedom for its citizens? She said if this is not true she feels sorry for us all - we do not want the apartments or the 68th Street extension.

\* \* \*

Mrs. Patricia Jones, 2012 NE 68th Street, said that we the residents along Rock Creek request that the storm drainage projects recommended by George Butler Associates be completed before any construction continues on land that the watershed flows directly or indirectly into Rock Creek. She said they feel that any further construction at this time will cause far greater damages to their property than they have suffered before and will increase the possibility to residents that have not heretofore suffered any losses due to Rock Creek flooding. She said they appreciate the Council's continuing efforts to control drainage problems in Gladstone and realize the time and the money it takes to accomplish this monumental task, but until it is completed they are vulnerable.

\* \* \*

Gwen Brady, 7417 N Broadway, said she was not too involved on 68th Street but has come before the Council on various issues, mainly Broadway. She said she feels that Gladstone residents have elected the Council to make decisions in their best interest. She suggested that if the petition of over 900 signatures had been circulated on the west side they would have obtained additional signatures. She suggested that the Council stand up and listen to these people, they do not want 68th Street extended and she thinks Council better go with their wishes. Gladstone is a family oriented town but now is becoming business and apartments, she thinks we will lose a lot more residents if something is not changed.

Item 8 on the Agenda:

Communications from the City Council.

None

Item 9 on the Agenda:

Communications from the City Manager.

Interim City Manager Ken Francis provided information on the recent water main break on N Oak Street and the resulting problems. He explained there had been a severe problem with a water break on one of our large mains at approximately 68th and N Oak as a result of a 5" separation of pipe which caused the street to buckle about 4' in the center for about 400 ft. Once that occurred the traffic had to be cut off and re-routed through residential areas.

Communications from the City Manager (continued)

Mr. Francis continued that the public works department worked into the evening hours on Friday and part of Saturday morning. The area has been cleaned and repaired and the asphalt work will start on Tuesday morning at 9:00 am which will necessitate N Oak being cut-off again and traffic re-routed. Hopefully by Tuesday evening N Oak will be re-opened again. A report from Public Works has been requested concerning this situation as he was contacted by several residents indicating that they had made calls several days ago reporting a water leak and felt that all steps that could have been taken by the city were not taken and thus the problem occurred. A report will be made to the Council.

Item 10 on the Agenda:

Third Reading: Bill 84-34, amending the City Code to permit car washes to remain open 24 hours per day provided that all approved lighting is directed away from adjacent residences.

Mr. Bussinger moved to approve the second reading of Bill No. 84-34 and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: "Aye" - Smith, Butler, Bussinger, Ashcroft. "No" - Fairlie. (4-1) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 84-34, and enact said bill as Ordinance No. 2.528. Mr. Smith seconded. The vote: "Aye" - Smith, Butler, Bussinger, Ashcroft. "No" - Fairlie. (4-1)

Item 11 on the Agenda:

First Reading: Bill No. 84-36, an ordinance fixing the annual rate of levy for the 1984 real estate and personal property taxes for the City of Gladstone at .82/\$100 valuation.

Mr. Ashcroft moved to place Bill No. 84-36 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-36, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-36, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-36, and enact the bill as Ordinance No. 2.529. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda:

Other Business.

Council agreed to meet in study session immediately following the close of the formal meeting to give the City Manager direction on the traffic engineering study authorized by Council earlier this evening.

There being no further business to come before the August 13, 1984 meeting of the City Council, the meeting was adjourned at 8:35 PM.

• • •

Respectfully submitted:

Approved as submitted: ✓

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

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Robert J. Fairlie  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 27, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of August 13, 1984 City Council Meeting.
4. PROCLAMATION: Designating the week of September 10-16 as "THE NATIONAL ASSOCIATION OF WOMEN IN CONSTRUCTION WEEK" in the City of Gladstone, Missouri.
5. CONSENT AGENDA:
  - Approval of Building Plans
    - 701 NE 76th Street - finish 5,520 sq. ft. warehouse space into 5 offices subject to UBC, UPC, NEC and City Codes.  
Owner: Oak Park Development.  
Applicant: James Pieschl Construction.
    - 5815 N Antioch Road - remodel interior for haircut salon, 1,220 sq. ft. subject to compliance with UBC, UPC, NEC and City Codes.  
Applicant: Beason Builders  
Owner: Curry Investment Co.
  - Resolution No. R-84-51, authorizing acceptance of a proposal from Schultz Electric, St. Joseph. Mo., for installation of 21 street lights @\$820/pole for a grand total of \$17,220.
  - Resolution No. R-84-52, authorizing acceptance of proposal from Tyson & Sons, Const. for installation of 30,000 ft. of sidewalk at locations on N Oak and Shady Lane. Total contract amount: \$44,100.
  - Resolution No. R-84-53, appointing Patrick Joseph Reilly as Gladstone City Manager effective September 17, 1984 and authorizing execution of an Employment Agreement.
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager

9. Approval of Building Plans - 6600 N Antioch Road for White Chapel Funeral Home addition.
10. FIRST READING: BILL NO. 84-37, an ordinance approving the Final Plat of PROSPECT-1, SW corner of 70th & N Prospect. Applicant: NORTHAVEN. EAST, INC.  
Mr. Ben Rose
11. Other Business
12. Questions from the News Media
13. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 27, 1984

Mayor Bob Fairlie called the August 27, 1984 meeting of the Gladstone City Council to order at 7:30 pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Les Smith, Jim Butler, Lee Bussinger, Bob Ashcroft, Mayor Fairlie

In addition to members of the City Council, those in attendance were: Interim City Manager Ken Francis, City Counselor John Dods and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Ashcroft moved to accept the minutes of the August 13, 1984 City Council Meeting as submitted; Mr. Smith seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie.

Item 4 on the Agenda: Proclamation.

Mayor Fairlie read a Proclamation designating the week of September 10-16 as "THE NATIONAL ASSOCIATION OF WOMEN IN CONSTRUCTION WEEK" in the City of Gladstone, Missouri.

Item 5 on the Agenda: Consent Agenda.

The City Clerk read the August 27, 1984 Consent Agenda items as listed.

Mayor Fairlie asked if any member of the City Council, staff or audience desired the removal of any item from the Consent Agenda for placement on the Regular Agenda. No requests were heard whereupon Councilman Bussinger moved to approve the August 27, 1984 Consent Agenda items as read. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0). Consent agenda detail follows:

CITY COUNCIL MINUTES  
August 27, 1984 - Page 2

Consent Agenda Detail:

Mr. Bussinger moved to approve Building Plans for 702 NE 76th street to finish 5,520 sq. ft. warehouse space for 5 offices subject to UBC, UPC, NEC, and City Codes. Owner: Oak Park Development. Applicant: James Fieschl Construction. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to approve Building Plans for remodeling interior for haircut salon at 5815 N. Antioch Road subject to compliance with UBC, UPC, NEC and City Codes. Applicant: Beason Builders, Owner: Curry Investment Co. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-51, authorizing acceptance of a proposal from Schultz Electric, St. Joseph, Missouri, for installation of 21 street lights @ \$820/pole for a grand total contract price of \$17,220. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution R-84-52, authorizing acceptance of proposal from Tyson & Sons, Construction for installation of 30,000 ft. of sidewalk at locations on N Oak and Shady Lane. Total contract amount \$44,100. Mr. Smith seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-53, appointing Patrick Joseph Reilly as Gladstone City Manager effective September 17, 1984 and authorizing execution of an Employment Agreement. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 6 on the Agenda:      Communications From the Audience.

Dr. James Mallow, 2401 West 93rd Street, Leawood, Kansas, addressed the Council on comments made at the last Council Meeting relative to property at 39th & N Cherry which he owns.

CITY COUNCIL MINUTES

August 27, 1984 - Page 3

Dr. Mallow noted that comments were made that apartments at that location had a very high crime rate according to the Police Department Register for Kansas City North area and that the apartments were low rent. He said the apartments were completed in June of 1983 and during the time in question - July 1983 to July 1984, they have had a live-in Manager and have had the police there on two occasions, not 36 times as was reported to the Council, which would have meant there was a crime every ten days.

Dr. Mallow further reported that the apartments have maintained an occupancy level in excess of 95%. Concerning the term "low rent" apartments, low rent to him means that they are subsidized by the government. There is no federal, state or local governmental subsidy on these apartments. All renters are screened and are all employed. He commented that it was a "cheap shot" to describe them as low rent when in fact they are not. He asked that if these apartments are discussed at a future council meeting, that he be advised so he can plan to be present. He also pointed out that they are not in Gladstone and is not sure what business they are of the City of Gladstone.

Mayor Fairlie thanked Dr. Mallow for his comments and clarified that the comments had been made under communications from the audience to provide information to the Council. The comments were neither solicited or commented on by the City Council. He hopes Dr. Mallow understands that it is not something the Council asked for but rather information that was volunteered to the Council.

Item 7 on the Agenda:      Communications from the City Council.

Mayor Bussinger noted that a majority of the Council will be absent from the city attending the Missouri Municipal League Conference on September 10th, the date of the next regular Council Meeting. He moved that the September 10 meeting be cancelled and a special Council Meeting be held at 7:30pm on Thursday, September 13. Mr. Smith seconded.

The vote: "Aye" - Smith, Butler, Bussinger, Fairlie. "No" - Ashcroft. (4-1) Mr. Ashcroft explained he voted "no" on the meeting change because he will be in the city on Monday, the 10th.

CITY COUNCIL MINUTES

August 27, 1984 - Page 4

Item 8 on the Agenda: Communications from the City Manager

Interim City Manager Ken Francis noted this would be his last meeting in the capacity as Interim City Manager as he will be out of the city on September 13th attending an FBI Academy function in Washington, D.C. Mr. Francis thanked the council for the honor they bestowed on him in appointing him Interim City Manager and indicated he is looking forward to working with the new Manager.

Mayor Fairlie responded that there is no question that things have gone smoothly during this period and thanked Mr. Francis for his diligence.

Item 9 on the Agenda: Approval of Building Plans for White Chapel Funeral Home addition, 6600 N Antioch Road.  
Owner/Applicant: D.W. Newcomer's Sons Funeral Home

Council reviewed the plans for the 1,890 sq. ft. addition and discussed the issue of sidewalks for the property.

Mr. Bussinger asked what was done when the mausoleum was put in a year or so ago?

Counselor Dods reminded that a \$2,000 contribution was made to the city's sidewalk fund. The contribution was not for future walk construction at that location, but rather a contribution to the fund for construction of sidewalks throughout the city.

Mr. Dods further clarified that under the terms of the Consent Judgement the City is not limited in its power to require improvements such as the addition before us tonight. The earlier decree specified mausoleums, lawn crypts, and other items installed for decorative and aesthetic purposes.

Mayor Fairlie pointed out that the new addition will violate the 35 foot buffer zone to the south as only 30 feet has been provided.

Mr. Ashcroft moved to approve the Building Plans for White Chapel, 6600 N Antioch Road as submitted (without sidewalk requirement); Mr. Bussinger seconded the motion.

Discussion: Mr. Bussinger said we really have three problems here that we make everyone else comply with; one is curbs and gutter, the other is sidewalk and then the buffer question.

CITY COUNCIL MEETING MINUTES

August 27, 1984 - Page 5

Mr. Bussinger continued that he had no problem with the buffer zone but on the sidewalks he questions how we go about being fair to other builders as well as White Chapel.

Mr. Ashcroft said that the cemetery apparently felt the amount of money to sidewalk the area required was unreasonable and took it to court.

Mr. Bussinger said evidently we waived the curb and gutter on the mausoleum building permit but did ask for the sidewalk fund contribution and he would feel that a sidewalk fund contribution would be reasonable in this instance.

Mr. Smith agreed that it would be reasonable to require a sidewalk fund contribution.

Mr. Bussinger asked what the dollar amount on the mausoleum improvements was as well as the valuation on the addition before us tonight? Mr. Warger responded that he did not have that information readily available.

Motion: Mr. Bussinger moved that we require a \$2,000 contribution to the sidewalk fund. No second was made.

Mr. Ashcroft suggested that since this proposed addition is only about 25% as large as the previous that he believes \$2,000 is proportionately too high and suggests \$1,000 or maybe \$500 if it is in proportion to the existing building.

Mayor Fairlie questioned if we are being consistent because if it was a building permit approval anywhere else we would require curb, gutter and sidewalk for the frontage involved.

Mr. Ashcroft pointed out that the Council has tried to be consistent but it resulted in the court action and subsequent Consent Agreement in the case of the mausoleum building permit.

Mr. Smith asked what the price was per running ft. for curb, gutter and sidewalks. Mr. Warger estimated \$30.00.

Mr. Smith suggested we take that figure times the footage of the addition to determine the amount of contribution. Mr. Smith estimated \$1,290.00.

Mr. Bussinger reminded that the Council discussed the same issue several years ago and then the court decided. He thinks we need to agree on a policy so the Public Works Department has some direction in the future.

Mr. Fairlie suggested we do what the ordinance requires.

CITY COUNCIL MINUTES

August 27, 1984 - Page 6

Mr. Bussinger called for the question. Mr. Fairlie clarified that we have a motion and a second to approve the building plans for White Chapel Funeral Home addition at 6600 N Antioch as submitted with no stipulation for curbs, gutter or sidewalk improvements.

The vote on the motion: "Aye" - Smith, Ashcroft "No" - Butler, Bussinger, Fairlie. (2-3) BUILDING PERMIT DENIED  
FAILING TO RECEIVE 3 AFFIRMATIVE VOTES.

Item 10 on the Agenda: First Reading: Bill 84-37, an ordinance approving the final Plat of PROSPECT-1, SW corner of 70th & N Prospect. Applicant: NORTHAVEN EAST, INC.  
Mr. Ben Rose

Mr. Smith moved to place Bill No. 84-37 on first reading;  
Mr. Butler seconded.

Discussion: Mr. Smith stated that it is time to get rid of this issue once and for all. Unfortunately we are not looking solely at 68th Street but have a proposed apartment complex that we have to deal with. There has been much speculation as to what will happen with that apartment complex and what this council will do to ensure quality development on that land.

There are two sides to the issue it seems - we have the people on 67th Street who claim that the Northaven residents should be willing to share the traffic burden with their neighbors in getting out to N Prospect. He totally sympathizes with those people and as he stated before in his vote on the preliminary plat, those people have a valid point.

On the other hand we have the persons in Northaven that we keep saying are going to benefit the most from the availability of 68th Street. However, they seem to be the persons objecting the most.

This issue has been looked at for weeks and every member of the City Council is very concerned with the decision we make. Mr. Smith said we can't fool ourselves, the real issue is 68th Street. He said he is at a point that he needs to let people know where he is coming from and not keep them in suspense, so action can be taken on this matter. The bottom line is that those who are most directly affected stand to lose, and they stand to lose a lot more than those who stand to gain. He feels that the people have spoken and he intends to vote against the extension of 68th Street.

Mr. Butler noted that a motion was made at the last Council Meeting to defer any action on this plan. He also would like to back off from his previous vote in regards to the 68th Street extension and would like to expedite the matter so Mr. Rose can proceed.



CITY COUNCIL MINUTES

August 27, 1984 - Page 7

Mr. Butler continued that he would point out that no money has been spent on traffic engineering although we have had our own engineering department out counting cars at a few key intersections. So before any money is spent he would like to state that he does not favor 68th Street extension but would like to ensure quality built apartments in the plat as well as the assurance that the development is done properly and fully addressed as far as our ordinances.

Mr. Butler said it is time we unite the city rather than divide it and do something in a positive direction.

Mayor Fairlie pointed out that we have a motion and second to place Bill 84-37 on first reading.

Mr. Smith asked if it was proper to amend the plat and ask the developer to redraw the plat to Council's specifications at the next meeting.

Mr. Dode responded that the Council does not have the power to amend the plat however it is proper for council to reject it and state the reasons and see if the developer wants to resubmit the plat with the recommended changes.

Mr. Fairlie questioned if Council will have fulfilled the legal requirements if the first reading is denied.

Mr. Dode said it is his understanding that there is no timetable imposed on the Council in taking action on the plat, however, there is a time requirement for the Planning under the ordinance.

Mayor Fairlie called for the vote on the motion to place Bill 84-37 on first reading;

The vote: "Aye" - Fairlie. "No" - Smith, Butler, Bussinger, Ashcroft. (1-4) BILL 84-37 FAILED TO RECEIVE FIRST READING.

Applicant Ben Rose, 7608 N Easy Street, addressed the Council on their denial and said we are exactly where we were two months ago. He and the citizens have seen the Council vacillate from one way to another. He asked what assurance he has, as well as the citizens, that it won't happen again in six weeks or two weeks? He commented that perhaps the city has not spent any money on this but he has spent money with engineers several times and it ceases to be a game for him after a while. He would like to know which way they are going once and for all. He does not think that is too much to ask.

Mayor Fairlie responded that he agreed with Mr. Rose and he should receive some Council direction from the discussion in the very next agenda item - other business.

Mr. Ashcroft said he had no problem with the proposed changes in the plat and he can vote for it.

Mr. Fairlie told Mr. Rose that he thinks he has now received direction from the Council.

\* \* \*

There being no further business to come before the August 27, 1984 meeting of the Gladstone City Council, Mayor Fairlie adjourned the meeting.

Approved as submitted  
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Respectfully submitted:

Approved as corrected/  
amended  
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Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Robert P. Fairlie  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 13, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of August 27, 1984 Council Meeting
4. PROCLAMATION: designating September 17-23 as "CONSTITUTION WEEK in Gladstone.
5. CONSENT AGENDA:

Approval of Building remodeling plans for Antioch Plaza Pharmacy,  
5601 N. Antioch Road subject to compliance with Uniform Building  
Codes. Applicant: Moore Associates. Owner: Shelton Bower

Liquor License Renewals - CELLARMASTER WINES, 6942 N Oak, Class C;  
GUTHRIES RESTAURANT, 6425 N Oak, Class A&B

Resolution No. R-84-54, authorizing acceptance of proposal from Williams  
Ford for purchase of two (2) 1985 dump trucks in the total amount of  
\$39,032.10 and one (1) 1985 four-wheel drive pickup truck in the amount of  
\$10,225.95, from Allen Chevrolet

Resolution No. R-84-55, authorizing acceptance of proposal from Bill Allen  
Chevrolet for purchase of two (2) 1985 3/4 ton cab and chassis pickups for  
the total purchase price of \$16,924.92.

Resolution No. R-84-56, authorizing acceptance of proposal from Independent  
Salt Company for purchase of approximately 1,500 tons of de-icing salt on  
an "as needed" basis at \$17.60/ton FOB destination, 7-day delivery and \$18.60/ton  
FOB destination, 24-hr. emergency delivery.

Resolution No. R-84-57, authorizing execution of contract with Kimmell  
Engineering, Inc. for cleaning, repairing and painting of the primary treatment  
basin at the Gladstone Water Processing Plant. Total contract amount:  
\$13,800.00

Approval of Interim Financial Report for August, 1984.

6. PUBLIC HEARING: Amendment to chapter 32 of the city code, being the Gladstone  
Zoning Ordinance, to establish a minimum floor area for dwelling units in  
Use Districts R-2, R-3 and R-4. Applicant: City of Gladstone.
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL NO. 84-38, an ordinance approving the Final Plat of  
PROSPECT-1, SW corner of 70th & N Prospect. Applicant: NORTHAVEN EAST,  
INC. Mr. Ben Rose
11. Other Business
12. Questions from the News Media
13. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 13, 1984  
Special Meeting

Mayor Bob Fairlie called the September 13, 1984 meeting of the Gladstone City Council to order at 7:30 pm in the Administrative area of the Gladstone City Hall.

PRESENT: Councilmembers Les Smith, Jim Butler, Lee Bussinger,  
Mayor Robert Fairlie.

ABSENT: Councilmember Bob Ashcroft

In addition to members of the City Council, those in attendance were: Administrative Services Director Toni Anderson, Counselor John C. Dods and the City Clerk

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Smith moved to accept the August 27, 1984 City Council Meeting Minutes as submitted; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 4 on the Agenda: Proclamation.

Mayor Fairlie read a Proclamation designating the week September 17-23 as "CONSTITUTION WEEK" in Gladstone. A representative of the William Boydston Chapter of the Daughters of the American Revolution was present to accept the proclamation.

Item 5 on the Agenda: Consent Agenda.

The City Clerk read the September 13, 1984 Consent Agenda items.

Mr. Bussinger requested the deletion of the August 1984 Interim Financial Report from the Consent Agenda and suggested it be held over until the September 24, 1984 City Council Meeting to provide opportunity for Council review of the report.

Mr. Smith moved to approve the Consent Agenda items as read with exception of August Interim Financial Reports; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Consent Agenda Detail:

Mr. Smith moved to approve Building remodeling plans for Antioch Plaza Pharmacy, 5601 N Antioch Road subject to compliance with Uniform Building Codes; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Consent Agenda Detail (continued)

Mr. Smith moved to approve Liquor License Renewals for Cellarmaster Wines, 6942 N Oak, Class C and Guthries Restaurant, 6425 N Oak, Class A&B. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Smith moved to adopt Resolution No. R-84-54, authorizing acceptance of proposal from Williams Ford for purchase of two (2) 1985 dump trucks in the total amount of \$39,032.10 and one (1) 1985 four-wheel drive pickup truck in the amount of \$10,225.95 from Allen Chevrolet. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Smith moved to adopt Resolution No. R-84-55, authorizing acceptance of proposal from Bill Allen Chevrolet for purchase of two (2) 3/4 ton cab and chassis pickups for the total purchase price of \$16,924.92. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Smith moved to adopt Resolution No. R-84-56, authorizing acceptance of proposal from Independent Salt Company for purchase of approximately 1,500 tons of de-icing salt on an "as needed" basis at \$17.60/ton FOB destination, 7-day delivery and \$18.60/ton FOB destination, 24-hr emergency delivery. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Smith moved to adopt Resolution No. R-84-57, authorizing execution of contract with Kimmel Engineering, Inc. for cleaning, repairing and painting of the primary treatment basin at the Gladstone Water Processing Plant. Total contract amount: \$13,800.00. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 6 on the Agenda: PUBLIC HEARING: On an amendment to Chapter 32 of the City Code, being the Gladstone Zoning Ordinance to establish a minimum floor area for dwelling units in Use Districts R-2, R-3 and R-4. Applicant: City of Gladstone.

Mayor Fairlie opened the public hearing and invited those to speak in favor of this proposed amendment followed by those opposed.

Favor:

Acting Director of Public Works Steve Warger, representing the City in this application, explained that currently the City Code has a minimum floor area on single family (R-1) dwelling units of 1,200 sq. ft. the proposed amendment would establish the following minimum floor areas for R-2, R-3 and R-4:

R-2 Zone - not less than 1,000 sq. ft. finished floor area per side.

R-3 Zone - Studio Units - not less than 530 sq. ft.  
One Bedroom Units - not less than 675 sq. ft.  
Two Bedroom Units - not less than 890 sq. ft.  
More than Two Bedroom Units - not less than 1,100 sq. ft.

R-4 Zone - Same minimums as R-3 Zone

Mayor Fairlie asked how the suggested minimums were arrived at.

Mr. Warger responded that approximately 13-15 apartment complexes were surveyed and the average sq. footage was calculated for the categories then reduced by 10%. So the proposed minimums are based on the average sq. footage of area apartments less 10%.

Mrs. Becky Bledsoe, questioned why the proposed changes are being considered at this time?

Mayor Fairlie said the question of minimum apartment size was raised by the apartments going in adjacent to the Northhaven area. Adjacent residents questioned what kinds of restrictions should be imposed on multi-family residences.

Mrs. Ann Shannon asked why the less 10%.

Mayor Fairlie clarified it was attempt to be restrictive/<sup>but</sup>not overly restrictive. He commented that 10% may not be a good number however the average sq. footage may not be good number also. He asked what change the proposed ordinance makes over the present requirements.

Mr. Warger pointed out that presently there are no minimums for multi-family. He noted that from the survey it is likely there are only 2-3 Gladstone complexes that would not fall within the proposed minimums.

Mr. Smith noted that in the survey it was determined that a couple of complexes had a real high sq. footage and it was felt that brought the average up. This was the rationale for the average less 10%.

Mr. Ben Rose asked if the proposed minimum would affect his PROSPECT 1 project?

Mayor Fairlie said he would refer the question to the City Counselor although his own opinion was that for zoning or for proposals that are already in it would be very difficult to enact a law that would be retorative.

Mr. Dodds said he was not sure he would agree with the Mayor as it would seem to him that the City would have the right to impose whatever standards there are at the time of issuance of building permits. As he understands it, in this case no building permits have been issued to date. Mr. Rose acknowledged that was correct.

Mr. Dodds continued that it would be his suggestion that this question not be addressed until Council changes the ordinance. If Council does change the ordinance then we can face the issue of when the new ordinance becomes effective.

Mayor Fairlie clarified for the audience that Council is conducting a public hearing tonight on proposed changes in the Zoning Ordinance to set minimum floor area for apartments. A Public Hearing does not mean the law goes into affect tonight. First the public hearing is held and then the bill is given three readings before it is enacted into law. So the public hearing discussion does not enact an ordinance.

A member of the audience said he encouraged the passage of the proposed ordinance. He has heard that Gladstone is approximately 85% developed and he sees a need for controls on the quality of development for the remaining ground.

Another member in the audience also suggested it is in the best interests of citizens to pass the ordinance and urged Council to do so.

There were no further comments, whereupon Mayor Fairlie closed the public hearing.

Item 7 on the Agenda:      Communications from the Audience.

None

Item 8 on the Agenda:      Communications from the City Council.

Councilman Butler requested that Mr. Warger be prepared to review the present mowing ordinance for possible revision at the next Council study session.

Mr. Butler also asked that the staff review the temporary sign at Midas Muffler. It is his belief that the sign violates the current sign ordinance.

Mr. Bussinger said he would like to respond to a quote from Mr. Ben Rose in a recent edition of the CHRONICLE. He said he would point out that the Council is not trying to get into the apartment business and not trying to dictate what class of people live in Gladstone. Mr. Bussinger continued that the Council has no problem with the apartments and their renting for \$250/mo if they are quality built. Council is not interested in who lives there - just interested in the quality of the complex.

Mr. Rose said they are also.

Mayor Fairlie noted that new City Manager Patrick J. Reilly will be on board Monday, September 17th. Mr. Reilly has been with the City of Clinton for five years and has all the qualifications for the position. Council felt very strongly about his ability to manage our city during the interview process. Mr. Fairlie invited the public to take the opportunity to meet Pat Reilly. He commented that it has been very comfortable for the Council to have Public Safety Director Francis in the Interim City Manager position knowing that we have people of that quality who can step in and assume the responsibility and have business continue as usual.

Item 9 on the Agenda:            Communications from the City Manager.

None

Item 10 on the Agenda:    First Reading: Bill No. 84-38, an ordinance approving the Final Plat of PROSPECT-1, SW corner of 70th & North Prospect. Applicant: NORTHAVEN EAST, INC. Mr. Ben Rose

In reviewing the plat with Council donation of right-of-way for North Prospect improvement project was discussed. Mr. Rose said he is only asking for approval of the final plat and right-of-way discussions were between him and the State.

Mr. Smith pointed out that in a Council study session Mr. Rose had made it perfectly clear that the City could have the right of way for the south piece of property.

According to Mr. Butler there was an understanding that as far as the northern section of right-of-way if 68th Street did not have to be built, he would donate the right-of-way to the city and the southern portion had been agreed upon in a deal struck years ago. Mr. Rose responded that the Council should keep their word if he's expected to keep his. Every time he comes before the Council it's a brand new deal. Mr. Butler told Mr. Rose the Council is prepared to proceed and now Mr. Rose is shifting again.

Mr. Rose was critical of the Council's indecision and said it is apparent he is going to need some help on this matter.

Mr. Smith moved to place Bill No. 84-38 on First Reading; Mr. Bussinger seconded.

Further Discussion: Mr. Bussinger pointing out that the reason the city is involved in the right-of-way for Prospect is because they are paying 50% of the right-of-way costs. The Council is here to represent the city and Mr. Rose is clear out of line in saying that the Council cannot make up their mind. The change was made because of public opinion, Councilmembers were deluged with calls and had to be responsive to the citizens they represent. He said he realizes it cost Mr. Rose some time, but the Council cannot help that. The Council had to go through the process to make sure they were doing it right.



Mr. Rose said the right-of-way might have been donated some time ago had he been presented with deeds for his signature. He had only been provided a copy this evening of what the City thinks they need.

Mr. Bussinger asked that Mr. Rose get off the fact that the Council is trying to pick on him - they are trying to respond to the citizens as well.

Roll call on motion to place Bill No. 84-38 on First Reading:  
"Aye" - Smith, Butler, Bussinger. "No" - Fairlie (3-1)  
The Clerk read the Bill.

Item 11 on the Agenda:

Other Business.

Mr. Butler commented as far as the Council being in the apartment business. He feels very strongly that we are in that business as well as the street light business, the chuck hole business, tax business, swimming pool business, etc. It is very much the city's business to keep abreast of what goes on and for the Council to be the check and balance.

Mr. Smith noted that Councilmembers had attended the Missouri Municipal League Conference in St. Louis and in talking with persons from St. Louis area municipalities who had had dealings with Patrick Reilly, it is apparent he is held in high regard and that Gladstone had made an excellent choice for a City Manager.

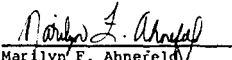
Mr. Bussinger announced that he had attended a Clay County Visitor's Bureau kick-off for their new poster depicting Clay County sites and points of interest. The City has been provided a copy of the poster and he asked that it be appropriately displayed.

\* \* \* \*

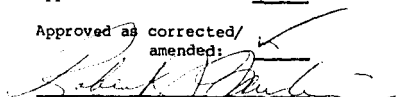
There was no further business to come before the September 13, 1984, special meeting of the Gladstone City Council, whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted:

Approved as submitted: \_\_\_\_\_

  
Marilyn F. Ahnefeld  
CITY CLERK

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

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 24, 1984

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of September 13, 1984 City Council Meeting
4. PRESENTATION of Certificate of Conformance in Financial Reporting to the City of Gladstone. Awarded by Government Finance Officers Association of the United States and Canada.
5. CONSENT AGENDA:

Approval of Interim Financial Report for August, 1984.

Approval of Building Plans for 5700 N Broadway subject to provisions of UBC, UPC, NEC, UMC and City Codes.  
1200 sq. ft. construction of dentist office in existing office condominium development. Owner: Northwoods Development. Applicant: James R. Vinyard, Contractor

6. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District, to CP-1, Planned Local Business District, property at 402 NE 72nd Street. Applicant/Owner: Gladstone Properties, Inc.

7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager

- 9a Bldg. Plans, Fred Angle, 5900 N Oak.
10. SECOND READING: BILL NO. 84-38, an ordinance approving the Final Plat of PROSPECT-1, SW corner of 70th & N Prospect. Applicant: NORTHAVEN EAST, INC. Mr. Ben Rose

11. FIRST READING: BILL NO. 84-39, an ordinance amending Chapter 32 of the City Code being the Gladstone Zoning Ordinance to establish a minimum floor area for dwelling units in R-2, R-3, and R-4 Use Districts.

12. FIRST READING: BILL NO. 84-40, approving the Final Plat of GLADSTONE MEADOWS APARTMENTS, 70th & N Olive and 70th & N Park. Applicant/Owner: Steve Jagoda

13. Resolution No. R-84-98, authorizing the Kansas City Area Transportation Authority to pursue a grant-in-aid in the City of Gladstone's behalf for acquisition of bus for elderly and handicapped persons transportation.

14. Other Business
15. Questions from the News Media
16. Adjournment

Agenda  
addition

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 24, 1984

Mayor Bob Fairlie called the September 24, 1984 meeting of the Gladstone City Council to order at 7:30pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilmembers Les Smith, Jim Butler, Lee Bussinger,  
Bob Ashcroft, Mayor Robert Fairlie

In addition to members of the City Council, those in attendance were: City Manager Patrick Reilly, City Counselor John Doda and the City Clerk.

Mayor Fairlie introduced City Manager Patrick Reilly to the audience and urged them to take the opportunity to meet Mr. Reilly at the reception hosted by the Gladstone Chamber of Commerce in the city hall lobby following tonight's meeting.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Bussinger moved to accept the minutes of the September 13, 1984 Special City Council Meeting with correction of the last paragraph, Page 4 to read "Mr. Bussinger said he would like to respond". The Clerk noted the correction. Mr. Smith seconded. The vote: "Aye" - Smith, Butler, Bussinger, Fairlie. "Pass" - Ashcroft. (4-0)

Item 4 on the Agenda: Presentation.

Mayor Fairlie presented a Certificate of Conformance in Financial Reporting to the City of Gladstone. He noted this award is made by the Government Finance Officers Association of the United States and Canada and Gladstone is recipient for the seventh consecutive year. Mrs. Sue Henning, Chief Accountant, was present to accept the award on behalf of the city. Mayor Fairlie congratulated Mrs. Henning and the Finance Department staff on this honor.

Item 5 on the Agenda: Consent Agenda.

The City Clerk read the September 24, 1984 Consent Agenda items.

Mr. Ashcroft moved to approve the Consent Agenda Items as listed; Mr. Butler seconded. The Vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Consent Agenda Detail:

Mr. Ashcroft moved to approve the Interim Financial Report for August, 1984 as submitted; Mr. Butler seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Ashcroft moved to approve the Building Plans for 5700 N Broadway as submitted for 1200 sq. ft. dentist office in existing condominium development, subject to provisions of the UBC, UPC, NEC, UMC and City Codes. Owner: Northwoods Development. Applicant: James R. Vinyard, Contractor. Mr. Butler seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Note: Item 7 taken out of order to accommodate audience.

Item 7 on the Agenda: Communications from the Audience.

Gladstone Area Chamber of Commerce President Joe Wally welcomed City Manager Patrick Reilly and invited all attending to enjoy refreshments in the lobby honoring the Manager following the council meeting.

Sharon Butler, Glad Fest Chair, invited Council Members to attend the opening ceremonies of the Glad Fest on Friday, October 5 and ride in the parade on Saturday, October 6th. She asked the Mayor to join them on the reviewing stand. She respectfully requested the Council's consideration of the City's annual donation in the amount of \$500 to the Glad Fest and \$250 contribution to defray one-half of the insurance expense for this event. She noted that it is her understanding both amounts are budgeted. She further advised that carnival rides will again be held in the area north of City Hall using the same carnival company as in previous years. The company and the Chamber will be fully cooperative with city staff in terms of safety inspections, etc. as outlined in the ordinance.

Mayor Fairlie moved to approve the \$750 donation requested; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 6 on the Agenda: Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property at 402 NE 72nd Street. Applicant/Owner: Gladstone Properties, Inc.

Favor:

Applicant Bruce Lambert, explained this request is to rezone the property in question to enable them to add it to the adjacent commercial property for proper development.

City Council Minutes  
September 24, 1984  
Page Three

Mr. Lambert reviewed plans with Council which call for future construction of proposed bank and office retail building. The property to be rezoned presently has a residence which will be razed to provide parking area. Council reviewed traffic patterns and parking area for the proposal.

In response to question from Councilman Bussinger, Mr. Lambert said they would ask for a buffer variance on the east side.

Mr. Lambert also noted they would request down-zoning from present C-2 to C-1 on property to the west occupied by Kenton Glass.

For the benefit of the audience, Mayor Fairlie explained that plans call for removal of the present Kenton Glass Company and Gladstone Drugs to make way for a bank on the corner and construction of office retail building to the rear of the existing Jay's United Super. He invited members of the audience to come forward to review the plans for this important intersection.

Mr. Dennis L. Dunlap, 7200 N Locust, indicated he is owner of property directly east of property to be torn down. He said following discussion at the Planning Commission he sent a letter to Chairman Ken Winkler and copy to Mr. Lambert requesting two things: (1) 4' high chain link fence along east side of this property, which is the south end of the layout being viewed tonight. The fence is for control of pedestrian traffic and wind-blown debris; and (2) accurate landscape plan showing trees and shrubs for distinct separation between business and residential areas and for assistance in abatement of noise. He asked that a copy of his letter be made a part of the public hearing. Mr. Dunlap noted that he also mentioned at the Planning Commission his concern for the traffic flow at that corner. He noted that traffic coming from the west trying to make a left turn frequently comes on north and then turns into the driveway on Locust and then goes back west and then north. This practice may get worse.

Councilman Bussinger asked Mr. Lambert if he was agreeable to the chain link fence and buffering. Mr. Lambert acknowledged that he was.

No one spoke in opposition to the proposed rezoning.

There were no further comments whereupon Mayor Fairlie closed the public hearing.

Mayor Fairlie noted for the public's awareness that the next order of business on this rezoning request was introduction of first reading of the rezoning bill at the next regular City Council Meeting on Monday, October 8, 1984.

Item 8 on the Agenda: Communications from the City Council.

None.

Item 9 on the Agenda: Communications from the City Manager.

City Manager Reilly thanked the Council for the opportunity to serve as Gladstone City Manager. He requested agenda addition of Building Permit for Angle Motors. He indicated Mr. Fred Angle is present to answer questions from the Council as well as Acting Director of Public Works Warger.

Item 9-a on the Agenda: Building Permit to rebuild burnt building at 5900 N Oak. Applicant: Fred Angle

Mr. Angle indicated that their used car building burned last week. The shell is still up except for some structural repair in one corner of the roof. Plans call for rebuilding and addition of 8 ft. on the west side at the same time.

Council reviewed the plans and noted that the staff report indicates plans conform with all applicable codes.

Mr. Smith moved to approve the Building Permit for Angle Motors, 5900 N Oak as submitted. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 10 on the Agenda: Second Reading: Bill No. 84-38, an ordinance approving the Final Plat of Prospect-1, SW corner of 70th and N Prospect. Applicant: NORTHAVEN EAST, INC. Mr. Ben Rose.

Mr. Ashcroft moved to accept the First Reading of Bill NO. 84-38, and place said Bill on Second Reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) \*  
The Clerk read the bill.

Item 11 on the Agenda: First Reading: Bill No. 84-39, an ordinance amending Chapter 32 of the City Code being the Gladstone Zoning Ordinance to establish a minimum floor area for dwelling units in R-2, R-3, and R-4 Use Districts.

Mr. Smith moved to place Bill No. 84-39 on First Reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

\* Mr. Fairlie advised that he had not intended to vote "Aye" on Bill 84-38, dealing with the PROSPECT-1 Final Plat.

Item 12 on the Agenda: First Reading: Bill No. 84-40, approving the Final Plat of GLADSTONE MEADOWS APARTMENTS, 70th & N Olive and 70th & N Park. Applicant/Owner: Steve Jagoda.

Mr. Smith moved to place Bill No. 84-40 on First Reading; Mr. Butler seconded.

Discussion: Mr. John Lutjen, 206 NE Barry Road, representing applicant Stephen Jagoda indicated their desire to proceed as quickly as possible on this project and requested Council consider additional readings to the Bill this evening. He explained their need to get streets and parking lots constructed during the two remaining construction months.

Mayor Fairlie said while he understood their need, speaking for himself he would favor only one reading this evening. Mr. Fairlie continued that there is a need to look at the street pattern and suggested the new ordinance establishing minimum square footages for apartments may also have some affect on this project.

Mr. Bussinger agreed and suggested a worksession which he will discuss later under Item 14 on the Agenda (Other Business).

Mayor Fairlie said both this plat and Prospect-1 are interrelated and he sees a need for Council discussion.

The vote on the motion: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 13 on the Agenda: Mr. Ashcroft moved to adopt Resolution No. R-84-58, authorizing the Kansas City Area Transportation Authority to pursue a grant-in-aid in the City of Gladstone's behalf for acquisition of a small bus for elderly and handicapped persons transportation. Mr. Bussinger seconded.

Mayor Fairlie noted that we are not authorizing expenditure of funds by this resolution but only giving authority to pursue a grant for such purpose. Funding would be 80%, Federal and 20%, Gladstone.

The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 14 on the Agenda: Other Business.

Councilman Bussinger said he would like to see a Council worksession with Mr. and Mrs. Rose, their legal counsel as well as the city counselor for discussion of right-of-way, buffer zones and a number of items that need to be discussed on the Prospect-1 Plat. Gladstone Meadows representatives should also be included in the meeting. It was agreed to hold this session on Monday, October 1st at 8:30pm in the Chamber area following the regular Planning Commission meeting. Mr. Reilly was asked to contact the parties involved.

Item 15 on the Agenda:

Questions from the News Media.

Reporter George McCuiston, asked if it can be assumed that if Bill 84-39 (establishing minimum floor area for apartments) is passed the Rose project would be affected.

Mayor Fairlie responded that there is a possibility it would be affected but he can't answer with certainty.

# # #

There was no further business to come before the September 24, 1984 City Council Meeting whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted:

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

Robert J. Fairlie  
Robert J. Fairlie, Mayor



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 8, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of September 24, 1984 City Council Meeting

PROCLAMATION: Designating month of October as "SPINAL HEALTH CARE MONTH". Sponsor. Northland Chiropractors

SPECIAL PRESENTATION to Michael Stewart for lifesaving action in connection with incident at Brooktree Swimming Pool.

4. CONSENT AGENDA:

Resolution No. R-84-59, authorizing execution of contract with Damon Pursell Construction Company for sludge removal. Contract amount: \$103,730.00

Resolution No. R-84-60, authorizing execution of contract with Barber Sewer & Ditching for water main replacement in three project areas. Contract amount: \$103,097.96

Resolution No. R-84-61, authorizing execution of an Engineering Agreement with Larkin and Associates for water main replacement engineering services. Contract amount: \$19,000

Approval of Interim Financial Report for month of September, 1984.

5. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District, to CP-O, Planned Non-retail Business District, property at 7200 N Walnut. Applicant/Owner: Donald L. Short
6. Questions from the Audience
7. Questions from the City Council
8. Questions from the City Manager
9. THIRD READING: Bill NO. 84-38, an ordinance approving the Final Plat of PROSPECT-1, SW corner of 70th & N Prospect. Applicant: NORTHAVEN EAST, INC. Mr. Ben Rose
10. SECOND READING: Bill NO. 84-39, an ordinance amending Chapter 32 of the City Code being the Gladstone Zoning Ordinance to establish a minimum floor area for dwelling units in R-2, R-3, and R-4 Use Districts.

11. SECOND READING: BILL NO. 84-40, approving the Final Plat of GLADSTONE MEADOWS APARTMENTS, 70th & N Olive and 70th & N Park. Applicant/Owner: Steve Jagoda
12. FIRST READING: BILL 84-41, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District property at 402 NE 72nd Street. Applicant/Owner: Gladstone Properties
13. FIRST READING: BILL 84-42, amending Schedule IX of the Model Traffic Ordinance dealing with designated speed zones.
14. Other Business
15. Questions from the News Media
16. Adjournment

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 8, 1984

Mayor Bob Fairlie called the October 8, 1984 meeting of the Gladstone City Council to order at 7:30pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilmembers Les Smith, Jim Butler, Lee Bussinger, Bob Ashcroft, Mayor Robert Fairlie.

In addition to members of the City Council, those in attendance were: City Manager Patrick Reilly, City Counselor John C. Dods and the City Clerk.

Item 3 on the Agenda:            Acceptance of Minutes.

Mr. Smith moved to approve the minutes of the September 24, 1984 City Council Meeting as submitted; Mr. Butler seconded. The Vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

\* \* \*

Mayor Fairlie read a Proclamation designating the month of October, 1984 as "Spinal Health Care Month" in the City of Gladstone as requested by the Northland Chiropractors. Dr. Frank Carrella and Dr. Charles Hudson were present to accept the proclamation on behalf of their organization.

Councilman Jim Butler presented a Certificate of Commendation to Michael Stewart for his livesaving action in connection with an incident at Brooktree Swimming Pool this past summer. Mr. Butler said he learned of Michael's action when he spoke at his Cub Pack meeting in September. Michael is credited with saving a young boy's life by his quick action.

Item 4 on the Agenda:            Consent Agenda.

The City Clerk read the October 8, 1984 Consent Agenda items as listed. Mayor Fairlie asked if any member of the Audience, City Staff or Council requested deletion of any item. Hearing none, Councilman Bussinger moved to approve the Consent Agenda items as read; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Consent Agenda Detail:

Mr. Bussinger moved to approve Resolution No. R-84-59, authorizing execution of contract with Damon Pursell Construction Company for sludge removal for total contract amount of \$103,730.00. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-60, authorizing execution of contract with Barber Sewer & Ditching for water main replacement in three project areas for total contract amount of \$103,097.96. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-61, authorizing execution of an Engineering Agreement with Larkin & Associates for water main replacement engineering services. Contract amount: \$19,000. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

For the benefit of the audience, Mayor Fairlie listed the areas designated for water main replacement in the preceeding resolutions and recited the amounts of bids received for both projects. In each case, the awardee has been determined to be the lowest and best bid.

Mr. Bussinger moved to approve the Interim Financial Report for the month of September, 1984 as submitted. Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda: Public Hearing on request to rezone from R-1, Single Family Dwelling District to CP-O, Planned Non-Retail Business District property at 7200 N Walnut. Applicant/Owner: Donald L. Short.

Mayor Fairlie explained the procedure for public hearings that comments will be heard from those in favor of the rezoning application followed by those opposed.

Applicant Donald Short addressed the Council noting that the Planning Commission had suggested to them the need for a specific plan for use of the property. Mr. Short said he had no detailed plans for development of the property for commercial use. His proposal calls for using the present residential structure for such use as insurance office, accounting firm, or attorney's office or similar office-type.

Virginia Wempe, New Haven Real Estate Company, said they would simply adapt the existing structure with proper driveway to the back for parking. She noted that this property and the adjoining building are shown as commercial in the Master Plan and pointed out that no opposition was heard at the Planning Commission public hearing. She asked that Council take these facts into consideration.

Mayor Fairlie pointed out that there is a requirement that there be a "Plan" for a Planned Zoning request. The plan becomes a part of the zoning and should outline the location of the building, showing the parking, drives, access and the like. It defeats the purpose of the planned zoning to approve the zoning without a plan

Mr. Bussinger said he is not receptive to operation of businesses from remodeled homes. He suggested that anyone would agree that Antioch Road would look much better if the Council had not permitted the modification of the residences but rather required the homes to be razed and new commercial structure built. If we start doing the same thing on 72nd Street we will have problems down the line.

Ms. Wempe pointed out that there is a house up the street has already been zoned for commercial, so their request is not a new idea.

Mr. Bussinger said that if they had a tenant for the property and had a good plan he might think differently but as it stands right now he is not receptive to putting a business in a home.

Mr. Smith asked if there would be sufficient buffer. Mr. Warger said that would have to be reviewed.

Oppositon: None

There were no further comments to come before the public hearing; whereupon Mayor Fairlie closed the public hearing.

Item 6 on the Agenda:                    Communications from the Audience.

Louise Estes     6733 N Park, said she spoke with Mr. Dave Dyehouse of Butler & Associates that date and he said he hopes to have the storm drainage study completed in the next three weeks. He does have the plat for Gladstone Meadows and Prospect-1 but has not reviewed them yet and said he does not know their affect on Rock Creek. She asked if it is logical or not to approve these developments without benefit of Butler & Associates' study.

Mr. Kevin Jamison, 6713 N Garfield, said he was an attorney here in Gladstone. He said while he realized that the Council has heard more about 68th Street then they wanted to know, part of the solution appears to have been to force the apartments to be converted from low-income to higher income apartments.

Mr. Fairlie said that was never part of the consideration. Although there might have been an inference drawn. Mr. Jamison said he thinks it is a reasonable inference given the sequence of events around 68th Street. He feels that this inference could cause the City of Gladstone some problems down the line because low-income in some quarters is synonymous with minority groups and if you are opposed to low-income housing you are by extension opposed to minority groups.

Mayor Fairlie asked why it should be a question for the future when they have not considered that in their discussions.

Mr. Jamison said from the sequence of events an individual may make the inference that this housing project or rather the ordinance was changed in order to keep low-income housing out of the city of Gladstone and in some quarters this would be synonymous with opposition to minorities moving into Gladstone. He said he does not share this view, however there have been a couple of cases where a city enacted a similar ordinance and was sued in Federal court under various civil rights and fair housing statutes and lost. A small town in Ohio wound up with some absurd and de-meaning requirements placed on them by the District Court simply because of an inference that they were "racist" because they opposed low-income housing. He suggested that the City Counselor consider what prophylactic action should be taken to prevent a similar suit against the city of Gladstone.

prohibition of

Mayor Fairlie said/low-income housing has never been a comment from this Council table. Mr. Jamison said all he knows is what he reads in the newspapers.

Mr. Jamison again stated that he is giving early warning that this inference has been drawn in the past and has caused serious trouble in a couple of other cities in Ohio and Illinois. It is no secret that this kind of suit has been brought and a lot of lawyers around the greater KC area know that these suits can be brought and won.

Mrs. Louise Estes, said from her review of the Gladstone Ordinances (Section 32-16 of the City Code), that play or recreation areas have to be designated and shown as such on site development plans. This was not done to her knowledge on Prospect-1. She said she talked to the architect for Prospect-1 today and he thought it was not needed.

Mr. Warger clarified that we are presently dealing with the final plat which is the division of the lots and location of streets. The site development plans will show where the buildings are and parking lots, play areas, etc.

Mrs. Estes said she is confused because she thought the site development plan was what she reviewed. Council clarified that the site development will be presented at time of building permit issuance.

Mr. Jack Kline, 2702 NE 68th Street, said he protests the construction of apartments proposed in PROSPECT-1, because he feels like it is low rent at \$250/month for 450sq. ft. which is what he reads in the paper.

Mayor Fairlie responded that he could not define "low-rent"; that is a term that each person would have to define for themselves.

Mr. Kline said \$250.00 month is low rent to him.

Mr. Smith pointed out that it has not been but about two years since if he could not have rented for \$250/mo he could not have rented in Gladstone. Everybody deserves a place to live-what Council is looking for is quality construction throughout Gladstone. The term low rent does not mean anything. He is sure some of his fellow councilmen have children who can afford only \$250/month. He supported the square footage ordinance for the purpose of obtaining quality construction.

Mr. Kline reiterated his protest of the proposed apartments in Prospect-1.

Mr. Ashcroft said we are not in a position where we are not trying to dictate the kind of people moving into any neighborhood. The proposed sq. footage ordinance is not directed in any way to any minority group or the exclusion thereof.

James Estes, 6733 N Park, asked the purpose of the Butler drainage study.

Mayor Fairlie said the purpose was to determine where we have flooding problems and measures to be taken throughout the 3-4 major drainage-ways in the city.

Mr. Estes asked how this apartment can be built without knowing what affect it will have as far as drainage.

Mayor Fairlie said that information from George Butler & Associates substantiates previous studies as well as benefit of study from the Corps of Engineers. Mr. Fairlie said that Butler and Associates had computerized the drainage based on maximum development of the area. When the site plan is reviewed for a building permit, all drainage considerations will have to be addressed to the satisfaction of the City Engineer.

Mr. Bussinger stressed that the Council is concerned about the residents and asked that they understand that the Council is working with the consulting engineers to assure that this project will not affect any of the residents as far as run-off.

Mr. Estes said that he lives in an area developed by Mr. Rose and said he had to obtain his own survey because Mr. Rose had failed to mark the lines between homes. The survey cost him \$170 and many other people in the neighborhood had to have surveys too. When they inquired of the city why Mr. Rose was not required to do that as the ordinance requires, they were told Mr. Rose did not want to do it. Mr. Estes said apparently Mr. Rose did not put up bond money for the street; the street is falling apart and the city will have to spend taxpayers money for repairs. Mr. Rose was supposed to be responsible for that. In both of these cases the City did not protect the citizens of Gladstone.

Mr. Smith said that nobody that lives on 68th Street can say that he did not try to protect them. On down the line the Council will look specifically at storm drainage with respect to this project. He said he can assure Mr. Estes that they will look at it very closely.

City Manager Reilly clarified that he has correspondence from Butler & Associates who reference review of preliminary plans for both Prospect-1 apartments and Gladstone Meadows. So they have had opportunity to review the layouts but await the site plans before they make final recommendations.

Item 7 on the Agenda:                    Communications from the City Council.

Mr. Smith commented on the success of the GladFest. He commended the magnificent response of the Public Works Department and the Public Safety Department.

Mr. Butler noted that Wednesday, October 10 is the deadline for voter registrations to enable persons to vote in the upcoming November election.

Mr. Bussinger said that Mr. Estes had raised some good points and he would like a public response for the next Council meeting on the question of why no markings and no street bond for Northaven East development.

Item 8 on the Agenda:                    Communications from the City Manager.

City Manager Reilly advised that the Gladstone Chamber of Commerce had written their thanks for the cooperation and assistance provided by the City in connection with the GladFest.

Item 9 on the Agenda:                    Third Reading: Bill No. 84-38,  
an ordinance approving the Final Plat of PROSPECT-1, SW corner  
of 70th & N Prospect. Applicant: NORTHAVEN EAST, INC.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-38 and place said Bill on third reading; Mr. Smith seconded.

Discussion: Mr. Bussinger asked Attorney Max Von Erdmannsdorff if the 35 ft. buffer will be included. Mr. Von Erdmannsdorff responded absolutely - it has to be there.

Mr. Butler questioned what kind of buffer; will the trees removed be replaced? Mr. Von Erdmannsdorff said no one has made any particular suggestion. Mr. Butler said on the contrary he had made specific suggestion several weeks ago of trees or something back there.



Mr. Von Erdmannsdorff said the problem is that Mr. Rose paid over \$600,000 for this property which has been rezoned since 1961. He is not asking for any favors from anyone except his legal rights. He is quite willing to put in a project that will conform to every single city code and will do the buffer and will listen to suggestions. But to try to please people about what it will be in the future is difficult to do. It is his understanding that the Council got letters because some people wanted the street through and other didn't. Mr. Rose would go either way but you can't satisfy everybody. He is a capable man in dealing with this problem and he will work with the city - he has to under the ordinance.

Mr. Ashcroft asked if there is any indication as far as granting of highway right-of-way. He continued that this had been talked about on several occasions but we are at the place where it is difficult to understand where all parties stand at the present time.

Mr. Von Erdmannsdorff pointed out that Mr. Rose had intended to give the right-of-way. So far all of the delays that have come about have cost him about \$200,000. Mr. Rose is miffed and as a practical matter he thinks they are about to hear that the Council will pass the final reading if they will give the Council something that cost him \$50,000 to buy. He is waiting to hear what the Council has to say. He is not willing to commit that Mr. Rose will sign a deed or conveyance for the right-of-way. Mr. Rose's original intention was to give the right-of-way - he had always planned to do that. But at this point it has cost him a lot of money because of these many delays. He is not asking for any favors; he would not have paid \$600,000 for the property if he had to ask favors. All he has to do is comply with the law. If people would not try to muscle him - that was his original intention. He said he would - and it was on the plat that he would. But Mr. VonErdmannsdorff said he can't say he has authority to commit him to do that in the future. Mr. Von Erdmannsdorff continued that he does not think anybody has the authority to say we won't give you something you have the legal proper right to have, unless you give us something free that we don't have the right to take away from you. That's the position Mr. Rose and the Council are in. It is uncomfortable for all.

Mr. Bussinger asked if Mr. Rose understands that he has probably saved \$50-75,000 by not having to put 68th Street through.

Mr. Erdmannsdorff said he is sure maybe he did but with the delay he lost way more than what it cost to put the street through. Mr. Rose started in February and it is now October and he has lost all that time. Mr. Von Erdmannsdorff asked if Council is aware of the number of units that won't be rented because of the delay.

Mr. Fairlie read the proposed amendment to the Ordinance dealing with the condition that approval and acceptance of the plat is conditioned upon the owner's conveyance by General Warranty Deed all rights, title and interest in and to all streets and rights-of-way shown on the plat to be dedicated to the public and that no building permit will be issued for construction or improvements until the conveyances are made in a form approved by the City Manager.

After Mayor Fairlie read the proposed amendment, Mr. VonErdmannsdorff commented that while he respects John Dods, if Mr. Dods said the City won't get sued over that!

Mr. Dods asked that the record be expressly clear that the plat as they understand it shows on its face a dedication of the right's of way along N Prospect as well as 68th Street; because of the controversy that existed between Mr. Rose and City in connection with this and related projects, the intent that I have tendered to the Council is is to see that those dedications that are on the plat come to fruition by the conveyance of the right-of-way by deed and it does not in any way touch on any other rights-of-way except those shown specifically on the plat that you are asking the Council to approve.

Mr. Von Erdmannsdorff said Mr. Dod's statement was not very clear to him if he (Dods) thinks dedications and conveyances are the same thing.

Mr. Bussinger moved to amend Bill 84-38 by adding Section 3 (note language attached); Mr. Smith seconded.

Mr. Ashcroft commented that as much as he would like to have the property properly deeded gratuitously or by whatever method, he has a problem with the amendment and finds it difficult to vote in favor of it.

Mr. Butler said he too is having some problems with it but because of past dealings with Mr. Rose we are only trying to safeguard ourselves so that we make sure the right deeds are conveyed over to the city. Although there is some grey area here, and wish the Roses were here to clear the air, Mr. Butler said he will support the amendment.

Mr. Bussinger commented that we have to start somewhere if Mr. and Mrs. Rose don't approve then we will have to start another route.

Mr. Von Erdmannsdorff asked if the contingency is not asking that Mr. Rose just give \$50,000 worth of property and if he does not, then they won't approve the plat. That is the way he understands it. He questioned that this requirement protects the people.

Mr. Bussinger responded that is kind of the way the chips are falling. He is protecting the taxpayers. They made an agreement with the state to participate in 50% of the right-of-way for M-1. He is only trying to do what is right. It is not totally our fault, project is delayed, If Mr. Rose had not knocked the trees down after the preliminary reading of the final plat we probably would not have had all these problems. He wants to get it settled.

Mr. Von Erdmannsdorff said he can assure that if the amendment is passed it will not settle the issue.

Mr. Dods and Mr. VonErdmannsdorff left the room for discussion.  
Mayor Fairlie called a ten minutes recess.

\* \* \*

Mayor Fairlie reconvened the meeting and Mr. Dods said he had nothing to convey to the Council as a result of his meeting with Mr. VonErdmannsdorff. Mr. Dod said he would encourage the Council to act on the bill with the amendment or not.

The vote on the Amendment: "Aye" - Smith, Butler, Bussinger.  
"No" - Ashcroft, Fairlie. (3-2)

The vote on the Bill as Amended: "Aye" - Smith, Butler, Bussinger, Ashcroft. (No) - Fairlie. (4-1) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-38 as amended; and enact said Bill as Ordinance No. 2530. Mr. Butler seconded. The vote: "Aye" - Smith, Butler, Bussinger, Ashcroft. "No" - Fairlie. (4-1)

Item 10 on the Agenda:      Second Reading: Bill No. 84-39, an ordinance amending Chapter 32 of the City Code being the Gladstone Zoning Ordinance to establish a minimum floor area for dwelling units in R-2, R-3 and R-4 Use Districts.

Mr. Smith moved to accept the first reading of Bill No. 84-39 and place said Bill on second reading; Mr. Butler seconded. The vote: "Aye"- Smith, Butler, Bussinger. "No" - Ashcroft, Fairlie. (3-2) The Clerk read the Bill.

Mayor Fairlie said he had just learned that there are some federal size requirements and that our ordinance is greater than the minimim federal size requirements and asked if we should not research this.

Counselor Dods suggested that from a legal standpoint that the Council not take final action on this ordinance until legal research is completed on the matter.

Item 11 on the Agenda:      Second Reading: Bill No. 84-40, approving the Final Plat of GLADSTONE MEADOWS APARTMENTS, 70th & N Olive and 70th & N Park. Applicant/Owner: Steve Jagoda.

Mr. Butler moved to accept the First Reading of Bill No. 84-40 and place said Bill on second reading; Mr. Smith seconded. The vote: Aye - Smith, Butler, Bussinger, Fairlie. "No" - Ashcroft. (4-1) The Clerk read the Bill.

Mr. Bussinger moved to accept the Second Reading of Bill No. 84-40, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Smith seconded. The vote: "Aye" - Smith, Butler, Bussinger, Fairlie. "No" - Ashcroft. The Clerk read the Bill.

Mr. Bussinger moved to accept the Third and Final Reading of Bill No. 84-40 and enact said Bill as Ordinance No. 2.531; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda:      First Reading: Bill No. 84-41, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District property at 402 NE 72nd Street. Applicant: Gladstone Properties.

Mr. Bussinger moved to place Bill No. 84-41 on First Reading; Mr. Smith seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Item 13 on the Agenda:      First Reading: Bill No. 84-42, amending Schedule IX of the Model Traffic Ordinance dealing with designated speed zones to increase speed limit on North Troost, from Northeast 68th Street north city limits and North Flora from NE 56th Street to NE 68th Street from present 25 mph to 30 mph.

Mr. Ashcroft moved to place Bill No. 84-42 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Council discussed need to amend this bill to include the 68th Street curve. City Manager Reilly advised that the Public Safety Department has recommended leaving 68th Street at 25mph.

Mr. Ashcroft moved to accept the first reading of Bill No. 84-42 and place said Bill on second reading; Mr. Bussinger seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Council agreed to have Public Safety review their recommendation on 68th Street prior to the third reading.

Item 14 on the Agenda:      Other Business.

Mr. Bussinger said during the recess former Councilmember Whitton had commented on the fact that the city may be spending funds to fight a lawsuit on the PROSPECT-1 Plat. His concern is that we give the citizens in the area a fair shake and he feels that Shook, Hardy and Bacon have given the city a fair shake since they have been representing the city. He wants to publically convey this to Mr. Whitton at this time rather than at election time.

Item 15 on the Agenda:

Questions from the News Media.

Reporter Ken Hatfield asked why Mr. Ashcroft voted no on the second reading of the Gladstone Meadows Plat. Mr. Ashcroft explained that he favored passage of the Plat but had not favored giving the plat more than one reading at this meeting.

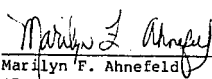
# # # #

There was no further business to come before the October 8, 1984 meeting of the Gladstone City Council, whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

  
Marilyn F. Ahnefeld  
CITY CLERK

  
MAYOR *CEO fpm*

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 22, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of October 8, 1984

4. CONSENT AGENDA:

Resolution No. R-84-62, authorizing sale of surplus City property to the highest bidder. (5) Public Safety Patrol Vehicles; (1) Public Works  $\frac{1}{2}$  ton Pickup; (1) Public Works Van.

Resolution No. R-84-63, adopting a Policy for Enforcement of Chapter 31 of the City Code relating to Weeds and Vegetation.

Resolution No. R-84-64, authorizing temporary reduction from 7% to 6%, the occupation and license tax imposed on natural gas suppliers to customers within the city of Gladstone during the months of December 1984, January and February, 1985.

Approval of Building Permit for 731 NE 76th Street, 7,600 sq. ft. space in existing warehouse. Subject to UBC,UPC,NEC and Gladstone Ordinances. Applicant: Jim Pieschl Construction. Owner: Oak Park Development

5. PUBLIC HEARING: Request for an easement vacation on Lot 21 of TRACY ESTATES. Applicant/Owner: Mitcon, Inc.
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. THIRD READING: BILL NO. 84-39, an ordinance amending Chapter 32 of the City Code being the Gladstone Zoning Ordinance to establish a minimum floor area for dwelling units in R-2, R-3 and R-4 Use Districts.
10. SECOND READING: BILL NO. 84-41, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District property at 402 NE 72nd Street. Applicant/Owner: Gladstone Properties
11. SECOND READING: BILL NO. 84-42, amending Schedule IX of the Model Traffic Ordinance dealing with designated speed zones.
12. FIRST READING: BILL NO. 84-43, rezoning from R-1, Single Family Dwelling District to CP-0, Planned Non-Retail Business District, property at 7200 N Walnut. Applicant/Owner: Donald L. Short
13. Other Business
14. Questions from the News Media
15. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 22, 1984

Mayor ProTem Lee Bussinger called the October 22, 1984 meeting of the Gladstone City Council to order at 7:30pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilmember Lee Smith      ABSENT: Mayor Bob Fairlie  
          Councilmember Jim Butler  
          Councilmember Bob Ashcroft  
          Mayor ProTem Leo Bussinger

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor John C. Dods and the City Clerk.

Mayor Pro Tem Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Butler moved to accept the October 8, 1984 City Council Meeting Minutes as submitted; Mr. Ashcroft seconded. The vote: All "aye"- Smith, Butler, Ashcroft, Bussinger. (4-0)

Item 4 on the Agenda: Consent Agenda:

The City Clerk read the October 22, 1984 Consent Agenda items.

Mayor Bussinger asked if any member of the audience, city staff or Council desired removal of any item from the Consent Agenda for placement on the regular Agenda, hearing no request; Mr. Ashcroft moved to accept the Consent Agenda items as submitted; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Consent Agenda Detail:

Mr. Ashcroft moved to adopt Resolution No. R-84-62, authorizing sale of surplus City property to the highest bidder: (5) Public Safety Patrol Vehicles; (1) Public Works  $\frac{1}{2}$  ton Pickup; (1) Animal Control Van; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Mr. Ashcroft moved to adopt Resolution No. R-84-63, adopting a Policy for Enforcement of Chapter 31 of the City Code relating to Weeds and Vegetation; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Consent Agenda Detail (continued)

Mr. Ashcroft moved to adopt Resolution No. R-84-64, authorizing temporary reduction from 7% to 6%, the occupation and license tax imposed on natural gas suppliers to customers within the city of Gladstone, during the months of December 1984 and January and February 1985. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Mr. Ashcroft moved to approve the Building Permit Application for 731 NE 76th Street, 7,600 sq. ft. space in existing warehouse subject to the Uniform Building Code, Uniform Plumbing Code, National Electrical Code and Gladstone Ordinances. Applicant: Jim Pieschl Construction. Owner: Onk Park Development. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Item 5 on the Agenda: PUBLIC HEARING; Request for an easement vacation on Lot 21 of TRACY ESTATES. Applicant/Owner: Mitcon, Inc.

Acting Director of Public Works Steve Warger reviewed this easement vacation with Council explaining that when Tracy Estates was originally platted, the developer had to purchase a portion of Michelle Estates for the southeast portion of Lot 21 of Tracy Estates. It had a 5' easement on it and has ended up being the front of the new lot and is in the way of the building line and is no longer needed. Letters have been received from all utility companies verifying they have no use for this easement and no objection to its vacation.

There were no additional comments from persons in favor of this application and no opposition, whereupon Mayor Pro Tem Bussinger closed the public hearing. He advised this vacation application would be scheduled for first reading at the November 12, 1984 City Council Meeting.

Item 6 on the Agenda: Communications from the Audience.

Mr. Art Wuttke, 7305 N Harrison, said he presently has a house under construction at 1021 NE 73rd Terrace. He said he appeared before the Council on April 23rd and received a letter from former City Manager Mark Achen that dealt with negotiations on price of utilities and construction of 73rd Terrace. Mr. Achen's letter stated that the improvements should be installed at the time of the construction of his single family home and directed him to contact Mr. Steve Warger on the manner to proceed. After he got the letter he had an engineering company over to bid on the street and they asked him for the grade and other questions that he could not answer so he referred him to the city engineer.



They obtained their building permits and started construction on the home at which time he deposited \$5,000 with the First National Bank of Gladstone as escrow for 73rd Terrace Street construction. The city requested that the \$5,000 be transferred to the city's account which was done. When they listed their present home for sale, their agent called the engineering department and asked if there was any problem with the street going through. The department said there was no problem, the lots could be sold and that the street was going through. The reason she called is that one of their neighbors indicated there was a petition being circulated to stop the street from being cut through. He called after his agent's call and was also told there was no problem with the street construction and that the street had been plotted back in 1976.

The buyer for their home at 7305 N Harrison expects that street to go through and if it does not he could face a lawsuit. For five and one-half months the city has had his money and he has a house that he has to be into by November 15; he has no yard and no sewers and due to the sewer stub outside the basement wall, all the water that collects around the basement runs inside. If it rains just a little he has to pump 4-5 inches of water and keep it away from the air conditioning unit already installed in the basement.

He has no way to put in his driveway because he does not know what the street grade will be. With the rains we have had it is impossible to get up to the house. He also has no water in the house for cleanup. The engineering department has told him several times the sewers will be started at the end of the week and this has gone on for 6-8 weeks. He cannot sell the lots because he can't tell the potential buyers of the lots what their assessment will be. He is asking for a completion date for the street, sewers and water. He talked with Mr. Reilly by phone and Mr. Reilly said the street stub should be in by November 15th.

Mr. Wuttke continued that no savings and loan association will finance a house that is not on a street and he has been turned down flat. He has to have the street before he can get financing. If he is sued by potential buyers because the street is not going in he will have no recourse but to sue the city - which he does not want to do. Most of his assets are tied up in this property and he stands to lose both properties if the street is not put through. He asked that a completion date for sewers and street be put in writing.

Mr. Bussinger agreed that Mr. Wuttke had a fair question and asked Mr. Reilly to respond.

Mr. Reilly said the Council had authorized him at the study session this evening to seek bids on water and sewer lines and to award a bid prior to the next council meeting in an effort to accommodate Mr. Wuttke. Unfortunately, it is not a budgeted item but Council gave permission to proceed knowing the difficulty Mr. Wuttke is facing. In terms of the street, bids will be taken and accepted at the November 12th council meeting. At that time Council will make a decision whether or not to appropriate funds for the full street or whether to just accommodate the property that has been developed. Mr. Reilly said he had further advised Council that staff will have a recommendation at the next Council meeting on the appropriate assessment of the undeveloped lots as to the cost of the various public facilities.

Mr. Bussinger asked if Mr. Reilly had an understanding why this matter has taken so long. Mr. Reilly responded he did not.

Mr. Wuttke said he started his home the first part of June and first met with the Council on April 30, he still has no access to his home and no way to put his driveway in.

Mr. Bussinger said he understands the difficulty and the City will do the best we can to correct it.

Mr. Reilly noted that the engineering plans are completed so the driveway grade should be established and we will expedite the water and sewer bids.

Mr. Wuttke again asked for something in writing to provide to his savings and loan company. It was agreed Mr. Wuttke would contact Mr. Reilly the following business day for a letter.

Item 7 on the Agenda: Communications from the City Council.

Mr. Bussinger asked that the City Manager conduct a study of proposed franchise receipts for presentation at a future study session. He mentions this because of the proposed rate increases from KCPL once Wolf Creek is on line.

Item 8 on the Agenda: Communications from the City Manager.

Mr. Reilly reported that at the last Council meeting, Mr. Bussinger had raised the question as to why there were no property line markings or street bonds in the Northaven East development. Mr. Reilly said we have no reasons and unfortunately the principals involved are no longer with the city. He can assure the Council that enforcement of all subdivision regulations will be done in the spirit of the law as well as to the letter of the law.

Item 9 on the Agenda: Third Reading: Bill No. 84-39, an ordinance amending Chapter 32 of the City Code being the Gladstone Zoning Ordinance to establish a minimum floor area for dwelling units in R-2, R-3 and R-4 Use Districts.

Mr. Smith moved to accept the second reading of Bill 84-39 and place said Bill on third and final reading; Mr. Ashcroft seconded. The vote: "Aye" - Smith, Butler. "No" - Ashcroft, Bussinger. (2-2)

Mr. Bussinger announced that based on the presence of four Council Members, a vote of 2-2 does not pass the bill and therefore this bill has been defeated.

Mr. Bussinger said he voted no on this bill because after reading the Counselor's opinion he is concerned about the city's position. He would like to take a look later at establishing a minimum floor area but that would be a little bit down the road. If passed this bill might have left the city wide open for some legal ramifications and quite frankly the city is not in a position to withstand a law suit and he personally feels we are on thin ice.

Item 10 on the Agenda:     Second Reading:   Bill No. 84-41, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property at 402 NE 72nd Street.   Applicant/Owner: Gladstone Properties

Mr. Ashcroft moved to accept the first reading of Bill No. 84-41, and place said bill on second reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)  
The Clerk read the Bill.

Item 11 on the Agenda:     Second Reading:   Bill No. 84-42, amending Schedule IX of the Model Traffic Ordinance dealing with designated speed zones and changing speed from present 25mph to 30mph on North Troost - from northeast 68th Street to north city limits and North Flora - from northeast 56th Street to Northeast 68th Street.

Mr. Butler moved to accept the first reading and place Bill No. 84-42 on second reading: Mr. Smith seconded.

Mr. Bussinger noted there had been discussion at the previous council meeting as to whether the area of 68th Street between Flora and Troost is to be left at 25mph. Public Safety Department has recommended that the 68th street portion remain at its present 25mph therefore it is not included in this bill.

The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)  
The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 84-42 and place said bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)  
The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 84-42 and enact said bill as Ordinance No. 2.532. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Item 12 on the Agenda:     First Reading:   Bill No. 84-43, rezoning from R-1, Single Family Dwelling District to CP-O, Planned Non-Retail Business District, property at 7200 N Walnut.   Applicant/Owner: Donald L. Short

Mr. Smith moved to place Bill No. 84-43 on first reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Mr. Bussinger advised it is customary to approve the first reading of a bill so that it can be advanced for further discussion. The vote at the November 12th meeting will give an indication which way this rezoning request will go.

A spokeswoman for the applicant said she had some drawings to present in connection with this application. She said it was her impression from discussion at the public hearing at the last Council meeting she could present such information at this meeting.

Mr. Bussinger explained that the public hearing had already been held and new information would have to be taken back to the Planning Commission.

Item 13 on the Agenda: Other Business.

Mr. Smith commented on the square footage ordinance and said he fully respects Mr. Bussinger's opinion and that of legal counsel and does hope that we will look at something similar down the road because it is still an area that needs to be addressed. He stood behind his vote because he feels it is an ordinance that is needed. He commented that perhaps we can put some more thought into it and come up with something else.

Mr. Butler asked for an update on storm water drainage on Rock Creek. He said he had received inquiries from residents in that area as to the status. He suggested the status be available at the next Council meeting and perhaps new media information to let the public know there is some activity in this regard.

Mr. Butler said he was in favor of the minimum sq. footage ordinance and is still very much in favor of it. It is important that we address the kind of building going in in Gladstone. The ordinance was not aimed at any one developer but rather aimed to better Gladstone and serve as a builder's guide for all future development in Gladstone. He would support a new bill.

Mr. Bussinger said he voted against the bill because a few builders other than Mr. Rose had indicated bigger is not always better and he feels the city was hanging out legally and from what he reads in the papers Mr. Rose probably not have hesitated to initiate a lawsuit. Mr. Bussinger continued that is of course Mr. Rose's right. He felt we need to be a little careful in how we proceeded and agrees with Mr. Butler and will work to get a new ordinance but thinks our timing is bad now.

Mr. Butler asked about the status of the dumping at 72nd & N Oak. Mr. Reilly said the developer was given several weeks to respond. Mr. Bussinger asked if we would have a status report by the next Council meeting. Mr. Reilly acknowledged we would.

Mr. Bussinger asked City Manager Reilly to arrange a joint meeting with the Roses, their attorney and the City Council.

City Council Minutes  
October 22, 1984  
Page Seven

There was no further business to come before the October 22, 1984 meeting of the City Council, whereupon Mayor ~~Fairlie~~ adjourned the meeting.

*Pro Tem Burroughs*

Respectfully submitted:

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted

Approved as corrected/  
amended

*Robert J. Fairlie*  
MAYOR



P.O. BOX 10719 7010 NORTH HOLMES GLADSTONE, MISSOURI 64118 816-436-2200

Monday, October 29, 1984  
11:45 AM

NOTICE OF VOTE TO CLOSE MEETING OF THE GLADSTONE CITY COUNCIL

Notice is hereby given that the Gladstone City Council will hold a special meeting at 6:00PM on Monday, October 29, 1984, at the Gladstone City Hall.

The tentative agenda of this meeting includes a vote to close this meeting pursuant to the Missouri Open Meetings Act Exemptions under Section 610.025.1: Litigation/Lease/Purchase or Sale of Real Estate.

Representatives of the news media may obtain copies of this notice by contacting:

City Clerk Marilyn Ahnefeld

7010 North Holmes

436-2200, Extension 21

MINUTES  
SPECIAL CITY COUNCIL MEETING

October 29, 1984

Mayor Bob Fairlie called the October 29, 1984 Special Meeting of the City Council to order at 6:00 PM at the Gladstone City Hall.

PRESENT: Mayor Bob Fairlie  
Councilmember Bob Ashcroft  
Councilmember Les Smith  
Councilmember Jim Butler

ABSENT: Councilman Lee Bussinger

In addition to the City Council, those in attendance were City Manager Patrick Reilly, City Counselor John C. Dods, Acting Director of Public Works Steve Warger, Assistant to the City Manager Julie Betz, Mr. and Mrs. Ben Rose and Attorney Max VonErdmannsdorff, and the City Clerk.


Pursuant to the Missouri Open Meetings Act Exemptions under Section 610.025.1: Litigation/Lease/Purchase or Sale of Real Estate and pursuant to public posting of "Notice of Vote to Close Meeting of the Gladstone City Council", Councilmember Smith moved to close this special meeting of the Gladstone City Council; Mr. Butler seconded the motion.

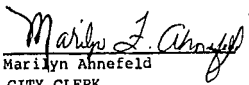
The vote: "Aye" - Smith, Butler, Ashcroft. "No" - Fairlie.  
(3-1)


Pursuant to majority vote, Mayor Fairlie announced this meeting was a closed meeting. The City Clerk left the meeting following this action.

Respectfully submitted;

Approved as submitted: 

Approved as corrected/  
amended: 

  
Marilyn Ahnefeld  
CITY CLERK



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 12, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes: Regular City Council Meeting October 22, 1984  
Special City Council Meeting October 29, 1984
4. CONSENT AGENDA
  - Resolution No. R-84-64, authorization to award a contract to Pennington Ditching, Inc. for water & sewer main construction in NE 73rd Terrace, Troost to Harrison. \$22,081.36.
  - Resolution No. R-84-65, authorization to execute Change Order No.1 to R.A. Pehl Construction Co. contract for Rock Creek Channel Improvements. \$34,606
  - Resolution No. R-84-66, authorizing City Manager to enter into a Cooperative Trust Agreement with other municipal corporations to provide pooled self-funded Property and Casualty Insurance.
  - Resolution No. R-84-67, authorizing the City Manager to execute a contract with Asphalt Plant Sales for construction of N.E. 73rd Terrace, Troost to Harrison. \$42,415.00.
  - Approval of Building Plans for roof modification at 2800 NE Antioch. Applicant: United Methodist Church. Subject to UBC, UPC, NEC and Gladstone Ordinances.
  - Approval of Interim Financial Report for October, 1984.
  - Approval of Class C Liquor License for Janylyn, Inc. dba Jay's Foods, 7503 N Oak. Managing Officer: Jay N. Weatherly, Jr.
5. Public Hearing: Request to rezone from C-1, Local Business District to CP-4, Small Warehouse/Storage District-Planned, on property at 6808-10 N Oak. Applicant: Security Storage Properties. Owner: Kenneth Muires, Thomas C. Hunkins.
6. Questions from the Audience
7. Questions from the City Council
8. Questions from the City Manager
9. Site Plan Approval: Lot 7, Corporate Hills North, 851 NW 45th Applicant/Owner: Motter Company, Inc.
10. Site Plan Approval: Kendallwood Nursing Center, 2900 Kendallwood Pkwy. Applicant: Cosada Enterprises. Owner: Kendallwood Nursing Center, Inc.
11. THIRD READING: Bill 84-41, rezoning from R-1, Single Family District to CP-1, Planned Local Business District property at 402 NE 72nd Street. Applicant/Owner: Gladstone Properties
12. SECOND READING: Bill 84-43, rezoning from R-1, Single Family Dwelling District to CP-0, Planned Non-retail Business District, property at 7200 N Walnut. Applicant/Owner: Donald L. Short
13. FIRST READING: Bill 84-44, vacating an easement on Lot 21, Tracy Estates. Applicant/Owner: Mitcon, Inc.
14. FIRST READING: Bill 84-45, approving the application of CSI Associates, Inc. to acquire and become controlling owner of Clay County Communications Company, franchisee of the community antenna television system.
15. Other Business
16. Questions from the News Media
17. Adjournment



MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 12, 1984

Mayor Bob Fairlie called the November 12, 1984 meeting of the Gladstone City Council to order at 7:30 pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Fairlie

ABSENT: Councilman Bob Ashcroft

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor Clyde W. Curtis and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes of the Regular October 22, 1984 City Council Meeting and Special City Council Meeting of October 29, 1984.

Mayor Fairlie noted he was not present at the October 22, 1984 meeting and asked that the minutes be corrected to reflect Mayor Pro Tem Bussinger adjourned the meeting (Page Seven, 10/22/84 minutes). The Clerk noted the correction.

Mr. Smith moved to approve the October 22, 1984 minutes as corrected and the October 29, 1984 minutes as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 3a on the Agenda:      Mayor Fairlie read proclamation designating Tuesday, November 13th as "GLADSTONE, MISSOURI BLOOD DONOR VOLUNTEER DAY" and commending the numerous volunteers.

Item 4 on the Agenda:      Consent Agenda:

Following the reading of the November 12, 1984 Consent Agenda items, Mayor Fairlie asked if any member of the audience, city staff or City Council desired the removal of any item from the Consent Agenda for placement on the regular Agenda.

Mr. Bussinger asked that Resolution 84-67 (contract for construction of NE 73rd Terrace, Troost to Harrison in the amount of \$42,415.00) be removed and also Interim Financial Reports. Mr. Butler requested removal of 84-64 (water & sewer main construction -NE 73rd Terrace, \$22,081.36). Mr. Bussinger moved to approve the Consent Agenda items as amended; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie.

CONSENT AGENDA DETAIL:

Mr. Bussinger moved to adopt Resolution No. R-84-65, authorizing Change Order No. 1 to the R.A. Pohl Construction Company contract for Rock Creek Channel improvements in the amount of \$34,606. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie (4-0)

Mr. Bussinger moved to adopt Resolution No. R-84-66, authorizing the City Manager to enter into a Cooperative Trust Agreement with other municipal corporations to provide pooled self-funded Property and Casualty Insurance for the City of Gladstone. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Bussinger moved to approve Building Plans for roof modification at 2800 NE Antioch Road. Applicant: United Methodist Church. Approval subject to compliance with the Uniform Building Code, Uniform Plumbing Code, National Electrical Code and Gladstone Ordinances. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Bussinger moved to approve Class C Liquor License for Jaylyn Inc. dba Jay's Foods, 7503 N Oak. Managing Officer: Jay N. Weatherly, Jr. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger Fairlie.

Mayor Fairlie designated the items deleted from the consent agenda as agenda items 14-a,b,c.

Item 5 on the Agenda: PUBLIC HEARING: Request to rezone from C-1, Local Business District to CP-4, Small Warehouse/Storage District-Planned, on property at 6808-10 N Oak. Applicant: Security Storage Properties. Owner: Kenneth Maines, Thomas E. Hankins.

Mr. Tom Hankins was present to review this application with Council and explained that he was an adjacent property owner as well as an applicant for this rezoning in his capacity as Attorney for Security Storage Properties. The company is in the business of developing mini-storage facilities.

He pointed out the differences in industrial type warehouses and the type of development planned for this property. Noting that the type of development proposed typically has pitched roofs and blend into residential settings. He reviewed a color diagram depicting an iron fence as opposed to chain link, and trees and shrubbery. On the south is Glad Rents, on the north is law offices of Hall & Stahl, on the west is a ravine and on the east is N Oak Trafficway. Warehouses of this kind have a very low impact on traffic. Average traffic count on one of the largest warehouses in the country shows 47 vehicles in a 24-hr period compared to five single family residences of 10 trips per day per unit. This development would not generate near this amount of traffic.

the  
Mr. Hankins reviewed the staff report comments and noted that front half of the residential structure on the development will be a one bedroom apartment to be occupied by a couple 24-hrs per day. They will be responsible for touring the property several times a day for security reasons and debris pickup. Natural drainage is westerly to the ravine and easterly to N Oak. Their engineer will assure that in constructing this facility there is no additional drainage onto Gunn, Hall and Stahl and GladRents than presently exists. Landscaping is going to be in compliance with that shown on the diagram and ample parking space is provided. However, no cars will be parked for any longer than required to check in and check out. Although 8' security fence is required they ask for a variance to allow for construction of a 6' fence. Mr. Hankins pointed out that their sophisticated security system with people there 24 hrs. a day and computerized check in and check out with automatic gatelocking will provide needed protection.

Miss J.P. Ram, representative of Securities Storage Properties, pointed out that the term "mini warehouse" is no longer used because as the drawings Council has viewed show they are getting away from the industrial character of warehouses used in the past. Those proposed are brick with earth tones, pitched roofs and with landscaping totally different from what has been done in the past. No outside storage is allowed. 24-hr, 7-day on site managers with a computer system for entry is involved. When someone leases a unit they have a card that goes into the machine. If someone should not have a card there is a special code that must be known for entry. She continued that research has shown that within 1 1/2 mile radius of this site there are 22,000 households and within 3 miles there are 54,000 households. Such factors would indicate that an area like this would handle 130,000 sq. ft. of storage facilities. Currently there is 70,000 available and this application is for 50,000 sq. feet. She invited questions from the audience or Council.

Mr. Smith asked if the existing residential structure would be demolished.  
Mr. Hankins said it would.

Mr. Smith also asked if the John Deere dealer on N Oak will be affected by the project if the water slopes down the hill behind the law office and then comes back to North Oak. Mr. Warger said he did not believe so.

Mr. Bussinger questioned the amount of incline that would be cut down pointing out the need to keep safety in mind as far as ingress and egress. Ms. Ram noted that core samples had been taken and there will be levelling out at a point from the front to the back to prevent any drainage problems.

Mr. Bussinger also asked where the fence line is in relation to the street. He noted the Planning Commission Minutes mention 75 feet. Mr. Hankins was uncertain but said it would appear to be about 50 feet.

On hours of operation, Ms. Ram said the management company has varied them depending on the need of the area. Usually they open at 6-7AM in the morning and are secured after 10:30 or 11:00PM.

There were no further comments to come before this public hearing whereupon Mayor Fairlie adjourned the public hearing.

Item 6 on the Agenda:      Questions from the Audience.

Mr. Art Wuttke asked if Resolution R-84-67 deleted from the Consent Agenda would be discussed later in the meeting. Mayor Fairlie responded that it would be discussed under agenda item 14-a.

Item 7 on the Agenda:      Communications from the City Council.

Councilman Butler reminded of the November 15th National Smoke-Out sponsored by the National Cancer Society.

Mr. Bussinger noted two terms on the Gladstone Industrial Development Authority had expired and moved to reappoint Mr. Richard Conn, 6804 N Michigan and Mr. Bert Masters, 2112 NE 67th Street for six year terms on the board, such terms to expire October 1990. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mayor Fairlie announced that the November 26 meeting of the City Council is cancelled due to council's absence from the city to attend the National League of Cities Conference. The next regular meeting of the City Council is Monday, December 10.

Item 8 on the Agenda:      Communications from the City Manager.

City Manager Reilly noted that Council announced a December 10 meeting to discuss the Storm Water Report by George Butler & Associates. This public meeting will follow the regular City Council Meeting that date. He encouraged the newsmedia to assist in making the public aware of this meeting and said his staff will prepare press releases for media distribution.

Item 9 on the Agenda:      Site Plan Approval: Lot 7, Corporate Hills North, 851 NW 45th Street. Applicant/Owner: Motter Company, Inc.

No spokesman for this item was present, however Acting Director of Public Works Steve Warger indicated that all concerns addressed on the Staff Report or at the Planning Commission have been responded to and site drainage calculations are sufficient.

Mr. Bussinger said based on the Planning Commission's unanimous approval and Mr. Warger's comments he moved to approve the Site Plan for Lot 7, Corporate Hills, 851 NW 45th Street as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 10 on the Agenda:      Site Plan Approval: Kendallwood Nursing Center, 2900 Kendallwood Parkway. Applicant: Cosada Enterprises. Owner: Kendallwood Nursing Center, Inc.

Given the fact that this application has some significant questions and no representative was present, Mayor Fairlie suggested holding the item over for the next meeting. Council agreed.

City Council Meeting Minutes  
November 12, 1984  
Page Five

Item 11 on the Agenda: Third Reading: Bill 84-41, rezoning from R-1, Single Family Dwelling District to CP-1, Planned Local Business District, property at 402 NE 72nd Street. Applicant/Owner: Gladstone Properties.

Mr. Bussinger moved to approve the Second Reading of Bill 84-41 and place said Bill on third and final reading: Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third reading of Bill 84-41 and enact said Bill as Ordinance No. 2.533 Mr. Smith seconded.

Discussion: Mr. Bussinger asked if the closing of Jay's United Super on his property at 72nd & N Oak will affect Mr. Lambert's overall development plan. Mr. Lambert said it would.

The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 12 on the Agenda: Second Reading: Bill No. 84-43, rezoning from R-1, Single Family Dwelling District to CP-O, Planned Non-retail Business District, property at 7200 N Walnut. Applicant/Owner: Donald L. Short.

Mr. Smith moved to accept first reading of Bill No. 84-43, and place said Bill on second reading; Mr. Bussinger seconded.

Discussion:

Mr. Smith stated for the applicant's and the public's information that there had been discussion at the prior Council Meeting on the applicant's bringing in plans and it was determined that the proper procedure was to start over with the Planning Commission and then back to the Council. His position is rather than hold it or have them withdraw it so that they can go through the process, he intends to give them clear direction by his vote on how he feels about development of that property.

Mr. Bussinger asked if they had any kind of a plan to propose.

Mr. Warger reviewed the applicant's drawings with Council.

The vote on first reading: All "NO" - Smith, Butler, Bussinger, Fairlie. (4-0 AGAINST) Mayor Fairlie announced that Bill No. 84-43 has failed to receive first reading, and commented that the lack of a plan has hurt this planned zoning.

Item 13 on the Agenda: First Reading: Bill No. 84-44, vacating an easement on Lot 21, Tracy Estates. Applicant/Owner: Mitcon, Inc.

Mr. Smith moved to place Bill No. 84-44 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 84-44, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill No. 84-44, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading: Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 84-44 and enact said Bill as Ordinance No. 2.534. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 14 on the Agenda: First Reading: Bill No. 84-45, approving the application of CSI Associates, Inc. to acquire and become controlling owner of Clay County Communications Company, franchisee of the community antenna television system.

Mr. Bussinger moved to place Bill No. 84-45 on first reading; Mr. Butler seconded.

Mayor Fairlie explained that there has been an application for new ownership of Clay County Communications and the franchise agreement states that it requires the approval of the Council for that transaction to occur.

The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)  
The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 84-45, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading: Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 84-45, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading: Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 84-45 and enact said bill as Ordinance No. 2.535; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 14-a on the Agenda: Resolution No. R-84-64, authorization to award a contract to Penniston Ditching, Inc. for water and sewer main construction in NE 73rd Terrace, Troost to Harrison in the amount of \$22,081.36

Mayor Fairlie asked if we need to have water and sewer the entire length from Troost to Harrison in order to serve Wuttke residence.

Mr. Bussinger pointed out that for a number of years we have had 4 residents north of 72nd Street on Prospect who are buying their water because no water service is available. These residents have repeatedly requested water and he does not believe the estimated cost was near the amount being approved (\$22,081.36) in this item now before us. He noted the improvements to N Prospect may affect this is some way but they should have the satisfaction

that we are giving them some consideration as well. This is a matter the City Manager may want to look into.

Mayor Fairlie agreed Mr. Bussinger had made a good point. He explained that the situation before us is of implied consent by the city to putting in water and sewers on this street many years ago. Mr. Wuttke is simply asking the City to keep their agreement made some time ago, even though the situation is not of Mr. Wuttke's making. It is one of those situations where the developer years ago did not follow through with his commitments.

Mr. Bussinger moved to adopt Resolution No. R-84-64; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 14-b on the Agenda: Resolution No. R-84-67, authorizing the City Manager to execute a contract with Asphalt Plant Sales for construction of NE 73rd Terrace, Troost to Harrison in the amount of \$42,415.00.

Mayor Fairlie explained this item had been discussed in the Council work-session prior to this meeting and it was the consensus that perhaps there was a misunderstanding between Mr. Wuttke and the City on the City's commitment.

Speaking to Mr. Wuttke he said that at the time Mr. Wuttke talked with the Council some months back it was agreed to put in the street to give Mr. Wuttke access to his property (approximately 87 ft.), and he escrowed money for it. The resolution is for a contract for the full length of the street (73rd Terr) from Troost to Harrison. This was not the Council's intent.

Mr. Wuttke said at the time he put his residence up for sale and listed it with a realtor, the realtor called the City's engineering department and was told 73rd Terrace had been plotted back in '64 or '67 and therefore the street would be put in.

Mayor Fairlie said he remembers the Council's agreement with Mr. Wuttke and that is what the Council will act on which was for a full width (30 ft.) street, back to back curb, to give him access to his property. Other than that he has no recollection. Speaking for himself, he is only willing to approve access to Mr. Wuttke's residence.

Mr. Bussinger said rather than act on the Resolution before us, he would make a motion to authorize the City Manager to proceed to provide a 30 ft. width street at the lowest and best price to provide access to Mr. Wuttke's residence (approximately 87 ft.). Mr. Butler seconded the motion:

The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Wuttke asked if this is for a full street for half of the depth of his property? Mr. Fairlie said yes.

Mayor Fairlie recalled that in Mr. Wuttke's first presentation to the Council he stated that he had received some information from City Hall some years back that the street would be in at some future time and that it would cost no more than a certain dollar amount. Mayor Fairlie said we could find no records to either substantiate or refute this statement. He believes the Council has gone 100% to meet their agreement -- instead of putting in a half-street they have agreed to put in the full width and the property owner on the other side will not share in the cost. The only other alternative is to make a Special Assessment District for 73rd Terrace and to assess all those property owners for the improvements to be made which would delay this project by another 60-90 days. The Council has chosen not to do this. What the realtor learned from a phone call to City Hall, he can't speak to, and he is not going to impose a requirement on the City to pave the entire street based on a conversation passed on to Mr. Wuttke from a realtor.

Item 14-c on the Agenda: Approval of Interim Financial Reports for October, 1984.

Mr. Bussinger indicated he had requested this item be deferred to the next meeting because he had not had opportunity to thoroughly review the reports.

Mayor Fairlie questioned what affect deferring to the next meeting would have for the department.

Mr. Reilly indicated the only difficulty would be the fact that our records would not be closed for that month.

Mr. Butler suggested that before computers, our financial reports were often more than a month late in being approved and would also suggest deferrment as he too would like to have time for review.

Mr. Smith moved to approve the Interim Financial Reports for October, 1984 as submitted; Mr. Bussinger seconded. The vote: All "aye"- Smith, Butler, Bussinger, Fairlie. (4-0)

Item 15 on the Agenda: Other Business.

Mr. Bussinger suggested that the Montessori Child Care Center on 72nd Street be contacted about their practice of parking cars on the front lawn. It is unsightly. This is a case where a business has gone into a residence.

Item 16 on the Agenda: Questions from the News Media.

Reporter George McCuisition asked what was being built at Corporate Hills and what was proposed in Kendallwood Nursing Home's application.

Mr. Fairlie answered that a new office facility similar to the existing building is planned for Corporate Hills and that Kendallwood's plans call for two possible additions to their facility.



Mayor Fairlie announced that a joint meeting with the Gladstone Planning Commission would be held immediately following the Council Meeting.

\* \* \* \*

There was no further business to come before the November 12, 1984 meeting of the Gladstone City Council whereupon, Mayor Fairlie adjourned the meeting. Time: 8:40PM

Respectfully submitted:

Approved as submitted: ✓

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
CITY CLERK

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

Robert J. Fairlie  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 10, 1984

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of November 12, 1984 Council Meeting

4. CONSENT AGENDA

Resolution No. R-84-68, adopting a Revised Purchasing Manual for the City of Gladstone.

Resolution No. R-84-69, establishing a Procurement Policy in the area of Professional Services for the City of Gladstone.

Resolution No. R-84-70, authorizing Change Order No. 1 in the amount of \$ 217.88 to the Penniston Ditching, Inc. contract for water & sewer main construction in NE 73rd Terrace, and authorizing final payment in the amount of \$2,307.85 & acceptance of such contract.  
Grand Total Contract - \$21,863.48

Resolution No. R-84-71, authorizing Change Order No. 1 in the amount of \$6,560.00 to the Schultz Electric Company Street Light Contract to provide for installation of 8 additional street lights.  
Grand Total Contract Amount: \$23,780.00

Resolution No. R-84-72, authorizing renewal of Special Use Permit on property at 7321 N Antioch Road for operation of Willowalk Poodles, for three year period expiring December 1987.

Resolution No. R-84-73, declaring necessity (or no necessity) for Primary Election and designating the form of the ballot.

Resolution No. R-84-74, authorizing contract with Kansas City Area Transportation Authority for public transportation service for the period January 1, 1985 thru December 31, 1985. Gladstone subsidy: \$12,900

Resolution No. R-74-75, authorizing Change Order No. 1 to the Kimmell Engineering, Inc. contract for Primary Treatment Basin work and authorizing final payment. Change Order: (\$-369.20) Total Adjusted Contract: \$13,430.80. Final Payment Due: \$1,010.80

Building Plans for Lot 7, Corporate Hills North. Construct 30,164 sq. ft. office condominium subject to UBC, UPC, NEC, UMC, Zoning Ordinances and sufficient fire-life safety requirements approved by Public Safety.

Approval of Financial Reports for December 1984.

5. PUBLIC HEARING: Request to rezone from R-1, Single Family District, to RP-3, Garden Apartment District-Planned, property at 6815 N Holmes, Applicant: Frankie G. Melton
6. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to CP-4, Small Warehouse/Storage District-Planned, property at 131 NE 72nd Street. Applicant: Alvin Frieden & Associates  
Owners: Ben Rose, Ronnie Owens
7. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to CP-0, Non-retail Business district, property at 2109 NE 72nd Street. Applicant: Frank B. Gardner
8. Communications from the Audience
9. Communications from the City Council
10. Communications from the City Manager
11. Site Plan and Building Plan Approval: CP-3 zone, 2800 and 2900 Brooktree Lane. Applicant/Owner: Woodlands Investment Associates.
12. Site Plan and Building Plan Approval: Kendallwood Nursing Center, 2900 Kendallwood Parkway. Applicant: Cosada Enterprises.  
Owner: Kendallwood Nursing Center, Inc.
13. FIRST READING: Bill 84-66, rezoning from C-1 to CP-4, property at 6808-10 N Oak. Applicant: Security Storage Properties.  
Owner: Kenneth Maines, Thomas E. Hankins
14. FIRST READING: Bill 84-67, amendment to the Uniform Traffic Code designating NO PARKING areas. (Brooktree Lane - No. Chestnut to Antioch Road, both sides of street).
15. FIRST READING: BILL No. 84-68, amending Section 21-31 of the City Code dealing with stealing to include theft of services.
16. FIRST READING: BILL 84-69, authorizing acceptance of Sanitary Sewer Easements.
17. Other Business
18. Questions from the News Media
19. Adjournment

*Minute Book*

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

December 10, 1984

Mayor Bob Fairlie called the December 10, 1984 meeting of the Gladstone City Council to order at 7:30 pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Councilman Bob Ashcroft  
Mayor Bob Fairlie

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor Clyde W. Curtis and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes of the November 12, 1984 City Council Meeting.

Mr. Bussinger moved to approve the minutes as submitted; Mr. Smith seconded. The vote: "Aye" - Smith, Butler, Bussinger, Fairlie.  
"Pass" - Ashcroft. (4-0)

#### Item 4 on the Agenda: Consent Agenda:

Following the Clerk's reading of the December 10, 1984 Consent Agenda items, Mayor Fairlie asked if any member of the audience, city staff or City Council desired removal of any item for placement on the Regular Agenda. No requests were made, whereupon Mr. Bussinger moved to approve the December 10, 1984 Consent Agenda items as read; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

#### CONSENT AGENDA DETAIL:

Mr. Bussinger moved to adopt Resolution No. R-84-68, adopting a Revised Purchasing Manual for the City of Gladstone. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-69, establishing a Procurement Policy in the area of Professional Services for the City of Gladstone; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-70, authorizing Change Order No. 1 in the amount of -\$217.88 to the Penniston Ditching Inc. contract for water and sewer main construction in NE 73rd Terrace, and authorizing final payment in the amount of \$2,307.85 and acceptance of such contract. Grand Total Contract- \$21,863.48. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-71, authorizing Change Order No. 1 in the amount of \$6,5600 to the Schultz Electric Company Street Light Contract to provide for installation of 8 additional street lights for a grand total contract amount of \$23,780.00; Mr. Butler seconded the vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-72, authorizing renewal of a Special Use Permit on property at 7321 N Antioch Road for operation of Willowalk Poodles for a three year period expiring December 31, 1987. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-73, declaring the necessity for a Primary Councilmanic Election to be held on Tuesday, February 5, 1985 and designating the form of the ballot. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-74, authorizing renewal of a contract with Kansas City Area Transportation Authority for public transportation service for the period January 1, 1985 through December 31, 1984. Gladstone subsidy \$12,900. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt Resolution No. R-84-75, authorizing Change Order No. 1 to the Kimmell Engineering Inc. contract for Primary Treatment Basin work and authorizing final payment. Change Order (\$-369.20) Total Adjusted Contract \$13,430.80. Final Payment Due: \$1,010.80. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to approve Building Plans for Lot 7, Corporate Hills North for construction of 30,164 sq. ft. of office condominium subject to UBC, UPC, NEC, UMC and zoning ordinances and sufficient fire-life safety requirements approved by Public Safety. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to approve the December 1984 Financial Reports as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda: Public Hearing: Request to rezone from R-1, Single Family Residential District to RP-3, Garden Apartment Dwelling District-Planned, property at 6815 N Holmes. Applicant: Frankie G. Melton.

Mayor Fairlie suggested that this Public Hearing be continued until the next regular City Council Meeting to be held on Tuesday, January 15, 1985 as the applicant was not present at tonight's meeting. Mr. Bussinger so moved; Mr. Ashcroft seconded. The vote to continue the public hearing: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) Mayor Fairlie asked that affected property owners be notified of the continuation.

Item 6 on the Agenda: Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-4, Small Warehouse/Storage District Planned, property at 131 NE 72nd Street. Applicant: Alvin Frieden & Associates. Owners: Ben Rose, Ronnie Owens

Noting that neither the applicant or his representative was present this evening, Mayor Fairlie asked if there were persons in the audience here for this public hearing. Approximately 10 persons raised hands. The Mayor noted that although we have heard this application will be withdrawn, formal notice has not been received.

Mr. Smith noted that the Planning Commission's unanimous recommendation was to deny the application.

The Mayor suggested the public hearing be continued until January 15th Council Meeting. Mr. Ashcroft so moved and Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

The Mayor directed that interested parties be notified of the continuation and also notified if the applicants withdraw.

Item 7 on the Agenda: Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-O, Non-Retail Business District, property at 2109 NE 72nd Street. Applicant: Frank B. Gardner

Bob Wehmuller, co-owner of the property was present to discuss this rezoning application. He said they purchased this property approximately 3 years ago with the intent of building an office building to house their dental practices and this is still their main intent. They received unanimous recommendation to approve from the Planning Commission, with one abstention. Neighbors both to the north and the east have been contacted and are in favor of the project. He invited questions from the audience and Council.

In response to question from Mr. Butler, Mr. WehmueLLer said he had talked with property owners in the immediate vicinity of the proposed project but had not personally spoken to the persons farther north of this project who had been opposed to the project when brought up previously. However, Mr. Frank Gardner had spoken to them and indicated his willingness to meet with them and answer any questions they might have. To his knowledge they have not expressed interest in such a meeting.

In reviewing the artist rendering with Council, Mr. WehmueLLer pointed out that although three buildings are shown, they initially intend to build only one 10,000 sq. ft. professional office building. They have no timetable for construction of the other two buildings.

Mr. Bussinger noted there was discussion at the Planning Commission on a future 71st Street.

Mr. WehmueLLer said there was a request at the Planning Commission hearing for the dedication of the necessary land for completion of future 71st Street and they are willing to dedicate the necessary property for the street.

Mr. Smith asked for clarification as to whether they are willing to only dedicate right of way or are they also willing to build the street or escrow funds for future construction.

Mr. WehmueLLer said that particular point was not brought up at the Commission meeting and he is not at liberty to speak for the rest of the partners although he is certain they would be willing to consider it.

Mr. Smith suggested they consider construction or escrow of funds because it will be required by the City Code and asked that they be prepared to respond to this question at the next meeting. Mr. Smith said there will be a lot of development going on in that area and we don't want to be in a position of not having connecting streets and this is a good place to start.

Mr. Bussinger questioned if we had ever made a traffic study to determine necessity for a light at this location. If agreeable to the rest of the Council he would like to see such a study.

In response to Mr. Fairlie's question, Mr. Warger estimated \$5,000 as the cost of such a study.

Mr. Bussinger said he realized we are talking about quite an expense but he is concerned for the safety of the citizens.

Mr. Ashcroft commented that with or without this project that location has traffic problems. Mayor Fairlie agreed, particularly if you are travelling south and trying to go eastbound on 72nd Street. Mayor Fairlie asked if there were others in the audience to speak in favor of this application. No one spoke.

Opposition: Mayor Fairlie asked if any persons desired to speak in opposition to the proposed rezoning. No one spoke.

Mr. Ashcroft commented that we went through this same scenario several months ago when no one spoke at either the Planning Commission hearing or the Council hearing and then at the last minute there was a significant outpour of opposition. He asked if Mr. Woody and others who had previously presented petitions of opposition are aware that this proposal is back before the Council.

Mr. Warger explained that Mr. Woody and persons in his area are not within 185 feet of the subject property and therefore would not have received written notification of the public hearings but the property is posted with a sign advertising that a rezoning application has been made.

Mr. Ashcroft asked that the record indicate that those persons did not appear at the Planning Commission hearing or the Council hearing and he will lose a little respect should they show up again at the 2nd or 3rd reading and cry wolf again.

Mr. Ashcroft asked Mr. Woody, who was in the audience, if he had anything to say.

Mr. Woody said we have been through this before and they have presented the sentiments of the neighborhood and appreciate the position the city took previously and don't see a reason to restate their position. The previous record documents the fact that they oppose commercial on 72nd Street.

Mr. Butler asked Mr. Woody if Mr. Gardner had been in contact and tried to explain the project in detail. He asked if Mr. Woody feels any better about the project, adding that Mr. Gardner had mentioned to him that Mr. Woody felt that this proposal might be the best of the worst --if commercial has to go in there.

Mr. Woody agreed that this may be the best of rezoning requests that could go in but sees this project as the door opener to commercial development on 72nd Street which they still oppose.

Mr. Fairlie stressed that the last time this rezoning application was before the Council we had four public hearings - this time we will have only one before the City Council and if there are comments to be made, now is the time.

There were no additional comments from the audience, whereupon Mayor Fairlie closed the public hearing.

Item 8 on the Agenda:      Communications from the Audience.

None



Item 9 on the Agenda:

Communications from the City Council.

Mr. Butler asked if a maintenance bond had been secured on the new street construction at 70th & N Park. Mr. Reilly said it had.

Mayor Fairlie thanked the citizens, businesses, press and all others involved in the Mayor's Christmas Tree. He said they would be able to assist 25 families but stressed that it is not too late for donations of food or money. Assistance has come from everywhere this year and Gladstone is certainly a super city to live in when you get that kind of cooperation.

Mr. Smith added he had been given a check today from Gladstone Jaycees in the amount of \$50. He also commented on the increased number of decorated homes this Christmas season and suggested that the City of Gladstone and the Chamber of Commerce re-institute the annual lighting contest.

Item 10 on the Agenda:  
None

Communications from the City Manager.

Item 11 on the Agenda: Site and Building Plan Approval. CP-3 Zone, 2800 and 2900 Brooktree Lane. Applicant/Owner: Woodlands Investment Associates.

Mr. Kirk Bond reviewed with Council plans for two additional office buildings, Woodlands II and Woodlands III. Woodlands II being the first to be built. Both buildings will be very similar to the Woodlands I building with exception that both will have elevators and be slightly larger. Woodlands II will span the creek but the third building will not. There will be a fairly large green area between Woodlands I and II where natural large trees are.

Mr. Bond reviewed the egress/ingress pattern with Council as well as details of the building plans.

Mr. Bussinger noted that the Planning Commission had addressed the drainage and parking problems seemed to be worked out satisfactorily, therefore he moved to approve the site plan and building plans for Woodlands Investment Associates at 2800 and 2900 Brooktree Lane. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda:

Site Plan and Building Plan Approval:

Kendallwood Nursing Center, 2900 Kendallwood Parkway. Applicant: Cosada Enterprises. Owner: Kendallwood Nursing Center, Inc.

Mr. Bill Burford reviewed plans for the 28 bed addition with on-premises Doctor's office and examination room complete with X-ray and EKG equipment solely for the use of their residents. There is a tremendous need for this type of acute care unit which provides specialized hospital care for nursing home residents.

Mayor Fairlie noted that the staff report indicates they are still short 73 parking spaces and asked if they have looked into acquiring additional land for parking.

Mr. Burford said they had looked into it but except for peak times don't see a need for additional parking. The Planning Commission had stipulated that they put in an additional ten spaces, they have put in twenty spaces over the Commission's recommendation. Gladstone does not have specific zoning requirements for nursing centers and we need to take that into consideration and that the average age of the residents is 82 and they don't drive.

Mr. Fairlie agreed that the fact that Gladstone does not have specific requirements for nursing homes and instead the facility is grouped under the general R-4 requirements for multi-family housing is very likely the problem. Mr. Fairlie continued that he had no problem while Mr. Burford is the administrator because Mr. Burford takes care of things but expressed concern that the next manager or owner of the facility might not share the same concerns. Shouldn't the city build in some guarantees so we won't have parking problems in the future. Personally he feels Kendallwood is a credit to the city and is well operated and in fact is the number one employer in the city.

Mr. Butler pointed out that there is a problem not only with the parking spaces but also the density. These are areas the Council needs to look at. He asked if Mr. Burford had negotiated with the establishment to the south to utilize their parking area which was discussed as an alternative at one time. Mr. Burford said they have looked into it but decided not to go that route.

Mr. Smith asked how many jobs this addition would attract. Mr. Burford said 15 skilled personnel.

Mr. Smith said that the Kendallwood Nursing operation is a first class operation and he does not foresee it being converted into a high density/high volume structure at some future time if they got out of the nursing home business but still sees a need for additional parking at present. He asked if there is any place parking can be added.

Mr. Burford said it could be run down 60th Street to Kendalwood Parkway if we want to destroy the aesthetics of the area. He said we will not find all 84 employees driving their vehicles at noon, nor will we find one out of three rooms having a visitor at noon. Yes at holiday times and on Valentines Day and Mother's Day you will find the parking lot crowded and 12-15 cars out on Kendllwood Parkway but you will not find that kind of volume every day of the week.

Mr. Smith said while he agreed with this theory he believes we should avoid a hazardous situation if we can. At peak times the area residents are likely to be driving the streets and there is the possibility of kids darting in between cars. This is a situation that should be remedied if possible. The Council is cognizant of the overall parking problems in the area. If the Council is willing to back off the density requirements it would behoove them to put in additional parking spaces. He understands they have put in 20 more spaces but technically under the ordinance they are still 73 spaces short.

Mr. Bussinger said technically as far as he is concerned we don't have an ordinance that really covers nursing homes and we are requiring them to adhere to requirements for something else. He asked if a study has ever been made to determine what we should require for density and parking with respect to nursing homes. He is in favor of the project and has no problems with cars parked on the street in Kendallwood and noted that he has only seen this happen during peak days. He doesn't see what the problem is.

Mr. Smith said he too supports the concept of the project but still feels we have to consider the other people in the area. He sees nothing wrong in addressing parking needs for "peak" days.

Mr. Bufford suggested that pouring concrete to establish additional parking areas would destroy the aesthetics of the Kendallwood area. He went on to state that even if they put in 70 additional spaces they cannot assure this would eliminate the street parking on Mother's Day or Christmas - they just cannot eliminate that problem.

Mr. Butler said the Council is not trying to rape the land and require massive concrete areas and suggested they try to work out an agreement with their neighbors for utilizing their parking when not in use.

Mr. Bussinger asked City Manager Reilly if we had had any complaints about Kendallwood Nursing Home parking. Mr. Reilly said none he was aware of.

Motion: Mr. Bussinger moved to approve the Kendallwood Nursing Home Center Site and Building plans as submitted. Mr. Smith seconded. The vote: "aye" - Smith, Bussinger, Ashcroft, Fairlie. "no" - Butler. (4- )

Item 13 on the Agenda: First Reading: Bill No. 84-66, rezoning from C-1 to CP-4, property at 6808-10 N Oak. Applicant: Security Storage Properties. Owner: Kenneth Maines, Thomas E. Hankins.

Mr. Smith moved to place Bill No. 84-66 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Council determined an additional reading of this bill was appropriate this evening because of cancelled City Council meetings.

Mr. Smith moved to accept the First Reading of Bill No. 84-66 and place said bill on second reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0). The Clerk read the bill.

Item 14 on the Agenda: First Reading: Bill No. 84-67, amendment of the Uniform Traffic Code designating "No Parking" on both sides of street, Brooktree Lane - North Chestnut to Antioch Road.

Mr. Butler moved to place Bill No. 84-67 on first reading; Mr. Smith seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Mr. Butler moved to accept the first reading of Bill No. 84-67 and place said bill on second reading; Mr. Smith seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the second reading of Bill No. 84-67, waive the appropriate paragraph and place said bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the third and final reading of Bill No. 84-67, and enact said bill as Ordinance No. 2,536. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft Fairlie. (5-0)

Item 15 on the Agenda: First Reading: Bill No. 84-68, amending Section 21-31 of the City Code dealing with stealing to include theft of services.  
NOTE: this item was not introduced.

Item 16 on the Agenda: First Reading: Bill No. 84-69, authorizing acceptance of Sanitary Sewer Easements from Mr. Ben Rose and Mr. Steven Jagoda.

Mr. Smith moved to place Bill No. 84-69 on first reading; Mr. Butler seconded. The vote: All "aye" - Smith, Buttler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the bill.

Mr. Smith moved to accept the first reading of Bill No. 84-69 and place said bill on second reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of Bill No. 84-69, and place said bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the third and final reading of Bill No. 84-69 and enact said bill as Ordinance No. 2,537; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 17 on the Agenda: Other Business.


Mr. Ashcroft moved to appoint Mr. David Relford, 6403 N Michigan, to a term on the Park Board expiring December 31, 1988. Mr. Bussinger seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)


It was noted that several Council members planned to attend the swearing in ceremonies for Governor-Elect John Ashcroft creating the possibility of lack of a quorum for the regular January 14, 1985 council meeting. Council determined that it was necessary to reset this meeting, therefore Mr. Bussinger moved to set the next city council meeting for Tuesday, January 15th at 7:30pm. Mr. Ashcroft seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)


There being no further business to come before the December 10, 1984 meeting of the Gladstone City Council, the meeting was adjourned.

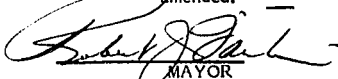
Mayor Fairlie announced that representatives from George Butler and Associates would review the city's Storm Water Management Plan following the regular City Council Meeting and encouraged interested persons to remain for the presentation.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: 

Approved as corrected/  
amended: 

  
MAYOR

CITY COUNCIL MEETING MINUTES

1-15-85 to 12-23-85

MINUTE BOOK 71

1985 CITY COUNCIL MINUTES

| <u>MEETING</u> | <u>DATE</u>       |
|----------------|-------------------|
| REGULAR        | JANUARY 15, 1985  |
| REGULAR        | JANUARY 28, 1985  |
| REGULAR        | FEBRUARY 11, 1985 |
| REGULAR        | FEBRUARY 25, 1985 |
| REGULAR        | MARCH 11, 1985    |
| REGULAR        | APRIL 8, 1985     |
| REGULAR        | APRIL 22, 1985    |
| REGULAR        | MAY 13, 1985      |
| NO MEETING     | MAY 27, 1985      |
| REGULAR        | JUNE 10, 1985     |
| REGULAR        | JUNE 24, 1985     |
| REGULAR        | JULY 8, 1985      |
| REGULAR        | JULY 22, 1985     |

END MINUTE BOOK 71

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 15, 1985

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of December 10, 1984 City Council Meeting.

4. CONSENT AGENDA

Resolution No. R-85-1, authorizing the City Manager to appropriate \$4,050 from the General Fund Contingency Account to the General Fund Capital Account for purchase of Cable TV Generator and accessories.

Resolution No. R-85-2, authorizing Change Order No. 1 in the amount of \$16,500 to the Barber Sewer & Ditching, Inc. water main replacement contract.

Resolution No. R-85-3, authorizing acceptance of a proposal for purchase of (2) material spreaders from Fleet Body Engineering. Total Purchase Price: \$11,198.30.

Resolution No. R-85-4, authorizing Change Order No. 2 in the amount of \$4,431.16 to the R.A. Pohl Rock Creek Channel Improvement Contract.

Approval of remodeling plans for cold storage room, Pizza Hut, 6420 N. Oak. (12'9" x 17'10" addition to west end of building subject to UBC, NEC, UPC, UMC and City Codes.

Approval of building plans for 6,000 sq. ft. addition to Re/Max Realtors building, 2850 Kendallwood Parkway subject to UBC, NEC, UPC, UMC and requirement of one hour fire-rated construction throughout and construction of sidewalks on all street frontage on N. Chestnut and Kendallwood Parkway. Applicant: Roger A. Kaster. Owner: Dennis Curtin.

Approval of building plans for Suite A, 5700 N Broadway, construction of 1,380 sq. ft. interior office space subject to UBC, UPC, NEC, UMC and Gladstone Code. Owner: Northwood Development. Applicant: Jack Dean Construction.

Approval of Interim Financial Reports for December 1984.

5. PUBLIC HEARING: on a proposed amendment to Chapter 32 of the City Code, being the Gladstone Zoning Ordinance, by amending Section 32-39 regarding special use permits to restrict the installation of dish receiving antennas within the city of Gladstone. Applicant: City of Gladstone
6. PUBLIC HEARING: on a request to rezone from CP-1, Local Business District-Planned, to CP-2, General Business District-Planned property at 7109 N Walnut. Applicant/Owner: Gaslight Realty
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager



10. Approval of Building Plans: Savings of America, 6098 N Antioch Road.  
Applicant: Allan Segal
11. Approval of Building Plans: Gladstone Meadows Apartments, 150 apartment unit addition. 70th & North Olive. Owner: Steven Jagoda.  
Applicant: Neighbors Construction
12. THIRD READING: Bill 84-66, rezoning from C-1 to CP-4, property at 6808-10 N Oak. Applicant: Security Storage Properties. Owner: Kenneth Maines, Thomas E. Hankins
13. FIRST READING: Bill No. 85-1, rezoning from R-1, Single Family Dwelling District to CP-O, Non-retail Business District, property at 2109 NE 72nd.  
Applicant: Frank B. Gardner
14. Approval of Preliminary Plat of Resurvey of Lots 3,4,5,6, and 7 of LINDEN WEST SUBDIVISION (5 -105 NW 74th Terrace). Owner/Applicant: North Kansas City School District
15. FIRST READING: BILL NO. 85-2, approving the Final Plat of Resurvey of Lots 3,4,5,6 and 7 of LINDEN WEST SUBDIVISION. Applicant: North Kansas City School District.
16. FIRST READING: BILL 85-3, amending Section 21-31 of the City Code dealing with stealing to include theft of services.
17. FIRST READING: BILL 85-4, renewing a Mutual Fire Aid Agreement with the City of Liberty, Missouri.
18. Other Business
19. Questions from the News Media
20. Adjournment

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 15, 1985

Mayor Bob Fairlie called the January 15, 1985 meeting of the Gladstone City Council to order at 7:30 pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilman  
Councilman Jim Butler  
Mayor Bob Fairlie

ABSENT: Councilman Lee Bussinger  
Councilman Bob Ashcroft

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor Clyde W. Curtis and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes of the December 10, 1984 City Council Meeting.

Mr. Butler noted corrections to the minutes on Pages 8 and 10 - pg. 8, Item 12 to reflect (4-1 vote); pg. 10, Item 17 to reflect Mr. Fairlie's affirmative vote on Park Board appointment.

The Clerk acknowledged the corrections whereupon Mr. Smith moved to approve the minutes as corrected; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0)

At this time Mayor Fairlie invited Recreation Coordinator Pam Buck to step forward. He thanked Ms. Buck for her untiring efforts in connection with the Mayor Christmas Tree program which had been able to serve the needs of 33 families this year and presented her with a rose and silver vase and tray in appreciation.

Item 4 on the Agenda: Consent Agenda:

Following the Clerk's reading of the January 15, 1985 Consent Agenda items, Mayor Fairlie asked if any member of the audience, city staff or City Council desired removal of any item for placement on the Regular Agenda. No requests were made, whereupon Mr. Smith moved to approve the January 15, 1985 Consent Agenda items as read; Mr. Butler seconded. the vote: all "aye" - Smith, Butler, Fairlie. (3-0)

CONSENT AGENDA DETAIL:

Mr. Smith moved to adopt Resolution No. R-85-1, authorizing the City Manager to appropriate \$4,050 from the General Fund Contingency Account to the General Fund Capital account for purchase of Cable TV Generator and accessories. Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0)

Mr. Smith moved to adopt Resolution No. R-85-2, authorizing Change Order No. 1 in the amount of \$16,500 to the Barber Sewer & Ditching Inc. water main replacement contract. Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0)

Mr. Smith moved to adopt Resolution No. R-85-3, authorizing acceptance of a proposal for the purchase of (2) material spreaders from Fleet Body Engineering for a total price of \$11,198.30. Mr. Smith seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0)

Mr. Smith moved to adopt Resolution No. R-85-4, authorizing Change Order No. 2 in the amount of \$4,431.16 to the R. A. Pohl Company Rock Creek Channel Improvement Contract. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0)

Mr. Smith moved to approve remodeling plans for cold storage room at Pizza Hut, 6420 N Oak subject to all codes. Mr. Butler seconded. The vote: all "aye" Smith, Butler, Fairlie. (3-0)

Mr. Smith moved to approve building plans for Re/Max Realtors building addition, 2850 Kendallwood Parkway subject to all codes and requirement of one-hour fire-rated construction throughout and construction of sidewalks on all street frontage on N Chestnut and Kendallwood Parkway. Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Fairlie.

Mr. Smith moved to approve building plans for Suite A, 5700 N Broadway, subject to all Codes. Mr. Butler seconded. The vote: all "aye" -Smith, Butler, Fairlie. (3-0)

Mr. Smith moved to approve the December 1984 Interim Financial Report as submitted; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0)

Item 5 on the Agenda: Public Hearing: On a proposed amendment to Chapter 32 of the City Code to require special use permits to restrict installation of dish receiving antennas within the city of Gladstone. Applicant: City of Gladstone

Mayor Fairlie opened the Public Hearing and asked City Engineer Steve Warger to explain the proposed amendment to the Zoning Ordinance.

Mr. Warger explained that applicants would be required to put down a \$200 deposit; of this \$75 is office fee and the \$125 is to absorb the costs of legal advertisements and mailing costs. The applicant will receive a refund or bill following calculation of actual costs. A Public Hearing will be held before the Planning Commission and the City Council on the application followed by introduction of an ordinance granting the special use permit. Majority vote of the Council is required for approval of the ordinance granting the special use permit.

Mayor Fairlie pointed out that presently such installations are covered to a degree by the Uniform Building Code however introduction of this proposed ordinance was prompted by Councilmembers Bussinger and Ashcroft who wanted to ensure that the dish installations do not become a nuisance or danger to neighboring residents.

Mayor Fairlie said that although there are two sides to the issue, personally he does not favor a special use permit for the installations.

Mr. Warger said that such installations currently must conform to the Building Code as far as structural integrity and mounting of the device. In addition a building permit is issued and installations are subject to the city's setback requirements. Cost of a building permit is based on the valuation and range between \$25 and \$30.

Mr. Smith said he did not favor the proposed ordinance but strongly feels some regulation is needed and he is opposed to seeing dishes in front yards or on roof tops. The special use permit approach places an unfair burden on the applicant and puts the council in the position of being the referee in all sorts of neighborhood squabbles. In addition, he commented that we don't need to add that much more bureaucracy to the system.

#### Audience Comments:

Mr. Frank Rossi, 6610 N Indiana, pointed out that the dish antennas must be securely mounted or you won't receive proper reception. His is mounted in concrete 3½' deep and can stand winds up to 80 mph. The dish must have an open view.

Dick Shields, 7201 N Walnut, also stressed that to work properly they must be mounted properly. He believes we are prejudicing the issue by penalizing the cable dish owner and not directing the legislation to ham operators.

Another member of the audience also stressed that because of the need for an unobstructed view not everyone can have one and he thinks the City is over-reacting.

Mr. Fairlie commented that due to the provisions for placement he doubts that there are few places that would not require back yard setting.

Mr. Smith noted that the proposed ordinance excludes drive-in theatre screens and questioned how it affects business installations. He does believe we need some regulations as far as the aesthetics and screening is desirable but sees the public hearings as out of line as well as the expense of the process for persons wanting entertainment.

Mr. Butler commented he is tired of governments regulating everything.

A resident noted there is a dish on top of a house in Claymont Woods. Another resident questioned what is to keep them off of roof tops all along Oak and Antioch. Mr. George Delisle, 603 NE 73rd Terrace, noted that if a house faces south the dish must be raised.

Harold Lloyd, 3027 NE 73rd Terrace, suggested the need to define "receiving dish" and address the size. He also questioned the legality of our proposed ordinance when the matter is regulated by the Federal Government and there are lawsuits all over the country on the matter.

Mrs. Lloyd questioned if the city has the manpower to monitor the installations.

A resident of 73rd Terrace suggested that we not go into this "blind"; he felt there are a lot of questions to be answered.

Mrs. Becky Bledsoe said that if the setbacks and stability are already addressed in existing codes then we are down to the appearance and questioned if we should not also consider restricting such things as solar panels if we are going to restrict dishes because of the looks of them.

It was noted that a building permit must be obtained for any construction on property, excluding small utility sheds. A gentlemen in the audience asked what the difference was between a 9' dish and a 9' x 9' utility shed. Mayor Fairlie said he wondered the same thing.

Mr. Rossi, again stressed that the dishes will be installed by professionals and it appears to him that the issue boils down to location and appearance.

Mr. John Olson, 2007 NE 64th Street, suggested we go back to the horse and buggy days and obtain approval from neighbors on both side for the installation.

Another resident suggested that if we don't like the looks, what's to stop us from prohibiting boats, motor homes, etc. He is concerned about people's freedom and the city telling us what we can have. He also pointed out that the industry changes rapidly.

Mayor Fairlie agreed that the industry changes and pointed out that in the 1950's, every kind of T.V. antenna possible could be seen.

There were no further comments, whereupon Mayor Fairlie closed the public hearing.

Item 6 on the Agenda: Public Hearing: Request to rezone from CP-1, Local Business District-Planned, to CP-2, General Business District-Planned on property at 7109 N Walnut. Applicant/Owner: Gaslight Realty

Council determined that neither the applicant or a representative was in attendance and following deliberation determined it appropriate to continue the public hearing until the January 28th Council meeting. Mr. Butler so moved; Mr. Smith seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0)

Council asked that the applicant and all interested parties be notified of the continuation.

Item 7 on the Agenda: Communications from the Audience.

A resident of 2613 NE 69th Terrace, complained about cars left on the street during the snow in the vicinity of 69th Terrace & Bellefontaine and suggested the need for ticketing of these cars as a matter of public safety and for plowing purposes.

Mr. John Olson, 2007 NE 64th street, noted there was no heater on the highloader and said we needed to order this equipment. He said we are a first class city and should have first class equipment - good men can't do good work without good equipment.

Mayor Fairlie commented that the Council was not too happy with the first snow removal effort this season and the City Manager and City Engineer were so advised. Perhaps we have been too thrifty as far as equipment and manpower. The first snow removal was not our usual good job. We obtained extra manpower on the second snow and there was a great difference. Councilmembers Smith and Butler agreed.

Staff was asked to look into a problem of water ponding at 72nd & Walnut in the vicinity of the newly constructed building at that location.

Mrs. Harold Lloyd suggested Gladstone residents are spoiled and that other cities are not able to remove snow as quickly.

Mrs. Maines, 6808 N Oak, thanked the city for the quick action on a water main break on N Oak recently. In a similar situation last year we were not as prompt.

Mr. Smith, in defense of the snow removal complaints, pointed out that we have added streets over the years and Council has determined that perhaps we have been too tight with our budget. He said 3 out of 8 pieces of equipment were down recently. He commended the personnel noting that the men worked 36-48 hours straight.

Item 8 on the Agenda: Communications from the City Council.

Mr. Smith said that he and Mr. Butler had developed an emergency preparedness plan last year that addressed shelter and temporary freezer space, etc. He suggested the plan be reviewed to see if revisions are needed.

He also asked that the mud on streets ordinance be enforced noting there are areas where contractors are not cleaning the streets.

Mr. Smith also suggested that appointments/reappointments to the Planning Commission be deferred to the next meeting when a full Council is present.

Mr. Butler announced that the Blood Mobile will be at the Community Center on January 17th and asked that we spread the word. This is a critical need.

Mayor Fairlie announced that the council has agreed to meet in Study Session routinely on non-council meeting dates - those being the 1st and 3rd Mondays of each month and the 5th Monday of the month when such occurs.

Item 9 on the Agenda: Communications from the City Manager.

City Manager Reilly had no communications at this time.

Item 10 on the Agenda: Approval of Building Plans: Savings of America, 6098 North Antioch Road. Applicant: Allan Segal.

Construction Supervisor Larry Upham, was present to review plans with Council for construction of 3,456 sq. ft. one-story building. He noted there was previously a service station at this location. Construction is stone exterior, copper roof and glass entryway.

Mr. Smith moved to approve the building plans for 6098 N Antioch Road as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0)

Item 11 on the Agenda: Approval of Building Plans: Gladstone Meadows Apartments, 70th & N Olive. Owner: Steven Jagoda Applicant: Neighbors Construction.

Mr. Dirk Ellis, was present on behalf of Mr. Jagoda.

Mayor Fairlie suggested that based on study session discussion it may be desirable to delay this item for the next meeting when a full Council is present.

Mr. Ellis asked what council's concerns are in requesting the delay.

Mr. Butler said he would like to see 71st Street from Park - west built at this time.

Mr. Ellis reported that the right-of-way is there and it had been implied that they would participate in building the street when the street was needed.

Mr. Smith invited Mr. Ellis and interested parties to meet with Council on the matter at their Monday, January 21st study session.

Council agreed to table the item until January 28th Council Meeting and Mr. Smith so moved; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0)

Item 12 on the Agenda: Third Reading: Bill 84-66, rezoning from C-1 to CP-4, property at 6808-10 N Oak. Applicant: Security Storage Properties. Owner: Kenneth Maines, Thomas E. Hankins.

Mr. Smith moved to accept the second reading of Bill No. 84-66 and place said bill on third and final reading: Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 84-66 and enact said bill as Ordinance No. 2538; Mr. Butler seconded.

Attorney John Shanks addressed the Council on the matter of the requirement for on-site water retention and suggested that applicants are willing to donate \$4,000 toward the expected cost of \$103,000 for the Old Maids Creek storm water improvements.

Council deliberated the proposal and appropriate amount to require of the applicant's. Mr. Shanks, Counselor Curtis and City Manager Reilly left the room to confer on the matter and consider appropriate language to amend the Bill.

Mr. Smith withdrew his motion to accept the third and final reading; Mr. Butler withdrew his second.

The parties returned to the Chambers, whereupon Mr. Smith moved to amend Bill No. 84-66 by the addition of Section 2 to read as follows:

Section 2. That, in lieu of general ordinance requirements regarding on-site water retention development, applicant stipulates to contribute no less than \$4,000 and no more than \$7,500.00 towards storm water management improvements with payment to be made prior to the issuance of a building permit. This payment is in lieu of a special assessment for storm water improvements.

Mr. Butler seconded the amendment. The vote on the amendment: all "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No 84-66 and enact said Bill as Ordinance No. 2538. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0)

Item 13 on the Agenda: First Reading: Bill No. 85-1, rezoning from R-1, Single Family Dwelling District to CP-O, Non-retail Business district, property at 2109 NE 72nd Street. Applicant: Frank B. Gardner

Mr. Butler moved to place Bill No. 85-1 on first reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.



Item 14 on the Agenda: Approval of Preliminary Plat of Resurvey of Lots 3,4,5,6, and 7 of LINDEN WEST SUBDIVISION (5-105 NW 74th Terrace)  
Owner/Applicant: North Kansas City School District

Following review of the preliminary plat, Mr. Smith moved to approve the preliminary plat of RESURVEY of LOTS 3,4,5,6,7 LINDEN WEST SUBDIVISION as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0)

Item 15 on the Agenda: First Reading: Bill No. 85-2, approving the Final Plat of Resurvey of Lots 3,4,5,6, and 7 of LINDEN WEST SUBDIVISION.

Mr. Smith moved to place Bill No. 85-2 on First Reading; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 85-2., waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill No. 85-2 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 85-2 and enact said bill as Ordinance No. 2.539. Mr. Butler seconded. The vote: All "aye" - Smith, Butler Fairlie. (3-0)

Item 16 on the Agenda: First Reading: Bill No. 85-3, amending Section 21-31 of the City Code dealing with the stealing to include theft of services.

Mr. Smith moved to place Bill No. 85-3 on first reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.

Mayor Fairlie noted that during study discussion, Counselor Curtis indicated the proposed bill lacked a penalty clause for violations therefore Council would give one reading to the Bill and an amendment or substitute bill would be introduced at the next council Meeting.

Item 17 on the Agenda: First Reading: Bill No. 85-4, renewing a Mutual Fire Aid agreement with the City of Liberty, Missouri.

Mr. Butler moved to place Bill No. 85-4 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0) The clerk read the Bill.

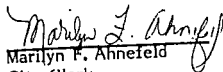
Mr. Butler moved to accept the first reading of Bill No. 85-4, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on second reading; Mr. Smith seconded. the vote: all "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.


Mr. Butler moved to accept the second reading of Bill No. 85-4 and place said Bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0) The Clerk read the Bill.

Mr. Butler moved to accept the third and final reading Bill No. 85-4 and enact said Bill as Ordinance No. 2540. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Fairlie. (3-0)

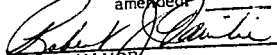
There was no further business to come before the January 15, 1985 meeting of the City Council, whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted:

  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: 

Approved as corrected/  
amended:

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 28, 1985

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 15, 1985 City Council Meeting.
4. CONSENT AGENDA
  - Resolution No. R-85-5 through R-85-10 accepting streets for city maintenance as follows: NE 73rd Street in Kuhn Estates; NE 73rd Terrace and N Olive in Tracy Estates; Streets in Northaven West Subdivision; NW 45th street cul-de-sac in Corporate Hills and widening of NW 44th Terrace adjacent to southern boundary of Corporate Hills; North College in Brooktree Meadows; Streets of Northaven East 2nd Plat. Such streets having been constructed to City specifications, approved by the City Engineer and required Maintenance Bond filed.
  - Resolution No. R-85-11, authorizing execution of Supplemental Agreement No. 2 to Engineering Services Agreement with George Butler Associates for storm drainage improvements in West Flora Park. Contract not to exceed \$10,200.
  - Approval of Building Plans for 711 NE 76th Street, finish existing warehouse space. Subject to UBC, NEC, UPC, UMC and City Codes. Owner: Oak Park Development. Applicant: Jim Pieschl Construction
5. PUBLIC HEARING: Request to rezone from CP-2, General Business District-Planned, to RP-3, Garden Apartment District-Planned, property described as the southeast corner of Vivion Road and North Bellevue. Applicant/Owner: W W Enterprises
6. CONTINUED PUBLIC HEARING: Request to rezone from CP-1, Local Business District-Planned, to CP-2, General Business District-Planned property at 7109 N Walnut. Applicant/Owner: Gaslight Realty
7. Approval of Building Plans: Gladstone Meadows Apartments, 150 apartment unit addition, 70th & N Olive. Owner: Steven Jagoda Applicant; Neighbors Construction
8. Communications from the Audience
9. Communications from the City Council
10. Communications from the City Manager
11. SECOND READING: Bill No. 85-1, rezoning from Single Family Dwelling District to CP-O, Planned Non-retail Business District, property at 2109 NE 72nd Street. Applicant: Frank B. Gardner
12. SECOND READING: Bill No. 85-3, amending Section 21-31 of the City Code dealing with stealing to include theft of services.
13. FIRST READING: Bill No. 85-5, amending Section 32-39 of the City Code to require Special Use Permit for installation of cable dish receiving antennas in the city of Gladstone.
14. FIRST READING: BILL NO. 85-6, accepting the Final Plat of Maple Woods 2nd Plat, 74th & Olive. Applicant/Owner: J A Petterson Investment Co.
15. Other Business
16. Questions from the News Media
17. Adjournment

PLEASE JOIN US FOR LOBBY REFRESHMENTS

Honoring Julie J. Betz, Assistant to the City Manager, who is leaving the city's employ to accept the position of Assistant to the City Manager in Reno, Nevada.

*17 p. 10. B. 10.*

# MINUTES

## CITY COUNCIL MEETING GLADSTONE, MISSOURI

January 28, 1985

Mayor Bob Fairlie called the January 28, 1985 meeting of the Gladstone City Council to order at 7:30 pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilman Les Smith      ABSENT: Councilman Bob Ashcroft  
          Councilman Jim Butler  
          Councilman Lee Bussinger  
          Mayor Bob Fairlie

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor Clyde W. Curtis and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Acceptance of Minutes of the January 15, 1985 City Council Meeting.

Mr. Butler moved to accept the minutes as submitted; Mr. Smith seconded. The vote: Aye - Smith, Butler, Fairlie. Pass - Bussinger. (3-aye; 1-pass)

### Item 4 on the Agenda:      Consent Agenda:

Following the Clerk's reading of the January 28, 1985 Consent Agenda items, Mayor Fairlie asked if any member of the audience, city staff or City Council desired removal of any item for placement on the regular agenda. No requests were heard. Mr. Smith moved to approve the Consent Agenda as read; Mr. Butler seconded. The vote: All "aye" Smith, Butler, Bussinger, Fairlie. (4-0)

### CONSENT AGENDA DETAIL:

Mr. Smith moved to accept Resolutions No. R-85-5 through 85-10 accepting the following streets for city maintenance: Mr. Butler seconded.

- R-85-5.      NE 73rd Terrace in Kuhn Estates
- R-85-6.      NE 73rd Terrace and Olive (adjacent to Lots 9&20), Tracy Estates
- R-85-7.      Streets in Northhaven West
- R-85-8.      NW 45th Street cul de sac in Corporate Hills North and widening of NW 44th Terrace adjacent to southern boundary of Corporate Hills
- R-85-9.      North College in Brooktree Meadows
- R-85-10      Streets of Northhaven East 2nd Plat

The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Consent Agenda Detail (continued)

Mr. Smith moved to adopt Resolution No. R-85-11 authorizing execution of Supplemental Agreement No. 2 to the Engineering Services Agreement with George Butler Associates for storm drainage improvements in West Flora Park. Contract not to exceed \$10,200. Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Smith moved to approve Building Plans for 711 NE 76th Street to finish existing warehouse space subject to all Codes. Owner: Oak Park Development. Applicant: Jim Pieschl Construction. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 5 on the Agenda: Public Hearing: Request to rezone from CP-2, General Business District-Planned to RP-3, Garden Apartment District-Planned property described as the southeast corner of Vivion Road and North Bellevue. Applicant/Owner: W W Enterprises.

Mayor Fairlie opened the public hearing and requested the applicant to review the proposal.

Mr. Bill Trelogar introduced himself as Vice President of the architectural firm of Neering & Staats Architects and representatives of W W Enterprises this evening in their rezoning application.

He said the project includes approximately 20.83 acres as described in the brief description on the agenda bounded by Bellevue on the west; Vivion Road on the north and by the Claymont development generally along the south; it is an irregularly shaped tract and is heavily wooded and with extremely steep terrain. It is presently zoned CP-2 and their request is for down zoning to RP-3 to allow the construction of 244 - one, two and three bedroom apartment units on this site. They have attempted to design the site plan in such a manner that they can run the roads, place the parking and locate the building so as to minimize the amount of destruction that would need to be done in the development of the site. They have attempted to locate the main entrance off of Bellevue, circle along the ridge, down through the valley and across to the other side where they have located buildings and a connection through to NW 47th Street on the east side of the site; they have continued up the ridge and along it going to the southwest and along the southern perimeter with parking. They have located the buildings generally around parking courts so they could keep their nodes of development on the site as compact as possible. Again, generally trying to keep the valleys of the site and the perimeters where possible and interior valleys as free of construction activity as possible so that they can maximize the number of trees that may be preserved in those areas. They have been able to keep about 70% of the site open and hope to keep the majority of that in an undisturbed state. The buildings, due to the terrain, are designed so that the entry sides of the buildings are two stories high and the balcony sides are two stories high. They sort of spill over the hillsides. Again, this has allowed them to maximize the number of units that are within the footprints of any one of these buildings so that they have been able to minimize the number of buildings on the site and therefore minimize the number of individual building sites that must be disturbed in order to allow this construction to take place.

Mr. Trelogar reviewed the artist rendering for Council and the audience describing the location of a tennis court facility generally down in a low valley which is the open portion of this site as it now exists. The units will consist of one-bedroom units ranging from 720 - 800 sq. ft.; two-bedroom units range from 960-1,000 sq. ft. and three bedroom units with 1,250 sq. ft. The buildings themselves are of a traditional architectural character, generally an L-shape so that there are basically two wings on the buildings. The entry side lower level will be faced with a stone veneer and all of the balance of the building will be faced with stucco; the roofs will be wood cedar shakes and they will carry the architectural treatment around the entire building. Balconies and other trim would be rough-sawn cedar and would be stained. They believe that their choice of materials and the way they would be handling them is very compatible with the natural features of the site; the stone and the rough sawn wood trim would integrate very nicely with these natural features. They believe that the stucco and the way they have handled the windows and the balconies will integrate very well with the very high quality neighborhood of the Claymont area. The project will also be quite compatible with the new office building that has been constructed on the west side of Belleview.

He reviewed artist renderings of a building that is currently under construction in another project that their firm office has designed that will give a pretty good idea of what the proposed buildings will look like.

In addition, Mr. Trelogar showed slides of four projects that their firm has been involved with over a fifteen year period in the Johnson County area. The first slide was of the Twelleries, luxury apartment project. This project was integrated into an area of very fine single family homes, currently that would market in \$175,000 - \$200,000 range. He stressed the landscaping in the slides and said this is the type of landscaping they have in mind for the Gladstone project. In showing slides of Bristol Court, Normandy Court and Pine Brook he also stressed their landscaping, use of brick, stucco and stone exterior materials and their integration into residential areas.

Mr. Trelogar noted that he brought the slides along because he is proud of the work they have done over the last twenty-five years in the greater Kansas City area; the slides are indicative of the kinds of projects they have been involved in and indicative of the kind of quality and the kinds of materials and the kinds of sensitivity to site planning that they would bring to this project with their involvement. He invited questions from the council and audience at this time.

Mayor Fairlie asked if there were others persons to speak in favor of this application.

Mr. Gary Pittman, 600 NW 44th street, spoke in favor of the project stating that he has been involved in real estate and development activities in the Kansas City North area for the last ten years and living where he does he passes the subject site daily. He just recently purchased his home in the area and is proud of the community and his neighborhood. He commented that Mr. Motter has done an excellent job in developing the office park and he hopes he will continue to expand that project. The proposed building materials they are going to be using in the project lend themselves very well with the surrounding residential nature of the community and the Motter Office project as well.

Mr. Pittman continued that originally the property was zoned light industrial and presently CP-2. He would personally rather see the proposed project over a commercial project because of the fact that normally with commercial projects you don't see the type of exterior materials and roof lines that this project proposes. As far as the density, in this proposal of 11 dwelling units per acre - it is a very low density for a multi family project. He said all area residents would prefer to leave it woods or it would be nice to see 3-4 acre lots. In real estate however, you need to consider the highest and best use of the property.

With respect to property values, Mr. Pittman said we have this kind of quality project going to Johnson County and he is tired of it. He is just as concerned as everyone else that it be done on a quality basis. He stressed that he wanted to be upfront about the fact that he has been associated with the applicant for about two years. He has a lot of respect for Mr. Walker and is certain that anything he is involved in will be a very high class project.

Mr. Bussinger asked what school the children would attend and if it would create a burden for the school.

Mr. Treolgar responded that they anticipate most of the units will be rented by young professionals and some of the larger units by empty nesters with a very low school age population in the project with perhaps fewer than 20. The audience advised the children would attend Briarcliff School.

In response to question from Mr. Fairlie, Mr. Treolgar advised that rents would range from \$425 to \$750 plus \$20/mo for covered parking plus utilities.

Councilman Bussinger asked about recreational vehicle parking.

Mr. Treolgar said they had provided a place for that in the site plan, primarily in response to the fact that the Gladstone Zoning Ordinance requires  $2\frac{1}{2}$  parking spaces per unit to be provided on the site. With that many parking spaces it would be very difficult for them to justify denying persons who own these vehicles the right to park them on the site. It would be their desire to place those vehicles in a common lot where they can locate them remotely from the homes and the balance of the development and keep those vehicles from being sprinkled throughout the parking areas. This has been a very successful way to isolate those vehicles and 3 of the 4 projects shown on the slides this evening used that method. It would be their preference to seek and be granted a waiver of  $\frac{1}{2}$  car of that  $2\frac{1}{2}$  car requirement with the provision that they would locate on the site plan the areas where they could put that additional parking. If they were to build 2 car spaces per unit on the site they would then have credibility when they tell their tenants they cannot accommodate recreation vehicles and they must store them elsewhere.

Mr. Bussinger asked where the lot will be located. Mr. Treolgar said it would be in the valley adjacent to the tennis court. They attempted to find a position that is as remote from the single family areas as could be identified.

Mr. Butler pointed out that with the "P" zoning application, you are required to have a plan, so that what is presented tonight and what we look at is going to be where you say it is going to be. So if the RV pad needs to be moved later that may present problems. He commented that at the Planning Commission there was some discussion with regards to what changes could be made to accommodate the views of the property owners. He was present at that meeting and thought at the time that moving some of the buildings farther away from the southern property line might help somewhat. He asked if that had been considered since the plan tonight was unchanged from the one presented at the Planning Commission.

Mr. Trelogar said the plan had not been modified because it was their understanding that once they started the process through the Planning Commission and through the Council hearing they were required to leave the plan as it was. Although he understands that the plan can be modified by agreement once they get into readings of the rezoning bill. They hope to reach a responsive cord with their neighbors and would modify the plan to take into consideration a number of item that seem to be of concern. Eliminating the recreation vehicle storage he understands is a serious issue and they hope to work something out with the neighbors. They have discussed the possibility of relocating some of the buildings. They hope to study this and come up with a plan that meets the common goals.

Mr. Butler asked if there were any other specifics that he got from the Planning Commission or the residents that night to change the project other than moving buildings and the RV pad.

Mr. Trelogar said he understands that there is a desire that they provide more covered parking or parking in garages and again this is something they are looking into and hope to get a representative group of people from the Homes Association to meet with them.

Mr. Butler asked if the ground doesn't drop off drastically from the R-1. Claymont homes and where their buildings will be located. He asked what kind of level changes we are talking about. Mr. Trelogar said not all the contours go up to the homes. The contour line that is near the home Mr. Butler referenced on the plans is 180 elevation and they drop almost 20 ft. in vertical elevation from the ground line at the back of the home to the paving of their closest drive and parking area. There is a substantial vertical drop there - 20 feet from the proposed building to the closest home.

Mr. Butler asked if it was pertinent that NW 47th street be cut through their property. Mr. Trelogar said they had felt in devising the plan that the City Engineer would require that they provide two means of egress to the site and it was felt that these would probably need to be fairly remote from each other. He said they could eliminate that connection but it makes it fairly long drive in and back out again. They could make a secondary connection. They could relocate one of the southerly buildings to another portion of the site. If they did, they would be able to extend the drive out to Belleview at the south end of the site and that would provide a second way in and out. If for some reason this entrance was blocked, emergency vehicles would then be able to use the south entrance. If an arrangement like that would satisfy the public work's concerns, they would be perfectly happy to close the 47th Street exit and remove it from the plan.



Mayor Fairlie asked when construction would start if the application was approved. Mr. Trelogar said it would be six months before the ground was broken and an 18 month construction period.

Mr. Fairlie invited audience comments/questions.

Mr. Ron Baldwin, 4412 N Briarcliff Lane asked what credibility the developers had as far as other developments.

Mr. Greg Walker, responded that his partner Buford Wales could not be in attendance tonight but that Mr. Wales had built Kendallwood as well as Georgetown Apartments and had built in the neighborhood of 15,000 units in the greater Kansas City area and the midwest. Mr. Baldwin asked if Mr. Wales had been only the general contractor or had he been the designer as well. Mr. Walker said his partner was the general contractor and had 106 carpenters working for him. Mr. Walker said he was not as experienced and had only built Spring Lake on Barry Road.

Mr. Fairlie asked who would own and manage the complex. Mr. Walker said there would be a management company. Mr. Fairlie asked where the management company gets their direction as far as upkeep, mowing, maintenance, etc. Mr. Walker said they provide that.

Mr. Gustavo Gaynett, 4440 Wildwood Drive, asked if Mr. Wales lived in Parkville at a certain address. Mr. Walker said no he did not that was his son.

Mr. Frank DeMayo, asked what percent are one bedroom. Mr. Walker responded 50% and range from 720 to 794 sq. ft.

Mr. John Bowers, asked what he would see from his balcony. (4412 Claymont Woods Drive) Mr. Trelogar said his home was the the one home he was referring to as being 40 ft. higher than the project in elevation so consequently he will be looking primarily at the tops of the trees on their site. He will also see the roofs of the carports down the hill and may see the tops of the cars parked on the other side of the drive; and then the two - story, you will be looking at stone and stucco with wood shake shingled roof. Likewise the car ports will have shake shingled roofs.

Mr. Bernie Kline, 4429 Claymont Drive, said he had paid \$40,000 for his lot and including his cable dish had \$300,000 invested in his property. He expressed concern for the traffic flow and asked how they would get out on Vivion Road noting that 500-600 parking spots is a lot of cars. He stated that Mr. Motter had advised him when he moved there that there would be either luxury apartments or luxury homes.

Mr. Trelogar said traffic would primarily come and go via Bellevue if they modify the plan to eliminate the NW 44th connection.

Bob Cash, 4402 N Bellevue, asked what the applicant had done as far as planning and developing previously. Mr. Walker said the Springs on Barry Road, the Coldwell Banker building at 86th and N Oak and he is presently involved in the Northwood development at Englewood & Broadway.

Mr. Bussinger asked the amount of the project when totally completed.

Mr. Walker estimated \$10 million dollars.

Resident of 4206 NW Briarcliff asked why they can't develop the property with the same kind of rent levels as in Johnson County. Mr. Trelogar said if they developed this project in Johnson County they would be the same rent levels. They believe the site warrants the highest quality project they can devise and they believe the northland will be able to support the rents that it takes.

Mr. George Wood, 4401 N Mulberry, asked if the adjacent homes had been built before or after the apartment projects referenced in Johnson County. Mr. Trelogar noted two of the Johnson County projects shown earlier have since been converted to condominiums; the single family homes were developed adjacent to both projects while the projects were rental projects. The matter of converting apartments from rental to sale is a decision that is commonly made by the developer who develops a very luxury quality project. It is something that their firm has done for many years. They put features and quality into the projects for successful conversion at a 7-10 year point.

Resident of 204 NW 44th, asked if they had conducted any studies to determine if there is a market for units at the proposed prices. Mr. Trelogar said they had.

Judy Chastain, 505 NW 44th, asked who is putting up the money. Mr. Jim Greer responded that he is working with Mr. Walker on the financing of the project but as of this date it has not been secured and cannot be secured until such time as the zoning is approved and the building plans are complete. It would be most likely a savings and loan or combination of savings and loan companies in the greater Kansas City area. WW Enterprise presently holds the title.

Resident of 4420 N Wyandotte, said he was a Kansas City officer and in the traffic unit for ten years and questioned how the two-lane residential streets can handle the amount of traffic coming from the complex.

Mr. Fairlie noted that there are 610 parking spaces and 244 units and the chances of everyone exiting the same minute are probably remote.

The Officer said that during the rush hour traffic you can't get on Oak or Vivion now and he has worked a good number of accidents at Vivion and Oak and additional cars would add to the problem.

Mr. Trelogar said the property is presently zoned CP-2 and if developed for an office commercial development over two times the amount of traffic would be generated than the proposed development. Also if developed as a commercial project there would be just about as many sq. ft. developed on the site as are apartments. Twice as many cars per day would be generated over an apartment project. They would be happy to conduct a traffic study if any one doubts this. You would also have 4-5 times higher peak hour traffic movements in and out of the site. Peak hour movements in and out of office projects are 7:45 - 8:00am and 4:00 - 5:00 pm at night. In contrast apartment traffic is leaving and entering over a 3-4 hour period.

Mr. Trelogar continued that he has been involved in enough of these developments either office developments, commercial developments or residential developments that he thinks he can speak in numbers and be relatively accurate. They believe that an apartment project on this site will in fact substantially alleviate the potential traffic problems that would be there on the site if it was developed either as office or commercial for which it is presently zoned.

Mr. John Hammond, 4416 NW Normandy, asked about natural averages for traffic flow for single family homes. Mr. Trelogar said the average was 13 trips per day and apartments about 7 trips per day. Given the topographic nature of this site it would probably be difficult to put more than 35-40 single family homes on the site. This project would probably generate about 2-3 times as single family.

Larry Myers, 4441 Claymont Drive, questioned that different amounts were stated for rentals at the Planning Commission meeting than stated tonight. They believe the rents as stated tonight are correct, they did sit down and more carefully analyze them since the time the Planning Commission Meetings.

Judy Garehand, 106 NW 44th, asked if there had been consideration given to the impact on the school. Mr. Trelogar said as he previously mentioned they foresee no more than 20 school children. At the Twelleries, when they opened out of 164 units there were only 15-16 kids in the project.

Trudie Myers, 4335 NW Claymont Drive, stated she is a realtor and questions how you can build 2 bedroom units and not expect to have children in the complex. Mr. Trelogar said they find the apartment projects do not attract the typical home buyer, they attract the young professional or older couples who want to get out of the single family home maintenance routine and will also attract a few people who are moving to town who want to rent a place for 6 months to a year while looking for or building a home.

Gusteavo Gaynett, 4440 Wild Plum, said he was here to night at the request of the soon to be formed Home Owner's Association. It is their unanimous decision to oppose this application. He said he had a problem with the process in that it presupposes we are dealing with acceptance of a zoning application. Mr. Fairlie said he should never believe that because the Council is here to receive comments from both sides.

Mr. Gaynett commended the excellent presentation by the architectural firm. He said there is something that is missing from the presentation and the slides - people and cars. The point being that the pictures can be very misleading. The application proposes 200 units, parking for over 600 automobiles and housing for over 700 persons. The basis for their opposition is predicated on the concern for the potential negative impact on the immediate neighborhood and on the city of Gladstone on the whole. The Claymont area consists of middle and upper bracket residential homes and is considered by many one of the more desirable areas north of the river. As residents, they believe this project would have a number of serious negative effects such as: character and desirability of the area would be destroyed; reduction of property values resulting in income loss to property owners; revenue losses to government taxing bodies; create urban overdevelopment confined to a very small area (20 acres) that would generate unbelievable congestion and traffic. It would detract not attract potential office and business development on the tract adjacent to Corporate Hills because of the high crime rate usually associated with such high volume projects.

Mr. Gaynett continued that it will place an undue burden on city services already taxed to the limit. He pointed out that developers will develop without concern for the social consequences and in spite of performance bonds required by the city, construction deficiencies exist on Wildwood Drive now and have yet to be corrected even though the City engineering department is aware of the problems. Gladstone is comparatively speaking the Johnson County of north of the river and when the utilization of land is of utmost importance for future expansion we must be careful not to permit over development and let it be the basis for limited growth. Nothing will destroy a city quicker than mixing incompatible entities and this is exactly what we are doing here today. Single family development will enhance the area as evident by the number of homes that have been sold in the Claymont North area that exhausted all the land available for that purpose. If this project is denied, there will be a number of single family home developers interested in this site.

Throughout the proceedings and during the Planning Commission, Mr. Gaynett said, the question was always do we prefer commercial to apartments as if those were the only options. He has not seen any plans for commercial development in this area and doubts if anyone would make the type of investment required.

Ron Baldwin, said he represented the Claymont North Homes Association and they are very aware of the present zoning of the property. The area was down-zoned to build their homes and at that time they had faith that the city planners would continue to down-zone and look to residential development in that area. They were promised that by the developers at the time. Granted the CP-2 zoning was there. As soon as the recession took its toll, the first thing the developers wanted to do was construct 1,200 to 1,300 sq. ft. homes in the new phase. Developers come in and buy property but they don't live in Gladstone. They only care about their investment and want to do what is most economical. The major concern of the residents is the density. He knows the developers would like to make money with the project but they also need to protect the residents' interests. In summation, Mr. Baldwin said they would like to see a homogeneous development with the rest of the area. They need the city's help.

Mr. Jim Hart, 509 NW 44th, would like to see five acre lots. Residents have a vested interest in the area which is a better part of Gladstone and they would like to see property down zoned into single family or high price condos. What is proposed will have a very negative benefit for all.

The Mayor thanked those present for their input and stressed again that neither the Council or the city is in the process of developing any land in the city except for our own civic use. The council does not originate rezoning applications and all persons can expect a fair hearing on their proposal. Years ago the property was zoned M-1, and is now RP-3, so he would agree there are ways to effect a change. Tonight both the developer and the residents are exercising the legal vehicle open to them.

In response to question from Mrs. Chastian, 505 NW 44th, Mayor Fairlie explained the rezoning procedures and noted first reading of the bill will be February 11th. The petition from the residents will be reviewed for its legality as a legal protest petition. If legal, a 3/4 vote of the Council is required for passage of the bill on its third reading. Mayor Fairlie closed the hearing.

Item 6 on the Agenda: Continued Public Hearing: Request to rezone from CP-1, Local Business District-Planned, to CP-2, General Business District-Planned property at 7109 N Walnut. Applicant/Owner: Gaslight Realty

Mr. John Swenson was present to review the application. He said several weeks ago the Zoning Subcommittee of the Planning Commission met on the site and one of the concerns was parking that the residents behind them brought up. That was also their concern and they have since agreed that instead of having 10 space parking for the 25x50 building which would meet city requirements, they would increase parking spaces to 15; the site plan shows 16 to make it a rectangular lot. The property would be leased to a landscaping business and except for the 25x50 building they are going to landscape the property behind them with railroad ties and pads to display shrubs, trees and other landscaping products. So basically it would be one large green area landscaped for display purposes. All storage will be within the building. As far as product line, he will be carrying some fertilizer but that also will be stored within the building.

Mayor Fairlie questioned that they are building a 25x50 building on a site that had been previously proposed for a 150 ft. building. Mr. Swenson said that a year ago when they were before the council they had a projected plan for a building to be built if they put the financing together, that building has not been built. There were approached about leasing that area and only needed the 25x50 building so they agreed to lease the entire back acreage if the City would approve the zoning change.

Mr. Swenson said they building would be split block like the present building with a knock-out/fire wall on the west side for future construction. It is a long term lease (5 year). They do not expect to be building another building within the five year period.

Mr. Bussinger asked if Mr. Swenson would have any problem with NO PARKING on N Walnut. Mr. Swenson said he would not object in fact it would be desirable.

Mr. Milton Basman, 7011 N Walnut inquired about traffic patterns. Mayor Fairlie invited him to come forward and review the plans. Mr. Basman said there is a water problem right now with water ponding and he is concerned for additional run-off.

Mr. Swenson acknowledged that there is a water run-off problem there now although he does not know why. He could enlarge the storm sewer.

Mr. Fairlie suggested perhaps the grade was wrong and not carrying the water away. Mr. Bussinger suggested Mr. Swenson may want to review this problem with the City Engineer. Council and Mr. Swenson examined the plans and held discussion at the council table.

Mayor Fairlie asked if there were other persons in the audience for this application, hearing no response he closed the public hearing.

Item 7 on the Agenda: Approval of Building Plans: Gladstone Meadows Apartments, 150 apartment unit addition, 70th & N Olive. Owner: Steven Jagoda. Applicant: Neighbors Construction.

Mayor Fairlie stated that when they talked with the applicant two weeks prior there was some question as to whether 71st Street should be extended.

Mr. Butler said the concerns had mainly come from him on whether to extend 71st Street west of Park but after viewing the total area to the west and north of proposed 71st Street, he feels that street is not needed nor is access to the west needed, therefore he will be voting in favor of these building plans for Gladstone Meadows without 71st Street being put in.

Mr. Smith moved to approve the building plans as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 8 on the Agenda. Communications from the Audience.

Ann Shannon, 1604 NE 65th Terrace, asked about the legality of campaign signs on utility poles and period they may be up. Mayor Fairlie said such political signs are covered in the Sign Ordinance. It was clarified that they are allowed if they do not obscure or interfere with visibility in the public right of way and may not be placed sooner than 10 days prior to the election and must be removed within 7 days following the election.

Mr. Smith said it seems he has heard that utility companies themselves have a policy against it but it has not been enforced. He pointed out that the State Highway Commission does not allow signage along state highways, such as Antioch Road. He said after the election he will be proposing some sort of ordinance change to help control the number of political signs that may be placed.

Mrs. Shannon also asked if there will be a clean-up/paint up/fix up month and if there were plans in the making. It had been suggested last year.

Mr. Butler commented that he and Mr. Smith had been advocates of this last year during their campaign and they are holding to it. No specific month has been chosen yet although it was discussed at the Council's recent goal setting session. Mrs. Shannon said she was just jogging the Council's memory.

Mr. Smith said the City Manager has been looking into some kind of Community Pride Programs. In the reorganization of the public works department, part of that department will be called the Community Services Department, so he is intune with the matter.

Mr. Delisle, voiced his opposition to the special use method for controlling cable dish installations.

Item 9 on the Agenda: Communications from the City Council.

Mr. Smith moved to reappoint David Stark and Carol Wallace and appoint new members Jay Weatherly and Steve Frame to the Park Board - all three year terms; Mr. Butler seconded. the vote: all "aye" - Smith, Butler, Bussinger, Fairlie.

Mr. Butler asked if the City Engineer was familiar with the street problem the gentlemen spoke of on Wild Wood Lane during the Vivion and Bellevue public hearing and if it is a matter than can be corrected. Mr. Warger said we are aware of the need and the street will have attention after all of the construction is completed in that area and the heavy equipment is out of there.

Mr. Butler said as Cable TV Advisory Board representative he moves to reappoint Mr. Don Rose and appoint Louise Estes and Jim Kisner to that Board - all three year terms ending 12/87; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Bussinger moved to reappointment Mr. Ed Watson to three year term on the Gladstone Special Road District; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) Mr. Fairlie clarified that the Road District appointment is a recommendation from the Council to the Clay County Court who formally makes the appointment.

Mr. Smith moved to appoint Mr. Joe Arse and Mr. Lou Scott to one year terms on the Planning Commission and reappointment Mr. Keith Langel, Mr. Lee Laramore, Mr. Bill Reynolds and Mrs. Erna Thomas to four year terms on the Planning Commission. Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Smith commented that in speaking with Mrs. Shannon on reappointment to the Planning Commission, she had said if there were other interested persons she would be happy to give them the opportunity as she had served since 1982. He said that is the kind of spirit we are looking for and he wanted to thank her for a job well done as a Planning Commissioner.

Mr. Bussinger noted Public Safety Advisory Board members need to be reappointed but suggested that the appointments be deferred until council can discuss the necessity for such a board. He said there is some question in his mind if we have this board just to have a board - when there are few meetings anymore. He suggested the Director of Public Safety and the chairman of this board plan to meet with Council on the matter. Present members will serve until a decision has been reached.

Item 10 on the Agenda:

Communications from the City Manager.

None

Counselor Clyde Curtis noted that Council was provided an amendment to the theft of services Bill (85-3) which added penalty clause. Council has also been provided with a new Bill dealing with cable dish installations for Council consideration as an alternative to the previously proposed bill providing for special use permit. The new bill will have to go back through the hearing process before the Planning Commission and Council.

Mayor Fairlie said after the public hearing last meeting on the special use permit proposal for cable dish installation, it occurred to him that one of the problems was that a special use permit can be denied or even pulled by council because there is no permanency to the permit. If persons make the investment in the dish and place it on their property under a special use permit, the complexion or views of the Council could change, the permit revoked and we would have a lawsuit on our hands.

Item 11 on the Agenda: Second Reading: Bill No. 85-1, rezoning from Single Family Dwelling District to CP-O, Planned Non-retail Business District, property at 2109 NE 72nd street. Applicant: Frank B. Gardner

Mr. Bussinger moved to accept the first reading of Bill No. 85-1 and place said bill on second reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 85-1 and place said Bill on third and final reading; Mr. Smith seconded.

Mayor Fairlie said commercial zoning on 72nd Street has been refused previously, but with regards to this application, the buildings will be buffered by the tennis courts on one side and developable space on the other. It is a quality proposal and in looking at the highest and best use of the land, C-O zoning looks like it fits.

The vote: all "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 85-1 and enact said bill as Ordinance No. 2541; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Item 12 on the Agenda: Second Reading: Bill No. 85-3, amending Section 21-31 of the City Code dealing with stealing to include theft of services.

Mr. Bussinger moved to amend Bill No. 85-3, by adding language establishing penalties as read by the Clerk; Mr. Butler seconded. The vote on the amendment: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0)

Mr. Bussinger moved to accept the first reading of Bill No. 85-3 as amended and place said bill on second reading; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill No. 85-3 as amended and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 85-3 and enact said Bill as Ordinance No. 2542; Mr. Butler seconded. The vote: All "aye" Smith, Butler, Bussinger, Fairlie. (4-0)

Item 13 on the Agenda: First Reading: Bill No. 85-5, amending Section 32-39 of the City Code to require Special Use Permit for installation of cable dish receiving antennas in the city of Gladstone.

Mr. Bussinger said he and Mr. Ashcroft had felt that some kind of control was necessary with regard to such installation. He was not present at the last meeting but after reading the minutes and talking with people about the proposed ordinance he would suggest we delete it from the agenda. If the people don't want control that's fine. He was not trying to shove this down anyone's throat.

Mr. Butler seconded the motion to delete the item from the agenda.



Mr. Smith said he would have to agree that special use is not the best approach to take but that he will be pushing for the new ordinance as it was presented to them. His main objection was that, although everyone one who wants a dish in our city should be allowed to have one, for aesthetics they should not be allowed to be installed in front yards or on roof tops. He would agree with Mr. Bussinger that there is a better direction than the special use permit method.

Mr. Butler noted that primarily this market is going to extinguish itself with the sophistication of other satellites that are going up and mixing of stations so that people can't get the transmission of satellites. He feels that government is regulating the citizens as much as they should be and in many cases more than they should be. He is not in favor of regulating dishes and would look seriously at another bill to minimize the construction of the new dishes that may go up. But as far as regulating and putting more restrictions he is not in favor of that.

Roll Call to delete from the agenda: all "aye" -Smith, Butler, Bussinger, Fairlie. (4-0)

Item 14 on the Agenda: First Reading: Bill No. 85-6, accepting the final Plat of Maple Woods, 2nd Plat, 74th & North Olive. Applicant/Owner: J A Peterson Investment Co.

Mr. Smith moved to place Bill N. 85-6 on first reading; Mr. Bussinger seconded. The vote: All "aye" - Smith, Butler, Bussinger, Fairlie. (4-0) The clerk read the Bill.

Mr. Bussinger said there would be a worksession at 5:30 PM on Monday, February 4th and due to the fact that there are some condemnation problems with J A Peterson Company regarding M-1 Highway, he would like to give only one reading to this bill tonight and invite them to the worksession for discussion.

Item 15 on the agenda: Other Business.

Mr. Bussinger pointed out that Assistant to the City Manager Julie J. Betz has accepted a position with the City of Reno and said hewould ppersonally like to congratulate her. He has watched Julie progress in her job during the past 3½ years and she has always been very responsive. He noted she will be working for former Gladstone City Manager Chris Cherches and wishes her much success.

Mr. Butler asked if the traffic light at Englewood & Bradway had been repaired. Mr. Reilly said it had.

Mayor Fairlie jokingly reprimanded Ms. Betz for not "asking" the Council if she could go to Reno and thanked her for her service to the city. He invited all in attendance to enjoy lobby refreshments in Julie's honor.

There were was no further business to come before the January 28, 1985 meeting of the Gladstone City Council, whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: ☒

Approved as corrected: ☐  
amended

Robert J. Fairlie  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 11, 1985

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of January 28, 1985 City Council Meeting

4. CONSENT AGENDA

RESOLUTION NO. R-85-12, authorizing Pent, Marwick, Mitchell and Company, Certified Accountants to conduct the city's audit for the fiscal year ending June 30, 1985 for a total fee not to exceed \$19,000, including preparation and printing.

RESOLUTION NO. R-85-13, authorizing sale of three surplus city vehicles to the highest bidder: 1982 Chevrolet, 1980 Chevrolet, 1977 Chevrolet

RESOLUTION NO. R-85-14, authorizing Supplemental Agreement No. 3 to the George Butler Associates engineering service agreement for design and land acquisition for storm drainage improvements for Woodland Detention Basin, Shady Lane Detention Basin and N Oak Detention Basin.

APPROVAL OF INTERIM FINANCIAL REPORTS for January, 1985.

Approval of Building Permit, 6829 N Oak, subdivide and remodel office space, subject to all National Codes and Gladstone Zoning Ordinance.  
Owner: Gladstone Square Investments. Applicant: Harren Hammer

Approval of Building Permit for 2770 NE 60th street - new roof construction for Kendallwood Animal Clinic, subject to regulations of 1982 UBC.

5. COMMUNICATIONS FROM THE AUDIENCE
6. COMMUNICATIONS FROM THE CITY COUNCIL
7. COMMUNICATIONS FROM THE CITY MANAGER
8. SECOND READING: BILL 85-6, accepting the Final Plat of Maple Woods 2nd Plat, 74th & N Olive. Applicant/Owner: J A Peterson Investment Co.
9. FIRST READING: BILL 85-7, rezoning property from CP-2, General Business District to RP-3, Garden Apartment District-Planned, at Vivian Road and N Belleview.  
Applicant: W W Enterprises
10. FIRST READING: BILL 85-8, rezoning from CP-1, Planned Local Business District to CP-2, Planned General Business District, property at 7109 N Walnut. Gaslight Realty
11. FIRST READING: BILL 85-9, declaring results of the February 5th Councilmanic Election and designating the form of the ballot for April 2 General Election.
12. FIRST READING: BILL 85-10, amending the Model Traffic Code, section 18-12, designating NO PARKING locations.
13. BUILDING PLANS: 7010 N Cherry, Gladstone Professional Building.  
Applicant/Owner: Dr. Robert Peterson
14. BUILDING PLANS: 7408 N Oak, Clark Refining Corporation
15. Other Business
16. Questions from the News Media

## MINUTES

### CITY COUNCIL MEETING GLADSTONE, MISSOURI

February 11, 1985

Mayor Bob Fairlie called the February 11, 1985, meeting of the Gladstone City Council to order at 7:30pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Councilman Bob Ashcroft  
Mayor Bob Fairlie

In addition to the members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor Clyde W. Curtis and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes of the January 28, 1985 City Council Meeting.

Mr. Butler moved to accept the minutes as submitted; Mr. Smith seconded. The vote: "Aye" - Smith, Butler, Bussinger, Fairlie. "Pass" - Ashcroft. (4-aye; 1-pass)

Item 3-a on the Agenda: Mayor Fairlie read a proclamation designating the period February 10-16, 1985 as "UNITED STATES JAYCEE WOMAN WEEK" in Gladstone, Missouri. Mrs. Kathy Harris was present to accept the proclamation for the organization.

Item 4 on the Agenda: Consent Agenda.

Following the Clerk's reading of the February 11, 1985 Consent Agenda items, Mayor Fairlie asked if any member of the audience, city staff or City Council desired removal of any item for placement on the regular agenda. No requests were made, whereupon Mr. Bussinger moved to approve the Consent Agenda as read; Mr. Butler seconded. The vote: All "aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Consent Agenda Detail:

Mr. Bussinger moved to accept RESOLUTION R-85-12, authorizing Peat Marwick, Mitchell and Company, Certified Accountants to conduct the city's audit for the fiscal year ending June 30, 1985 for a total fee not to exceed \$19,000 including preparation and printing. Mr. Butler seconded. The vote: all "aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt RESOLUTION NO. R-85-13, authorizing the sale of surplus city vehicles to the highest bidder: 1982 Chevrolet, 1980 Chevrolet, 1977 Chevrolet; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to adopt RESOLUTION NO. R-85-14, authorizing Supplemental Agreement No. 3 to the George Butler Associates Engineering Services Agreement for design and land acquisition for storm drainage improvements for Woodland Detention Basin, Shady Lane Detention Basin and N Oak Detention Basin, Contract Amount: \$17,200.00. Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to approve the JANUARY 1985 INTERIM FINANCIAL REPORT as submitted: Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to approve the BUILDING PERMIT for 6829 N Oak, for subdivision and remodeling of office space, subject to all National Codes and the Gladstone Zoning Ordinance. Owner: Gladstone Square Investments. Applicant: Hannen Hammer. Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Bussinger moved to approve the BUILDING PERMIT for 2770 NE 60th Street for new roof construction for Kendallwood Animal Clinic, subject to regulations of 1982 UBC; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda:      Communications from the Audience.  
None

Item 6 on the Agenda:      Communications from the City Council.

Mr. Smith, Mr. Butler, Mr. Ashcroft and Mayor Fairlie had no communications.

Mr. Bussinger complimented the Street Department on the fine job of snow removal.

Item 7 on the Agenda:      Communications from the City Manager.

City Manager Reilly noted that city hall offices will be closed in observance of Washington's Birthday, Monday, February 18th and no council study session or planning commission meeting will be held.

Item 8 on the Agenda:      SECOND READING: Bill NO. 85-6, accepting the FINAL PLAT OF MAPLE WOODS, 2ND PLAT, 74th & N Olive. Applicant/Owner: J.A. Peterson Investment Company.

Mr. Bussinger moved to accept the First Reading of Bill No. 85-6 and place said Bill on Second Reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

CITY COUNCIL MINUTES

February 11, 1985

Page Three

Mr. Bussinger moved to accept the Second Reading of Bill No. 85-6, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Smith seconded.

Mr. Bussinger stated that he had suggested at the previous meeting that additional readings of the bill be deferred until Council could visit with Peterson Company regarding right-of-way negotiations the Company was having with the State Highway Department on the M-1 project. He has since learned that the State has been delayed in these negotiations at no fault of the Peterson Company. Mr. Bussinger said for this reason he suggests Council proceed with additional readings for acceptance of this plat.

The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the bill.

Mr. Bussinger moved to accept the third and final reading of Bill 85-6 and enact said Bill as Ordinance No. 2,543. Mr. Smith seconded.  
The vote: All "aye" -Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 9 on the Agenda: First Reading: Bill No. 85-7, rezoning property from CP-0, General Business District to RP-3, Garden Apartment District-Planned, at Vivion Road and N Bellevue. Applicant: W.W. Enterprises.

Mayor Fairlie noted the public hearing on this application has been held and tonight we have first reading on the rezoning bill. He understands that a meeting has been scheduled for Wednesday evening with the developers and members of the homeowners association at 7:30pm at the Ron Baldwin residence.

Mr. Smith moved to place Bill No. 85-7 on first reading; Mr. Ashcroft seconded.  
The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Item 10 on the Agenda: First Reading: Bill No. 85-8, rezoning from CP-1, Planned Local Business District to CP-2, Planned General Business District, property at 7109 N Walnut. Applicant: Gaslight Realty.

Mr. Butler moved to place Bill No. 85-8 on first reading; Mr. Smith seconded.  
The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Item 11 on the Agenda: First Reading: Bill No. 85-9, declaring the results of the February 5, 1985 Councilmanic Election and designating the form of the ballot for the April 2 General Election. Order of Ballot: Candidates Lee Bussinger, Ken Winkler, Larry Whitton, Becky Bledsoe.

CITY COUNCIL MINUTES  
February 11, 1985  
Page Four

Mr. Ashcroft moved to place Bill No. 85-9 on First Reading; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the First Reading of Bill No. 85-9, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on Second Reading; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 85-9, and place said bill on third and final reading; Mr. Butler seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 85-9 and enact said bill as Ordinance No. 2,544; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mayor Fairlie asked what the primary election cost. The Clerk indicated that the Clay County Election Board had not yet submitted final costs however the city has paid an estimated bill in the neighborhood of \$4,000.

Mayor Fairlie said that the 990 persons who voted cast an approximate \$5 vote; although it is an expensive process and the March weather never cooperates it is an important process. He encouraged a larger turn out for the April election.

Item 12 on the Agenda: First Reading: Bill No. 85-10, amending the Model Traffic Code, Section 18-12 designating No Parking locations as follows: North Walnut - from Northeast 72nd Street south 358 feet, both sides; North Walnut - from 6900 to NE 70th Terrace, west side only.

Mr. Butler moved to place bill No. 85-10 on first reading; Mr. Smith seconded. The Clerk read the Bill.

Mr. Butler asked if Council desired three readings tonight. It was agreed three readings would be given.

The vote on first reading: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Butler moved to accept the first reading of Bill No. 85-10, waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on second reading; Mr. Smith seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the third and final reading of Bill No. 85-10, and enact said bill as Ordinance No. 2,545; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Fairlie noted that in the zoning matter on 7109 N Walnut (agenda item 10) the amount of traffic and width of the street were brought to Council's attention. The City Manager was asked to have Public Safety take a look at this street to determine the necessity of no parking. Public Safety's recommendation is what we are reading tonight. Signage and enforcement can be expected within two weeks. Mr. Fairlie asked that advance notification be given to affected residents. Mr. Reilly indicated that would be done.

CITY COUNCIL MINUTES

February 11, 1983

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Item 13 on the Agenda: Building Plans for 7010 North Cherry, Gladstone Professional Building. Applicant/Owner: Dr. Robert Peterson

Dr. Robert Peterson was present to respond to Council questions. Mr. Fairlie asked if he had read the staff report. Dr. Peterson said he had but wanted to talk to the Council about the fact that he went in to convert a medical office to a dental office and found out that he had to put in sidewalks. He needs a reason from the Council. He pointed out the building was previously occupied by Dr. Hall.

Mayor Fairlie explained that some years back Council passed an ordinance requiring construction of sidewalks in connection with issuance of all commercial building permits (both new and remodeling). Mr. Fairlie said he understands that this property has been used as a medical building for the past 20 years with no sidewalks.

Dr. Peterson pointed out that the former post office (now Dr. Vescovo's office) has no sidewalks on the east side and it seems futile for him to build sidewalks.

Mr. Bussinger acknowledged that while he sees his point with Dr. Vescovo's office lacking sidewalks apparently that was an oversight on the part of the Council in not requiring them. The sidewalk requirement has been established and Mr. Bussinger said he also will have to install them if he makes any modifications to his laundry building. Sidewalks upgrade the city and each commercial establishment contributes to that upgrading. Mr. Bussinger also noted that the staff has looked at upgrading 70th Street toward the city hall to improve the appearance of this area. Mr. Bussinger continued that he would have to vote for installation of sidewalks because they are required of everyone else.

Mayor Fairlie further commented that the same requirement is made for residential building permits where significant remodeling is required.

Dr. Peterson raised the question of the No Parking on N Cherry now that the school is closed. Council agreed that was a good point and agreed to look into the matter.

Dr. Peterson said he just wanted to make the Council aware that it was somewhat of a shock to find out he had to put in sidewalks when all he was doing was a little conversion inside in the building.

Mr. Smith moved to approve the building plans as submitted; Mr. Butler seconded. Council asked if it was necessary to stipulate sidewalk requirement. Mr. Reilly pointed out that under the ordinance, sidewalks are required and unless specifically excluded it is understood they will be built. Mr. Smith said that his motion was made with the intent that sidewalks will have to be constructed.

The vote on the motion: All "aye" -Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)



CITY COUNCIL MINUTES

February 11, 1985

Page Six

Item 14 on the Agenda: Building Plan approval, 7408 N Oak.  
Applicant: Clark Refining Corporation.

There was no Council discussion. Mr. Ashcroft moved to approve the building plans as submitted; Mr. Smith seconded the motion. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 15 on the Agenda: Other Business.

Mr. Gustavo Gaynett, 4440 Wild Plum commenting on the earlier announcement by Mayor Fairlie that there would be a homeowners association meeting with representatives of the rezoning application at Vivion Road and N Belleview on Wednesday at 7:30, noted that he and the association have no knowledge of such a meeting and have not been invited to the meeting at Mr. Bladwin's.

Mr. Butler said that all the developer is trying to do is correct problems and make changes and ensure sure that everyone knows what is going on down there. They are not trying to slight anyone, at least that is his interpretation, and he assumes Mr. Gaynett is welcome at the meeting.

Mr. Gaynett said there appears to be some misrepresentation since he is not aware of any meeting and he made a presentation at the last Council meeting on behalf of a number of homeowners. He just wants to clarify the matter.

Following discussion it was determined that there are two different area homeowners associations in the Claymont area and Mr. Reilly agreed to clarify the situation with Mr. Walker, the rezoning applicant.

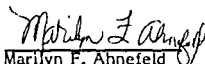
Item 16 on the Agenda: Questions from the news media.

A Press representative asked if the petition submitted by residents protesting the Vivion and Belleview rezoning application is a legal petition. Mayor Fairlie said it is a legal petition and will require 75% vote of the Council to enact the bill into law. He stressed that readings of the bill can be advanced by simple majority but to enact a bill into law once a legal petition has been received requires 75% or (4-1) favorable council vote.

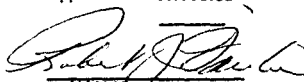
There was no further business to come before the February 11, 1985 meeting of the Gladstone City Council, whereupon Mayor Fairlie adjourned the meeting.

Respectfully submitted:

Approved as submitted:

  
Marilyn F. Ahnefeld  
City Clerk

Approved as corrected

  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 25, 1985

AGENDA

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of February 11, 1985 City Council Meeting
4. CONSENT AGENDA  
RESOLUTION NO. R-85-15, authorizing Supplemental Agreement No. 4 to the George Butler Associates Engineering Services Agreement for final design and construction related services for storm drainage improvements in East Flora Park. Contract not to exceed \$19,900.00.  
  
Approval of Liquor License - QUALITY MARKETS, INC.  
dba SHOP-N-GO-MARKETS, 5821 N Antioch Road, Class C  
Package Liquor License. (Corporation Change)  
Managing Officer: Loren G. Rea
5. COMMUNICATIONS FROM THE AUDIENCE
6. COMMUNICATIONS FROM THE CITY COUNCIL
7. COMMUNICATIONS FROM THE CITY MANAGER
8. SECOND READING: BILL 85-7, rezoning property from CP-2, General Business District to RP-3, Garden Apartment District-Planned, at Vivion Road and N Belleview. Applicant W W Enterprises.  
\* Legal Protest Petition
9. SECOND READING: BILL NO. 85-8, rezoning from CP-1, Planned Local Business District to CP-2, Planned General Business District, property at 7109 N Walnut. Applicant: Gaslight Realty
10. FIRST READING: BILL NO. 85-11, amending the Model Traffic Code, Section 18-12, designating NO PARKING on 57th Terrace - from N. Indiana to N. Myrtle Street, south side.
11. FIRST READING: BILL NO. 85-12, authorizing renewal of Agreement with Kansas City Power and Light Company for traffic signal equipment in the City of Gladstone, Missouri.
12. Approval of Building Plans: 6417 N Oak. Applicant: Amoco Oil  
Owner: Zarda Stores
13. Approval of Building Plans: 6211 N Chestnut. Applicant: Amoco Oil  
Owner: Zarda Stores
14. Approval of Building Plans: 7405 N Oak. Applicant/Owner: Joseph Cannova - Berbiglia Stores
15. Other Business
16. Questions from the News Media
17. Adjournment

MINUTES  
CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 25, 1985

Mayor Bob Fairlie called the February 25, 1985, meeting of the Gladstone City Council to order at 7:30pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Councilman Bob Ashcroft  
Mayor Bob Fairlie

In addition to the members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor Clyde W. Curtis and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes of the February 25, 1985 City Council Meeting.

Mr. Smith moved to accept the minutes as submitted; Mr. Butler seconded. The vote: All "Aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 4 on the Agenda: Consent Agenda.

Following the Clerk's reading of the February 25, 1985 Consent Agenda items, Mayor Fairlie asked if any member of the audience, city staff or City Council desired removal of any item for placement on the regular agenda. No requests were made, whereupon Mr. Smith moved to approve the Consent Agenda as read; Mr. Butler seconded. The vote: All "aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Consent Agenda Detail:

Mr. Smith moved to approve RESOLUTION NO. R-85-15, authorizing Supplemental Agreement No.4 to the George Butler Associates Engineering Services Agreement for final design and construction related services for storm drainage improvements in East Flora Park. Contract not to exceed \$19,900.00. Mr. Butler seconded. The vote: All "aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to approve Class C Package License for Quality Markets, Inc. dba Shop N Go Markets, 5821 N Antioch Road. Managing Officer: Loren G. Rea. Mr. Butler seconded. The vote: All "aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 5 on the Agenda:      Communications from the Audience.

None.

Item 6 on the Agenda:      Communications from the City Council.

Mr. Bussinger expressed concern for the number of junk autos in residential areas and asked for enforcement of the ordinance. He also asked for attention to street pot holes to which City Manager Reilly advised that all street crews are being committed to patching streets.

Item 7 on the Agenda:      Communications from the City Manager.

None.

Item 8 on the Agenda:      Second Reading: Bill No. 85-7, rezoning property from CP-2, General Business District to RP-3, Garden Apartment District-Planned, property at Vivion and N Bellevue. Applicant: W W Enterprises.

Mr. Ashcroft moved to accept the first reading Bill NO. 85-7 and place said Bill on second reading: Mr. Smith seconded.

Discussion:

Mr. Bussinger said he would like to state his position and read the following statement:

"I have spent considerable time studying the rezoning proposal of W.W. Enterprises at Vivion & Bellevue.

The developers have much invested in this proposal, and they deserve a fair and reasonable hearing from the City Council. I have reached the conclusion that I must vote against this project for two compelling reasons. First and foremost, Gladstone must preserve the quality of life in our city - we want a community that is a nice place to live and raise our families. To accomplish this, zoning changes must be considered favorably when they are compatible with adjoining neighborhoods. It is quite obvious this project is (not) only not compatible with the neighborhood, its traffic flow would be disruptive creating a strong negative influence on adjacent properties.

Second, Gladstone is a land-locked city. Kansas City surrounds us on all sides so there will be no opportunities to annex additional lands. We need a balanced community with single family, multi-family and commercial areas. This area is zoned for commercial and is one of the few prime undeveloped commercial areas left in our City. Recent studies have shown that commercial developments are critical to the financial viability of cities like Gladstone. That is because they produce more tax income than the cost of city services they receive. In addition, right next door in Corporate Woods North - we have a proven commercial development that is very compatible with its neighborhood. I think this property should remain commercial and there is only one thing that could change my mind. That would be if the developer could come up with a proposal that the adjoining neighborhoods agree is compatible with their properties. A project which you can tell me - this will improve our community. Until then my position is and will remain - this is prime commercial property and it should remain zoned commercial."

There were no further discussion. The vote: "Aye" - Butler, Fairlie, "No" - Smith, Bussinger, Ashcroft. (3-no; 2-yes)

Item 9 on the Agenda: Second Reading: Bill No. 85-8, rezoning from CP-1, Planned Local Business District to CP-2, Planned General Business District, property at 7109 N Walnut. Applicant: Gaslight Realty.

Mr. Smith moved to approve the first reading of Bill No. 85-8, and place said Bill on second reading: Mr. Bussinger seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 10 on the Agenda: First Reading: Bill No. 85-11, amending the Model Traffic Code, Section 18-12, designating "NO PARKING" on 57th Terrace - from N Indiana to N Myrtle, south side.

Mr. Smith moved place Bill NO. 85-11 on First Reading; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 85-11 and place said bill on Second Reading: Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of Bill No. 85-11, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on Third and Final Reading: Mr. Butler seconded.

Discussion:

Mr. Smith said that this is the second or third stretch of 20 ft. wide street where we have placed parking restrictions on one side and perhaps a review of all 20 ft. wide streets throughout the city by public safety and public works to make such restrictions uniform throughout the city is in order.

The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the bill.

Mr. Smith moved to accept the third and final reading of Bill No. 85-11 and enact said Bill as Ordinance No. 2.546. Mr. Butler seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 11 on the Agenda: First Reading: Bill No. 85-12, authorizing renewal of agreement with Kansas City Power & Light Company for traffic signal equipment in the City of Gladstone, Missouri. (72nd & Troost)

Mr. Smith moved to place Bill No. 85-12 on first reading; Mr. Ashcroft seconded. The vote: All "aye" -Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the bill.

Mr. Smith moved to accept the first reading of Bill No. 85-12 and place on second reading: Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger Ashcroft, Fairlie. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of Bill NO. 85-12, waive the appropriate paragraph of Ordinance NO. 1.83 and place said bill on Third and Final reading; Mr. Butler seconded. The vote: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 85-12 and enact said Bill as Ordinance No. 2.547; Mr. Butler seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 12 on the Agenda: Approval of Building Plans for 6417 N Oak.  
Applicant: Amoco Oil; Owner: Zarda Stores

Mr. Sawyer, Amoco spokesman, was present to review plans with Council for 1400 sq. ft. canopy over existing gas pumps

Mr. Butler moved to approve the Building Plans for 6417 N Oak as submitted; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 13 on the Agenda: Approval of Building Plans for 6211 N Chestnut.  
Applicant: Amoco Oil Company; Owner: Zarda Stores

Mr. Butler moved to approve Building Plans for 1400 sq. ft. canopy over existing gas pumps at 6211 N Chestnut as submitted; Mr. Smith seconded.

Mr. Butler noted the staff report references an October 29, 1982 letter dealing with storm drainage system; he said he was not privy to the information contained in the letter and asked if it was in the Council packet. He asked if that was the area that was entrance to the storm water system. Mr. Warger provided the letter from the files. Mr. Sawyer, Amoco representative, said that matter has been taken care of and is the SE corner of the parking lot.

Mr. Smith asked Mr. Sawyer to address the issue of sidewalks and paving of the parking lot. Mr. Sawyer pointed out the areas in question. In discussion Mr. Fairlie suggested that curbs had probably been delayed because it was originally intended that a second building would be built, however that has not come to pass. The sidewalks were not an ordinance requirement at the time of the original Zarda construction. Mr. Fairlie said he didn't really have any strong feels about the curb construction.

Mr. Smith said the curb should be required because it is in our codes, it needs to be done; it wasn't done once before because of the prospectus for another building coming in, which obviously was never built. The matter fell through the cracks once so the curb should be built.

Mr. Fairlie said yes, but they don't serve any purpose.

Mr. Ashcroft and Mr. Butler agreed with Mr. Smith.

The vote on the motion: all "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 14 on the Agenda: Approval of Building Plans for 7405 N Oak.  
Applicant/Owner: Joseph Cannova/Berbiglia Stores

Mr. Joe Cannova was present to review plans for the 1,260 sq. ft. addition to the existing Berbiglia Store.

Mr. Smith moved to approve the building plans as submitted; Mr. Ashcroft seconded. Mr. Smith asked if he was correct that unless we specifically grant a variance for five parking spaces Mr. Cannova will be required to meet the city's code requirements. Council and staff acknowledged that was correct.

Discussion:

Mr. Cannova said he thinks he is about to hear that he cannot <sup>build his</sup> building. He discussed the parking requirements with Council at length stating that he is only short four spaces and thinks he should be granted the variance.

Mr. Smith said while he fully understands what Mr. Cannova is saying and the economics, we have to do what is in the best interests not just for Berbiglia but for the future as well. There are a lot of uses that fall under the classification of this zoning. He said it had been pointed out in the study session that some later use could require more parking and then what happens is there are two residential streets to the east and North Oak on the west and no place to park.

Mr. Fairlie asked if Mr. Cannova recalled the parking problems Sebastions had when they were across the street when they were real busy. He also pointed to Annie's Santa Fe as another prime example. He said they would hope Mr. Cannova would be so successful that they need the additional 4 parking spaces. Mr. Cannova said that if he builds the whole strip he will ultimately be short 8 spaces and this is half of the property.

Mr. Cannova also noted that as far as Annie's, if the city continues with 200 sq. ft. per car and Annie's exceeded that, there ought to be a difference in the requirement based on the type of business.

Mr. Ashcroft said the ordinance is there to provide adequate parking for the zoning. He has not heard a justifiable reason for granting the variance.

Mr. Bussinger questioned if there could be some rear parking spaces. Mr. Cannova reminded that is required 35. ft. of green space and parking would not be permitted.

Mr. Cannova said with the 115 ft. lot, once he complies with the front and rear setback he is destroyed. Mr. Ashcroft pointed out that this is the very reason Council has encouraged development of deeper lots because you wind up with a bowling alley or archery range shaped lot.

Mr. Fairlie agreed saying there could have been about 5 different developments on that property if it had been deep enough to provide the parking. He is not in favor of encroaching on the rear green area to allow parking.

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Mr. Bussinger questioned if Mr. Cannova is saying that he will not build the building if he cannot obtain the variance on parking spaces. Mr. Cannova said he is going to build the 30 ft. building but has 200 feet that he can utilize for parking, but if he continues he will run out of buildings because of parking requirements. You don't generate anything out of an empty lot. He said both he and the city are in this for a profit.

Mr. Ashcroft said he has a problem with what he is hearing because right now there might not be a need for the parking but if we grant the variance for this building then another variance will be required for the 3rd building. He asked if Mr. Cannova could commit that the property will be used as a liquor store forever. Mr. Cannova said he could not. Mr. Ashcroft said it is because of that that he cannot grant the variance. The parking spaces may not be needed today but we would be putting future Councils in a box if we granted the variance. This type of strip zoning has been a problem and that is why deep developments have been encouraged on Oak and Antioch road.

Mr. Bussinger called for the vote on the motion to construct parking to city requirements.

The vote: "Aye" - Smith, Butler, Ashcroft, Fairlie. "No" - Bussinger.  
(4-1)

Mayor Fairlie announced that this building permit application has been approved with parking requirements to meet the code.

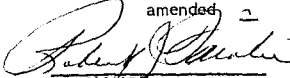
There was no further business to come before the February 25, 1985 meeting of the Gladstone City Council, whereupon Mayor Fairlie adjourned the meeting.  
time: 8:15pm

Respectfully submitted:

A approved as submitted ✓

  
Marilyn F. Ahnefeld, City Clerk

Approved as corrected/  
amended ✓

  
MAYOR



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

MARCH 11, 1985

AGENDA

1. Meeting Called to Order - Roll Call.
2. Pledge of Allegiance
3. Acceptance of Minutes of February 25, 1985 City Council Meeting.
4. PROCLAMATIONS: Supporting the KANSAS CITY ROYALS 1985 SEASON  
Designating the week of March 9-15 as GIRL SCOUT  
WEEK; week of March 17-23 as CAMPFIRE BIRTHDAY WEEK
5. CONSENT AGENDA:  
Building Plan Approval: Unique Super Markets, Inc. d/b/a  
Bob's IGA, 6316 N. Oak, subject to all National Codes and  
Gladstone Zoning Ordinance.  
  
Building Plan Approval: U.S. Postal Service, 7170 N.  
Broadway, subject to requirements of all National Codes and  
Gladstone Zoning Ordinance.  
  
Building Plan Approval: 6716 N. Oak, remodel space for  
chiropractic clinic, subject to all National Codes and  
Gladstone Zoning Ordinances.  
  
RESOLUTION NO. R-85-16, authorizing final payment to Schultz  
Electric for work performed under 1985 Street Light Program  
Contract. Final Payment Due: \$2,378.00.  
  
RESOLUTION NO. R-85-17, authorizing sale of certain donated  
stock with proceeds to be deposited in the General Fund and  
earmarked for Gladstone Park Improvements. Estimated value:  
\$4,500.00.  
  
RESOLUTION NO. R-85-18, authorizing transfer of Special  
Sewer Assessment Fund Balance in the amount of \$1,989.00  
to the Street Improvement Fund for use on the Englewood  
Road Improvement Program.  
  
RESOLUTION NO. R-85-19, authorizing sale of surplus city-  
owned property to highest bidder by sealed bid or public  
auction as appropriate.  
  
APPROVAL OF INTERIM FINANCE REPORT for month of February,  
1985.
6. PUBLIC HEARING: Request to rezone from R-1, Single Family  
Dwelling District, to RP-4, Apartment House District-Planned,  
property described as 2201 NE 72nd Street. Applicant/Owner:  
Mitcon.
7. COMMUNICATIONS FROM THE AUDIENCE.
8. COMMUNICATIONS FROM THE CITY COUNCIL
9. COMMUNICATIONS FROM THE CITY MANAGER.
10. THIRD READING: BILL NO. 85-8, rezoning from CP-1, Planned  
Local Business District to CP-2, Planned General Business  
District, property at 7109 N. Walnut. Applicant: Gaslight  
Realty.
11. FIRST READING: BILL NO. 85-13, approving the final plat of New  
Haven Condominium, 7001 N. Locust. Applicant/Owner: New Haven  
Condominium Partnership.

12. FIRST READING: BILL NO. 85-14, an ordinance authorizing acceptance of permanent and temporary construction easements necessary for Old Maids Creek Storm Drainage Improvement Project.
13. FIRST READING: BILL NO. 85-15, amending the Model Traffic Code to designate new stop sign location at N.E. 64th Street (Pleasant Valley Rd.) and N. Cleveland, governing northbound traffic on N. Cleveland.
14. SITE PLAN AND BUILDING PLAN APPROVAL: 6000 N. Oak. Applicant/Owner: Oakwood Manor Development.
15. BUILDING PLAN APPROVAL: 6600 N. Antioch Rd, addition to White Chapel Funeral Home. Applicant/Owner: D.W. Newcomer Sons Funeral Home.
16. OTHER BUSINESS.
17. QUESTIONS FROM THE NEWS MEDIA
18. ADJOURNMENT

MINUTES

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 11, 1985

Mayor Bob Fairlie called the March 11, 1985, meeting of the Gladstone City Council to order at 7:30pm in the Council Chambers of the Gladstone City Hall.

PRESENT: Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Councilman Bob Ashcroft  
Mayor Bob Fairlie

In addition to the members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor Clyde W. Curtis and the City Clerk.

Mayor Fairlie invited representatives of the Girl Scouts and Camp Fire organizations in attendance to lead the Pledge of Allegiance to the Flag.

Item 3 on the Agenda: Acceptance of Minutes of the February 25, 1985 City Council Meeting.

Mr. Butler moved to approve the minutes as submitted; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 4 on the Agenda: Mayor Fairlie read proclamations designating March 9-15 as GIRL SCOUT WEEK and March 17-23 as CAMPFIRE BIRTHDAY WEEK and invited Scouts Melinda and Carol Cross and Campfire girls Karen Snowblin and Amie Owens to accept the proclamations.

In addition, the Mayor read proclamations designating March 16th-17th as VFW AUXILIARY DAY and a resolution supporting the KANSAS CITY ROYALS 1985 SEASON.

Item 5 on the Agenda: CONSENT AGENDA:

Following the Clerk's reading of the March 11, 1985 Consent Agenda items, Mayor Fairlie asked if any member of the audience, city staff or City Council desired removal of any item for placement on the regular agenda. No requests were made, whereupon Mr. Smith moved to approve the Consent Agenda as read; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

CONSENT AGENDA DETAIL:

Mr. Smith moved to approve the Building Plans for Unique Super Markets, dba Bob's IGA, 6316 N Oak, subject to all National Codes and the Gladstone Zoning Ordinance. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to approve the building plans for U.S. Postal Service, 7170 N Broadway as submitted, subject to requirements of all National Codes and Gladstone Zoning Ordinance. Mr. Butler seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to approve building plans for 6717 N Oak for remodeling space for chiropractic clinic, subject to all National Codes and Gladstone Zoning Ordinance. Mr. Butler seconded. The vote: All "aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to adopt RESOLUTION NO. R-85-16, authorizing final payment to Schultz Electric for work performed under 1985 Street Light Program Contract. Final Payment Due: \$2,378.00 Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to adopt RESOLUTION NO. 85-17, authorizing sale of certain donated stock with proceeds to be deposited in the General Fund and earmarked for Gladstone Park Improvements, estimated value: \$4,500. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to adopt RESOLUTION NO. R-85-18, authorizing transfer of Special Sewer Assessment Fund Balance in the amount of \$1,989,000 to the Street Improvement Fund for use on the Englewood Road Improvement Program. Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr Smith moved to adopt RESOLUTION NO. R-85-19, authorizing sale of surplus city-owned property to the highest bidder by sealed bid or public auction as appropriate. Mr. Butler seconded. The vote: All "aye"- Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to approve the INTERIM FINANCIAL REPORT for February, 1985 as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 6 on the Agenda: PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District, to RP-4, Planned Apartment District, property at 2201 NE 72nd Street. Applicant/Owner: Mitcon

Mr. Larry Mitchell, owner of Mitcon, said he was here tonight on behalf of his partner, Terry Liggett, Liggett Construction, to request rezoning of approximately 4.33 acres located at 2201 NE 72nd Street from its present single family residential to RP4, apartment house district-planned. They request this rezoning because they feel the property is not best suited for R-1. They propose a residential care facility for senior citizens which they believe to be a desirable and appropriate use.

Mr. Mitchell explained that at a site visit last Saturday with the Planning Commission sub-committee, various comments made by the opposition at the Plan Commission public hearing were discussed. They also discussed some objections made by the Public Safety Department about the site plan, which were new to him until the Saturday meeting. They agreed to several of the recommended changes and the Committee thought it would be best to submit a revised drawing to the Commission before any recommendation. He said for this reason he would ask that tonight's hearing be postponed until the next meeting at which time he will have the revised drawing. He has not had time to revise the drawings since the meeting was just the past Saturday. He would formally request for postponement of the hearing until the next meeting.

Mayor Fairlie responded that Council could not postpone the hearing but there is a possibility of continuing the hearing. The procedure requires that the hearing be advertised and the only option Council has is to hold the hearing or continue it. He asked for a show of hands of persons present for this item. He asked the pleasure of interested parties in attendance. The group suggested Council proceed with the hearing.

Mr. Bussinger suggested in fairness to the people in the audience, they may have to come to another meeting to see proposed changes in the plans. He is willing to hear it tonight or willing to wait. But in fairness to the developer Council should have final drawings for discussion.

Mr. Mitchell offered to take the names and addresses of everyone present tonight and get with them before the next meeting for review of revised drawings.

A spokesman for the audience group said people have things to do, some work nights and would have to take off work and they would suggest we continue tonight with the hearing.

Mr. Ashcroft pointed out that we will be holding the hearing on something that will be changed. Council agreed to proceed with the hearing.

Mr. Mitchell said he would proceed with the initial information he presented to the Plan Commission and then point out the basic changes. He said the proposed area is presently surrounded by 85% other than R-1; north side is R-1 and separated by a four-lane road and they plan to put in a 50ft. buffer zone. The complex is to be 100 care units for senior citizens.

Composition is mostly studio, some 1-bedroom and a few 2-bedroom, each having a bath, mini-kitchen consisting of microwave, small refrigerator and sink. All occupants must be ambulatory because this is not a nursing home. There will be large dining room, planned menus with 3 meals/day, 24 hr. security, planned activities - social, cultural and recreational. There will be weekly maid service, transportation services and various common areas throughout the complex for minigatherings, laundry facilities, chapel and an elevator. There will be all the things to offer a complete carefree retirement atmosphere. Construction would be 3-story wooden frame with sprinkler system and fire alarm and one-hour fire protection. The applicants feel there is a desire in Gladstone for more housing for senior citizens and this is a good location and not detrimental to surrounding neighborhoods.

Mr. Mitchell stated that at the Planning Commission hearing there was opposition with main points being: not enough parking; Committee felt there should be more of residential appearance - according to Mr. Mitchell they would have to go from 3 story to 1 or 2 stories. He said it is tough to make it look like a house when it is not. Restrictions to guarantee senior citizen use. Mr. Mitchell said they would try to comply with these three recommendations. While they have some ideas and have architects working on it, they have no plans yet. To create the residential appearance they will reduce the number of units and get away from the 3 stories. The previous parking ratio of 1-1 will increase. However when the complex is spread out he is not sure they can retain the community kitchen, because people do not like to walk a long distance. If the complex is separated into smaller units to look like homes, you lose a main hall-way to connect the apartments. These are all considerations in formulating the new plan. He noted there are complexes around town built like this so it is not a new idea. This is where they presently stand.

Mr. Bussinger asked if a state license was required for the kitchen. Mr. Mitchell said there would be state licenses and requirements.

Mr. Smith asked the City Engineer if parking was calculated on the community kitchen as if it were a restaurant. Mr. Warger responded that with the purpose intended he was not sure if we would look at it in that manner, but probably there should be some more parking required.

Mr. Smith said he thought although this looks like a senior residence now, 50 years from now it is a perfect layout for some type of apartments or some sort of restaurant in this large community kitchen - we have to protect our selves for the future and should require the maximum parking that the type of use this building could attract in the future.

Mr. Butler noted that it appears two-thirds of the property will be used and asked if the remaining third will not be used because it it drops off. Mr. Mitchell said on the contrary the land is very level and has only a 20 ft. fall to the entire acreage. The area Mr. Butler refers to is garden area and play area and exceeds what the city requires. It just was not needed for building or parking. Now with the need for additional parking, this area is where we can put it.

Mr. Butler said he is having a problem with apartments going in here, duplexes and single story buildings are what is prevalent on that section of ground on the south side of 72nd and R-1 is across the street. Even with more parking and going to 2-stories, he is not real happy with it. He has a problem with it being a multi-family unit even though we are calling it a senior center. He has problems with an apartment and suggests we keep it R-1 or duplexes.

Mr. Butler's remarks were applauded by the audience.

Mr. Smith said the initial plans show <sup>the existing residence to be used as</sup> security/maintenance building. He asked if that will be altered and if they will continue to have ingress and egress from the structure on 72nd Street side. Mr. Mitchell said they will have a drive going out to the entrance of this complex, the exterior of the house will be altered only to match the exterior of the complex. Mr. Smith said his concern was we have a nice building for the complex and nice buildings to the west, but the maintenance facility will be the most visible from 72nd Street. His hopes were that they would clean it up a bit or put it to the back of the lot so the front could remain a greenway as a buffer from the people across the street. He does understand however the expense of tearing down a building and putting up a new one. Mr. Mitchell said they could consider that. Mr. Smith continued that he wanted to make his feelings known upfront and that anything more than one-story will not fly with him because you are looking down on homes. He does think Mr. Mitchell is wise in re-drawing his plans so from his perspective his intentions seem to be well put.

Mr. Butler said traffic flow should also be a consideration, 72nd is heavily travelled, Park Street across the street is dangerous intersection. He hopes the engineering department does a good study of the traffic flow out of this apartment complex because of the volume of people. Although elderly do not have as many cars, their children will be coming to visit and you are bound to have traffic such as at the Kendallwood center. A traffic impact study needs to be done.

Mr. Smith asked where North Park would line up in proximity to their proposed street. Mr. Mitchell answered - east of their east property line.

Mr. Ashcroft asked if the photograph they were viewing was drawing specifically for this project. Mr. Mitchell said it is of another project and is just to give an idea of the basic architecture. Mr. Ashcroft also asked how far they were from the recently rezoned dental offices. Mr. Mitchell said the dental offices were 660 ft. west.

Opposition

Mr. George Wages, 7201 N Park, presented a petition signed by 229 persons who are not in favor of the proposed rezoning request. It is not a legal petition. He said he was here to speak on behalf of some who are opposed. They feel the rezoning is not in the best interests of the citizens of Gladstone. Parking, traffic along 72nd Street and other side streets will be strained by the 150 units of Gladstone Meadows and Mr. Rose's apartments which will create more traffic problems which the streets cannot handle now. Another 100 units would cause even greater problems. It is inconceivable that the Planning Commission and Council will let this application pass. The ground should remain residential and they do not want it to turn into another North Oak. There are too many ifs, ands or buts. It was indicated at the Planning Commission that the project might be government subsidized. It was mentioned that east of his residence (7201 N Park) they plan an entrance, on up is another N Park that runs north and south thru to another apartment complex. So there will be a lot of excess traffic coming in and people that come down Park now can't get out because of the hill. There will be a lot of foot traffic, as many seniors will perhaps like to get out and walk. There will be no age limitation, so sons or daughters could live with Senior Citizens and we would be talking about need for parking spaces. What if in a year or two they decide to bail out, the property will already be zoned for RP-4 and you would have a two year old building. He feels it should stay R-1, and will appreciate the Council's no vote on this matter.

Item 7 on the Agenda:  
None.

Communications from the Audience.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Bussinger asked the City Manager the status of N Oak Street. He said we are all quite aware of the atrocious condition North Oak Street is in and in his contacts with the citizens of our city over the last month he has been asked what we are going to do about it. He has been able to respond somewhat to our long range plans but would ask that Mr. Reilly state for the public records why it happened, what we are going to do about it, and when we are going to do it. Mr. Bussinger said we are all aware some of the overlay is coming up off of the street now and he would just like to find out what we plan to do.

Mr. Reilly said frankly he cannot tell Mr. Bussinger why the condition happened the way it did. They have visited with the contractor and have another formal meeting with him on the 19th of March. We have reviewed the contract documents and the contractor guarantees the workmanship as well as materials. In discussing the matter with the Contractor he is prepared to come in, and perform in manner that will make us feel satisfactory about the job. The Contractor is visiting with the people who designed this type of surface application to find out the cause of the problem. He (Contractor) acknowledges that it is not a good job and the city staff will take a hard line as far as having sufficient repairs.



Mr. Reilly continued that he believes we have an excellent case to have significant work done on the street. For now the contractor is doing his research and the City will be doing theirs. He will have more information for Council after the meeting on the 19th.

Mr. Bussinger asked if the weather has to be pretty warm before we will see any activity. Mr. Reilly said yes it is his understanding we have to wait until summer time if we hope to get the best possible job.

Mr. Bussinger said although he is just speaking as one Council representative, he would hope that in the future we would consider overlaying at night and blocking the street off for 6-7 blocks or make detours. He noted that the drivers in our city certainly did not cooperate during the overlay and in fact seemed upset that we were doing it, although it was for their benefit. So we do have to have the cooperation of motorists as well. Mr. Bussinger went on to say he has probably had more people ask him about N Oak than anything else. In his opinion we spent a considerable amount of money in getting it done and we don't have anything for it and he is very dissatisfied.

Mr. Reilly agreed it was an embarrassment.

Mr. Butler advised a NO PARKING sign is down and needs to be replaced just west (about 400 ft.) of Antioch Road on Shady Lane, near the transmission company. Mr. Reilly acknowledged the need.

Mr. Smith said it is his understanding that the overlay method used for N Oak is proven and has worked for others. It should have worked for us it is just that something happened and somehow we got poor results. So we didn't buy a bad product, we just got bad results.

Mr. Reilly said while he has not been involved in the research, that is his understanding also. It is also his understanding that to be successful this type of application must be done in the heat of summer.

Mr. Smith also reminded that he had asked for a review of 20' wide streets to determine if parking should be limited to one side. Mr. Reilly said this review is in process.

Item 9 on the Agenda:

Communications from the City Manager.

Mr. Reilly reported that 4 bids were received on March 7 for Old Maids Creek channel work. The low bid was submitted by Suburban Contractors, Inc. in the amount of \$179,966, which was approximately 28% over the engineer's estimate. It is the City's intention to decline the bids at this state and to rebid the project in conjunction with several other storm water improvement projects and be in a position to let the contract by the second meeting (Council) in April.

On the subject of storm water improvements, Mr. Smith commented that he and City Engineer Warger had attended a Storm Water Conference in Jefferson City the past week and in talking with other municipalities it is evident Gladstone is approaching our storm water needs in a very positive manner. Gladstone is respected for the approach we have taken and professional opinions around the State seem to concur.

Item 10 on the Agenda: Third Reading: Bill No. 85-8, rezoning from CP-1, Planned Local Business District to CP-2, Planned General Business District, property at 7109 N Walnut. Applicant: Gaslight Realty.

Mr. Bussinger moved to accept the Second Reading of Bill No. 85-8 and place said Bill on Third and Final Reading; Mr. Butler seconded. The Vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 85-8 and enact said ordinance as Ordinance No. 2.548; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 11 on the Agenda: First Reading: Bill No. 85-13, approving the final plat of New Haven Condominium, 7001 N Locust. Applicant/Owner: New Haven Condominium Partnership.

New Haven representative Mr. Ferrara, indicated this is the former racquetball club and they are selling off the space for condominiums.

Mr. Smith noted that the staff report of February 26th indicates parking lot north of 70th Terrace requires pavement and curbs on the interior sides. He asked Mr. Ferrara if they plan to comply. Mr. Ferrara said they would not have to do it now because it is adequate for the present. They would hope to be able to do it as they sell off the spaces and it becomes a need. This would help them in interests costs, etc. For right now they have adequate space and in fact the Doctors are parking down in their area.

Mr. Smith asked if it was good practice for the City to leave something undone when it could fall through the cracks. Mr. Reilly said no and it would be his recommendation that we require it now.

Mr. Smith asked Mr. Ferrara if they would be willing to complete the required pavement and curbs if the plat was approved with that contingency. He said so many times both parties in good faith will assure something will be done and it never gets done.

Mr. Ferrara said while he understands <sup>it</sup> it has been that way for some time and has caused no problems.

Mr. Reilly pointed out that that work would have been required upon issuance of building permits - which were not obtained.

Mr. Smith said that was his next point that the original building permit required it and he asked why they did not obtain a building permit for the second part of their construction.

Mr. Ferrara said this was his first venture and he had thought the initial building permit covered the entire building. When he came in to file the plat he discovered that the additional permit was not obtained.

Mr. Smith asked if he is alone in this project or if there are other persons in the venture who may have known the procedure.

Mr. Ferrara said there are other persons in the venture who may have known the procedures -- and in fact he was counting on them.

Mr. Smith asked Mr. Reilly what the penalties were for construction without a building permit. Mr. Smith said a double permit fee may be assessed. Secondly, if the inspector feels it appropriate, the contractor can be required to remove what was installed or constructed for inspection by the city. This would be done at the contractor's expense, not the city's.

Mr. Smith told Mr. Ferrara he was not picking on him but one of his pet peeves is work done without a permit. Building must meet state and city specifications for the protection of our citizens. When permits are not obtained he has a big problem with it and he wants to make it perfectly clear to all builders/developers that he will never vote for anything if they do not follow the guidelines of our city.

Mr. Fairlie asked if the planned use of the building would not increase the occupancy of the building. Mr. Fairlie said he sees a need for more parking when the upper level is occupied and it will be his recommendation parking area should be paved now. This is not over and above what the code requires but pure and simple what the law does required.

Mr. Smith reminded that a variance was granted on the placement of the canopy overhang at the entranceway. The City "bends" on the Code restrictions and he does not think it is too much to expect them to abide by the ordinances. Mr. Ferrara agreed.

Mr. Bussinger moved to place Bill No. 85-13 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the first reading of Bill No. 85-13 and place said Bill on second reading; Mr. Ashcroft seconded. The Vote: "Aye" - Butler, Bussinger, Ashcroft, Fairlie. "No" - Smith. (4-1) Clerk read the Bill.

Mr. Bussinger moved to accept the second reading of Bill no. 85-13, and place said Bill on third and final reading; Mr. Ashcroft seconded. The vote: "Aye"- Butler, Bussinger, Ashcroft, Fairlie. "No" - Smith. (4-1) The Clerk read the Bill.

Mr. Bussinger moved to accept the third and final reading of Bill No. 85-13, and enact said Bill as Ordinance No. 2.549; Mr. Ashcroft seconded. The vote: "aye" - Butler, Bussinger, Ashcroft, Fairlie. "No" - Smith. (4-1)

Item 12 on the Agenda:                      First Reading: Bill No. 85-14, an ordinance authorizing acceptance of permanent and temporary construction easements necessary for Old Maids Creek Storm Drainage Improvement Project.

Mr. Smith moved to place Bill No. 85-14 on first reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 85-14 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Mr. Fairlie pointed out that while this action does not accept the construction bids for this improvement the landowners have granted easements to access their property for the necessary work. We expect to have construction bids in for action at the second Council Meeting in April.

Mr. Butler added that he is very happy with the way Mr. Warger and the engineering department are proceeding with our stormwater bond money approved. In particular the Butler Associates studies and the manner in which Mr. Warger has taken the bull by the horn and gotten bids out on the projects. Although we are watching the money closely we are proceeding in the right direction.

The vote on second reading: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill No. 85-14 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 85-14 and enact said Bill as Ordinance No. 2.550; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 13 on the Agenda: First Reading: Bill No. 85-15,  
amending the Model Traffic Code to designate a new stop sign location at NE  
64th Street (Pleasant Valley Road) and N Cleveland, governing northbound  
traffic on N Cleveland.

Mr. Butler moved to place Bill No. 85-15 on first reading; Mr. Smith  
seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft,  
Fairlie. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the first reading of Bill No. 85-15 and place  
said Bill on second reading; Mr. Smith seconded. The vote: All  
"aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Mr. Butler moved to accept the second reading of Bill No. 85-15 and  
place said Bill on third and final reading; Mr. Smith seconded. The  
vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)  
The Clerk read the Bill.

Mr. Butler moved to accept the third and final reading of Bill No. 85-15  
and enact said Bill as Ordinance No. 2.551; Mr. Smith seconded. The  
vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 14 on the Agenda: Site Plan and Building Plan Approval:  
6000 N Oak Trafficway. Applicant/Owner: Oakwood Manor Development

Mr. Larry Wickham, architect for the developer, indicated he was present  
tonight for a twofold request: (a) site plan revision for previously  
approved CP site plan and; (b) building permit approval by the Council  
with the final approval of the plans being vested in the City Engineering  
Department. He showed a rendering of their plans for the 3-story  
office building.

Mr. Bussinger noted the Planning Commission's concern for water runoff  
and the sandstone problem and asked Mr. Wickham if they have addressed  
those concerns. Mr. Wickham said they have not specifically addressed  
them other than to assure everyone that they will comply with on-site  
drainage retention, and do everything possible to prevent washing down  
on their neighbor of anything from this project. Mr. Bussinger said  
that would be handled by the City Engineer in their approval. Mr.  
Bussinger also noted there was some concern with Mr. Gabel's involvement  
in this project because of the problems at 72nd & Antioch Road. Just  
for the records, Mr. Bussinger said he understands we have the authority to  
correct the problems on 72nd Street without involving this project. Further,  
Mr. Gabel is not a participant in this project at the present time.

Mr. Wickham noted they were not aware that the elevator in the first  
building had not been inspected as brought up in the staff report.  
They will have Otis Elevator Company out to inspect and will contact  
the City Engineer for inspection as to city's requirements.

Mr. Ashcroft noted reference in the January 3, 1985 letter from the city  
that there were deficiencies in construction methods and materials. He  
asked what assurance we have this won't happen again if Mr. Wickham was  
the architect on the first building as well. Mr. Wickham said the  
first building was designed around the use of metal stud partitions and

in the two suites referenced, wood studs were used. Mr. Wickham said however he believes that with the fire code gyp board on either side, the wood studs meet the one-hour requirement of the Code. Mr. Wickham said this is his understanding, he could be wrong. The elevator was constructed well within the requirements of the UBC and is encased in an 8" masonry block wall. They did not obtain the final inspection of operation, however.

Mr. Wickham stressed that it is not their intention to try to pull the wool over anyone's eyes, they have a commitment to a quality type project and it is not the intent of the developer to jeopardize the project.

Mr. Butler asked Mr. Reilly if there is some way this project could contribute to the city's sidewalk fund in that walks were built at that location with city funds. Mr. Reilly said it would be a nice "gesture".

Mr. Butler pointed out that if the city had not built the walks, walk construction would be a requirement of the developer. He asked Mr. Wickham if the developer would have a problem making a contribution.

Mr. Wickham said they would have no problem if everyone else in the same position made a contribution. They would be more than delighted if everyone was treated exactly the same way. Mr. Butler said he agreed.

Mr. Bussinger said Mr. Wickham is absolutely correct in his statement and although he sees Mr. Butler's point, if we started such a practice we are setting a precedent for all. He thinks we would be opening up a "can of worms" and he thinks we should leave the issue alone. That is his opinion.

Mr. Butler asked why this can't be our practice to ask for a small contribution in such instances where the sidewalks are already in. This does not seem out of line to him.

Mr. Bussinger said that most developments are operating on a budget and if the walks are in, they are not going to budget for them. We have the sidewalks, lets just leave it alone and hopefully good developments like this will add to our city.

Mr. Butler pointed out that being a commercial building, he is going to make money off of this project. Mr. Bussinger responded more power to him.

Mr. Wickham said they would be willing to contribute if the city would be willing to help finance the smoothing out of the debris that was placed on this parcel of ground from the city funded sidewalk improvement project. They are going to have to take care of the clean-up themselves.

Mr. Butler asked how many projects along N Oak are going in that we could request contributions. We budgeted the money for walks and curbs on N Oak but by the same token new residential building is required to build or make a contribution.

Mr. Butler continued that this would be a way for us to recoup some of our money.

Mr. Fairlie said he would like Mr. Butler to tell us how if he finds a way.

Mr. Reilly said he did not know how we can make a requirement after the fact. He thinks the assumption was made at the time of the N Oak sidewalk construction that it was going to be a public benefit and he knows of no legal recourse we have to force a donation once sidewalks are in.

Motion:

Mr. Bussinger moved to approve both Site Plan and Building Plans for 6000 N Oak, for Oakwood Manor Development, based on conformity with stipulations outlined under additional information in Staff Reports dated 3/7/85 and 2/26/85; Mr. Smith seconded.

The vote: "Aye" - Smith, Bussinger, Ashcroft, Fairlie. "No" - Butler. (4-1)

Item 15 on the Agenda:                      Building Plan Approval, 6600 N Antioch Road, addition to White Chapel Funeral Home. Applicant/Owner: D.W. Newcomers Sons Funeral Home.

Kenneth Frazier, architect with Frazier and Miles Architects, explained they plan an addition to the existing building of 28' x 40'. The first floor will have visitation rooms that are dividable so they can have one smaller chapel that can be used simulatenously with the larger chapel that presently exists. It will also have a full basement for future office use. He said he was the designer of the original building and the same materials and details will be used in the addition. The addition will match the existing precisely.

Mr. Frazier said they will meet the one hour fire rating construction requirements mentioned in the staff report.

Mr. Fairlie said he presumed Council would have no problem granting the 5' buffer variance since White Chapel will be abutting their own property. He asked what they can expect on sidewalk and curb and gutter construction.

as  
Mr. Frazier said/they understand it Antioch Road does not have any curbs and gutter along that stretch of road that extends quite a distance to the south. They agree to make a \$1600 contribution to the sidewalk fund.

Mr. Smith moved to approve the building plans for 6600 N Antioch Road as submitted with the stipulation that applicant donate \$1600 to the Sidewalk Fund and that the requested 5' variance be granted. Mr. Bussinger seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 16 on the Agenda:

Other Business.

Mayor Fairlie noted that the next Council Meeting would be Monday, April 8th. No March 25th meeting will be held due to Council's absence from the city.

not

Mr. Smith stated he was remiss in/stating that the New Haven Condominium group have built a very quality development out of the old racquetball club at 70th & Locust, however, people have to conform with the laws of our city to appease him.

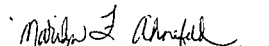
Mr. Bussinger said there was a terrible deterioration of the 72nd and N Antioch corner and he saw a car in the ditch there recently. He asked if barricade was in order as it is bad when people try to cut too short.

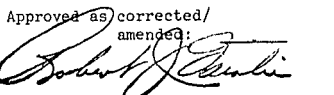
Council announced a 5:30 Study Session on Monday, March 18, 1985.

There was no further business to come before the March 11, 1985 meeting of the Gladstone City Council, whereupon Mayor Fairlie adjourned the meeting at 9:00PM.

Respectfully submitted:

Approved as submitted: ✓

  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as corrected/  
amended:  
  
MAYOR ROBERT J. FAIRLIE



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 8, 1985

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of March 11, 1985 City Council Meeting.
4. PROCLAMATION: Designating Saturday, April 13, 1985, as ARBOR DAY in the City of Gladstone and designating the PURPLE LEAF PLUM as the Official City Tree.
5. PRESENTATION OF SERVICE AWARDS  
Former Planning Commissioners Ann Shannon, Tim Ruth  
Former Park Board Members Pat Forbes, Dorothy Shepherd
6. FIRST READING: BILL NO. 85-16, declaring the results of the April 2 Gladstone Councilmanic Election.
7. OATH OF OFFICE: Councilmen Elect Lee W. Bussinger and Ken Winkler.
8. Election of Mayor and Oath of Office.
9. Election of Mayor Pro-Tem.

ADJOURN FOR LOBBY RECEPTION HONORING COUNCIL MEMBERS  
AND OUT-GOING MAYOR BOB FAIRLIE

10. CONSENT AGENDA  
RESOLUTION R-85-20, authorizing execution of agreement with M J Harden Associates, Inc. for aerial mapping services for an amount not to exceed \$34,500.  
  
RESOLUTION R-85-21, authorizing final payment to City of Kansas City for Gladstone share of Englewood Road Improvement (Hwy. 169 to N Oak).  
Grand total project costs: \$1,950,774.26;  
Gladstone Share: \$649,983.88, less previous payment: \$559,314.00; Final Payment Due: \$90,669.88  
  
RESOLUTION R-85-22, authorizing execution of antenna site lease with Northland Amateur Radio Assoc. on East City Water Tower, 68th & Antioch Rd. 5 yr. lease, \$1/yr.  
  
RESOLUTION R-85-23, authorizing execution of contract with Asphalt Plant Sales for construction of 73rd Terrace, from N Troost - 100 ft. west. Funding: \$11,500.00 transfer from Contingency Fund to Public Works Acct.  
  
RESOLUTION R-85-24, authorizing execution of contract with Penniston Ditching for 73rd Terrace water main replacement. Amount: \$27,793.20. Fund: Combined Waterworks & Sewerage  
  
BUILDING PERMIT: Prospect 1 Apartments, 70th & N Prospect, SE Corner. Approval subject to all Uniform and Gladstone Codes and approval by City Engineer of all water distribution systems. Applicant: Northaven East Inc.

Approval of Interim Financial Reports for March 1985.

11. PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-1, Planned Local Business District, property at 7201 N Oak. Applicant/Owner: Gladstone Properties, Inc.
12. Consideration of Preliminary Plat: NORTHAVEN GARDENS, N.E. 70th & N Prospect. Applicant/Owner: Northaven East Inc.
13. Building Plans for First National Bank of Gladstone, 7001 N Oak. Construct 2 floor addition of 4400 sq.ft./ floor. Applicant/Owner: First National Bank of Gladstone.
14. Communications from the Audience
15. Communications from the City Council
16. Communications from the City Manager
17. FIRST READING: BILL NO. 85-17, amending the Model Traffic Code to designate additional Stop sign locations.
18. FIRST READING: BILL NO. 85-18, an ordinance regulating the installation of Satellite Receiving Antennas within the City of Gladstone and providing for penalties for violations thereof.
19. Other Business
20. Questions from the News Media
21. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 8, 1985

Mayor Bob Fairlie called the April 8, 1985 meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT: Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Councilman Bob Ashcroft  
Mayor Bob Fairlie

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselors John C. Dods and Clyde W. Curtis and the City Clerk.

Mayor Fairlie led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Smith moved to accept the minutes of the March 11, 1985 City Council Meeting as submitted; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 4 on the Agenda: PROCLAMATION:

Mayor Fairlie read a Proclamation designating Saturday, April 13, 1985 as ARBOR DAY in the City of Gladstone and further designating the PURPLE LEAF PLUM as the Official City Tree. He noted that area nurseries are offering a 20% discount to Gladstone residents purchasing a Purple Leaf Plum Tree.

Also, area Scouts will distribute free seedlings of a variety of trees from the Missouri Department of Conservation to attendees at the Arbor Day Celebration on Saturday, April 13th in Central Park at 10:30am.

Item 5 on the Agenda: PRESENTATION OF SERVICE AWARDS

Mayor Fairlie presented service plaques to former Planning Commissioners Tim Ruth and Ann Shannon in appreciation of their service to the City and its citizenry.

Former Park Board Members Pat Forbes and Dorothy Shepherd were unable to attend the meeting to receive their plaques. Mayor Fairlie asked the staff to forward their plaques together with the Council's appreciation.

Mayor Fairlie presented a KEY TO THE CITY to Mr. Bert Rothschild in appreciation of his ongoing contributions to the Gladstone community. Mayor Fairlie pointed out that whenever there is a need - Bert is always there.

Mayor Fairlie took this opportunity to reflect on his nine year association with the City as a Planning Commissioner and a member of the City Council. He thanked his family for allowing him to serve his community. He apologized for his personal actions that brought media attention and any dishonor to the City. This is his greatest regret and he is truly sorry.

Mayor Fairlie said as far as achievements during his terms of office, any feelings of personal achievement are for the Council as a whole and the many fine members he has served with. He said the collective Councils over the past nine years have been responsible stewards of the citizens's money and talent. The voters can be credited with the successful passage of the many bond issues and the trust they gave to the Council in making the funds available to provide the services they needed and wanted. He cited the 80% voter approval of the storm drainage bond election as example of the voter's trust.

In closing the Mayor stated that the City has been fortunate in having great servants and will have five great servants in the present Council as well. He expressed his thanks to all.

The Mayor's remarks were met with a standing ovation.

Councilman Smith said that a reporter had provided a bit of nostalgia by reminding that Bob Fairlie had been the only Councilman to span the gap between Everett Smith and Les Smith. He said that from working with Bob, he can certainly say that the City could not have a better representative than Bob Fairlie. He told Mayor Fairlie that he is proud of him and that he had taught him a lot. He is sure the community forgives him for his biggest regret.

Councilman Bussinger told Mayor Bussinger that he had run with him as well as against him and that they had cussed and discussed and that he personally thinks it takes a hell of a man to make the comments he just did. He thanked Mr. Fairlie and said the welcome mat is always open.

Item 6 on the Agenda: First Reading: Bill No. 85-16, declaring the results of the April 2, 1985 Gladstone Councilmanic Election as follows: Lee W. Bussinger, 1,376 votes; Ken Winkler, 1,354 votes; Larry Whitton, 1,032 votes; Becky Bledsoe, 798 votes and declaring that based upon such results Candidates Lee Bussinger and Ken Winkler have been elected to serve three year terms on the Gladstone City Council.

Mr. Ashcroft moved to place Bill No. 85-16 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie.  
(5-0) The Clerk read the Bill.

City Council Minutes

April 8, 1985

Page Three

Mr. Ashcroft moved to place Bill No. 85-16 on first reading; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 85-16 and place said Bill on second reading; Mr. Smith seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 85-16 and place said Bill on third and final reading; Mr. Smith seconded. The vote: All "aye" Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill No. 85-16 and enact said Bill as Ordinance No. 2.552. Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Bussinger, Ashcroft, Fairlie. (5-0)

Item 7 on the Agenda: Oath of Office: City Clerk Marilyn Ahnefeld administered the Oath of Office to Mr. Lee W. Bussinger and Mr. Ken Winkler for three year terms on the Gladstone City Council.

Item 8 on the Agenda: Election of Mayor and Oath of Office.

As Mayor Pro-Tem, Mr. Bussinger said he would entertain nominations for the office of Mayor.

Mr. Butler nominated Councilman Lee Bussinger for the position of Mayor of the City of Gladstone; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

The City Clerk gave the Oath of Office to Mayor Bussinger.

Mayor Bussinger said the next few months will be busy ones for this Council and the administration with bid letting by the State for work on the M-1 project to be let soon and bids on various storm drainage projects to be received next week and ready for Council action on April 22nd. And with positive negotiations with Kansas City on the widening of Englewood Road from N Oak to Antioch it is apparent that the City staff will be busy carrying out the desires of the Council and citizens to get these projects moving and brought to early completion.

He continued that with the hiring of an Assistant to the City Manager and creation of the new position of Community Services Director, City Manager Reilly will be able to function at the level of satisfaction we all desire and expect. He commented that our community has been fortunate in having quality city managers and that the Council feels Mr. Reilly has been an excellent choice and volunteers to him their vote of confidence for a job well done.

Mayor Bussinger urged the Council, Gladstone Area Chamber of Commerce, and Gladstone business community and citizens to support the newly formed Economic Development Committee. This committee was created through the efforts of the Chamber and the City in an effort to encourage a cleaner and more beautiful city as well as to provide assistance in attracting compatible business to locate in existing commercial buildings as well as build new facilities.

He encouraged citizen participation in community activities and emphasized that the Council can only function at the highest level if citizens provide the work tools. He said so far citizens have provided very well and the Council thanks them for that.

Item 9 on the Agenda: Election of Mayor Pro-Tem.

Mr. Smith moved to nominate Councilman John Robert Ashcroft to the position of Mayor Pro-Tem; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mayor Bussinger announced a short recess and invited all present to enjoy lobby refreshments honoring the Council and former Mayor Fairlie.

\* \* \*

Following the recess Mayor Bussinger called the April 8, 1985 City Council Meeting back to order.

Mayor Bussinger presented the Council's traditional bouquet to the out-going Mayor's spouse, Mrs. Peg Fairlie and thanked her for her support.

Likewise Councilman Jim Butler presented a bouquet to Mayor Bussinger's special lady, Pat Theisen. He told of her love and commitment to the Mayor and the Gladstone community and expressed the disdain of all for the blatant untruths circulated by letter at election time. He assured Mrs. Theisen she was held in high esteem and it was an honor for him to make this presentation. Mr. Butler's remarks were met with great applause.

Item 10 on the Agenda: Consent Agenda:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or council desired removal of any item for placement on the regular agenda. No request was made whereupon Mr. Smith moved to approve the April 8, 1985 Consent Agenda items as listed; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

Consent Agenda Detail follows:

Mr. Smith moved to adopt Resolution R-85-20, authorizing execution of agreement with M J Harden Associates, Inc. for aerial mapping services for an amount not to exceed \$34,500. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)  
Mr. Smith moved to adopt Resolution R-85-21, authorizing final payment to City of Kansas City for Gladstone share of Englewood Road Improvement from Highway 169 to North Oak. Final Payment Due of Gladstone Share: \$90,669.88. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Fairlie. (5-0)

Mr. Smith moved to adopt Resolution R-85-22, authorizing execution of an antenna site lease with Northland Amateur Radio Association on the City East Water Tower, 68th & Antioch Road for a five year period at \$1/yr. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt Resolution R-85-23, authorizing execution of contract with Asphalt Plant Sales for construction of 73rd Terrace, from N Troost to 100 ft. west. Funding: \$11,500 transfer from Contingency Fund to Public Works Account. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt Resolution R-85-24, authorizing execution of contract with Penniston Ditching for 73rd Terrace water main replacement. Amount: \$27,793.20. Fund: Combined Waterworks & Sewerage. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve BUILDING PERMIT FOR PROSPECT-1 APARTMENTS, 70th and North Prospect, S.E. corner. Approval subject to all Uniform and Gladstone Codes and approval by the City Engineer of all water distribution systems. Applicant: Northaven East, Inc. Mr. Butler seconded the motion. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve the INTERIM FINANCIAL REPORTS for month of March, 1985 as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 11 on the Agenda: PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-1, Planned Local Business District, property at 7201 N Oak. Applicant/Owner: Gladstone Properties, Inc.

Mayor Bussinger opened the Public Hearing. Mr. Bruce Lambert was present to discuss this application and explained for the benefit of the audience that their request to rezone from General Business District to Planned Local Business District is in fulfillment of their commitment to downzone this property when the adjacent property was zoned earlier in the year.

In discussion and review of proposal Mr. Smith noted that a recent study of the N Oak & 72nd street intersection suggests need for additional turning lanes and asked if Mr. Lambert is aware of this and willing to grant necessary right-of-way for this improvement. Mr. Lambert acknowledged that he was aware of the proposed plans and agrees to provide the necessary right-of-way.

Mr. Butler said it may be desirable to alter the egress/egress on the 72nd Street side to alleviate potential problems of cars stacking. Mr. Lambert said that his architect is making some revisions from the initial plans.

No opposition was expressed nor were there further comments, whereupon Mayor Bussinger announced that the Public Hearing was closed.

Item 12 on the Agenda: Consideration of Preliminary Plat. NORTHAVEN GARDENS, NE 70th & N Prospect. Applicant/Owner: Northaven East, Inc.

Applicant Ben Rose was present to review this item with Council. Council asked if he had obtained a copy of the Staff Report which noted lack of street names and final drainage plans.

Mr. Rose stated that he had just that day delivered street names to the Engineering Department. As far as storm drainage his architect, Mr. Lutgen is working on that and he asked him to address that issue.

Mr. Lutgen said they need approval of the preliminary plat before they can go further. The area is broken into several water sheds and in some areas they can do some storm water detention and minor changes to the drainage pattern and alleviate some water run-off. In response to Mr. Bussinger's question the detention plans will be submitted with submission of the final plat.

Mr. Rose noted that in general the houses will be larger than Northaven East. On this acreage they could have had 225 lots but they opted for the larger lots resulting in 166 lots in this plat. The smallest lot is 85'. Price range is \$125,000 and up.

Mr. Smith said he was pleased to see single family on this property after the concerns expressed during the Mary Hudson proposal. His lone concern is for storm drainage. Mr. Rose said the larger lots will help in this respect.

There was no further discussion.

Mr. Ashcroft moved to approve the PRELIMINARY PLAT OF NORTHAVEN GARDENS as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda: BUILDING PLANS, FIRST NATIONAL BANK OF GLADSTONE. 7001 N Oak. Construction of 2 floor addition of 4400 sq. ft./floor. Applicant/Owner: First National Bank of Gladstone.

Counselor Dods requested the opportunity to discuss this building permit application with First National representatives prior to Council discussion of the item.

Following Mr. Dod's return he had no questions of the Council, whereupon Mr. Ashcroft moved to approve the Building Plans for First National Bank of Gladstone 7001 N Oak as submitted. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger, (5-0)

Item 14 on the Agenda: Communications from the Audience.

None.



Item 15 on the Agenda: Communications from the City Council.

Mr. Smith asked City Manager Reilly if he had any problems with the number of cul de sacs in the Northaven Garden Preliminary Plat.

Mr. Reilly responded that from a fire protection perspective cul de sacs are not necessarily desirable however both Public Safety and the Engineering Department have reviewed the plat and find it to be an acceptable plan. Mr. Reilly noted that they had asked for reduction of the islands to accommodate the turning radius for fire apparatus and assume there will be no difficulty in reducing them.

Mr. Smith suggested the need to contact Mr. Bob Jenkins regarding schedule for seeding of Wild Plum Lane area in connection with storm drainage work. Mr. Smith has received several inquiries from affected residents.

Mr. Smith also indicated he was pleased to see that Musselman & Hall intend to remedy the N Oak resurfacing problems. He suggested that for the benefit of the city's reputation we let citizens know of the progress of this matter.

Mr. Reilly acknowledged his requests.

Mr. Butler asked that the timing of the traffic signal at Englewood & Broadway be checked as it affects westbound Englewood turning south on Broadway.

Mr. Butler also noted a street sign is down at 76th & Euclid.

Mr. Butler asked that Council entertain approval of Midland Shows Carnival at 63rd & N Oak for the period April 14 - 28th. Sponsor of the event is the Gladstone Rotary Club. Midland Shows is the same company that participated in the Glad Fest and have provided required insurance and assurance of trash cleanup, etc.. Written permission from the property owner, Bob's IGA has also been obtained and the company will cooperate with Public Safety and Engineering on safety inspections, etc.

Mr. Butler moved to approve the permit for the carnival; Mr. Ashcroft seconded.

Council asked the staff if there were any neighborhood complaints as a result of the carnival last year at this same location. Staff was not aware of complaints or problems although Mr. Winkler said some had come to his attention. There was no further discussion.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 17 on the Agenda: First Reading: Bill No. 85-17, amending the Model Traffic Ordinance to designate additional Stop Sign locations and prohibiting a Left-Turn onto N Oak from business complex at NW Corner 72nd & N Oak.

Mayor Bussinger explained there may be a need to modify some of the language in the ordinance and suggested tabling this Bill until the next Council Meeting. Council was in agreement.

Item 18 on the Agenda:    First Reading:    Bill No. 85-18, an ordinance regulating the installation of Satellite Receiving Antennas within City of Gladstone and providing for penalties for violations thereof.

Mr. Smith moved to place Bill No. 85-18 on first reading;    Mr. Butler seconded.    The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.    (5-0)

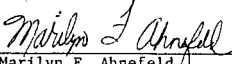
Item 19 on the Agenda:    Other Business.

Mayor Bussinger welcomed Councilman Winkler to the Council and made the following Council assignments to the City Boards and Commissions for the coming year.

Planning Commission - Councilman Winkler  
Parks & Maple Woods Advisory - Councilman Smith  
Cable TV Advisory & Special Road District No. 3 - Councilman Butler  
Board of Zoning Adjustment - Councilman Ashcroft  
Public Safety Advisory - Mayor Bussinger


There was no further business to come before the April 8 , 1985 City Councilman Meeting, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

  
\_\_\_\_\_  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: \_\_\_\_\_

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

  
\_\_\_\_\_  
MAYOR LEE W. BUSSINGER

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

APRIL 22, 1985

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance.
3. Acceptance of Minutes of April 8, 1985 City Council Meeting.
4. PROCLAMATION: Designating the month of May as AMERICAN BUSINESS WOMEN'S ASSOCIATION EDUCATION MONTH in the City of Gladstone. Requested by Happy Rock Diamond Chapter.
5. PRESENTATION OF SERVICE AWARD to former Mayor/Councilmember Bob Fairlie.
6. CONSENT AGENDA:

Resolution No. R-85-25, authorizing execution of contract with Lamm Construction for Storm Drainage Improvement on Old Maid's Creek. Amount: \$188,020. Fund: Storm Drainage Improvement.

Resolution No. R-85-26, authorizing execution of contract with Lamm Construction for Storm Drainage Improvement in East and West Flora Park. Amount: \$88,750. Fund: Storm Drainage Improvement.

Resolution No. R-85-27, authorizing acceptance of work performed under R.A. Pohl Rock Creek Channel Improvements Contract and authorizing final payment. Amount: \$23,045.63.

7. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to CP-3, Planned Commercial Business District, property at 207 N.E. 72nd Street. Owner: Ronnie & Carol Owens. Applicant: Gilbert & Linda Yunger.
8. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property at 2201 N.E. 72nd Street. Applicant/Owner: Mitcon, Inc.
9. Communications from the Audience
10. Communications from the City Council.
11. Communications from the City Manager.
12. Building Plan Approval: Security Storage Properties, 6810 N. Oak.
13. Appeal of Preliminary Plat Denial: Brookview Subdivision, proposed development of three single family lots, N.E. 72nd & Highland. Applicant/Owner: Shane Danner.
14. Consideration of Preliminary Plat of Carriage Hills, 8th Plat, Shady Lane & Mersington. Applicant/Owner: J.A. Peterson Investment Co.

15. SECOND READING: Bill 85-18, an ordinance regulating the installation of Satellite Receiving Antennas within the City of Gladstone and providing for penalties of violations thereof.
16. FIRST READING: Bill 85-17, amending the Model Traffic Ordinance to designate new Stop Sign Locations, Parking Prohibition and No Left Turn locations.
17. FIRST READING: Bill 85-19, rezoning request from C-2, General Business District to CP-1, Planned Local Business District, property at 7201 N. Oak. Applicant: Gladstone Properties.
18. Other Business
19. Questions from the News Media.
20. Adjournment.

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 22, 1985

Mayor Lee W. Bussinger called the April 22, 1985 meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor John C. Dods and the City Clerk.

Item 3 on the Agenda: Acceptance of Minutes.

Mr. Smith moved to accept the minutes of the April 8, 1985 City Council Meeting with correction from "Mayor Bussinger" to Mayor Fairlie on pg. 2 paragraph 6, line 1 as noted by Mr. Winkler. Mr. Butler seconded.  
The vote: All "aye" -Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 4 on the Agenda: PROCLAMATION.

Mayor Bussinger read a proclamation designating the month of May as AMERICAN BUSINESS WOMEN'S ASSOCIATION EDUCATION MONTH in the City of Gladstone as requested by Happy Rock Diamond Chapter of ABWA. Chapter representative Judy Steele was present to receive the proclamation. Mayor Bussinger acknowledged the hard work on the Mayor's Christmas Tree and other civic activities that the organization engages in. He noted that in addition to their hard work the group also has a lot of fun.

Item 5 on the Agenda: PRESENTATION OF SERVICE AWARD to former Mayor and Councilmember Bob Fairlie.

Mayor Bussinger presented plaques to Mr. Fairlie for his service as a Planning Commission from December 1972 to April 1976 and as Councilmember April 1976 to April 1985 and Mayor 1977, 1981 and 1984. Mayor Bussinger also presented Mr. Fairlie a Key to the City pointing out that only special individuals receive the key. Mr. Fairlie received hearty audience applause.

Mr. Bussinger said he would deviate from the agenda to recognize Mr. George Carr, Clay County Communications Company Regional Manager. He read a letter expressing the Council's best wishes to the Carr family in their relocation to Lake Charles, Louisiana. He commended Mr. Carr for his contributions to the betterment of the community through his participation in civic projects and the positions held in the Gladstone Area Chamber of Commerce, Gladstone Lions Club and the Gladstone Economic Development Commission. In addition Mayor Bussinger presented him with a Key to the City. Mr. Carr thanked the Mayor for his kind remarks and the Key.

Item 6 on the Agenda:      CONSENT AGENDA.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or Council desired removal of any item for placement on the regular agenda.

Mr. Winkler requested removal of Resolution No. R-85-26, for placement on the regular agenda indicating there are persons in the audience who desire clarification on this item.

Mr. Smith moved to approve the Consent Agenda as submitted with deletion of Resolution R-85-26; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Consent Agenda Detail follows:

Mr. Smith moved to approve Resolution R-85-25, authorizing execution of contract with Lamm Construction for Storm Drainage Improvement on Old Maid's Creek. Amount: \$188,020. Storm Drainage Improvement. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt Resolution No. R-85-27, authorizing acceptance of work performed under the R.A. Pohl Rock Creek Channel Improvements Contract and authorizing final payment in the amount of \$23,045.63. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6a on the Agenda:      Resolution No. R-85-26, authorizing execution of contract with Lamm Construction for Storm Drainage Improvement in East and West Flora Park. Amount: \$88,750. Fund: Storm Drainage Improvement (Note this item removed from Consent Agenda)

Mr. Winkler stated there were residents present from the East Flora Park area who would like clarification as to what exactly is intended in this construction. He asked if City Manager Reilly or City Engineer Warger would provide the explanation.

Mr. Harold Fox, 5906 N Michigan and Mr. Dean Smith and Mrs. June Smith, 5904 N Michigan indicated their desire to discuss this item and came forward to view the plans as reviewed by City Engineer Warger.

Mr. Warger explained that a detention facility is proposed for the entire East Flora Park area. A detention facility serves to detain water during a major storm; it fills up the pond and lets the water out at a slower rate so that you are not causing flooding on downstream. The reason for doing something like this at this location is so that we don't have to replace the three structures downstream and make them conform to the 100-year flood. We put in a berm or dam across the creek and at another location. Mr. Warger showed them the area to be graded and said the dam is approximately 250 feet. In response to question from the Mayor, Mr. Warger stated that all of the property in question is city property. Mr. Warger reviewed the plans and proximity of the detention facility to the property owners stating that the grading will be approximately 5-10 ft. from their property line. With what is planned there should be no more water than what is there right now. He stressed they are not trying to affect any property owner just to protect someone else. The residents said they had never had any water problems.

Mr. Warger said a certified wildlife biologist had been called in following concerns expressed by Mrs. Smith to suggest the type of seeding needed to grow back some of the natural habitat in the area. We will try to save the major trees. Mr. Warger was asked why we could not have widened the creek instead. Mr. Warger said it would not give them enough capacity in the three structures at Highland, Garfield and Woodland. They would have to be taken out and increased in order for the water to get out of there and not cause problems. This would cost approximately \$300,000 in contrast to the \$88,000 under the contract proposed.

Mayor Bussinger stressed that the city's intent is to make it as natural as possible when completed.

Question was asked if we intend to have another bond issue or raise taxes to accomplish this drainage improvement. Council responded that we are not planning it at this point.

Mrs. June Smith said she was told by the City Manager that there would have to be an increase in taxes because there is not enough money for the total revenue needed.

Mr. Reilly clarified that he said if you try to correct all the storm water projects throughout the community you would have to increase taxes, but he never said we would increase taxes for this project.

Mr. Bussinger said that hopefully we can pass more bonds in the future without having to increase taxes when these bonds are paid off.

Mrs. Smith asked if this has to be dealt with tonight. Mr. Bussinger said there have been public meetings and publicity to the storm water projects, so he sees no reason to defer it.

Mrs. Smith said she had no recollection of the East Flora Park area being discussed as far as storm drainage improvements.

Councilman Smith invited Mrs. June Smith to explain her concerns.

Mrs. Smith said this is a unique small area not suitable for building and was sold to the City by J.A. Peterson for taxes in 1971. It is designated on the Warranty Deed as a park, and later a decision was made to leave it as a nature park and leave it as is. People walk the area to get away from concrete and it provides a unique area for imaginative children to play. It attracts persons from all over. She and her husband and others as well, bought their homes because of the woods and likewise did not move because of the woods even when they had outgrown their homes. She is not against saving people from flooding but does not believe this destruction of the wooded area and wild life habitat is necessary - she believes there are alternatives. To her knowledge when the bonds passed only the area south of 72nd Street north of their wooded area was discussed. They heard nothing about East Flora Park. It would take 75 years to replace this area, what happens to the precious wildlife in the meantime. There is more wildlife than the 20 some species of birds and mammals indicated in the report. She asked approval of this resolution be delayed for several weeks. She wants to have time for any alternatives to be explored.

Mr. Dean Smith added that he has put out fires and run out kids with B-B guns and would hate to see these woods destroyed now under guise of it being for the public good. He stated that most of the flood problems are created by builders and those that gave them the authority to build in flood plains to begin with. He asked that the necessity for this project be reconsidered.

Mr. Fox questioned why a meeting of all the residents in the area will not be held until such future date. He thinks the project can be handled in a much smaller scale.

Mr. Warger clarified that since no land needed to be acquired from residents it was his intent to hold a meeting of affected area residents to explain what would take place following Council's approval of this project.

Mayor Bussinger said there was a need to get started on the project and asked the view of fellow Council Members in light of the request to delay this resolution approval.

Mr. Winkler asked what affect the delay of this particular project would have on the overall storm drainage improvement projects. Mr. Warger said this is a major area of protection.

Mayor Bussinger suggested that we go ahead with the resolution since the staff plans to meet with the residents.



Mr. Butler commented that he has problem with the staff maybe putting the cart before the horse. If we were going to have a meeting anyway why didn't we plan the meeting prior to action on this resolution. Maybe there is a favorite tree out there or something they know about that ground that we didn't know about. It is kind of like ramming it down their throat, like here is the plan, we are going to do with it what we want. It is a poor way to communicate with the residents we are trying to serve.

Mr. Warger said that was taken into consideration but it was thought that if the Council did not approve it then we had the meeting and got people worked up for no reason.

Mr. Reilly said the other point is that we had a meeting that we advertised rather aggressively before we went to final design.

Mr. Butler said we had meetings three years ago on storm water drainage and we asked people to bring in information about areas around their homes. This was done through the Planning Commission Sub Committee on Storm Water Drainage. He has no problem with letting- this item sit two weeks and hearing what everyone has to say. If it is a valid project and best suited nature-wise and we are not just going to go over there and tear up trees which he does not think we would; lets make sure those things are looked at; he has no problem with deferring action. He will not support this bill tonight.

Mayor Bussinger said if he could comment to Mr. Butler that he was one of the advocates of storm drainage improvements and thinks we would be setting a precedent if we defer this. We have had the public hearings and we are willing to work with the people. We have urged the City Manager to expedite this project and get the bids out and we have the right to use that property. And as well the people speaking out tonight have a right to their input. He would suggest we move on with this resolution.

Mr. Ashcroft asked if Old Maid's Creek and this project are two separate contracts and the passage of one and not the other is a consideration. Mr. Warger stated that it was two separate bids and two separate contracts.

Mr. Ashcroft asked if any Councilmembers have seen the wild life report referred to. Mr. Warger said no.

Mr. Smith said he would agree with these persons rights to input. On the other hand, we have paid George Butler and Associates a substantial amount of money to tell us what our priorities should be and the ramifications of the project to the nearby homeowners. We all have opinions but these are professionals who have told us that this is the most desirable way to get the most for our dollar and help the most people and hurt the least amount of people. We have also had natural habitat people look at it and they say this is the best way to protect all concerned. Somewhere there will be some people who will lose trees

in their backyard or something. If the project would wipe out the whole area and put in concrete that would be another matter. We have paid professional people to give us professional recommendations and that is why he is comfortable with the project. He really hates to hold this project back and thinks we need to get on with it. Mr. Smith pointed out that we have had two one-hundred year storms in the past year and a half and a two weeks delay could very well flood some people downstream. He asked Mr. Warger if there was not a way to have a meeting before we actually let the contract.

Mr. Reilly said the Resolution authorizes the City Managers signature on the contract but he can withhold signing until a meeting is held if that's Council's desire. Mr. Warger also noted that it would take some time to route the contracts for signatures and he would hope to have the meeting next week.

Mr. Smith pointed out that if they pass the resolution and there is no substantial problem then we haven't lost a thing; if we put off action on the resolution for a couple of weeks then we have lost those two weeks of construction time.

Mr. Smith moved to adopt Resolution No. 85-26; Mr. Ashcroft seconded.

Discussion: Mr. Winkler said he will be voting yes to get the contract underway realizing that even though we have passed the resolution nothing is cast in concrete and there is always an option open.

Mr. Butler commented that once you have a sealed bid the dollars are locked in. If we later deviate from the contract that could change the dollar amount, so we may be duplicating ourselves if we have to go out for another bid. Therefore he will be voting no on this bill in light of some new information; one, being the preserve study on wildlife which he has not seen and, secondly, the fact that this contract is independent from the other storm drainage contracts.

The vote on Resolution No. R-85-26: "Aye" - Winkler, Smith, Ashcroft, Bussinger. "No" - Butler. (4-1)

Item 7 on the Agenda:      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to CP-3, Planned Commercial District, property at 207 NE 72nd Street. Owner: Ronnie & Carol Ownes. Applicant: Gilbert & Linda Yunger

Applicant Gilbert Yunger said he proposes construction of a 50' x 100' building at this location to house his auto body repair business. He currently operates at 7208 N Oak. Facing 72nd Street will be trees and shrubs, grass and 2 large handicapped parking spaces out in front, some parallel parking to the east for estimates. Storage area will be in the rear with 6' chainlink privacy fence so that no damaged cars will be visible from the street. Mr. Yunger also provided a letter in favor of his application from two neighbors behind his property which Mayor Bussinger read.

Mr. Yunger continued that to the rear of the storage area is 120 feet of green space and a gate through the storage area which will be well maintained. There are no plans for building on this grassy area at present.

Mayor Bussinger expressed concern for the future of the property on the south. Mr. Yunger stated that presently he has no plans for development although they may eventually expand the storage area or the building itself.

Mr. Winkler asked Mr. Reilly and Mr. Warger if he was correct that with the application for "P" zoning any future revisions to the plans would require resubmission to the Planning Commission and the City Council. Mr. Reilly acknowledged that was correct.

Mr. Charles Doolittle addressed the Council in support of this rezoning application. He said that although the applicant is presently his tenant and he will be losing \$800/mo. he supports this application. He said Mr. Yunger is young, well behaved and a hard worker. He started with nothing and has a going business today. He considers him his neighbor and his friend and urges Council approval.

#### Opposition

Mr. Milton Brashford, 7011 N Walnut, said he did not doubt that Mr. Yunger was a good person but is of the opinion that a body shop close to residential is a bad deal. His property is directly south and he fears devaluation of his property. This type of business should not be close to residential and it does not belong on 72nd Street either.

There were no further comments to come before this Public Hearing, therefore Mr. Bussinger announced it closed.

Item 8 on the Agenda:      Public Hearing: Request to rezone from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property at 2201 NE 72nd Street. Applicant/Owner: Mitcon, Inc.

Mr. Larry Mitchell, Mitcon, Inc. said their application was for the rezoning of approximately 4 acres at 2201 NE 72nd Street from Single Family to Planned Garden Apartment District. He stated that their previous application was withdrawn due to neighborhood objections and they are now submitting a new application which calls for construction of 28 townhomes. It is their feeling that the townhomes are much more compatible to the surrounding area. The overall plans are for owner occupied townhomes of minimum 1200 sq. feet. The zoning requires is R-3 even though the density requirements would be satisfied by R-2. There will be 4 four-plexes and 4 3-plexes and plan to sell each unit and the land it sits and some land to the rear of each unit to each individual owner. All the remaining ground will be owned by the Homeowners Corporation including the street which is an access right-of-way.

The common area includes all land not individually owned and also the land not designated for future 71st and existing 72nd Street. The driveway is similar to an apartment, it is not a public street. They plan to construct a wooden privacy fence on the east side to shelter the townhomes from the adjacent duplexes. Landscaping of trees, sod and shrubbery is included. The Homeowners Corporation will be a non-profit corporation to maintain the streets, exterior of all buildings and driveways. This proposal as submitted satisfies all the requirements of RP-3 as far as height, sideyards, rear yards and buffer zones. No variances will be required. They are also submitting a preliminary plat at this time which simply divides the area into 8 tracts and will make the survey work at a later time a little easier. With regard to points on the engineering staff report, there are 42 garages and 42 individual parking spaces which make a total of 84 and there is only 60 required to satisfy the RP-3. The street shown is a private drive and not a public street with a 35 foot setback. If the City would desire them to make this a public street they would do so with no objection but would like to keep the same basic plan they have now which would require a variance to the front setback. They are looking at something similar to what the Trails have done, probably a 40 ft. right-of-way, 30 ft. back to back curb, 4 ft. sidewalks and any necessary easements. He noted that he has a plat of the Trails if Council would desire to view it - they have no setback at all and a 40 ft. right-of-way. He provided Council with typical floor plans and said they may change a little due to individual purchasers desires.

Mr. Mitchell said they believe the City of Gladstone needs a moderate priced townhome, we have the Trails in the \$50-\$60 range and the Woodlands at \$120 and up. They believe there is a big market for the \$70-\$80 range. Their original plans were for all ranch style but their studies show there is a market for 2-story and he personally thinks they improve the appearance of the property.

Mr. Winkler asked that Mr. Mitchell restate the number of units. Mr. Mitchell said there are 8 tracts for a total of 28 units with four 4-plexes and four 3-plexes.

Mr. Smith asked Mr. Warger which is preferable public or private streets? Mr. Warger responded that public are preferred because at some future time the city may be asked to maintain them, variance on set-back and right-of-way would be required for public street.

Mr. Smith asked if the structures could be moved back to meet the required 35 ft. set back on the rear because it appears they have the space. Mr. Mitchell said they feel the backyard privacy is more important then the front yard for a townhouse and because of the dimensions of the attached garages. What rules out the front yard is the attached garages but they feel there is a demand for them. Mr. Mitchell said if they went to a public street they would like to have a standard 30 ft. back to back curb, the plans show 26 ft. for the private streets. Minimum from the curb to the building line is not less than 22 ft.; Trails is 20 ft.

Mr. Smith said he would definitely prefer the public street and have it 30 ft. other than that he is quite impressed with the project. It is apparent they listened to the neighborhood and brought in something that is really three steps up from the previous plan. The setbacks concern him and the street concerns him.

Mr. Bussinger asked if the cul-de-sac allows for <sup>fire</sup> apparatus turn around. Mr. Reilly said the radius in the City Code would.

Mr. Butler asked if we had vacated an easement to the south of this property. and Mr. Smith asked if that was still something we would want to use in the future. Mr. Reilly said that is one of the reasons for wanting a public street so we can keep our options open.

Mr. Ashcroft asked if what is ultimately built will be pretty close to what is shown in the renderings. Mr. Mitchell said the only change might be a double car garage where a single is shown now or someone might want a bigger unit or smaller unit. The basic design and appearance should be the same. These will be custom built.

Mr. Robert Quackenbush, 2204 NE 72nd Street spoke in favor of this application. He said last time he was up here he was totally against the proposal, this time he is totally in favor of it. The people in the area are in total favor of it. He complimented Mr. Mitchell and his partner for working with the people on the project. He asked the Council to give all three readings to to the rezoning so as not to hold the project up.

Mr. Bussinger said while the Council wishes they could at times, the legal procedures won't allow such.

Mr. Smith commended those in the audience that are here in favor of this project for taking the time to come up and show their support.

Opposition - None.

Mayor Bussinger said he was not knocking the project at all but is amazed that there were no comments about the traffic on 72nd Street. In his opinion this property is well suited for C-O zoning. Mr. Mitchell corrected the Mayor's misunderstanding that this project could generate some 96 autos from the 48 units. There are only 28 units.

There were no further comments whereupon Mayor Bussinger closed the public hearing.

Item 9 on the Agenda:            Communications from the Audience.  
None

Item 10 on the Agenda:        Communications from the City Council.

Mr. Winkler said he noticed worn traffic markings at 64th & N Oak particularly the turn lanes. They need to be more clearly defined.

Mr. Butler asked if we had done anything about the light at Englewood & Broadway he mentioned at the last meeting. Mr. Reilly said Mr. Warner found that when people pulled beyond the white line it did function as Mr. Butler described.

Mr. Butler said if there is new information that the Council should have it in order to make a decision such as the Wild Life Report discussed earlier.

Mr. Reilly said that the reason it was not forwarded was because he had not felt it was particularly significant. Basically it lists the types of animals and types of trees and lists recommendations that he had asked the engineers to incorporate and the only expectations they made where those reported to the Council with respect that the City did not want to store the fallen trees in piles for habitat purposes. So everything the wildlife people suggested we incorporated.

Mr. Butler asked if we called the Wildlife people in to study that. Mr. Reilly said yes, Mrs. Smith raised the issue and we followed up. Mr. Reilly said the Council is certainly welcome to the report he just frankly felt it was not very important.

Mr. Butler said it catches the Council in an awkward position when the people feel like we are trying to run something at them. They may not be the case here but those people felt like that was going on. If we can alleviate some of those communication problems he would like to see that happen.

Mr. Butler noted that a week ago there were some fallen trees (Christmas tree) in the Wild Plum area creek that needs to be picked up. We need to do these little cleanup jobs to keep the creek in good condition particularly after our Rock Creek efforts.

Mr. Smith said with respect to the East-West Flora Park matter, he thinks the City Manager hit the nail on the head; Mrs. Smith raised the concern the professionals that we hired came in followed up and determined that we were doing the best we could do and he cannot for the life of him justify deferring it after working on it (storm drainage) for two and a half years. We knew going in that there would be some persons that would not be happy with what we are doing to help thousands of people. Those people are his neighbors and he feels badly for them and he will listen to them but we have to get on with the projects. The professionals that we hired to research this told us this is a high priority and it is the best way to go.

Mayor Bussinger asked what the plans <sup>are</sup> with respect to responsibility for water lines to serve the proposed increased housing on the east side. One of his opponents during the election had cited the need for more water on the east side. Mr. Reilly said the developer will be responsible for an 8" line and the City will pick up the difference between the 8" and 12". The 12" being a major supply for that area. That leaves us with a supply problem between the area of Broadway and Troost which we estimate to be around a million dollars. This will have to be built over a period of time.

A Capital Improvement Plan will be a part of the budget this year but he cannot say how this need will rate over some of the other concerns we have about the water system.

Mr. Bussinger said this is a matter that we will and are addressing.

Mayor Bussinger called a five minute recess.

Mayor Bussinger reconvened the April 22, 1985 City Council Meeting.

Item 12 on the Agenda:      Building Plan Approval for Security Storage Properties, 6810 N Oak.

J.P. Ram, Securities Storage Representative, was present to review these building plans. She noted they are requesting a variance on the fencing requirement. City Code requires 8' they are asking for 6' to avoid the stockade fence appearance so it will blend better with the surroundings. With their design of the buildings they are attempting to convey a residential appearance and a higher fence would diminish that. All around the visible portion of Oak will be an ornamental fence with brick piers and wrought iron. They are using the same type in their other facilities under construction in other cities. To the rear is chain link. They have no concerns for security with the on-premises manager and the new high tech computerized access system. They have agreed to the \$4,733 cash contribution in lieu of detention pond as requested by the City.

Mr. Warger explained the calculations used in determining the \$4,733 contribution. In connection with the water detention basin proposed for the rear west of the property they took into consideration the total water shed and subtracted out to determine their sub basin and according to the run-off factor they determined their contribution.

In response to question from Mr. Ashcroft Ms. Ram said this was a general partnership not a limited partnership of Mr. Steve Clark and Bill Ardt of Wichita, Kansas. He also asked if at some future date they might sell this facility as they have others. Ms. Ram said that is always a possibility - for the right price anything is for sale.

Ms. Ram responded to Mr. Smith's question that each building will have a load bearing wall with metal partition separating each unit.

Mr. Butler asked if they anticipate any problems with cars backing up in the street with the 25ft. distance from the gate to where you stop to gain access. Ms. Ram said they have many that are shorter and they experience no problems. A typical person will visit their storage unit 3 times a month but it is always so staggered that they have not experienced problems.

Mr. Smith moved to approve the Building Plans for Security Storage, 6810 N Oak granting the variance for 6' fence as requested; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.

Item 13 on the Agenda: Appeal of Preliminary Plat Denial: Brookview Subdivision, proposed development of three single family lots, NE 72nd & N Highland. Applicant/Owner: Shane Danner.

Mayor Bussinger explained that the Planning Commission had denied this Preliminary Plat and under the City Code the applicant does have a right to appeal this decision to the City Council.

Mr. Shane Danner advised that the Planning Commission expressed concern for potential flooding and concern that children might be playing in the creek. He stated that before finalizing his plans he discussed this project with Mr. Warger and Mr. Dyehouse, Butler & Associates. They indicated the need for a 30 ft. permanent drainage easement and a 20 ft. temporary construction easement for the 72nd Street and Highland sides. The houses on the east side of this property are setting much lower and do flood. He believes that they have taken everything into consideration and with drainage easement that enough property is given up to take into consideration a 100 year flood and also they will bring in enough dirt to raise the property to make any opening on any of the houses above 72nd Street as per Mr. Warger's recommendations. He is appealing the denial because he feels the proposed use is the best use of this property.

Mayor Bussinger said he does have some concerns because the City ends up taking care of these properties on down the road when they are sold. Brooktree is an example.

Mr. Winkler asked if the permanent drainage easement was mentioned during the Planning Commission Hearings. Mr. Warger said yes.

Mr. Ashcroft asked if Butler and Associates believes there is no problem with erosion down the road. He asked if Mr. Warger can assure him that in his best engineering judgement there are no problems. Mr. Warger said as far as erosion problems - no. As far as flooding problems if they get it high enough there should be no problems if they keep it at one foot above the 72nd Street elevation - this means any entrance, no rear entrance, garages, no walk out basements even the lowest window in the foundation would be 1 ft. above. Mr. Ashcroft asked if it could get up on the foundation. Mr. Warger said he did not believe it would get that high he believes there is a safety factor figured in. With the future design water should not go over 72nd Street. Priority 2 or 3 calls for putting some channel protection between Highland and 72nd Street.

Mr. Ashcroft asked Mr. Warger if he could see any storm water problems with the plat as now proposed. Mr. Warger said with his stipulations, no. Those being that the entrances be 1 foot above 72nd Street, which means he has to bring in quite a bit of fill.



Mr. Smith said if Mr. Warger's opinions are based on the improvements being made under Priorities 2 and 3 (Butler & Associates Storm Drainage Improvement Recommendations) and the money doesn't go around we need to look at this plat as it stands now versus being improved. Mr. Warger said we have had existing flood plain elevations studied probably 2 or 3 times in the last 10 years and they have all come up with approximately the same flood plain elevation - 30 ft. range.

Mr. Smith asked about fencing and planting of trees and shrubs - can we put in the deed restriction that nothing will be allowed whatsoever. Mr. Warger said he would recommend that. Mr. Smith said that his point is that we have worked so hard to control storm drainage in the City that he hates to do anything that will create problems.

Mr. Danner said he agrees and that is why he met with Mr. Warger and Mr. Dyhouse and everything they came up with he has agreed to do.

Mr. Reilly suggested if there is concern about the storm water implications that it is within the Council's prerogative to request that the developer provide some kind of engineering study for submission to the Council and staff for review. For Council's assurance that all facets are being considered such a study might be appropriate.

Mayor Bussinger asked if a deed can be written to indicate that the City is not liable for flood or erosion problems.

Mr. Dods said we can't protect for what may happen in the future merely by reciting it in some deed.

Mr. Smith asked where it puts the City if you put in a deed restriction that you can't fence or plant. Mr. Dods said if the city obtains an easement with those restrictions built in then we control the usage of the space and if it is violated can enforce it by removal. He would suggest there is a pragmatic problem because people tend to look at it as their land and build on it and play on it, etc. It does not create liability for the city merely because there is natural drainage across ones property. Mr. Dods said he is not sure to what extent the City would be liable if the property owner put some obstruction into the waterway that caused the flooding, it seems to him that is not a responsibility of the city unless you had adequate notice and opportunity to remove it in some fashion. Mr. Reilly said he agreed that if the City knew of an obstruction that caused a flooding problem and failed to take action then we would be liable.

Mr. Winkler moved that we accept the appeal and require the applicant to provide an engineering study at applicant's expense; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 14 on the Agenda:

Consideration of Preliminary Plat of Carriage Hills, 8th Plat, Shady Lane & Mersington  
Applicant: J.A. Peterson Investment Co.

Council had no questions of the applicant or the City Engineer stating they felt comfortable with the plat as submitted.

Mr. Ashcroft moved to approve the plat as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 15 on the Agenda:      Second Reading:      Bill 85-18, an ordinance regulating the installation of Satellite Receiving Antennas within the City of Gladstone and providing for penalties for violations.

Mr. Smith moved to accept the First Reading of Bill No. 85-18 and place said Bill on Second Reading; Mr. Butler seconded.

Mr. Butler said he would be voting no on this reading because of he has a problem with more legislation and in view of the fact that there are already some installations up. He feels this industry will phase itself out, residents are having more government pushed at them and he has a problem with this bill so will be voting no.

The vote: "Aye" - Winkler, Smith, Ashcroft, Bussinger. "No" - Butler. (4-1) The Clerk read the Bill.

Item 16 on the Agenda:      First Reading:      Bill No. 85-17, amending the Model Traffic Ordinance to designate new Stop Sign Locations, Parking Prohibition and No Left Turn Locations.

Mr. Ashcroft moved to place Bill No. 85-17 on First Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the First Reading of Bill No. 85-17, and place said Bill on Second Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill No. 85-17 and place said Bill on Third and Final Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill No. 85-17 and enact said Bill as Ordinance No. 2.553; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.

Mr. Charlie Doolittle said he certainly favored the No Left Turns from the business centers (area of Godfather's Pizza and McBrans Cycle) included in this Bill.

Item 17 on the Agenda:      First Reading:    Bill NO. 85-19, rezoning request from C-2, General Business District to CP-1, Planned Local Business District property at 7201 N Oak. Applicant: Gladstone Properties.

Mr. Smith moved to place Bill No. 85-19 on first reading; Mr. Butler seconded.    The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)    The Clerk read the Bill

Mr. Smith moved to accept the First Reading of Bill No. 85-19 and place said Bill on Second Reading; Mr. Butler seconded.    The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Bruce Lambert addressed Mr. Butler indicating that he had expressed concern about the 72nd Street exit at the prior meeting.    They want to retain an exit on 72nd Street because if they get a left-turn lane there they do not foresee a stack up of cars - they think they are going to need the 72nd Street exit.

Mr. Butler clarified his comment was because of Larkin and Associates comment that they may be creating some traffic problems within the lot. It was merely a suggestion.    Mr. Lambert said they are trying to work out that out with the architect.

Item 18 on the Agenda:      Other Business.

Mr. Butler said there are some wooden signs on the drive at John Deere that are an eyesore.    Mr. Reilly said that the City Engineer has advised they were notified today.    Also there is a political sign at 62nd & Broadway that needs to come down.    Across from the liquor store at 75th & N Oak there is a nursery with an old sign that we need to review for legality.    Mr. Reilly said that was being done.    At 100 NE 67th Terrace there is a street problem (water pooling).    Mr. Reilly said the problem is not apparent but will be reviewed again.


Mr. Winkler inquired about arrangements for a joint meeting with the Planning Commission.    Mayor Bussinger said that has been set for 6:30PM, Monday, May 20th.

Mr. Ashcroft suggested the Planning Commission's voting record be included in staff reports to assist the Council.    Mr. Reilly agreed that was an excellent suggestion.

Mr. Bill Reynolds, President Elect of the Gladstone Chamber of Commerce said it would be that groups pleasure to host a coffee for the Council following the May 13th Council Meeting in the city hall lobby.

There was no further business to come before the City Council, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted:  
*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: 

Approved as corrected/  
amended:

*Lee W. Bussinger*  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 13, 1985

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of April 22, 1985 City Council Meeting
4. PROCLAMATIONS: \*Designating May 15th as NATIONAL POLICE OFFICERS MEMORIAL DAY  
Requested by Gladstone Public Safety Department  
\*Designating May 24-May 27 as MAKE IT CLICK WEEKEND,  
buckle up your seat belt campaign sponsored by  
McDonald's Heart of America
5. CONSENT AGENDA:  
  
Resolution No. R-85-28, approving the Land and Lot Delinquent List  
and authorizing collection as required by law.  
  
Approval of Interim Financial Reports for April 1985.
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. Third Reading: Bill 85-18, an ordinance regulating the installation of  
Satelite Receiving Antennas within the City of Gladstone and providing  
for penalties for violations.
10. Third Reading: Bill 85-19, rezoning request from C-2, General Business  
District to CP-1, Planned Local Business District, property at 7201  
N Oak. Applicant: Gladstone Properties
11. First Reading: Bill 85-20, rezoning from R-1, Single Family Dwelling  
District to CP-3, Planned Commercial Business District property at  
207 NE 72nd. Owner: Ronnie & Carol Owens. Applicant: Gilbert Yunger
12. First Reading: Bill 85-21, rezoning from R-1, Single Family Dwelling  
District to RP-3, Planned Garden Apartment District, property at  
2201 NE 72nd Street. Applicant: Mitcon, Inc.
13. First Reading: Bill 85-22, approving the Final Plats of REPLAT OF  
WOODLANDS and SECOND REPLAT OF THE WOODLANDS. Kendallwood Parkway  
& Brooktree Lane. Applicant/Owner: Woodlands Investments Associates
14. First Reading: Bill 85-23, levying new Service Charges for City of Gladstone.
15. Other Business.
16. Questions from News Media.
17. Adjournment

\* \* \*

The Public is invited to the Chamber of Commerce sponsored Coffee  
in the lobby area immediately following the meeting.

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

May 13, 1985

Mayor Lee Bussinger called the May 13, 1985 meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Mayor Lee Bussinger

ABSENT: Councilman Bob Ashcroft

In addition to members of the City Council, those in attendance were City Manager Patrick J. Reilly, City Counselor John C. Dods and The City Clerk.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Winkler moved to approve the Minutes of the April 22, 1985 City Council Meeting as written; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 4 on the Agenda: Mayor Bussinger read Proclamations designating the following: May 15th as NATIONAL POLICE OFFICERS MEMORIAL DAY, to pay tribute to officers killed in the line of duty. Gladstone Public Safety Director Ken Francis was present to accept the proclamation on behalf of the department.

May 24 -27 as MAKE IT CLICK WEEKEND, a buckle up your seat belt campaign sponsored by McDonald's Heart of America.

Item 5 on the Agenda: CONSENT AGENDA:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or Council desired removal of any item for placement on the regular agenda. No requests were made whereupon Mr. Winkler moved to approve the Consent Agenda as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Consent Agenda Detail follows:

COUNCIL MEETING MINUTES  
May 13, 1984 - Page 2

CONSENT AGENDA DETAIL:

Mr. Winkler moved to adopt RESOLUTION R-85-28, approving the Land and Lot Delinquent List and authorizing collection as required by law. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Winkler moved to approve the Interim Financial Reports for April 1985 as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 6 on the Agenda:      Communications from the Audience.

None.

Item 7 on the Agenda:      Communications from the City Council.

Mr. Butler said he had been contacted by a citizen and given a number of locations where street sign repairs were needed and will pass the list on to the City Manager.

Mayor Bussinger announced that a budget worksession will be held on Monday, May 20 at 5:30pm; meeting with the Planning Commission at 6:30pm; at 7:30pm Council will resume budget worksession.

He further announced that as the next regularly scheduled City Council Meeting falls on Monday, May 27 which is Memorial Day, no Council Meeting will be held.

Item 8 on the Agenda:      Communications from City Manager.

City Manager Reilly announced for Council and public information that a Takeover Agreement was signed with the Bonding Company of the Contractor responsible for completion of the sidewalk contract on May 9. The bonding company has advised that a contractor should return to the site within ten days to two weeks subsequent to the signing of the Takeover Agreement. So we can expect to see some action on that project by May 23. Letters will be sent to both commercial and residential property owners who have been adversely affected by this project.

Mr. Reilly clarified that Bill 85-23 on the Agenda (Item 14), establishing new sewer service charges passes on charges initiated by the City of Kansas City. Under agreement we pay Kansas City for processing of our wastewater and in turn pass along the charges to our customers. He requested enactment of the ordinance at tonight's meeting to allow reflection of the new rates in August customer billings.

CITY COUNCIL MINUTES  
May 13, 1985, Page 3

Mr. Reilly also announced that he would insert in the records of this meeting that staff is considering as part of its budgetary development a proposal to adopt the Non-Contributory Plan for LAGERS, the Public Employees Retirement System. Under State Statute we must make public notification of this fact 45 days prior to implementation of the new plan. He clarified that this announcement tonight does not obligate the City to do anything. He read a listing of the materials available should persons desire to review them: Explanation of the Benefit Formula Programs and the Non-Contributory Plan; 36 Month Final Average Plan; Certification Letter from the System's Actuarial Firm; Two Page Summary of the assumptions used by the Actuary in determining the contribution rates; Schedule showing the Employer Contribution Rates under the Contributory Plan and the Non-Contributory Plan and the different Benefit Programs at the 60 Month and at the 36 Month Final Average Plan. Mr. Reilly again stressed that this does not obligate the City to take any action but fulfills our legal obligation. All information is available for public viewing.

Mr. Reilly announced that City Engineer Steven M. Warger is leaving the city's employ for a position in the private sector and complimented him on his efforts on behalf of the city during his employment.

Mr. Reilly also introduced two new department heads hired in the past month: Director of Community Services Ed Wegner and Assistant to the City Manager Javonni Brown.

Mr. Smith welcomed Mr. Wegner and Ms. Brown and said Mr. Warger had certainly served the city well and wished him luck in his new position.

Mayor Bussinger told Mr. Warger that he had done a good job, he felt they had had a good relationship and he also wished him well in all future endeavors.

Mayor Bussinger recognized Scout Troop 389 from Hillside Christian Church and asked them to introduce themselves. The Scouts are working on a Communications Merit Badge and are present to listen and report on Council proceedings.

Item 9 on the Agenda: Third Reading Bill No. 85-18, an ordinance regulating the installation of Satellite Receiving Antennas within the City of Gladstone and providing for penalties for violations.

COUNCIL MEETING MINUTES  
May 13, 1985 - Page 4

Mr. Smith moved to accept the Second Reading of Bill 85-18, and place said Bill on Third and Final Reading; Mr. Winkler seconded.

Discussion: Mr. Butler advised he would be voting NO on this bill as he has in the past and will probably also vote NO on the final reading.

The vote: "Aye" - Smith, Bussinger; "No" - Winkler, Butler.  
(2-2)

Mayor Bussinger inquired of the City Counselor if a tie vote passes. Counselor Dods advised it did not. Mayor Bussinger suggested that due to the split vote the Bill be deferred until the next meeting for a full Council. Counselor Dods reminded that the record does now show the failure of the Bill to advance and the only way to undo that would be for one of the members who voted NO to move that the Bill be reconsidered at a later date.

Mr. Butler questioned that Council could rescind their vote once cast. Mr. Dods said Roberts Rules of Order does provide for such a motion to reconsider by a member who had cast a dissenting vote, then if that motion passes the Bill can be reconsidered at the date set.

Mr. Butler said as one of the no votes he is willing to let the Bill die because it interferes with free access to space. He will stay with his no vote.

Mayor Bussinger stated that if the Bill is not going to pass he asks that the City Manager ready the Bill for reintroduction at a later time. Mr. Smith agreed that he would like to see the Bill back on the Agenda for consideration by the full Council.

**CLARIFICATION** Bill 85-18 defeated by 2-2 vote. If Bill is reintroduced would bear new Bill Number.

Item 19 on the Agenda: BILL 85-19, rezoning request from C-2, General Business District to CP-1, Planned Local Business District, property at 7201 N Oak. Applicant: Gladstone Properties.

Mr. Winkler moved to accept the Second Reading of Bill No. 85-19 and place said Bill on Third and Final Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. The Clerk read the Bill.



CITY COUNCIL MINUTES  
May 13, 1985 - Page Five

Mr. Winkler moved to accept the Third and Final Reading of Bill No. 85-19, and enact said Bill as Ordinance No. 2.554; Mr. Butler seconded.

Discussion: Mr. Smith commended Mr. Lambert for acknowledging some concerns Council had on the site and for conveying the necessary right-of-way needed on 72nd Street. The City hopes to modify that intersection and he would hope that Mr. Lambert would cooperate on a temporary construction easement at that time.

Mr. Butler noted that in study session there was discussion on need for more space at the exits on 72nd Street and asked if Mr. Lambert had any problem with widening. Mr. Lambert said there would be no problem and reviewed with Council some additional changes planned.

The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 11 on the Agenda: FIRST READING: Bill NO. 85-20, rezoning from R-1, Single Family Dwelling District to CP-3, Planned Commercial Business District property at 207 NE 72nd Street. Applicant: Gilbert Yunger Owner: Ronnie & Carol Owens.

Mr. Smith moved to place Bill 85-20 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. The Clerk read The Bill.

Item 12 on the Agenda: FIRST READING: Bill NO. 85-21, rezoning from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, property at 2201 NE 72nd Street. Applicant: Mitcon, Inc.

Mr. Smith moved to place Bill No. 85-21 on First Reading; Mr. Winkler seconded.

Discussion:

Mr. Smith noted that the applicant has indicated his willingness to redraw the plans to incorporate a 35 ft. setback at the front and provide a 50 ft. right of way at the street. It would be his recommendation that they go ahead and give first reading tonight and allow him to redraw the setback without having to repeat the public hearing process because he is not changing the number of units or type of development.

Mr. Butler said he agreed with Mr. Smith and pointed out that the proposed changes will bring the plans more in line with the City's Code. He has no problem with giving the first reading.

CITY COUNCIL MINUTES  
May 13, 1985 - Page Six

Applicant Larry Mitchell said that preliminary studies show that with 50 ft. right-of-way to the street and holding a 35 ft. back building line; there would be 7 units that would comply with the 35 ft. front building line, 11 more units that would be within 10 feet, and the remaining 10 would be within 20 ft. So the request would be for variance to the front building line to those units only that could not physically comply with the ordinance. Right now only 7 of the 26 units comply.

Roll Call: All "aye" - Winkler, Smith, Butler, Bussinger.  
(4-0) The Clerk read the Bill.

Item 13 on the Agenda: First Reading: Bill No. 85-22, approving the Final Plats of REPLAT OF WOODLANDS and SECOND REPLAT OF THE WOODLANDS. Kendallwood Parkway & Brooktree Lane. Applicant/Owner: Woodlands Investment Associates.

Mr. Winkler moved to place Bill No. 85-22 on First Reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill No. 85-22 and place said Bill on Second Reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill No. 85-22, and place said Bill on Third and Final Reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill No. 85-22, waive the appropriate paragraph of Ordinance No. 1.83 and enact said Bill as Ordinance No. 2.555; Mr. Smith seconded. The vote All "aye" -Winkler, Smith, Butler, Bussinger. (4-0)

Item 14 on the Agenda: First Reading: Bill No. 85-23, levying new Sewer Service Charges for the City of Gladstone.

Mr. Smith moved to place Bill No. 85-23 on First Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill No. 85-23 and place said Bill on Second Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

CITY COUNCIL MINUTES  
May 13, 1985 - Page 7

Mayor Bussinger explained that the increase in sewer service charge is necessitated by our contractual agreement with the City of Kansas City, Missouri. When Kansas City increases the charges we have to pass it along to Gladstone residents.

Mr. Smith moved to accept the First Reading of Bill No. 85-23 and place said Bill on Second Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill No. 85-23 and place said Bill on Third and Final Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill No. 85-23, waive the appropriate paragraph of Ordinance No. 1.83 and enact said Bill as Ordinance No. 2.556. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 15 on the Agenda: Other Business.

None.

Item 16 on the Agenda: Questions from the News Media.

In response to question from media representative Mr. Reilly said the sewer service rate increase would be approximately 14%.

Question was directed to Mayor Bussinger on whether he felt the present zoning ordinance adequately covered satellite receiving installations. Mr. Bussinger said he did but could not speak for the rest of the Council.

Mr. Butler said he had a problem with the way the ordinance was written because it restricted use of air space and he saw no need for more government intervention.

Mr. Smith said all of our ordinances especially those governing setback requirements are done for aesthetic reasons. The ordinance was intended to restrict placement of the dishes so they do not ruin the aesthetics of the neighborhood. That may put a burden on some persons wanting a dish but those who do not want them outnumber those who do. The ordinance provides for aesthetics as well as safety and is not in conflict with other ordinances.

Mr. Winkler also stated that he felt the existing setbacks in the Zoning Ordinance and provisions of the Uniform Building Code were sufficient.

CITY COUNCIL MINUTES  
May 13, 1985, Page 8

News Media representative also asked what the Planning and Zoning Commission recommended on the Gil's Body Shop rezoning application. Planning Commissioner Lee Laramore advised the Commission had unanimously voted to recommend denial.

The reporter asked how this would affect Council action. Mr. Bussinger said he could not speak for the rest of the Council but that he personally opposes the application. Mr. Winkler stated at this point in time he feels he will be voing against it but it has been historical to give a favorable vote on the first reading to give the applicant the courtesy of the extended time in case something happens to change a Councilmember's mind. Mr. Butler said he too would be voting no on the application for the reasons previously stated.

There was no further business to come before the meeting of the Gladstone City Council whereupon Mayor Bussinger adjourned the meeting. Time: 8:20pm

Respectfully submitted:

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
CITY CLERK

Approved as submitted: ✓

Approved as amended/corrected:       

*Lee W. Bussinger*  
MAYOR

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 10, 1985  
A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of May 13, 1985 City Council Meeting
4. PROCLAMATION designating June 10-16 as "F.A.S.T. WEEK", sponsored by Feed Africa's Starving Today/Tomorrow Committee
5. CONSENT AGENDA:

Approval of Interim Financial Reports for May 1985

RESOLUTION R-85-29, authorizing acceptance of work under the Damon Pursell Construction Co. 1984 Sludge Removal Contract and authorizing final payment of \$57,051.50.

RESOLUTION R-85-30, authorizing Change Orders 2 & 3 and acceptance of Barber Sewer & Ditching 1984 Water Main Replacement Contract.  
Final Amount Due: \$22,692.87

RESOLUTION R-85-31, authorizing execution of N Prospect (Hwy.1) Utility Relocation Contract with Sprague Excavating Co, Inc., St. Joseph, Mo. in the amount of \$233,080.42. Fund: Street Bond Improvement

RESOLUTION R-85-32, authorizing renewal of Lease Agreement with ABC Auto for use of city property.

BUILDING PLANS APPROVALS:

Gladstone Church of Christ, 5703 N Flora, 700 sq. ft. addition subject to Uniform and Gladstone Codes.

7401 N Oak, 5,460 sq. ft. retail sales building; subject to Uniform Codes and Gladstone Code and City Engineer approval of complete building plans. J.E.R. Investing Co. (Joe Cannova)

6. PUBLIC HEARING: Proposed 1985-86 Annual Fiscal Budget proposed use of General Revenue Sharing Funds.
7. SITE PLAN & BUILDING PLAN APPROVAL: Phase II of PROSPECT I Development. Applicant/Owner: North Haven East, Inc.
8. SITE PLAN & BUILDING PLAN APPROVAL: 607 NE 69 Street. Applicant/Owner: Gladstone Food Products, Inc.

9. Communications from the Audience
10. Communications from the City Council
11. Communications from the City Manager
  
12. SECOND READING: BILL 85-20, rezoning from R-1, Single Family Dwelling to CP-3, Planned Commercial District property at 207 NE 72nd. Owner: Ronnie & Carol Owens Applicant: Gilbert Yunger
  
13. SECOND READING: BILL 85-21, rezoning from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, 2201 NE 72nd. Applicant: Mitcon, Inc.
  
14. FIRST READING: BILL 85-24, approving the FINAL PLAT OF CARRIAGE HILLS 8TH PLAT. J.A. Peterson Enterprises
  
15. FIRST READING: BILL 85-25, authorizing acceptance of permanent sewer easement and temporary construction easement from North Haven East, Inc.
  
16. FIRST READING: BILL 85-26, an ordinance regulating the installation of Satellite Receiving Antennas.
  
17. FIRST READING: BILL 85-27, authorizing acceptance of easements for water line relocation for N Prospect (Hwy. 1) improvement project.
  
18. FIRST READING: BILL 85-28, amending Chapter 6 of the City Code dealing with requirements for certain public improvements prior to issuance of residential building permits by providing for escrow of monies in lieu of improvements or surety bond.
  
19. FIRST READING: BILL 85-29, an ordinance abolishing the Citizens Advisory Committee to the Public Safety Department by repeal of Ordinance No. 2.378. (Codified as Article III of Chapter 24 of the City Code)
  
20. FIRST READING: BILL 85-30, amending Ordinance No. 2.354 (Code Section 18-24) dealing with junk and inoperable vehicles.
  
20. Other Business
21. Questions from the News Media
22. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 10, 1985

Mayor Lee Bussinger called the June 10, 1985 meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

In addition to the members of the City Council, City Manager Patrick Reilly, City Counselor Clyde Curtis and the City Clerk were in attendance.

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Mr. Butler moved to accept the Minutes of the May 13, 1985 City Council Meeting as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. "pass" - Ashcroft. (4-1)

Item 4 on the Agenda: Mayor Bussinger read a Proclamation designating June 10-16 as "F.A.S.T.! WEEK", sponsored by Feed Africa's Starving Today/Tomorrow Committee.

Item 5 on the Agenda: Consent Agenda:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or Council desired removal of any item for placement on the regular agenda.

Mr. Winkler requested removal of Resolution R-85-32, (Lease renewal with ABC Auto for use of city property, 72nd & Oak) from tonight's agenda to defer for consideration at the next Council meeting.

Mr. Smith moved to approve the Consent Agenda items as read with exception of removed R-85-32; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mayor Bussinger noted there are some concerns for visual problems at 72nd & Oak with respect to ABC Auto and requested the City Manager to review the matter prior to the next meeting.

CONSENT AGENDA DETAIL:

Mr. Smith moved to approve the Interim Financial Reports for May 1985 as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt Resolution R-85-29, authorizing acceptance of work under the Damon Pursell Construction Co 1984 Sludge Removal Contract and authorizing final payment in the amount of \$57,051.50. Mr. Ashcroft seconded. The vote: Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt Resolution R-85-30, authorizing Change Orders 2 and 3 and acceptance of Barber Sewer & Ditching 1984 Water Main Replacement Contract. Final Amount Due: \$22,692.87 Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt Resolution R-85-31, authorizing execution of N Prospect (Highway 1) utility relocation contract with Sprague Excavating Co, Inc. in the amount of \$233,080.42. Fund: Street Bond Improvement. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve Building Plans for Gladstone Church of Christ, 5703 N Flora, for 700 sq. ft. addition subject to all Uniform Codes and the Gladstone Code. Mr. Ashcroft seconded. The vote: All "aye" Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve Building Plans for 7401 N Oak, 5,460 sq. ft. retail sales building subject to Uniform Codes and Gladstone Code and City Engineer approval of complete building plans. Applicant: J.E.R. Investing Company Mr. Ashcroft seconded. The vote: All "aye" Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda: Public Hearing: Proposed 1985-86 Annual Fiscal Budget and proposed use of General Revenue Sharing Funds.

Mayor Bussinger requested City Manager Reilly to review the proposed budget.

City Manager Patrick Reilly clarified that this public hearing is dictated by Revenue Sharing requirements but his presentation will cover the entire budget including use of General Revenue Sharing funds.

Essentially the budget prepared and submitted to the Council has been crafted in order to meet the goals set forth by the Council in January of this year.



The goals that formed the framework for the development of the budget are four-fold: First, to improve the delivery of traditional public works services, namely the street, water, sewer and park maintenance, now the responsibility of the Department of Community Services. Second, to upgrade the appearance of the community, residential and commercial through more aggressive code enforcement efforts. Third, to increase flow of communications from city hall to residents and to enhance the image of Gladstone throughout the metropolitan area. Four, to continue the capital improvement program started years ago, focusing especially on improved street lighting, sidewalks and working on a continual basis on resolving some of the localized storm water problems.

As examples of specific tactics used to address these goals, Mr. Reilly said an additional Building Inspector's position has been added, a community newsletter has been added, additional funds have been requested for equipment and vehicle maintenance as well as acquisition for replacement purposes. We have also requested money for a Master Plan for use of Happy Rock Park because the use of that facility far exceeds its current capabilities. A capital improvement program much like prior years has been proposed. The loose ends at this time involving the budget are: First, the tax rate is not being proposed although we have listed the aggregate tax revenues. The tax rate cannot be discussed until we receive assessment information from Clay County which is expected by the end of the month for setting of the tax levy in August. Second, there is still Council discussion on developing a multi-year water improvement program. These types of improvements far exceed our current revenue capability. Third, is the discussion of the water rates and what they should be for next year. The difficulty in putting this budget together is that it is a deficit budget in all funds. In his budget message he cites the circumstances for the deficit budget. First, the Fair Labor Standards Act has been made applicable to the city for the first time and is a consequence of a Supreme Court ruling. This act alone will the cost taxpayers an additional \$70,000 in overtime for the Public Safety Department alone. The \$70,000 buys nothing more than the services we have been providing in the past. Second, the net loss to the city in confronting the rate shock of Wolf Creek given the existing legislation will be approximately \$40,000 for the upcoming fiscal year. It will be greater in future years because the new rate won't be in effect until July. Third, we are still concerned about the future of revenue sharing which represents approximately \$180,000 to Gladstone. We anticipate receiving revenue sharing funds through FY '86 but do not anticipate its being a viable revenue source for us in future years.

Mr. Reilly continued that a deficit budget is a regrettable budget when you have to put it together but it has been compiled on the basis of providing and continuing the same level of services that Gladstone has provided for a number of years. To reduce expenditures in any of the areas reviewed would mean impairment of services. Based on what he has heard during his tenure here, from the public and the Council, a high priority has been the maintenance and if possible improvement of services.

Mayor Bussinger invited audience and Council questions or comments. There were none.

Mayor Bussinger clarified that the City will not realize any windfall of revenue as a result of Wolf Creek. He complimented the Manager and Council on a well put together budget. There were no further comments, whereupon Mayor Bussinger closed the public hearing.

Item 7 on the Agenda: Site Plan and Building Plan Approval. Phase II of PROSPECT I Development. Applicant/Owner: North Haven East, Inc.

Applicant was not present. Mayor Bussinger asked City Manager Reilly if all Code requirements are met in the plans. Mr. Reilly said they were. Mr. Butler asked about a street maintenance bond. Mr. Reilly said that would not be required until later. Mayor Bussinger said we do want to ensure that every "t" is crossed and "i" is dotted on the project.

There was no further discussion. Mr. Ashcroft moved to approve the Site Plan and Building Plans for Phase II of PROSPECT I Development as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 8 on the Agenda: Site Plan and Building Plan Approval. 607 NE 69th Street, Gladstone Food Products

Mr. Ashcroft moved to approve the Site Plans and Building Plans for 607 NE 69th Street, Gladstone Foods as submitted. Mr. Butler seconded. Mayor Bussinger said the applicant has agreed to all the requirements so he sees no problems. Roll Call: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 9 on the Agenda: Communications from the Audience.  
None

Item 10 on the Agenda: Communications from the City Council.

Mr. Butler inquired if insurance adjusters had been called out to review damage to city buildings/property from the recent hail storm. Mr. Reilly acknowledged that we did have considerable damage to property (vehicles, roofs, much miscellaneous) and our adjusters have been contacted. Mr. Butler also asked if due to the number of residential homes affected, disaster aid is available. Mr. Reilly said typically the homes have to be destroyed or not suitable for occupancy before such aid is possible.

Mayor Bussinger announced a worksession at 5:30 pm on Monday, June 17th. Such sessions are open to the public.

Item 11 on the Agenda: Communications from the City Manager.

Mr. Reilly reported that the contractor has returned to the North Oak Sidewalk project and he hopes for a speedy and quality completion. He also announced that Bill 85-28.(agenda item 18)will be deleted from the agenda as earlier discussed with Council.

Item 12 on the Agenda: Second Reading: Bill No. 85-20, rezoning from R-1, Single Family Dwelling District to CP-3, Planned Commercial District property at 207 NE 72nd Street. Owner: Ronnie & Carol Owens. Applicant: Gilbert Yunger

Mr. Smith moved to accept the first reading of Bill No. 85-20 and place said Bill on second reading; Mr. Winkler seconded. The vote: All "NO" - Winkler, Smith, Butler, Ashcroft, Bussinger. (0-5)  
BILL DEFEATED - UNANIMOUS VOTE

Item 13 on the Agenda: Second Reading: Bill 85-21, rezoning from R-1, Single Family Dwelling District to RP-3, Planned Garden Apartment District, 2201 NE 72nd street. Applicant: Mitcon, Inc.  
additional

Mr. Bussinger suggested that two/readings be given to the Bill tonight to make up for missed Council meeting May 27th.

Mr. Smith moved to accept the First Reading of Bill No. 85-21 and place said Bill on second reading; Mr. Winkler seconded.

Mr. Winkler asked if Mr. Mitchell had redrawn the plans now to reflect the changes in the setbacks. Mr. Mitchell said they were and Mr. Reilly also acknowledged that the plans are now in accordance with Council direction.

The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "No" - Bussinger (4-1) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill 85-21 and place said Bill on Third and Final Reading: Mr. Winkler seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "No" - Bussinger. (4-1) The Clerk read the Bill

Mr. Smith moved to accept the Third and Final Reading of Bill 85-21 and enact said Bill as Ordinance No. 2.557; Mr. Winkler seconded. Mr. Bussinger stated that his no vote was because he does not feel this application is the highest&best use of the property and would rather have seen an office-type complex on this property. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "No" - Bussinger. (4-1)

Item 14 on the Agenda: First Reading: Bill No. 85-24, approving the Final Plat of Carriage Hills 8th Plat. J. A. Enterprises.

Mr. Ashcroft moved to place Bill No. 85-24 on first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill

Mr. Ashcroft moved to accept the first reading of Bill No. 85-24 and place said Bill on second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill No. 85-24, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 85-24 and enact said Bill as Ordinance No. 2.558; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 15 on the Agenda: First Reading: Bill No. 85-25, authorizing acceptance of permanent sewer easement and temporary construction easement from North Haven East, Inc.

Mr. Winkler moved to place Bill No. 85-25 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill

Mr. Winkler moved to accept the first reading of Bill No. 85-25 and place said Bill on second reading; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill No. 85-25, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-25, and enact said Bill as Ordinance No. 2.559; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 16 on the Agenda: First Reading: Bill 85-26, an ordinance regulating the installation of Satellite Receiving Antennas.

Mr. Smith moved to place Bill No. 85-26 on First Reading: Mr. Ashcroft seconded.

Mr. Butler said he would be voting no on this bill. For one reason we are denying people the right to air space and he does not feel the Council or the City has the right to deny that access. With respect to the screening requirement in the ordinance for the entire year, he feels the Public Safety Department has better things to do than run around with a check board writing up little ordinances and tickets in regards to dying plants and shrubbery not staying green around the satellite pedestals.

Mayor Bussinger said he would be voting for this ordinance and that Public Safety will not be running around with little check boards checking on pedestals.

The roll call: "Aye" - Smith, Ashcroft, Bussinger. "No" - Winkler, Butler (3-2) The Clerk read the Bill

Mr. Smith moved to accept the first reading of Bill 85-26 and place said bill on second reading. Mr. Ashcroft seconded.

Mr. Butler said he has some information being mailed to him regarding the problems other states have encountered with such ordinances and the right to space. He asked that Council defer any further readings until this information is available to assist in the decision making. He would hope this information would be available for the next Council meeting.

Mr. Smith said he would be agreeable to one more reading and deferring additional. He noted in the Missouri Municipal League Review that the state legislature is making provisions for cities to make satellite regulations for aesthetic reasons.

Mr. Butler, in response to question from Councilman Ashcroft, said the space he is referring to is air space. If there is a piece of property where they can't place a dish in their yard other than the front location then in essence we are doing away with their right to have a piece of space to collect information. He does not feel we have the right to deny people the access to space. In years to come people will be utilizing tv for banking, shopping, etc. and a lot of this capability has to do with satellite dish. We would be doing away with their right to access.

Mr. Ashcroft said that to his knowledge 2-way coaxial cable is needed to do intercommunication between the cable tv network where the shopping and banking would be done, rather than through the satellite.

Roll Call: "Aye" - Smith, Ashcroft, Bussinger. "No" - Winkler, Butler.

Item 17 on the Agenda: First Reading: Bill No. 85-27, authorizing acceptance of easements for water line relocation for N Prospect (Highway 1) improvement project.

Mr. Smith said he was excited to see this Bill which represents the first of the activity we will see happening with regard to the N Prospect improvement.

Mr. Winkler moved to place Bill No. 85-27 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 85-27 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill 85-27, waive the appropriate paragraph and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-27 and enact said Bill as Ordinance No. 2.560. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 18 on the Agenda: First Reading: Bill 85-28, deleted from the agenda.

Item 19 on the Agenda: First Reading: Bill 85-29 an ordinance abolishing the Citizens Advisory Committee to the Public Safety Department by repeal of Ordinance No. 2.378.

Mr. Winkler moved to place Bill 85-29 on first reading; Mr. Smith seconded.

Mr. Bussinger said he had been the Council Representative to this Board for for a number of years and when first established the Board served a very good purpose. For the last four of five years there has not been a need for the Board and he cannot recall any items coming before the Board. Rather than have a board that is not functioning it has been determined that it should be abolished and if there is ever a need it can be re-established.

The vote: All "aye"- Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 20 on the Agenda: First Reading: Bill NO. 85-30, amending Ordinance No. 2.354 (Code Section 18-24) dealing with junk and inoperable vehicles.

Mr. Smith moved to place Bill No. 85-30 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill 85-30 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)  
The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill No. 85 -30 and place said Bill on third and final reading: Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill

Mr. Smith moved to accept the third and final reading of Bill 85-30 and enact said Bill as Ordinance No. 2.561.

Mr. Reilly said with reference to this ordinance it is a compliment to the Public Safety Department that to date they have made 135 contacts on derelict vehicles and he has not received one complaint about the handling of such matters. It appears there has been excellent compliance.

Item 20A. on the Agenda:      Approval of Preliminary Plat of Meadowlane,  
2201 NE 72nd Street. Mitcon

Mr. Reilly explained that this preliminary plat has been approved by the Planning Commission but had been withheld from this Agenda pending approval of the rezoning earlier on this agenda. The plat conforms in all respects with Council directions.

Mr. Ashcroft moved to approve the Plat as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 20 on the Agenda:      Other Business.

Mr. Butler noted there are boxes, garbage fruit, broken watermelons, etc. at the fruit stand on Antioch Road and Englewood Road at the old Phillip's service station. He asked what our ordinance states and what powers we have for cleanup.

Mr. Reilly said the zoning code prohibits this activity at the street. They must comply with the front set back which we have enforced. It is his understanding that they will be operating from inside the station and he will follow-up on the cleanup.

Mr. Winkler inquired about the legality of produce operation on a property west of Oak on Englewood. It is a residence that is zoned commercial. Mr. Reilly said that operation had been shut down last year but he had not seen them this year. Mr. Smith said it was his understanding the property may be utilized by a neighboring business in the future.

Mrs. Blair, 100 NW 76th Street, addressed the Council on child care problem in their neighborhood. A neighbor has 5 children of her own and cares for 10 children. The children play in the street and toys are left overnight in the front yard. The front yard is fenced for play area. They asked the legality of this number of children. Mayor Bussinger said it was his understanding there was a limitation of 4 children and asked the City Manager to look into the matter and report back to Mrs. Blair.

Mr. Smith said he also had concern for child care operations and had asked for a copy of a State Law that is now pending pertaining to licensing regulations.

\* \* \*

There was no further business to come before the June 10, 1985 City Council Meeting whereupon Mayor Bussinger adjourned the meeting.  
Time: 8:40PM

Approved as submitted: ☒

Respectfully submitted:

Approved as corrected/  
amended: ☐

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Lee W. Bussinger  
MAYOR



GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

June 24, 1985

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of June 10, 1985 City Council Meeting
4. PRESENTATION: Certificate of Conformance in Financial Reporting presented to City of Gladstone by Government Finance Officers Association of the United States and Canada. for eighth consecutive year.

5. DEFER CONSENT AGENDA:

RESOLUTION R-85-32, authorizing renewal of Lease Agreement with ABC Auto, 72nd & Oak for use of city property.

RESOLUTION R-85-33, authorizing Agreement with Kansas City Power & Light for construction and maintenance of service line on city property.

RESOLUTION R-85-34, authorizing execution of Supplemental Agreement No. 5 to the Engineering Services Agreement with George Butler Associates, Inc. Amount: Not exceed \$11,000 (East Creek Drainage Improvement)

RESOLUTION R-85-35, authorizing adoption of the 1986 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing expenditure of funds.

RESOLUTION R-85-36, setting a Public Hearing on August 12, 1985 to establish the 1986 Property Tax Levy in compliance with Missouri State Law.

RESOLUTION R-85-37, electing changes under the Missouri Local Government Employees Retirement System provided to Gladstone employees.

RESOLUTION R-85-38, authorizing execution of Water Main Extension Contract No. 190 for construction of main in Maple Woods Second Plat Subdivision.

RESOLUTION R-85-39, authorizing execution of Water Main Extension Contract No. 191 for construction of main in Prospect I.

BUILDING PLANS: 304 NE 74th Terrace, remodel existing building. Approval subject to all National Codes, City Code and construction of sidewalks on 74th Terrace. Applicant: Bussinger/Theisen Properties

BUILDING PLANS: 6599 N Oak, remodel retail office space in Gladstone Shopping Center. Right Price Store. Subject to all National Codes and City Code. Applicant/Owner: Wolff Development Company

6. PUBLIC HEARING: Request to rezone from CP-2 to R-1 District, property at Vivion Road & N Belleview. Applicant/Owner: W.W. Enterprises
7. PUBLIC HEARING: Request to rezone from C-2 to CP-3, property at 7109 N Locust. Applicant: Rodney Tolle. Owner: Genevieve Hughes
8. Communications from the Audience
9. Communications from the City Council
10. Communications from the City Manager
11. THIRD READING: BILL NO. 85-26, an ordinance regulating the installation of Satellite Receiving Antennas.
12. SECOND READING: BILL NO. 85-29, an ordinance abolishing the Citizens Advisory Committee to the Public Safety Department by repeal of Ordinance No. 2.378.
- Delete* 13. FIRST READING: BILL NO. 85-32, an ordinance amending Section 2-66 of the City Code establishing compensation and expense allowance of the City Counselor.
14. FIRST READING: BILL NO. 85-33, amending Schedule V of the Model Traffic Ordinance designating new NO PARKING Locations.
15. FIRST READING: BILL NO. 85-34, approving the Final Plat of FIRST PLAT of NORTHAVEN GARDENS.
16. BUILDING PLANS: St. Charles Church, 704 Shady Lane, construction of new multi-purpose building. Applicant: Diocese of Kansas City/ St. Joseph
17. Other Business
18. Questions from the News Media
19. Adjournment

*Minute Book*

# MINUTES

## GLADSTONE CITY COUNCIL MEETING GLADSTONE, MISSOURI

June 24, 1985

Mayor Lee Bussinger called the June 25, 1985 meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 7:30 pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

In addition to the members of the City Council, City Manager Patrick Reilly, City Counselor John C. Dods and the City Clerk were in attendance.

Mayor Lee Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda: Approval of Minutes.  
Mr. Ashcroft moved to accept the minutes of the June 10, 1985 City Council Meeting as submitted; Mr. Smith seconded. The vote:  
All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 4 on the Agenda: Presentation.  
Mayor Bussinger presented Toni Anderson, Director of Administrative Services a Certificate of Conformance in Financial Reporting presented to the City of Gladstone by Government Finance Officers Association of the United States and Canada for the fiscal year ended June 30, 1984. Mayor Bussinger noted that this is the eighth consecutive year the City of Gladstone has earned this certificate and congratulated Ms. Anderson for a job well done.

Item 5 on the Agenda: Consent Agenda:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item for placement on the regular agenda. Mr. Smith requested removal of Resolution R-85-32 for further discussion at the next Council Study Session.

Council Meeting Minutes

June 24, 1985

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Mr. Butler moved to approve the Consent Agenda items as read with exception of removed Resolution R-85-32  
Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0) Mr. Bussinger explained his "Pass" vote was because he had an item on the agenda (Bldg. Plans 304 NE 74 Terr).

CONSENT AGENDA DETAIL:

Mr. Butler moved to adopt Resolution R-85-33, authorizing execution of Agreement with Kansas City Power & Light Company for construction and maintenance of service line on city property (water treatment plant). Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Mr. Butler moved to adopt Resolution R-85-34, authorizing execution of Supplemental Agreement No. 5 to the Engineering Services Agreement with George Butler Associates, Inc. Not to exceed \$11,000 for East Creek Drainage improvements. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Mr. Butler moved to adopt Resolution R-85-35, authorizing adoption of the 1986 Annual Operating Budget for the City of Gladstone, Missouri, and authorizing expenditure of funds. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Mr. Butler moved to adopt Resolution R-85-36, setting a Public Hearing on August 12, 1985 to establish the 1986 Property Tax Levy in compliance with Missouri State Law; Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Mr. Butler moved to adopt Resolution R-85-37, electing changes under the Missouri Local Government Employees Retirement System provided to Gladstone employees. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Mr. Butler moved to adopt Resolution R-85-38, authorizing execution of Water Main Extension Contract No. 191 for construction of main in Prospect I development. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Mr. Butler moved to approve Building Plans for 304 NE 74th Terrace remodeling of existing building subject to requirements of all National Codes, City Code and construction of sidewalks on 74th Terrace. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Council Meeting Minutes  
June 24, 1985  
Page Three

Mr. Butler moved to approve Building Plans for 6599 N Oak for remodeling of retail office space in Gladstone Shopping Center. Right Price Store. Subject to all National Codes and City Code. Applicant/Owner: Wolff Development Company Mr. Smith seconded. The vote: "Aye"- Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-0)

Item 6 on the Agenda: Public Hearing:

Request to rezone from CP-2, to R-1, District, property at Vivion Road and N Belleview. Applicant/Owner: W.W. Enterprises

Mr. Bussinger explained the Public Hearing process that those in favor of the proposal would be invited to speak followed by those opposing.

Favor

Mr. Greg Walker, 200 NW Greentree Lane, applicant explained that the request for rezoning of 21 acres is to accommodate 36 single family homes. Lots are priced from \$38 - \$41,000. Price of homes will range from \$160,000 to \$300,000 and every effort will be made to retain as much wooded area as possible. One entrance off of Belleview with 3 cul-de-sacs and another entrance off of 47th Street will have another cul-de-sac.

Mr. Smith questioned if water line material (plastic vs cast iron) had been discussed. Mr. Reilly said at present the city code precludes the use of plastic however the matter is being reviewed by Butler Associates and the City Attorney.

Mr. Walker asked that Council give consideration to additional readings of the rezoning Bill if at all possible the expedite this project.

Mr. Butler noted that the Planning Commission Minutes reflect discussion of a street that should not be connected. What street are they referring to. Mr. Walker said it is White Oak Lane on the preliminary plans crossing through and going down a creek bed to 47th Street. There is an approximate 30 ft. drop in grade in most cases and destruction of aesthetics and change in grade was a consideration. Public Safety had requested the connection to expedite access but a timed drive indicates there would only be approximately 45 second difference which satisfied any concerns the Plan Commission had.

Mr. Ron Baldwin, 4412 N Briarcliff Lane, representing the Claymont North Homes Association stated that the Association was very much in favor of this application and are also in favor of streets not being connected for a nicer project. They also encourage Council to advance readings when possible to ensure early completion of the project.

Opposition  
None

Mayor Bussinger closed the public hearing.

Council Meeting Minutes  
June 24, 1985  
Page Four

Item 7 on the Agenda: Public Hearing: Request to rezone from C-2 to CP-3, property at 7109 N Locust. Applicant: Rodney Tolle. Owner: Genevieve Hughes

Favor:

Mr. Rodney Tolle, 5313 N Wabash, owner of N Oak Auto Service, 74th & N Oak, requests zoning change for construction of 2100 sq. ft. proposed facility for minor automotive repair. It is his opinion that the facility will be an asset to Gladstone and surrounding area because due to the area growth there is a need for this business. He proposes a 3-bay with brick on north and west sides, metal on the south and east (North and West are Locust and 72nd Street). metal.

Mr. Bussinger asked if rear properties will see the/Mr. Tolle said there is a tree line which surrounds the south and east sides.

Mr. Tolle stressed that minor automotive repair excludes engine or transmission work. No overhauls. Their business is primarily one day by appointment only. They are zoned to do engine and transmission work now at their present location but do not do that type of work.

Mr. Smith asked if all concerns on the staff report had been taken care of. Mr. Tolle said they had and the handicap ramp will be built.

Dr. Larry Ramsey, 507 NE 76th, said he had known Mr. Tolle for a number of years and likes the way he approaches his business and his demonstrated concern for the city. He is the kind of a businessman the City needs to support. He has some difficulty believing that in good conscience the Council could turn this request down having allowed the building they did on 76th Street in the middle of a residential area. He is very much in favor of this application.

Mr. Mike Lazio, 2109 NE 78th Street, said he was the applicant's insurance agent and one of the things they look for in their business in the type of operation that is run. Rod runs an excellent operation and is an asset to the community and he feels we need good auto repair shops and is in favor of this rezoning application.

Opposition:  
None

There were no further comments whereupon Mayor Bussinger closed the public hearing.

Item 8 on the Agenda:      Communications from the Audience.

Susie Deghelder, 7417 N Park addressed the Council on the need for a dangerous animal ordinance. She suggested that changes in our animal control ordinance are longer over due. She has reviewed ordinances of Independence, Kansas City and Overland Park and met with their Animal Control personnel was well.

In their neighborhood alone there have been four un-provoked attacks by large dogs on small pets and two have occurred in the past week. The attacks were by the same two dogs however she is aware there are other instances throughout the city. Neighborhood residents feel they are at the mercy of these dogs and are being terrorized in their own back yards. Their intent is certainly not to infringe on anyones rights but they are concerned for the small children on their street.

She suggested that any new ordinances should include:

Definition of dangerous dog or animal. (She read Independence ordinance.) Clearer wording regarding confinement or control. She noted that Independence ordinance provides that dangerous, vicious or ferocious dogs must be fully enclosed in an area from which it cannot escape; fastened to leash or tether that permits dogs to come no closer than 10 ft of the property line. Kansas City ordinances is no closer than 3 feet. Stricter penalties and recourse for citizens who are threatened by dangerous animals and dogs. She noted Independence has first offense - not less than \$200; second offense - not less than \$300 and Judge can order destruction; third offense not less than \$500 and owner can be sentenced to not more than 6 months. On the third conviction the Judge can order destruction of the dog. KC ordinance which is still pending proposed \$250 fine and at some point the Judge does have the authority to order destruction of animal. Kansas City's ordinance also provides that person holding the leash in the case of un-provoked attack may be charged with assault and battery when they have failed to prevent the attack.

She offered to assist in any way possible in developing a proposed ordinance so that any transition could be made as smoothly and quickly as possible. She presented a letter of concern from 26 persons in their neighborhood.

Mr. Bussinger said we would certainly look into this matter and make revisions to the ordinance if warranted. He said they may call upon her for some help and complimented her on her research and presentation.

Mr. Smith said he had spoken with several of these residents who have a recurring problem with certain animals and apparently our ordinance does fall short. He said we will certainly do everything we can to bring about needed changes as quickly as possible.

Mr. Butler commended Mrs. Deghelder and her group for bringing this matter to the Council's attention, this is what city government is all about. He assured that this matter will be dealt with in a timely fashion.

Item 9 on the Agenda:        Communications from the City Council.

Mayor Bussinger acknowledged a visiting Scout present in fulfillment of a merit badge and welcomed him to the Council Meeting.

There were no other communications from the City Council.

Item 10 on the Agenda:        Communications from the City Manager.

City Manager Reilly requested deletion of Item 13 from the Agenda due to the lateness of arrival of the Bill.        (Bill 85-32)

Item 11 on the Agenda:        Third Reading: Bill No. 85-26, an ordinance regulating the installation of Satellite Receiving Antennas.

Mr. Smith moved to accept the Second Reading of Bill No. 85-26 and place said Bill on Third and Final Reading: Mr. Ashcroft seconded.

Discussion: Mr. Butler said he has previously aired his thoughts on this bill but in reviewing it again he notes that it is discriminatory in that it excludes commercial area satellite dish installation. Mr. Butler moved to table this Bill; Mr. Winkler seconded.

Discussion: Mr. Ashcroft said he would have no problem in amending the ordinance at some future date to address commercial but suggests that we proceed with enactment of the Bill before us.

Mr. Winkler stated his position on the ordinance. He does agree with the proposed ordinance as far as keeping the dishes out of the front yard, beyond that he personally finds the ordinance discriminatory against those who have no options for having a satellite dish to begin with. If we add the aesthetic portion to keep it out of front yards to our Building Code governing setbacks this should suffice.

VOTE ON MOTION TO TABLE: "Aye" - Winkler, Butler. "No" - Smith, Ashcroft, Bussinger. (2-3) Motion to table failed.

Mr. Smith said an additional motive for the screening is to keep small children away from the rotating antenna base.



VOTE ON MOTION TO ACCEPT SECOND READING BILL 85-26 AND PLACE ON  
THIRD AND FINAL READING: "Aye" - Smith, Ashcroft, Bussinger.  
"No" - Winkler, Butler. (3-2) The Clerk read the Bill

Mr. Smith moved to accept the Third and Final Reading of Bill  
No. 85-26 and enact said Bill as Ordinance No. 2.562. Mr.  
Ashcroft seconded. The vote: "Aye - Smith, Ashcroft, Bussinger.  
"No" - Winkler, Butler.

Item 12 on the Agenda: Second Reading: Bill No. 85-29, an ordinance  
abolishing the Citizens Advisory Committee to the Public Safety  
Department by repeal of Ordinance No. 2.378.

Mr. Winkler moved to place Bill No. 85-29 on Second Reading; Mr. Smith  
seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft,  
Bussinger. (5-0) The Clerk read the Bill.

Item 13 on the Agenda: Deleted (see mention-Item 10, City Manager  
Communications)

Item 14 on the Agenda: First Reading: Bill No. 85-33, amending Schedule  
V of the Model Traffic Ordinance designating additional NO PARKING  
locations.

Mr. Smith moved to place Bill 85-33 on First Reading; Mr. Winkler  
seconded. The Clerk read the Bill. The vote: All "aye" -  
Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mayor Bussinger noted that there are a number of streets listed. At  
the urging of Councilman Smith the Public Safety Department was  
requested to conduct a survey of narrow streets and this Bill  
reflects their recommendations.

Mr. Winkler moved to accept the First Reading of Bill 85-33 and place  
said Bill on Second Reading; Mr. Smith seconded. The vote:  
All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (4-0)

Item 15 on the Agenda: First Reading: Bill No. 85-34, approving  
the Final Plat of FIRST PLAT OF NORTHAVEN GARDENS.

Mr. Smith moved to place Bill 85-34 on First Reading; Mr. Ashcroft  
seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft,  
Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith said he understands the storm drainage requirements have not  
technically been met and asked if the City has a problem with that.  
Mr. Reilly responded that the plat should not be held up because of  
that.

Mr. Smith moved to accept the First Reading of Bill No. 85-34 and placesaid Bill on Second Reading: Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill No. 85-34 and waive the appropriate paragraph of Ordinance No. 1.83 and place said bill on third and final reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 85-34 and enact said Bill as Ordinance No. 2.563; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 16 on the Agenda: Approval of Building Plans for St. Charles Church, 704 Shady Lane, for construction of new multi-purpose building. Applicant: Diocese of Kansas City/St. Joseph

Mark S. Spurgeon, Architect for the Church reviewed plans for multi-purpose building to be situated between the church and school. The building function is to provide lunchroom for the school as well as gym. Other related uses will be church dances and parish picnics, etc. With respect to parking needs, when the church is used which is mainly on Sunday there won't be scheduled functions for the new multi-purpose building. The church requires 256 parking spaces under the ordinance. They have 250 now but propose to add an additional 59 spaces for the new facility giving them a total of 309. They will either be using one facility or the other therefore request a variance on the 387 total required spaces. Handicapped requirements will be met.

Mr. Smith asked if they would provide additional parking in the future when needed. Mr. Spurgeon said they would but it would have to come from the recreational fields for the school where there are presently 2 baseball diamonds on the NE corner. That is the only place although there are looking at possible revision of the parking layout on the south side but would not gain an appreciable amount.

walking  
Mr. Butler said he had observed that a /bridge would be desirable due to the poor condition of the present bridge and culvert and the narrowness of the street. Mayor Bussinger noted that was in the Village of the Oaks and the property he mentions belongs to Mr. Wolff. He asked Mr. Reilly to keep this need in mind the next time we have City business with Mr. Wolff

Mr. Smith moved to approve the Building Plans for St. Charles Church as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.

Item 17 on the Agenda:      Other Business.

Councilman Butler urged that our thoughts and prayers go out to those affected by the recent hostage situation.

Mayor Bussinger noted that the City recently joined the Clay County Development Commission and displayed the Gold Crown Membership Plaque. presented to the City. He said that this Council is quite active and working towards development in our city and it was felt that membership in the County's organization as well as the Gladstone Economic Development group will help us achieve that goal.

He also thanked the audience participation this evening.

\* \* \*

There was no further business to come before the June 24, 1985  
City Council Meeting whereupon Mayor Bussinger adjourned the meeting.  
Time: 8:35PM

Respectfully submitted:

Marilyn L. Amey  
City Clerk

Approved as submitted: ☒

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

Lee W. Bussinger  
MAYOR

To Whom It May Concern;

As citizens of Gladstone, we would like it to be a matter of record our concern for vicious animals in residential neighborhoods. In the last four years there have been four known incidences of unprovoked attacks on dogs by other dogs. We are afraid for our children and pets.

The city is responsible for animal control and we feel the ordinances are lax in this area. It is now time for serious and swift action on the housing in residential areas of animals known to attack.

Gladstone is one of the few suburban areas that has not dealt with this problem. We, the undersigned, officially notify the city of this situation and our concerns for our pets and children.

1. Sharon E. Klein  
7409 No. Park
2. Susan M. DeHelder  
7417 N. Park
3. Joe DeHilder  
7417 N. Park
4. Frank Brancato
5. Teresa Brancato  
7420 N. Park
6. Anna M. Balistiere  
7504 N. Park
7. Elaine Capra  
2209 N.E. 75th Ave.
8. Sharon Epp  
7417 N. Brooklyn
9. Larry Epp
10. Denise Capra  
7416 North Park
11. Craig Fleming  
7501 North Park
12. Wendy L. Fleming  
7501 North Park
13. Mary L. Cople  
7505 N. Park
14. Knuta Chaim  
7505 N. Park
15. Helen P. Wisam  
7500 N. Brooklyn
16. Thornton D. P. Wisam  
7500 N. Brooklyn
17. Susan McCluskey
18. Linda Branca  
7405 N. Brooklyn
19. Dan Watkins  
7509 N. Brooklyn
20. Gladstone, Mo. 64118
21. Judy Watkins  
7504 N. Brooklyn
22. Gladstone, Mo.
23. Jerry Hillier  
7504 N. Brooklyn
24. Jim Balistiere  
7504 N. PARK
25. Louis Kern  
7405 N. Park
26. Gladstone, Mo.
27. Thelma Pierceall  
7425 N. BRKLYN
28. John Pierceall  
27 Beaky Barbee

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

July 8, 1985

A G E N D A

1. Meeting Called to Order - Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of June 10, 1985 City Council Meeting

4. CONSENT AGENDA:

RESOLUTION R-85-40, authorizing purchase of IBM System 36 Computer with peripheral equipment and personal computers for an amount not to exceed \$ 67,018. General Fund

RESOLUTION R-85-41, amending the Water Rules and Regulations to provide for change in penalty date from 10th of the month to 15th of the month on customer billings.

RESOLUTION R-85-42, authorizing a contract with Lamm Construction Company for construction of 58th Terrace & Garfield retaining wall. \$17,500. Fund: Storm Water Improvement

RESOLUTION R-85-43, amending the 1986 Annual General Fund and Sales Tax Operating Budgets. (General Fund: +\$8,408 for revised total budget of \$4,184,119); (Sales Tax: +\$50,000 for revised total budget of \$1,910,488)

Approval of Liquor License Renewals

Godfather's Pizza, 328 NE 72nd - Class A&B  
Szechuan Restaurant, 6465 N Prospect - Class A&B  
Pizza Hut, 6420 N Oak, Class F  
Berbiglia Liquor Store, 7407 N Oak; Class C  
Northland KC Elk's Lodge 2376, 7620 N Oak - Class A

5. Communications from the Audience
6. Communications from the City Council
7. Communications from the City Manager
8. Appeal of Preliminary Plat Denial: Brookview Subdivision, proposed development of three single family lots, NE 72nd & Highland. Applicant/Owner: Shane Danner
9. Cable TV Change of Ownership: Applicant: American Cablevision

10. THIRD READING: BILL 85-29, an ordinance abolishing the Citizens Advisory Committee to the Public Safety Department by repeal of Ordinance No. 2.378
  11. THIRD READING: BILL 85-33, amending Schedule V of the Model Traffic Ordinance by designating additional NO PARKING locations.
  12. FIRST READING: BILL 85-32, amending Section 2-66 through 2-70 of the Gladstone City Code providing for the Office of City Counselor, establishing duties and providing for compensation by Council Resolution.
  13. RESOLUTION NO. R-85-44, providing for compensation for the Office of City Counselor for the City of Gladstone, Missouri.
  14. FIRST READING: BILL 85-35, an ordinance requiring seat belt restraint systems and providing for penalties for violations thereof.
  15. FIRST READING: BILL 85-36, amending Chapter 5 of the City Code regulating animals and fowl; defining dangerous animal and establishing penalties for violations.
  16. FIRST READING: BILL 85-37, an ordinance rezoning from CP-2 to R-1 District, property at Vivion Road & N Belleview. Applicant/Owner: W.W. Enterprises
  17. FIRST READING: BILL 85-38, an ordinance rezoning from C-2 to CP-3, property at 7109 N Locust. Applicant: Rodney Tolle. Owner: Genevieve Hughes.
- 

18. Other Business
19. Questions from the News Media
20. Adjournment

July 7, 1985

1 letter of  
numerous other  
letters present  
7/8/85  
Belen and  
Tetford-Walker  
Trust Funds

To the Gladstone City Council;

Here we go again, it is summertime and the people of Gladstone need to water their lawn to keep their grass and trees from dying, an investment they have made with their home. There goes the water pressure, what can be done about our Gladstone water pressure? We have lived in this community 7 years and each summer our water pressure is less than the previous season. Soon we will dry up entirely! Not only is it very annoying to be unable to take a shower, shampoo hair or do dishes, it is very dangerous.

what happens when there is not enough water to quench the thirst of a fire at someone's home or business? Do we sit back and watch it burn or hope this won't happen to us? This past Sunday afternoon and evening, July 7, it could have happened or any weekend it is very possible. We can see new homes and business being built in Gladstone each day and realize this means more units being added to an over taxed water system, and the pressure being reduced at times to a mere drip.

Is this good for our Community that it is out growing it's water supply so fast and is it fair to the residents that live here?

Concerned Citizens of Gladstone,

Ena M Cobb  
1902 NE 64st.  
Gladstone -

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

July 8, 1985

Mayor Lee Bussinger called the July 8, 1985 meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 7:30 pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

In addition to members of the City Council, City Manager Patrick Reilly, City Counselor ~~John C. Dods~~ and the City Clerk were in attendance.  
*Clyde W. Davis*

Mayor Lee Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 3 on the Agenda:      Approval of Minutes.  
Mr. Smith moved to accept the Minutes of the June 10, 1985 City Council Meeting as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 4 on the Agenda:      Consent Agenda:  
Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item for placement on the regular agenda. Mr. Winkler requested removal of Liquor License Renewal for the Elk's Lodge, 7620 N Oak, Class A Liquor License.

Mr. Smith moved to approve Consent Agenda read with exception of Elk's Liquor License. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mayor Bussinger advised that the penalty date for water and sewer customer billings is extended from the 10th of the month to the 15th of the month to provide more time for payment.



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CONSENT AGENDA DETAIL:

Mr. Smith moved to adopt RESOLUTION R-85-40, authorizing purchase of IBM System 36 Computer with peripheral equipment and personal computers for an amount not to exceed \$67,018. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt RESOLUTION R-85-41, amending the Water Rules and Regulations to provide for change in penalty date from the 10th of the month to the 15th of the month on customer billings; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt RESOLUTION R-85-42, authorizing a contract with Lamm Construction Company for construction of 58th Terrace & Garfield retaining wall. Not to exceed \$17,000. Fund: Storm Water Improvement Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt RESOLUTION R-85-43, amending the 1986 Annual General Fund and Sales Tax Operating Budgets for revised total budget of: (Sales Tax: \$1,910,488; General Fund: \$4,184,119) Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve Liquor License Renewal for:  
Godfather's Pizza, 328 NE 72nd, Class A&B  
Szechuan Restaurant, 6465 N Prospect A&B  
Pizza Hut, 6420 N Oak, Class F  
Berbiglia Liquor Store, 7407 N Oak, Class C

Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 4a on the Agenda: Liquor License Renewal - Northland KC Elk's Lodge, 7620 N Oak, Class A Liquor License

Mr. Winkler said he had requested this item be placed on the regular agenda because he had repeatedly received complaints from Mr. Fred Birch, Birchwood Restaurant that the Elks Lodge is infringing upon his business ability. Mr. Birch is present tonight and would like to address the Council.

Mr. Winkler further stated that he has heard that the Lodge is exercising their bar privileges to operate an open saloon when they are a private club.

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Mr. Winkler said he would like to have discussion on the matter.

Mr. Fred Birch, owner of Birchwood Restaurant said he considered the Elks a nuisance as far as his business is concerned. They take all available parking on Thursday nights when Bingo is held. On other nights when the hall is leased out they also take all the parking. He has had discussions with them; they promised to rectify the situation, but the practice continues. Mr. Birch said he pays an off duty officer himself to monitor the parking. He has 14 parking spaces allotted for his restaurant.

Mr. Smith asked if he had spoken with his landlord about the problem.

Mr. Birch responded that his landlord Mr. Rex Harbison had more or less left the matter to the Elks and Mr. Birch to resolve. When the Elks first opened they promised to cooperate and for two Thursday evenings did monitor the parking but since then have not. His revenue on Thursday nights has dropped considerably.

In addition, Mr. Burch noted that following private parties on a Saturday evening at the Elks he has to come in on Sunday morning and clean up the grounds. He questions the Elks ability to meet the 60-40 food-liquor ratio requirement.

Mr. Ray Jennings, Elks Manager, addressed the Council and said he can assure the Council that they do meet the 60% requirement from food and other sources and 40% liquor requirement. He does not have the figures with him but they can readily be provided by his accountant.

Mr. Ashcroft questioned what the "other than liquor sources" were. Mr. Jennings said the sources were food sales, bingo revenue. Mr. Ashcroft questioned that bingo revenue could count however the staff noted that City Code reads food and other sales. Mr. Ashcroft commented that if this is the case the original intent of our ordinance is of no value. Mr. Jennings assured that they meet the State's requirements.

Mr. Jennings said that within the past two-three weeks they have begun policing the entire shopping strip areas for trash. If it is a problem they are creating they will take care of it. They will work with Mr. Birch on the parking problems. As far as 14 spaces, Mr. Jennings said their lease does not designate space but states that the landlord does have the right to assign any reasonable parking areas to particular tenants - this has never been done in their case. He said to the best of his knowledge this is the only complaint against the Elks and they have made a definite effort to see that his business or any other business in the complex is not interfered with.

City Council Minutes  
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Mayor Bussinger said the Elks should take care of the litter problems if they have a private party and as far as parking that is something the Elks and Mr. Birch have to work out. He noted that on a recent Saturday evening there was not a parking place to be found and Birchwood was open so he can appreciate their problem. It is hard to control their customers but as neighbors they should be able to work this out. Mr. Bussinger suggested that perhaps the Elks could pay for an off-duty officer when they have a private party to control parking.

Mr. Jennings said he had not been aware until now of Birchwood's 14 designated spaces and expressed a willingness to address the problems with Birchwood.

Mr. Bussinger also noted the need for Mr. Harbison to finish off more parking for the Elks at the rear of the building and suggested they discuss this with him.

Mr. Ashcroft said he was very sorry to hear that there was a lack of communication and cooperation between the parties and was sympathetic with both parties but does not feel this is the City's business. He can certainly see the psychological affect for Birchwood's business when patrons see no parking available or if there are even a few, persons might assume they can't get waited on when they see the parking lot virtually full. This matter needs to be worked out between the landlord and the two parties.

Mr. Ashcroft questioned that the original intent of our ordinance is being met. Mr. Bussinger pointed out that in the case of the former Linden Oak Racquetball Club, the 60% food & other sales included racquetball fees, etc. Mr. Ashcroft remarked that if that is so then our ordinance is really a joke.

Mr. Winkler said that after hearing discussions from both parties and their willingness to work out the issues he will make the motion to approve the liquor license renewal for Elks Lodge; Mr. Smith seconded.

Mrs. Becky Bledsoe suggested that a review be made of number of required spaces for the Elks facility (rear parking) versus actual number available. More parking could be constructed by the landlord in the rear.

Mr. Bussinger asked City Manager Reilly to look into the parking situation. Mr. Butler reminded that there was a list of improvements to be completed by Mr. Harbison which were rezoning stipulations. He suggested review of this list to determine if all improvements have been made.

Vote on motion to approve the liquor license: "Aye" - Winkler, Butler, Smith, Bussinger. "Pass" - Ashcroft. (4-0)

Item 5 on the Agenda:

Communications from the Audience.

Edith McDaniel, 3528 NE 61 Terrace, Gladstone tennis instructor and Park Board member expressed concern for the cracks in the tennis courts. She indicated she brought this matter to the city's attention last year and was told repairs would be made. Nothing was done and the cracks are larger this summer. She urged the Council to make the repairs now rather than delay and spend more money another year.

She also reminded that she is still waiting for the backboard installation at Happy Rock Tennis Court included in a prior year budget. She urged Council to act on the installation. Mr. Bussinger said he would discuss this with her but that the City may take another approach on the backboard installation.

Bill Pemberton, 6406 N Michigan, submitted letters of concern from neighboring residents on low water pressure experienced the past weekend in the east side of the city. He recited measurements from the Antioch Tower serving the east part of the city and the Linden Tower serving the west.

| Sunday        |  | Linden |
|---------------|--|--------|
| Antioch       |  |        |
| 8:00AM - 15½' |  | 27'    |
| 1:00PM - 11'  |  | 29'    |
| 4:00PM - 3'   |  | 29'    |
| 11:00PM - 0   |  | 12'    |
| Monday        |  |        |
| AM -13'       |  | 27'    |
| 1:00PM - 8'   |  | 27½'   |

Mr. Pemberton stressed that these facts show that we have a great danger that requires investigation. If rationing is necessary he suggests we take those steps before we lose a business, a residence or a life.

Mr. Smith said the matter was discussed in Council Study Session earlier this evening. We have studies on the shelf that tell us we do have a problem and the matter has been discussed for a number of years. Council directed City Manager Reilly to gather the engineering facts and determine the earliest possible date to put a bond issue before Gladstone voters to increase our distribution lines on the east side of the city.

Mayor Bussinger agreed this has been a problem under discussion for a number of years. Although there is not that much danger yet, we do have a real concern. The lines on the east side are just not large enough and we will move on the matter immediately. The City does have the bonding capacity and at is time we proceed. The number of developments going in on the east side are a consideration. He stressed that the Council is as concerned as the citizens.

Mayor Bussinger said Council would have preferred to bring it to a vote in August but that is not possible. November is the earliest possible election date. He cannot say that a year from now the problem will be solved but we will have a good start on it.

Mr. Winkler encouraged Mr. Pemberton to garner the support of those in his area in telling the other two-thirds of the city that we have a problem. He stressed that although Council has directed the City Manager to get things started it will take the help of the citizens to pass the bond issue.

Mayor Bussinger noted that historically the citizens of Gladstone have supported our bond issues but it will take work and promotion.

Mr. Smith commended Mr. Pemberton for his efforts in bringing this matter to the Council.

\* \* \*

Mr. Dirk Ellis, Architect, representing the management and the owners of Gladstone Meadows Apartments asked that Council consider their request for a variance on previously imposed sidewalk construction requirements on their project. Some of the areas have been determined impractical for the construction of sidewalks and they are prepared to supply their supporting documentation.

Mr. Bussinger suggested that Mr. Ellis contact Mr. Reilly to schedule staff review prior to Council consideration of the matter at their next Council Study Session on Monday, July 15.

\* \* \*

Virginia Bauman, 1400 NE 67th Place, said although she lives just west of Flora she experienced low pressure Sunday as well. Any day that it gets hot she knows she will have low pressure. She wanted Council to be aware that some residents on the west side of the city have low pressure problems too.

Item 6 on the Agenda:      Communications from the City Council.

Mr. Smith expressed his pride that this Council is stepping forward to tackle this issue.

Mr. Winkler commended the persons who spoke out tonight and said that unfortunately some times it take a severe act before an issue is brought to the Council. If a lot more people would come to Council Meetings and express their concerns it would give Council a lot more direction and make their job easier. Sometimes issues are unknowingly overlooked when Council is not aware of them. He asked that persons spread the word and again commended those present for their participation.

Item 7 on the Agenda:      Communications from the City Manager.

City Manager Reilly assured the Council and the citizenry that staff is monitoring the water situation and will enact voluntary compliance if appropriate and mandatory reduction if necessary. We are taking regular readings of the towers and the Director of Community Services, Director of Public Safety as well as himself are being notified of any significant changes in the tower. Fire hydrant tests have been conducted in particular areas and arrangements have been made with other communities should a situation arise where help is needed.

Item 8 on the Agenda:      Approval of Preliminary Plat Denial:  
Brookview Subdivision, proposed development of three single family  
lots, NE 72nd & N Highland. Applicant/Owner: Shane Danner

Shane Danner, 6004 N Kansas, stated that when he previously appeared before the Council on this matter there was some concern about flooding in the area and he was directed to obtain the services of an engineering firm to seek their opinion. He did hire Lutjen and Associates and has copies of their recommendations.

Mr. Bussinger suggested that the staff review the recommendations and the item be placed on the agenda at the July 22 Council Meeting.

Item 9 on the Agenda:      Cable TV Change of Ownership: American Cablevision

Richard Theisen, Vice President Communications Services Inc. the present cable tv supplier. He introduced Area CSI Manager Rick Comfort and Carol Rothwell, American Cablevision representative.

Ms. Rothwell thanked the Council for consideration of this item on short notice. She indicated the merger was announced on Friday and covered in Saturdays paper.

American Cable Vision for 5 years has served Kansas City and 13 other municipalities. They have been 50 percent locally owned all that time and have been looking for a buyer. They found that buyer in TCI who becomes 50% partners with ACT and buy out the local interest of CSI which includes Gladstone. They do not anticipate any immediate changes and have assured current staff they have jobs assuming they have skills the company can use. They intend to maintain a presence in the community however they do not know whether it will be at the same office or some other location.

Mr. Bussinger asked if they will have an office in Gladstone. Ms. Rothwell said she believed it was required by Gladstone's ordinance. Mr. Bussinger said even if it is not in the ordinance he would hope they would go on record that they will maintain an office in Gladstone.

Ms. Rothwell said she would go on record to say that they will comply with the ordinance (      ); they definitely will have an office if not several north of the river. Shopping center locations have worked very well.

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She said that although she will not answer too many questions now about channel line up and cost because it will take up a lot of time, at some future time they would like to have the same service and channel line up and charges in the four communities they will be serving north of the river. For the immediate future they think they will operate pretty much as usual. Assuming they receive Council approval the merger will take affect August 2.

In response to question from Mayor Bussinger Ms. Rothwell said Gladstone would go on line with the channels Kansas City receives but that will take a lot of hardware. They have 9 more channels at \$3 more than current Gladstone charges. Increased channels will be down the road because of the technical changes. She said they were strong on local programming and noted that several cities have their Council meetings on cable.

Council agreed to give one or two readings to the ordinance tonight to be added to the agenda as item 17-a and give third and final reading at the next Council Meeting.

Mr. Reilly pointed out that the Cable TV Advisory Board was notified by phone of this matter.

Item 10 on the Agenda: Third Reading: Bill No. 85-29, abolishing the Citizens Advisory Committee to the Public Safety Department.

Mayor Bussinger advised that this Bill will be heldover until the next Council Meeting.

Item 11 on the Agenda: Third Reading: Bill No. 85-33, amending Schedule V of the Model Traffic Ordinance by designating additional NO PARKING locations.

Mr. Winkler moved to accept the Second Reading of Bill No. 85-33 and place said Bill on third and final reading; Mr. Smith seconded.  
The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.  
(5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill No. 85-33 and enact said Bill as Ordinance No. 2.564; Mr. Butler seconded.  
The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.  
(5-0)

Item 12 on the Agenda: First Reading: Bill No. 85-32, amending Section 2-66 through 2-70 of the Gladstone City Code providing for the Office of City Counselor, establishing duties and providing for compensation by Council Resolution.

Mr. Smith moved to place Bill No. 85-32 on the first reading: Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.(5-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 85-32 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill No. 85-32 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 85-32, waive the appropriate paragraph of Ordinance No. 1.83 and enact said Bill as Ordinance No. 2.565. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda: Mr. Butler moved to adopt RESOLUTION NO. R-85-44, providing for compensation for the Office of City Counselor for the City of Gladstone, Missouri at \$65/hr and \$75/hr for Circuit or District Court litigation. Mr. Winkler seconded, The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith noted that the last rate change was in 1978 and the City has received excellent service from the firm and he would challenge anyone to obtain such services for \$45/hr.

Item 14 on the Agenda: First Reading: Bill NO. 85-35, an ordinance requiring seat belt restraint systems and providing for penalties for violations thereof.

Mr. Smith moved to place Bill No. 85-35 on first reading; Mr. Winkler seconded. The vote all "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. The Clerk read the Bill.

Discussion: Mr. Butler said he was very much in favor of a safety belt as much he drives he finds them very necessary. However he does think it is the automotive lobbying group that is trying to postpone air bags in cars and force citizens to use seat belts. He believes air bags are heavier and much more effective and safer but will vote for the Bill.

Mr. Winkler said he is probably hazardous by nature but he will be voting in favor of this only because it will bring us into compliance with state law. He said he believes the auto industry is very much aware of citizens desires but they are also very much aware of the citizens lack of desire to pay for additional costs. He is not an advocate of seat belt restraints. The price of automobiles has increased because of the government's enforced restraints of various types.



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Mr. Smith moved to accept the first reading of Bill No. 85-35 and place said Bill on second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill NO. 85-35 and place said Bill on third and final reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 85-35 and enact said Bill as Ordinance No. 2566; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 15 on the Agenda:      First Reading: Bill NO. 85-36, amending Chapter 5 of the City Code regulating animals and fowl; defining dangerous animals and establishing penalties for violations.

Mr. Butler moved to place Bill No. 85-36 on first reading; Mr. Winkler seconded.

Mr. Winkler complimented the City staff on their quick response in drafting this ordinance however he would like to have the opportunity to study the Bill in more detail and would ask that only one reading be given tonight.      Council agreed.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 16 on the Agenda:      First Reading: Bill NO. 85-37, an ordinance rezoning from CP-2 to R-1 District, property at Vivion Road and North Bellevue. Applicant/Owner: W.W. Enterprises

Mr. Winkler moved to place Bill No. 85-37 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill

Mr. Winkler moved to accept the first reading of Bill No. 85-37 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Discussion was held on Mr. Winkler's suggestion to give additional readings and enact the Bill this evening. Mr. Bussinger noted it was a sizable piece of property and said he would have a problem with three readings in one night. Mr. Ashcroft said he felt comfortable with the application because it is a downzoning and the application had not been controversial. Mr. Butler agreed because R-1 is what the adjacent residents want.

Mr. Winkler moved to accept the second reading of Bill No. 85-37 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill No. 85-37 and enact said Bill as Ordinance No. 2.567; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 17 on the Agenda: First Reading: Bill No. 85-38, an ordinance rezoning from C-2 to CP-3, property at 7109 N Locust. Applicant: Rodney Tolle. Owner: Genevieve Hughes.

Mr. Bussinger read a letter from Mr. Tolle committing that no vehicles larger than a standard size pickup or van would be worked on. He asked Counselor Curtis if the applicant can be held to that in P zoning.

Mr. Curtis responded that in order to hold him in violation of an ordinance it would have to be set out in the ordinance. Violation of the terms of the letter would solely be a civil matter.

Mr. Smith moved to place Bill No. 85-38 on first reading; Mr. Winkler seconded.

Mr. Winkler asked for clarification that only this use as shown on the plans can operate on this property if zoned CP-3.

Mr. Reilly said he had discussed this with Counselor Dods and that is his opinion that if we grant the CP-3 zoning with this particular plan that any change that is more than slight would necessitate the rezoning process. Mr. Reilly said he had not discussed it with the Counselor but believes it is possible that he could sell this to another operator and maintain the same facility and operation. Mr. Winkler said then as he understands it any other change from the exact operation detailed as part of this Plan would be a violation.

Mr. Reilly said if the Council wishes the staff can take an active role in finalizing the plan that has been submitted before the next Council meeting to do whatever is necessary to be as restrictive as possible.

Mr. Winkler said he personally would like to see that done.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)  
The Clerk read the Bill.

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Item 17-A on the Agenda: First Reading: Bill No. 85-39: an ordinance approving the application of Kansas City Cable Partner to acquire the franchise previously granted to Clay County Communication Co., franchisee of the Community Antenna Television System serving the City of Gladstone, Missouri.

Mr. Ashcroft moved to place Bill No. 85-39 on first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill No. 85-39 and place said Bill on second reading: Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Butler. (5-0)  
The Clerk read the Bill.

There being no further business to come before the July 8, 1985 meeting of the Gladstone City Council, Mayor Bussinger adjourned the meeting. Time: 9:00PM

Respectfully submitted

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk  
Approved as submitted: \_\_\_\_\_

Approved as corrected  
amended: ☒

Lee W. Bussinger

MAYOR

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

July 22, 1985

A G E N D A

1. Meeting Called to Order -
  - a) Gen. Obligation Street Improvement Refunding Bonds bid deadline.
  - b) Roll Call
2. Pledge of Allegiance
3. Acceptance of Minutes of July 8, 1985 City Council Meeting.
4. Opening of Bids for acceptance of General Obligation Street Improvement Refunding Bonds.
5. RESOLUTION R-85-47, accepting the lowest bid on the General Obligation Street Improvement Refunding Bonds and authorization for City Manager to enter into a contract to sell bonds to lowest bidder.
6. CONSENT AGENDA:

RESOLUTION R-85-43, authorizing execution of Water Main Extension Contract No. 192 for construction of main at Shady Lane Dr. between M. Mersington and N. Jackson, 62nd Terr. N. between Cleveland & N. Jackson, N. Jackson between Shady Lane Dr. & 63rd St. N.

RESOLUTION R-85-46, authorizing execution of Change Order No. 1 to Lamn Construction Company Contract for Old Maids Creek Storm Drainage Improvements.

BUILDING PLANS for Gladstone Animal Clinic building at 7027 N. Oak, approx. 7,500 sq.ft. subject to requirements of all national codes and city code. Applicant: Gary Cabel Construction. Owner: Gladstone Animal Clinic.

Approval of Liquor License Renewals

D&F Enterprises, Inc. d/b/a Aardvark Liquor & Deli, 7507 N. Oak - Class C  
El Torito Restaurant, Inc. d/b/a Annie's Sante Fe, 6129 N. Antioch Road -  
Regulia's Food and Liquor, 6401 N. Antioch Road - Class C  
Bobby Bell's BBQ, 7013 N. Oak - Class A&B  
Unique Super Markets, Inc. d/b/a Bob's Antioch I.C.A., 5945 N. Antioch Road - Class C  
Bob's Northland, Inc. d/b/a Bob's Northland I.C.A., 6316 N. Oak - Class C  
Emissary, Inc. d/b/a Cellarmaster Wines of Missouri, Inc., 6944 N. Oak - Class C  
Tall Giant International Co., Inc. d/b/a China Plaza Restaurant, 7321 N. Oak Street - Class A&B  
Gene's Party Shop, Inc., 6313 N. Prospect - Class C  
Carrollton Bowl Lounge, Inc. d/b/a Gladstone Bowl, 300 NW 72nd Street - Class A&B  
Guthrie's Restaurant & Lounge, 6425 N. Oak - Class A&B  
Jaylyn, Inc. d/b/a Jay's Foods, 7503 N. Oak - Class C  
Brothers Venture, Inc., d/b/a Kwik Shoppe, 7603 N. Oak - Class C  
Take II, Inc. d/b/a Nadine's, 6821-25 N. Oak - Class A&B  
P&C Liquors, 6587 N. Oak Street - Class C  
Pisces Inn, Inc., 7000 W. Oak - Class F  
Quik Trip #181, 2000 W.E. 72nd Street - Class C  
Quality Markets, Inc. d/b/a Shop-N-Go, 5821 N. Antioch Rd. - Class C  
General Mills Restaurant Group, Inc. d/b/a Red Lobster #190, 6221 N. Chestnut - Class A&B  
21/21, Inc., 5941 N. Antioch Road - Class A  
K.C. Convenience Store Group, Inc., d/b/a Zarda Store #16, 6211 N. Chestnut - Class C  
K.C. Convenience Store Group, Inc., d/b/a Zarda Store #6, 6417 N. Oak - Class C  
Save Mart Foods, Inc. d/b/a Save Mart #17, 6553 N. Oak - Class C  
Aldi-Benner Co. d/b/a Aldi's, 6577 N. Oak - Class E  
Worlds of Beef, 7634 N. Oak - Class F

7/22/85

Approval of Interim Financial Reports for month of June, 1985

7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. PUBLIC HEARING: Request to rezone from RCHP-1, Cluster Housing District-Planned, to R-2, Two-Family Housing District, property 500' north of NW 72nd Street at Broadway. Applicant: Les Smith Owner: Main Enggas.
11. PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District, to CP-2, General Business District-Planned, property at 200-300 Englewood Road. Applicant/Owner: John Cherek Buick, Inc.
12. PUBLIC HEARING: Request to rezone from CP-0, Non-Retail Business District-Planned, and R-1, Single Family District, to CP-1, Local Business District-Planned, property at 5710-14 N. Antioch Road and 2504 N.E. 57th Terrace. Applicant: Commercial Investment Properties. Owner: John R. Hutcherson and John R. Hutcherson, Trustee.
13. APPEAL OF PRELIMINARY PLAT DENIAL Brookview Subdivision, proposed development of three single family lots, N.E. 72nd & Highland. Applicant/Owner: Shane Danner.
14. THIRD READING: BILL NO. 85-29, an ordinance abolishing the Citizens Advisory Committee to the Public Safety Department by repeal of Ordinance No. 2.378.
15. SECOND READING: BILL NO. 85-36, amending Chapter 5 of the City Code regulating animals and fowl; defining dangerous animals and establishing penalties for violations.
16. THIRD READING: BILL NO. 85-39, an ordinance approving the application of Kansas City Cable Partners to acquire the franchise previously granted to Clay County Communications Co., franchisee of the Community Antenna Television System serving the City of Gladstone, Missouri.
17. FIRST READING: BILL NO. 85-40, an ordinance approving the FINAL PLAT OF MEADOWLANE, 2201 N.E. 72nd Street. Applicant/Owner: Mitcon, Inc.
18. APPROVAL OF BUILDING PLANS FOR MEADOWLANE: 2201 N.E. 72nd Street. Applicant/Owner: Mitcon, Inc.
19. FIRST READING: BILL NO. 85-41, an ordinance accepting a Quit Claim Deed from North Kansas City School District No. 74 for conveyance of land for street construction of Shady Lane Drive.
20. SECOND READING: BILL NO. 85-38, an ordinance rezoning from C-2 to CP-3, property at 7109 N. Locust. Applicant: Rodney Tolle. Owner: Genevieve Hughes.
21. FIRST READING: BILL NO. 85-42, an ordinance authorizing acceptance of conveyances of a temporary construction easement necessary in connection with the M-1 Improvement Project.
22. Other Business
23. Questions from the News Media
24. Adjournment

## MINUTES

### GLADSTONE CITY COUNCIL MEETING GLADSTONE, MISSOURI

July 22, 1985

Mayor Lee Bussinger called the July 22, 1985 meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Before roll was called, Mayor Bussinger stated that the deadline for submitting bids on the sale of \$1,750,000 General Obligation Street Improvement Refunding Bonds, Series 1985, at 7:30 p.m., July 22, 1985 had arrived.

PRESENT:           Councilman Ken Winkler  
                  Concilman Les Smith  
                  Councilman Jim Butler  
                  Councilman Bob Ashcroft  
                  Mayor Lee Bussinger

In addition to members of the City Council, City Manager Patrick Reilly, City Counselor John C. Dods and the Acting City Clerk were in attendance.

#### Item 3 on the Agenda

#### Approval of the Minutes

Councilman Butler moved to accept the Minutes of the July 8, 1985 City Council Meeting as submitted. Mr. John Dods wanted the minutes to reflect the change that Mr. Clyde Curtis attended the July 8, 1985 meeting versus Mr. Dods. Mr. Winkler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

#### Item 4 on the Agenda

#### Opening of G.O. Refunding Bonds Bids

Mayor Bussinger stated that the time had come to open the bids in the presence of the bidders. Mayor Bussinger asked the Acting City Clerk to open and read the bids. The Acting City Clerk indicated there were a total of three bids submitted. Upon opening each bid, it was noted that a good faith check in the amount of \$35,000 was enclosed in each bid. The bids were read as follows:

First National Bank of Gladstone by Mr. Kenneth Hollander -  
Net Interest Cost to the City:     \$491,280.15  
Average Annual Net Interest Rate: 8.1%

George K. Baum & Company signed by Mr. Joseph M. Crow, Jr.  
in association with Commerce Bank of Kansas City,  
E.F. Hutton & Co., Inc., Stern Brothers & Co.  
Net Interest Cost to the City:     \$430,468.75  
Average Annual Net Interest Rate: 7.19947%

United Missouri Bank of Kansas City & Associates signed by  
Mr. Roger M. Tranckino, Senior Vice President, in association  
with Zahner & Co.; Stifel, Nicholas & Co., Inc. & McLiney &  
Co.  
Net Interest Cost to the City:     \$432,384.38  
Average Annual Net Interest Rate: 7.231516%

Mayor Bussinger then called for a 5 minute recess to allow the Acting City Clerk to insert the figures in the Resolution to be read.

Item 5 on the Agenda                      Resolution R-85-47,  
accepting the lowest bid on the General Obligation Street Improvement Refunding Bonds and authorization for City Manager to enter into a contract to sell bonds to lowest bidder.

Mr. Winkler moved to adopt Resolution R-85-47. Mr. Butler seconded the motion. Mr. Winkler read the Resolution which stated that the City had received three bids for the refinancing of the bonds and that George K. Baum & Company was the lowest and best bidder. Mayor Bussinger asked if there were any comments or discussion. Mr. Smith asked Mayor Bussinger or the City Manager to further explain to the audience the actions the City took in approving this Resolution and also wanted to commend Mr. Reilly and his staff for suggesting this action. The City Manager indicated that the City would save approximately \$150,000 over the next six years and then asked Mr. Wilson of Stinson, Mag (the administrators of the refinancing bond issue) to give the Council and audience an overview of the particular action. Mr. Wilson indicated that the City is refinancing at a lower rate. The G.O. Street Improvement Refunding Bonds were originally issued at a rate of 9.85%. The bonds could be called in at anytime with no penalty of interest to the City. Therefore, the City chose to do so and issue new bonds at a lower rate to retire the old one, which means that it will pay off the new bond issue at a lower rate scale over the same period of time. The total cash savings projected by Stinson-Mag was approximately 7 1/2% or \$144,000. There being no further comment, Mayor Bussinger asked the Acting City Clerk to call roll. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mayor Lee Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 6 on the Agenda                      Consent Agenda  
Following the Acting City Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item for placement on the regular agenda. Mr. Smith moved to approve the consent agenda as submitted deleting the building plans for the Animal Clinic. Mr. Winkler seconded. Mayor Bussinger stated that the building plans for the Animal Clinic be moved to the regular Agenda as item 9A. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

Mayor Bussinger asked City Manager if liquor license renewals were for a one year period which the City Manager confirmed that they were for one year.

Councilman Butler inquired about the exact location of Worlds of Beef and if this establishment was new. Mayor Bussinger indicated that the business just opened.

CONSENT AGENDA DETAIL:

Mr. Smith moved to adopted RESOLUTION R-85-45, authorizing execution of Water Main Extension Contract No. 192 for construction of main at Shady Lane Dr. between N. Mersington and N. Jackson, 62nd Terr. N. between Cleveland & N. Jackson. Mr. Winkler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Smith moved to adopted RESOLUTION R-85-46, authorizing execution of Change Order No. 1 to Lann Construction Company Contract for Old Maids Creek Storm Drainage Improvements. Mr. Winkler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Smith moved to approve Liquor License Renewals for:

Aardvark Liquor & Deli  
Annie's Sante Fe  
Begulia's Food and Liquor  
Bobby Bell's BBQ  
Bob's Antioch I.G.A.  
Bob's Northland I.G.A.  
Cellarmaster Wines of Missouri, Inc.  
China Plaza Restaurant  
Gene's Party Shop, Inc.  
Gladstone Bowl  
Guthries Restaurant & Lounge  
Jay's Foods  
Kwik Shoppe  
Nadine's  
P&C Liquors  
Pizza Inn, Inc.  
Quick Trip #181  
Shop-N-Go  
Red Lobster #190  
21/21, Inc.  
Zarda Store #16  
Zarda Store #6  
Save Mart #17  
Aldi's  
Worlds of Beef

Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 7 on the Agenda

Communications From the Audience

Mr. Robert Robinson who works for Glad-City Cabs at 5614 N. Antioch addressed the Council because he was notified by the City that he could not use the building due to a fire which occurred the Sunday before July 4, 1985 and was trying to obtain additional time to find a suitable building. He stated he had real estate agents trying to locate a building for him and that he would work outside from his car if he had to. He also requested the removal of a tower.



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Mayor Bussinger asked Building Inspector Don Hathaway for his comments and he indicated that the building could not be used.

Mayor Bussinger asked Mr. Robinson if he leased the building and if he knew what was going to be done with it. Mr. Robinson stated he just found out that the building was to be torn down. Councilman Ashcroft addressed Mr. Robinson and asked if there was some action that the council could take to allow his operation of business to continue. Mayor Bussinger indicated that the council might wish to stipulate some condition as to the time frame so that it wouldn't continue for an indefinite period. Mr. Robinson stated that he would like to be out by the end of this month if possible. Councilman Butler asked Mr. Robinson if the other locations he was looking at were in Gladstone. Mr. Robinson said "yes". Councilman Smith stated that he would tend to be opposed to the temporary structure, but suggested that perhaps the Council could allow Mr. Robinson to come back at the Council Meeting on August 12, 1985 to obtain further approval should he not be out at the end of July. Councilman Winkler asked if there would be any problem with public safety or health rules and laws. City Manager Reilly indicated that if the building was condemned, then it shouldn't be used. Councilman Winkler asked if the City would be posting the premises as being unsafe and unfit. City Manager Reilly indicated that when a building is condemned, this is the typical procedure. Councilman Butler asked about the City's liabilities if the business/structure is allowed to continue and someone gets hurt in a condemned building. City Counselor Doda indicated from the description there wouldn't be any risk as long as the building is not used. He indicated that the Council could grant him the right to continue the operation of the business as long as the building is not used as part of his operation. Councilman Ashcroft then moved that the Council allow the business to operate exclusive of the building and that Mr. Robinson give the Council an update on the circumstances at the August 12, 1985 Council Meeting. Mr. Winkler seconded. The vote - All "ayes". Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

Mr. Harry Roberts, 2208 N.E. 60th Street, Gladstone, addressed the Council regarding the use of MAST instead of the Gladstone Ambulance. He indicated that it was his understanding that a Federal law or ruling in April was what prompted the City to make this move because the City would have to pay overtime if employees worked over 8 hrs. a day and that the estimated cost to the City, under the new program, to man and equip one ambulance was approximately \$300,000 and asked if this amount was for one year. Councilman Ashcroft responded by saying that the cost was approximately \$268,000 and that the City did not have to buy a new ambulance every year. He further stated that an increase in labor cost would probably make it go up approximately 5% with the ambulance depreciating and that some day a new ambulance would have to be bought. Mr. Roberts stated that MAST claimed that the charge would be \$150 if the ambulance service is notified in route by paramedics or other qualified persons when it is no longer a life threatening status. He questioned that although the Gladstone ambulance has been from time-to-time out of the City when other calls came in and MAST may have assisted, that under the new program, the

reverse would happen. Since MAST is planning on having temporary vehicles at various locations in North Kansas City, he questioned their being busy. He further questioned why the City couldn't keep the current ambulance service either through increased taxes or fees and possibly add a second unit in the future to have better coverage. Councilman Ashcroft indicated that the Gladstone paramedics with their expertise could still, under the present system now, in cooperation with MAST, arrive in 4 minutes; however, they would be on the scene to administer until MAST came for transportation. As far as the services are concerned, Gladstone residents would get the same type of service. He further indicated that under the current system, MAST would automatically be revolving an ambulance to the location upon dispatch. Under the current system, if the City's ambulance was out of the area, the City would be totally without service, but under the new circumstances, MAST would be in a better position to handle the call. Mayor Bussinger asked City Manager Reilly for his response. City Manager Reilly indicated that the decision to utilize MAST was a difficult one and that it was based on economics and the desire to provide superior service to the citizens of Gladstone. Had it been felt that the service would not be superior to what the City provided, it would not have been recommended. Mayor Bussinger indicated that this issue had been debated considerably and if the City had kept an ambulance, the cost could not be kept at \$75 - it would have had to have gone up. City Manager Reilly asked Mr. Roberts and anyone else in the audience to visit with him or Public Safety Director Francis to learn more details about the program.

Mr. Steve Platz, half owner of ABC Auto Sales, 7113 N. Oak, addressed the Council stating that he received a letter from the City regarding the conditions for the continuation of a lease for the right-of-way. He indicated that a year ago the price of the lease was \$400 (new lease renewal increased 5% making total rental \$420/yr.); however, because of the hail damage he received, he is asking the Council to reduce his rent to \$120 a year, and make payments to the City on a monthly basis versus a yearly basis, along with several other conditions stated in the letter. Mayor Bussinger stated that one of the primary problems was that some of the cars on the lot extended onto the sidewalk, thus, blocking visibility going west on 72nd Street and he felt the rental amount was justifiable at that particular location. Councilman Winkler indicated he was in favor of keeping the lease amount at \$400 but was also concerned about the car fenders encroaching upon the pedestrian sidewalk. Councilman Smith asked if Mr. Platz was the person who entered into the original lease and if so, why didn't he object to the \$400 at that time as opposed to now; of which, Mr. Platz thought at the time, the \$400 was justified and now doesn't. Councilman Smith asked Mr. Platz if paying the \$420 on a monthly basis would help. Mr. Platz indicated this would not help him. Councilman Butler stated to Mr. Platz that the City was not asking him to do anything that they wouldn't ask any other business to do - which is to improve the property. After considerable discussion, Mr. Platz agreed to paying \$420, but asked if he could pay on a monthly basis. Councilman Ashcroft stated that because of the hail storm hardship Mr. Platz incurred, the City should consider allowing monthly payments for this year only, but

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that the City should not consider doing this on a permanent basis. Therefore, it was agreed upon that monthly payments of \$35/month were to be set up on a 1 year basis.

Item 8 on the AgendaCommunications from the Council

Councilman Butler wanted to thank Mr. Bob Lemons, Mr. Paul Degenhardt and Mr. Burford from the Kendallwood Nursing Home for putting up a park bench at 63rd, near the Kendallwood Nursing Home. He noted that the City responded along with the 3 businessmen and were able to have a park bench put there for those people to rest and wanted to commend the City and all involved in their efforts.

Mayor Bussinger introduced his granddaughter, Becky, from Texas who was in the audience.

Item 9 on the AgendaCommunications from the City Manager

City Manager Reilly responded by stating that the repair of the water line break on Oak Street in the area of 60th Street was underway and that for some period of time, the residents in the block will be without water and wanted to apologize for this inconvenience and that the asphalt overlay in that area is to be taken care of on Wednesday and Thursday of this week and that Friday, it should be open for normal traffic. Also, the Oak Street resurfacing began today from 72nd street going north and Musselman-Hall advises they believe they have resolved all the problems and will continue tomorrow.

Item 9A on the AgendaBuilding Plans for Animal Clinic

Councilman Winkler stated that he found several discrepancies in the plans and did not feel comfortable with approval of the plans "as is". He suggested that the plans be returned to staff for further work and direction to the applicant and Mr. Gable. Mr. Winkler further stated that the east property is CP-2 zoning which there was no plan for. The south side of the property shows a rapid lube and he was not sure the staff report calls for one in the way of zoning. He felt there were items from the staff report that needed to be addressed, noting that the building setback was deficient, parking shown on the plan was not adequate and the buffer zone was not shown on the plan on the east property line. Councilman Smith agreed with Councilman Winkler. Councilman Winkler moved that the application be returned to the City staff for further approval and clarification. Councilman Ashcroft seconded. The vote - All "Ayes". Winkler, Smith, Butler, Ashcroft, Bussinger.

Item 10 on the AgendaPublic Hearing Request to Rezone from

RCHP-1, Cluster Housing District-Planned, to R-2, Two-Family Housing District, property 500' north of NW 72nd Street & Broadway.

Mr. Brighton Singleton, architect and planner, addressed the Council and stated they are requesting a change from cluster housing to duplex zoning involving 2-3 acres in the City of Gladstone with the majority of the project in Kansas City. He further stated they are reducing the number of units from 260-265 to 213. He indicated that the entrance on N. Broadway at the northern end of the property was not in the plans earlier. He noted that they were cooperating with Kansas City in the development of the neighborhood property and that the fire department stated that a second entrance on North Broadway must be included because of safety hazards. Mayor Bussinger asked Mr. Singleton if the north ingress/egress coincides with the ingress/egress from the bowling alley and Mr. Singleton stated that it was immediately opposite, with 21 units being proposed within the

City of Gladstone and 192 units being proposed in Kansas City. Mr. Singleton indicated to the Council that the duplex units would be sold individually, containing approximately 1,200 sq.ft. Councilman Butler asked if the duplex buildings would be sold individually or if each half would be sold individually. Mr. Singleton stated it could be done either way. He indicated that the units would be sold in the range of \$70,000-\$80,000 which includes a two car garage. Councilman Butler inquired as to the minimum of 9 feet on each side of the building and Mr. Singleton brought a revised plan which indicated that the footage would be adhered to. Councilman Winkler asked for clarification regarding the northern ingress/egress question and inquired what it aligned with. Mr. Singleton responded by stating that the southerly entrance aligns with the drive to the bowling alley. Mayor Bussinger asked the time frame for the Gladstone portion of development and Mr. Singleton indicated over the next year.

There being no further questions, Mayor Bussinger declared the Public hearing closed.

Item 11 on the Agenda      Public Hearing Request to rezone from R-1, Single Family Dwelling District, to CP-2, General Business District - Planned, property at 200-300 Englewood Road. Applicant/Owner: John Chezik Buick, Inc.

Neither the applicant or his representative were present and no one in the audience spoke for or against the application. Mayor Bussinger stated that the Council would move onto item 12. (Deferred to 8/12 meeting).

Item 12 on the Agenda      Public Hearing Request to rezone from CP-0, Non-Retail Business District-Planned, and R-1, Single Family District, to CP-1, Local Business District-Planned, property at 5710-14 N. Antioch Road and 2504 N.E. 57th Terrace. Applicant: Commercial Investment Properties. Owner: John R. Hutcherson and John R. Hutcherson, Trustee.

Mr. Jay Jensen, 4005 NE 57th Place, attorney for Commercial Investment Properties, addressed the council stating that an option agreement existed between Mr. Roy Leach (owner of Lot 16) and Mr. John Hutcherson (owner of Lots 1,2 and 3) and that they are working on a July 31, 1985 deadline to obtain rezoning for the property.

Councilman Winkler stated that the only opposition the Planning Commission had at their last meeting of the final hearing was concern about curb and gutter and water drainage creating a run-off pattern down the street into yards and indicated the need for restrictions. Councilman Ashcroft inquired as to the recent purchase or option of Lots 17 and 3 and asked if Mr. Jensen intended to exercise the option. Mr. Jensen replied "yes". Councilman Ashcroft asked if the entire project would be constructed at one time. Mr. Jensen stated "yes". Councilman Ashcroft asked Mr. Jensen if he had any problems with the proper zoning, sidewalks, parking, buffer. Mr. Jensen stated "no".

Mr. Roy Leach, 5550 N. Woodland, addressed the Council stating that he is the owner of 2504 N.E. 57th Terrace and that Mr. Hutcherson did not own any of the land. He indicated that he would not sell to Mr. Hutcherson.

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Mr. Richard Liebolt, 2411 NE 57th Terrace, indicated his concern for the water problem and the traffic flow that would be coming down 57th Terrace and 58th Street from people not wanting to make a left-hand turn onto Antioch Road from the development. He indicated he was not opposed to the development, but wanted the traffic slowed down going through the neighborhood. Currently, there is a 25 mph speed limit sign that is set back approximately 3-4 feet from the road and is shaded by trees making it not clearly visible. The speed limit is currently not being observed. Mr. Liebolt suggested that the sign be moved to the corner so that people coming down 58th street are forced to slow down which would be in a more visible location with a sign placed beneath it saying "Slow - Children Playing".

Councilman Ashcroft wanted a better understanding of who in fact owns the property and who the Council was dealing with. Mr. Jensen stated that Mr. Leach gave an option to Universal Medical Properties. That option was assigned to Mr. Hutcherson by Universal Medical Properties and we have signed a contract on that basis, which is why the word "trustee" is in there. Mayor Bussinger then closed the public hearing at this time.

Item 13 on the Agenda                      Appeal of Preliminary Plat Denial  
Brookview Subdivision, proposed development of three single family  
lots, N.E. 72nd & Highland. Applicant/Owner: Shane Danner.

Mr. Shane Danner, 6004 N. Kansas, stated that two weeks ago he appeared before the Council with a report from an independent engineer as to the potential flood plain problems on the tract of land and was asked to come back to the meeting tonight after the Council and the City staff had time to study the report.

Mayor Bussinger asked Mr. Danner if he had reviewed Butler & Associates letter regarding their recommendations involving the elevations proposed for the building openings being at least 934.0 elevation and finish floor elevations, including garage openings,

being at least 24 inches above the respective fronting elevations of N. Highland, with side yard swales. Mr. Danner indicated that he thought it could probably be worked out. He did not know what the two foot openings above N. Highland would do to the actual looks of the residences after they were constructed. Councilman Ashcroft indicated to Mr. Danner that if he had no problems with Mr. Dyhouse's letter (Butler & Associates) and met the particular requirements indicated in the letter and was willing to accept the permits under those conditions, he would be willing to recognize Mr. Danner's appeal and asked if Mr. Danner wanted to study this matter in more detail and come back for denial/approval at the next Council meeting. Mr. Danner indicated he would prefer to review this matter in more detail and come back at the next Council meeting.

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Item 14 on the Agenda      Third Reading: Bill 85-29,  
an ordinance abolishing the Citizens Advisory Committee to the Public  
Safety Department by repeal of Ordinance No. 2.378.

Mr. Ashcroft moved to accept the second reading of Bill No. 85-29, waive the appropriate paragraph and place it on its third and final reading; Mr. Winkler seconded. Mayor Bussinger indicated that the Council had a request from a citizen wanting to be heard; however, Council gave him 2 1/2 - 3 weeks and there was no response. Therefore, based on that, Mayor Bussinger recommended to proceed with the roll call. The vote: All "ayes". Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Ashcroft moved to accept the third and final reading of Bill 85-29 and enact said Bill as Ordinance 2.568. Mr. Winkler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 15 on the Agenda      Second Reading: Bill 85-36,  
amending Chapter 5 of the City Code regulating animals and fowl;  
defining dangerous animals and establishing penalties for violations.

Mr. Winkler moved to accept the first reading of Bill 85-36, waive the appropriate paragraph and place said Bill on its second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Winkler moved to accept the second reading of said Bill, waived the appropriate paragraph and place said Bill on its third and final reading; Mr. Smith seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Winkler moved to accept the third and final reading of said Bill and enact said Bill as Ordinance 2.569. Mr. Smith seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 16 on the Agenda      Third Reading: Bill 85-39,  
an ordinance approving the application of Kansas City Cable Partners to acquire the franchise previously granted to Clay County Communications Co., franchisee of the Community Antenna Television System serving the City of Gladstone, Missouri.

Mayor Bussinger indicated that before reading the Bill, he wanted to express some concern that Clay County Communications who had 10 employees would maintain the Gladstone office and wanted to hear comments from Mr. Bob Niles.

Mr. Bob Niles of American Cablevision indicated they have recognized the obligation of the franchise and that they will be examining and thinking of ways to better serve the customers; however, if, in their examination they find items which need to be changed, they will come before the Council to make such requests.

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Mr. Ashcroft moved to accept the second reading of Bill 85-39, waive the appropriate paragraph and place said Bill on its third and final reading. Mr. Winkler seconded. Mr. Smith asked Mr. Niles if American Cablevision anticipated maintaining the operation of the Gladstone information channel. Mr. Niles stated "yes". Mr. Winkler stated that he hoped the current level of service the City of Gladstone has was not overlooked, but is maintained. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Ashcroft moved to accept the third and final reading of Bill 85-39 and enact as Ordinance 2.570. Mr. Smith seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 17 on the Agenda      First Reading: Bill 85-40,  
an ordinance approving the Final Plat of Meadowlane, 2201 NE 72nd Street. Applicant/Owner: Mitcon, Inc.

Mr. Winkler moved to place Bill 85-40 on its first reading; Mr. Smith seconded. Mr. Smith wanted clarification from City Manager Reilly that the plan is built in accordance with the site plan which was previously approved by the Plan Commission.

City Manager Reilly confirmed that the plan would be built in accordance with the site plan approved by the Planning Commission.

Mr. Winkler stated that he heartily endorses Mr. Smith's direction to the City Manager and that he wanted this development to be built in accordance with the site plan approved by the Plan Commission. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0). The Acting City Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 85-40, waive the appropriate paragraph and place said Bill on its second reading. Mr. Smith seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Winkler moved to accept the second reading of Bill 85-40, waive the appropriate paragraph and place said Bill on its third and final reading. Mr. Smith seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Winkler moved to accept the third and final reading of Bill 85-40 and enact it as Ordinance 2.571. Mr. Smith seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 18 on the Agenda      Approval of Meadowlane Building Plans  
2201 N.E. 72nd Street. Applicant/Owner: Mitcon, Inc.

Mr. Ashcroft moved to accept the building plans for Meadowlane. Mr. Smith seconded. Mr. Ashcroft asked the representative from Mitcon if there were any problems with the comments on the staff report. The representative indicated that he had no problems with any of the items. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

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Item 19 on the Agenda      First Reading: Bill 85-41,  
an ordinance accepting a Quit Claim Deed from North Kansas City  
School District No. 74 for conveyance of land for street construction  
of Shady Lane Drive.

Mr. Smith moved to accept the first reading of Bill 85-41; Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0). The Acting City Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill 85-41, waive the appropriate paragraph and place said Bill on its second reading; Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Smith moved to accepted the second reading of Bill 85-41, waive the appropriate paragraph and place said Bill on its third and final reading; Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Smith moved to accepted the third and final reading of Bill 85-41 and enact said Bill as Ordinance 2.572; Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 20 on the Agenda      Second Reading: Bill 85-38,  
an ordinance rezoning from C-2 to CP-3; property at 7109 N. Locust.  
Applicant: Rodney Tolle. Owner: Genevieve Hughes.

Mr. Smith moved to accept the first reading of Bill 85-38 and place said Bill on its second reading; Mr. Butler seconded.

Mr. Winkler stated to Council that he had a problem with the rezoning of this property because of concern with the exterior facade and elevations which he indicated could be corrected; however, he suggested that before approval, these items be resolved with the City Manager and that this matter come before the Council at the next Council Meeting with corrections.

The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 21 on the Agenda      First Reading: Bill 85-42,  
an ordinance authorizing acceptance of conveyances of a temporary construction easement necessary in connection with the M-1 Improvement Project.

Mr. Ashcroft moved to place Bill 85-42 on its first reading; Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0). The Acting City Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill 85-42 and place said Bill on its second reading; Mr. Winkler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).



CITY COUNCIL MINUTES  
July 22, 1985 - 12

Mr. Ashcroft moved to accept the second reading of Bill 85-42, waive the appropriate paragraph and place said Bill on its third and final reading; Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Mr. Ashcroft moved to accept the third and final reading of Bill 85-42 and enact said Bill as Ordinance 2.573; Mr. Butler seconded. The vote: All "ayes" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0).

Item 22 on the Agenda

Other Business

Mr. Winkler addressed City Manager Reilly and indicated to him that he had received a call from a citizen who commended Mr. Wegner on responding to a problem that this resident had for about 3 years and wanted Mr. Reilly to make Mr. Wegner aware of the citizen's gratitude.

Mayor Bussinger stated that there is a stop sign at 67th & Garfield and asked the City Manager to check into this matter to see if this sign was necessary.

Item 23 on the Agenda

Questions From News Media

The media inquired more about the City's Refinancing of the Bond issue as to verification of the bond bid amounts and again, why the City sought the refinancing.

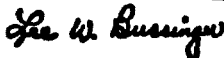
The question was raised if American Cablevision would retain their office and employees in Gladstone. The Council indicated that at the present time, 10 people are working out of a facility on Prospect and that this was a concern to them.

There being no further business to come before the July 22, 1985 meeting of the Gladstone City Council, Mayor Bussinger adjourned the meeting. Time: 9:45 p.m.

Respectfully submitted

  
Acting City Clerk, Marlene Dempsey  
Approved as submitted: \_\_\_\_\_

Approved as corrected \_\_\_\_\_  
amended: \_\_\_\_\_



\_\_\_\_\_  
MAYOR

MINUTE BOOK 72

1985 CITY COUNCIL MINUTES

MEETING

DATE

|                 |                    |
|-----------------|--------------------|
| REGULAR MEETING | AUGUST 12, 1985    |
| REGULAR MEETING | AUGUST 26, 1985    |
| REGULAR MEETING | SEPTEMBER 9, 1985  |
| REGULAR MEETING | SEPTEMBER 23, 1985 |
| REGULAR MEETING | OCTOBER 14, 1985   |
| REGULAR MEETING | OCTOBER 28, 1985   |
| REGULAR MEETING | NOVEMBER 11, 1985  |
| REGULAR MEETING | NOVEMBER 25, 1985  |
| SPECIAL MEETING | DECEMBER 6, 1985   |
| REGULAR MEETING | DECEMBER 23, 1985  |

END MINUTE BOOK 72

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 12, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of July 22, 1985 City Council Meeting.
5. CONSENT AGENDA:

RESOLUTION: 85-47,<sup>A</sup> authorizing renewal of Lease Agreement with ABC Auto for use of city property.

RESOLUTION: 85-48, authorizing Change Order No. 1 in the amount of \$2,500 to the Larkin & Associates Engineering Contract for Highway 1 Utility Relocation. Total revised contract: \$23,514.

Approval of Interim Financial Reports for one month ending July, 1985.

Approval of Liquor License Renewal: Happy Rock Liquors #1, 6100 N Oak, Class C

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: On setting the annual rate of levy for 1985 Real and Personal Property Taxes for the City of Gladstone.
10. PUBLIC HEARING: Request to rezone from R-1, Single Family to CP-2, General Business District-Planned, property at 200-300 Englewood Road. Applicant/Owner: John Chezik Buick, Inc.
11. PUBLIC HEARING: Request to rezone from R-1, Single Family to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Rd. (east of PROSPECT PLAZA) Owner: Meadowbrook Methodist Church
12. *Refer to 8/26* Consideration of Preliminary Plat-CLAYMONT ESTATES, Vivion & Belleview. Walker/Wales Development Co.

9/12/85

13. Approval of Site Plan Revision in CP-1 zone, 7311 N Oak. Homestead Builders, Inc.
14. THIRD READING: Bill 85-38, an ordinance rezoning from C-2 to CP-3, property at 7109 N Locust. Applicant: Rodney Tolle. Owner: Genevieve Hughes
15. FIRST READING: Bill 85-43, an ordinance authorizing the re-issuance of \$1,750,000 in General Obligation Street Improvement Bonds.
16. FIRST READING: Bill 85-44, an ordinance rezoning from RCHP-1, Cluster Housing District, to R-2, Two-Family Housing District property 500' north of NW 72nd at Broadway. Applicant: Les Smith  
Owner: Main Enggas
17. FIRST READING: BILL 85-45, an ordinance rezoning from CP-O, Non-Retail Planned District and R-1, Single Family District to CP-1, Planned Local Business District, 5710-14 N Antioch Road. John R. Hutcherson
18. Other Business
19. Questions From the News Media
20. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 12, 1985

Mayor Lee Bussinger called the August 12, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft

In addition to the members of the City Council, City Manager Patrick Reilly, City Counselor John Dods and the City Clerk were in attendance.

Mayor Lee Bussinger led the Pledge of Allegiance to the Flag in which all joined.

ITEM 4 ON THE AGENDA APPROVAL OF MINUTES  
Councilman Winkler moved to approve the Minutes of the July 22, 1985 City Council Meeting as written; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 5 ON THE AGENDA CONSENT AGENDA  
Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item for placement on the regular agenda. Hearing no request, Mr. Smith moved to approve the Consent Agenda as read; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger.

CONSENT AGENDA DETAIL:  
Mr. Smith moved to adopt RESOLUTION R-85-47, authorizing renewal of lease agreement with ABC Auto for use of city property at \$420 annually. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CONSENT AGENDA DETAIL (continued)

Mr. Smith moved to adopt RESOLUTION 85-48, authorizing Change Order No. 1 in the amount of \$42,500 to the Larkin & Associates Engineering Contract for Utility Relocation on Highway 1; Mr. Ashcroft seconded. The vote: All aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve the Interim Financial Reports for one month ending July, 1985. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve the Liquor License Renewal for Happy Rock Liquors #1, 6100 N Oak, Class C. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 6 ON THE AGENDA: COMMUNICATIONS FROM THE AUDIENCE.

None.

ITEM 7 ON THE AGENDA: COMMUNICATIONS FROM THE CITY COUNCIL.

Mr. Winkler moved to nominate Ed O'Neill, 6305 N Agnes to fill the vacancy on the Planning Commission for a term expiring December 31, 1985. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler noted that the WELCOME TO GLADSTONE sign at Normandy and Shady Lane has been down for some time. He also noted that the TRUCKS PROHIBITED sign perhaps should be moved closer to the street at 70th & Oak (between Midas Muffler and the car wash) and there is also need for posting of 25mph speed limit sign on that same post.

Mayor Bussinger said he had been approached by residents asking the route of the detour for the North Prospect (Highway 1) improvement. Mr. Reilly said as previously discussed with Council a series of meetings with the neighborhood are planned but they have been awaiting the award of the bid so that time frame can be established with the contractor as well as his method of approach. As soon as the start date is known meetings will be arranged for about 6-8 weeks prior.

ITEM 9 ON THE AGENDA PUBLIC HEARING: On setting the annual rate of levy for 1985 Real and Personal Property Taxes for the City of Gladstone.

Director of Administrative Services Toni Anderson in opening the public hearing stated that the adopted tax rate this year must be set in order to comply with Article X, Section 22 of the Missouri Constitution and Section 137.073 RSMo.

These are a series of complex formulas for which the State has furnished us worksheets to devise the tax rate based on the assessed valuation we received from the County. This year the assessed valuation total for all categories (real and personal property and railroad and utilities) is \$151,266,138 as compared to prior tax year 1984 of \$101,514,312.

This is a significant tax valuation increase. However, these are preliminary figures and she has not yet received the figure after the Board of Equalization hearings thru the end of July. Based on this preliminary information and applying the formulas it is her recommendation that the tax rate be set at .60 per \$100 valuation. If final certificate of valuation received comes in at a higher valuation it might be possible for the Council to reduce the tax rate. Final recommendation will be submitted at the August 26, 1985 City Council Meeting. The previous tax rate was .82/\$100 valuation.

Councilman Ashcroft pointed that even though a persons property valuation rate may have increased their tax amount will not.

Mayor Bussinger noted that this Public Hearing is required by law. Ms. Anderson invited further Council or audience questions/comments. Hearing none, Mayor Bussinger closed the public hearing.

ITEM 10 ON THE AGENDA: PUBLIC HEARING: Request to rezone from R-1, Single Family to CP-2, General Business District-Planned, property at 200-300 Englewood Road. Applicant/Owner: John Chezik Buick, Inc.

Raymond Crager, 4900 Chouteau Drive and Al Erickson (Chezik General Manager), 10420 Grand, were present to represent this application.

Mr. Crager explained they intend to build a shop building with a showroom on the front on the subject property. The purpose of the shop building is to take care of their new car "get ready" and their warranty work. This will relieve their present congestion. He said Mr. Chezik was toying with putting some future new car on display there but they do not know yet which car it will be but that is the purpose of the display room.

Mr. Butler asked for clarification of the activity in the shop building. Mr. Crager said about half of the stalls will be used for readying new cars and the remainder will be used for warranty work on the Mazdas and Buicks. This will relieve their present shop of that activity.

In response to question from Mr. Butler Mr. Crager said of the two entrances there now, they will widen the east one and close the west entrance. This was the Planning Commission's recommendation and they agree there is probably no reason to have two. Widening the one entrance will make it three lanes wide to allow for two lanes exiting and one entrance.

Mr. Butler asked about signage. Mr. Crager said once they settle on which new cars will go there they will likely have manufacturers signs.

Mr. Reilly pointed out that the questions Mr. Butler raises will be addressed and incorporated in the plan and be a matter of record.

Mr. Ashcroft asked the difference between warranty work and general shop work. Mr. Crager said you think of warranty work as lighter work as opposed to engine repair.

Mr. Winkler asked for clarification. At the first presentation before the Planning Commission discussion was on used cars; at the on site meeting of the Commission they were assured by Mr. John Chezik personally that this was a new car facility for the Isuzu. He was very specific. Tonight apparently we are discussing a new car facility but we don't know what new car and are also talking in terms of overflow from the other facility. In his mind it will make a difference as to the design and upkeep of the building as far as what actual use is made of the building.

Mr. Erickson said it will be for NEW car sales and servicing.

Mr. Winkler asked if they agreed to the greenway along frontage of Englewood and elimination of the western driveway and other recommendations of the Planning Commission. He said as he understands Mr. Reilly's suggestion all of these changes and stipulations should be incorporated in the plan before third and final reading is given to the Bill. Mr. Reilly agreed that is his recommendation as it eliminates the chance for error later. The applicants said they had no problem with the request. Mr. Reilly also suggested all elevations be shown.

There were no further statements supporting or opposing this application, whereupon Mayor Bussinger closed the public hearing.

ITEM 11 ON THE AGENDA: PUBLIC HEARING: Request to rezone from R-1, Single Family District to RP-4, Planned Apartment House District, property at 3000 NE Antioch Rd. Meadowbrook Methodist Church: Owner

Mayor Bussinger opened the Public Hearing and invited those in favor to speak followed by those opposed.



Mr. Norman Jury, representing Heritage Village in Gladstone, said they propose to build a 60 unit resident care facility on the east side of the Meadowbrook Church (north side of Antioch Road). This project will be in between a nursing home and a retirement complex for people who no longer care to or cannot cook for themselves, may get a little mixed up on their medication, are lonely living at home and need residential care but not nursing services. He has been in the nursing care business for over twenty years and been involved in the development of over 100 nursing facilities in 44 states. They have found over 33% of the people in nursing homes today are there because they have no place else to go. They do not need intensive nursing services but cannot live in a retirement center by themselves or at home. They feel this project will be a great addition to the city and their surveys indicate there is a need.

There will be 24 double occupied units and 12 single. Three shifts will utilize approximately 40-50 personnel. The parking lot will be lighted. They do request variance on the required 30 ft. buffer. The church is going to redo their chapel and bring it out towards the nursing facility and have a parking lot on the east side of the church. The Church has said they will add their parking lot to the nursing facility's lot line. The nursing facility will not be affecting any residential to the rear because there is the city park and the Prospect Plaza Shopping Center. For these reasons they do request the variance. They are cooperating with the church in alleviating a terrible traffic situation the church might have with the new road and are trying to work their properties together.

Mr. Smith asked if they will work out a satisfactory storm drainage plan. Mr. Jury said they volunteered to work out a plan so that the people to the east do not have a drainage problem (N Bellefontaine). They told the residents they would clean the ditch out or do whatever it takes to work with the Engineering Department to alleviate any problems. They will put a foot bridge to the property they have on the other side of the creek.

Mayor Bussinger asked if the City's planned drainage improvements include this area. Mr. Reilly said they were not in Priority #1.

Mr. Ashcroft asked if they were buying this property from the church and asked where the foot bridge would go. Mr. Jury said they were purchasing the property from the church and said the foot bridge would go over to the area they own which abuts the city's park property on the north side.

Mr. Ashcroft asked how this facility would differ from Kendallwood. Mr. Jury said although he has not been to Kendallwood he understands they rent to people who are still very ambulatory and in a retirement situation. In the proposed facility they are taking the man or women who can no longer be responsible for cooking and medication and are lonely. They do not need nursing but they do need supervision, tender loving care and activities.

Mr. Ashcroft noted that one of the biggest problems they have in Kendallwood is parking. Mr. Jury said they have 31 spaces planned which meets the city code and they are cooperating with the Methodist Church in putting their drive in and can use their facilities at any time the church is not using them - such as Sunday afternoon.

Mayor Bussinger asked if there were church representatives present and if they had comments. Mr. Darrell Cunningham was present in the audience along with others and indicated they were supportive of the project and parking arrangements.

Mayor Bussinger said he hoped they would obtain a written agreement on the parking arrangement with the church as church boards change.

Council asked if they had to be state licensed. Mr. Jury said absolutely.

Mr. Smith asked if they were willing to put in curbs, gutters and sidewalks. Mr. Jury agreed they would put them in if required. He noted that he had an office at the Gladstone Shopping Center and was required to put up money for sidewalk in connection with a building permit because he changed a wall--although he has never seen the sidewalk.

Mayor Bussinger said his contribution to the sidewalk fund had built sidewalks in the city.

Mr. Smith asked if sidewalks were practical on that side. Mr. Jury said they weren't because they will build a sidewalk of their own over to the shopping center and to the church and will have a drive and if there is a need for a sidewalk they will put it in.

Mayor Bussinger asked if anyone in the audience had questions or comments.

Mr. Larry Whitton, 6400 N Highland said he was not opposed and in fact thought it was a good project, but noted the curve at the entrance is very dangerous. The farther east they can put their drive the better. Mr. Jury said there are a bunch of tall trees that obstruct the view now and they agree the drive should be as far east as possible.

Mr. Whitton also noted that every winter there are cars in the ditch at that location.

Mr. Jury said he has been in contact with Mr. George Satterlee (Mo Hwy Dept) and he said he would approve anything this side of the bridge.

Mr. Bussinger suggested the drive location be shown on the plans viewed by the Council.

There were no further comments, whereupon Mayor Bussinger closed the public hearing.

ITEM 12 ON THE AGENDA: Consideration of Preliminary Plat of CLAYMONT ESTATES, Vivion and Belleview. Walker/Wales Development Co.

Council noted this item was sent to the Planning Commission Sub Committee and should be deferred until the August 26 Council Meeting.

ITEM 13 ON THE AGENDA: Approval of Site Plan Revision in CP-1 zone, 7311 N Oak. HOMESTEAD BUILDERS, INC.

Ken Mensendiek, 805 Houston Lane, Liberty, Homestead Builders Sales Manager was present to discuss this application.

Mayor Bussinger said he would state where he stands. He absolutely will not vote for a residential house to be re-structured for a business. He feels that mistakes have been made in the past by himself as a Councilman, and others in such approvals as evidenced by N Oak and Antioch Road. If a businessman want to locate in our city they should put up a new building. He knows you are talking about dollars and cents but attempting to restructure an old home just does not fly with him. This is his stand and it will be pretty hard to get a yes vote out of him. He has read all the reports of the Planning Commission and totally agrees with them.

Mr. Winkler said it was expressed that this would be the only structure on the property yet the residents have gotten a different impression - they think this is only phase 1. Also there are variances required on the south property line from the required 35 to 23 feet. He also expressed his concern about converting residential property into commercial property. He has seen some that has been done in the past - this is his first opportunity to have a vote from the Council table- and he fully expects to exercise that vote.

Mr. Mensendiek said they propose to take the existing residential structure and use it for a real estate sales operation. The structure in his opinion should not be condemned. He has been in construction and real estate for 35 years but he is not an engineer. The structure has a poured concrete foundation and the basement level has a poured concrete wall separating the drive that used to be used in that house. The sub-floor is diagonally cut decking which gives it strength and it has hard flooring and the structure is approximately 25 years old. In consultation with the builder who owns the property, he was told the building would have been torn down if it were structurally unsound. They propose to take that building and do what ever the city requires to rehabilitate it which would include re-wiring, a new front. They can change the residential appearance and make it look like a commercial building if necessary. The interior would be altered with removal of some of the partitions and a tapered handicap ramp installed.

Mr. Ashcroft questioned why they did not just build a new structure as opposed to all the new wiring, heating, cooling, etc. and have what they want rather than modify the existing building. He said that is what this Council is looking for. All you have to do is go up and down N Oak - some of the alterations to residences for business have come out nice but the majority are the "dogs" of the city.

Mr. Mensendiek suggested the Council is sort of pre-judging them as far as what they are doing. He clarified that Council has allowed residential modifications in the past. Mr. Ashcroft agreed that was true but that they had been "snake bit" by it.

Mr. Ashcroft asked why it would not be cheaper to build a new building. Mr. Mensendiek said they would like to have a new building but do not have the money. They would like to have a Jaguar but have to live with a Chevrolet. Perhaps they would one day tear that building down and replace it. Mr. Ashcroft said it is doubtful they would tear it down given the amount of money they are proposing to put into it. Mr. Mensendiek said he would not project they would tear it down in 3-5 years but would if the right price came along.

Mr. Ashcroft said he could support a new structure there a lot better than he can what is proposed for an indeterminate period of time. The upkeep becomes horrendous. Mr. Mensendiek said that becomes their problem. Mr. Ashcroft said it also becomes the city's.

Mr. Mensendiek said their proposal would greatly enhance what is there now. Mr. Ashcroft ideally development of all those properties needs to be done not only for the neighbors behind but as well for N Oak. By piecemealing we are doing strip zoning as we go down the block. Once we do that it it destroys the capability of doing it worthwhile.

Mr. Mensendiek said the cost of property improvements outlined in their letter would be approximately \$30,000.

Mr. Reilly clarified for Mr. Mensendiek that earlier he had referred to Mr. Don Hathaway as the City Engineer. Mr. Hathaway is not the City Engineer nor is he an Engineer but rather is the City's Building Inspector.

Mr. Winkler questioned why Council is being asked to approve a site plan revision strictly from a sketch. Would it not be more appropriate if we knew exactly what we are talking about.

Mr. Reilly said the question before the Council is do you accept this document as a site plan for that particular tract of land. A "plan" is something to which you can make the developer/owner abide by. If the Council feels they do not have sufficient control over this parcel of land because of the inadequacies of the plan then it is Council's prerogative to request another plan after some general direction of what is needed. There is no basis to determine how the land will be used by the document sketch submitted.

Mr. Mensendiek said he would gladly come back with specific plans and elevations.

Mr. Reilly pointed out that the building permit mechanism approved by the Council would be the implementation of the plan.

Mr. Mensendiek said that if he is understanding that the Council will never again allow change of residence to a commercial use in the city then there is no reason for him to appear before the Council.

Mr. Reilly clarified that the reason this is before the Council tonight is that when the land was zoned it was the result of litigation and consequently this plan obviously has some deviation from the "plan" that created by the litigation. Also for the record he does not think the Council said they would not listen to any proposal for converting the house into a commercial structure. The method of developing this particular piece of property is always subject to review of the city council within the parameters of the law. It would be on a case by case basis that this would be reviewed.

In response to question from Mr. Smith, Mr. Mensendiek said he had discussed with the Planning Commission at great lengths the fact that if they go over the south boundary line they would up a private fence, plantings and not put any improvements closer than 35 feet. The front yard would be left in grass or something else if desired.

Upon motion by Mr. Smith and second of Mr. Butler, Council voted to table this site plan revision. The vote: "aye"- Winkler, Smith, Butler, Ashcroft. "no" - Bussinger. (4-1)

ITEM 14 ON THE AGENDA: THIRD READING: BILL 85-38, an ordinance rezoning from C-2 to CP-3, property at 7109 N Locust. Applicant: Rodney Tolle. Owner: Genevieve Hughes

Mr. Bussinger noted for the record before we give third and final reading that Mr. Tolle has submitted a letter regarding what vehicles he would work on and types he would not and plan revisions.

Mr. Winkler moved to accept the second reading of Bill 85-38 and place said Bill on third and final reading. Mr. Smith seconded. Mr. Winkler asked Mr. Reilly if the revision includes everything the staff feels we need. Mr. Reilly said that was correct however he would note the requirement for 11 parking spaces with 9 shown. The additional spaces could be achieved by going to straight parking as opposed to diagonal which he would view as a slight change in the plan.

Roll Call: "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-38 and enact said Bill as Ordinance No. 2,574; Mr. Smith seconded. The vote: all "aye"- Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 15 ON THE AGENDA: FIRST READING: BILL 85-43, an ordinance authorizing the re-issuance of \$1,750,000 in General Obligation Street Improvement Bonds.

Mr. Ashcroft moved to place Bill No. 85-43, on first reading; Mr. Smith seconded. The vote: All "aye"- Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill in its entirety.

Mr. Ashcroft moved to accept the first reading of Bill No. 85-43, and place said Bill on second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill in its entirety.

Mr. Ashcroft moved to accept the second reading of Bill No. 85-43 and place said Bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill in its entirety.

Mr. Ashcroft moved to accept the third and final reading of Bill 85-43 and enact said Bill as Ordinance No. 2,575. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 16 ON THE AGENDA: FIRST READING BILL 85-44, an ordinance rezoning from RCHP-1, Cluster Housing District to R-2, Two Family Housing District, property 500' north of NW 72nd at Broadway. Applicant: Les Smith Owner: Main Enggas

Mr. Winkler moved to place Bill 85-44 on first reading; Mr. Ashcroft seconded. The vote: "aye" - Winkler, Butler, Ashcroft, Bussinger. "pass" - Smith. (4-1) The Clerk read the Bill.

ITEM 17 ON THE AGENDA: FIRST READING BILL 85-45, an ordinance rezoning from CP-0, Non-Retail Planned District and R-1, Single Family District to CP-1, Planned Local Business District, 5710-14 N Antioch Road. John R. Hutcherson.

Mr. Winkler moved to place Bill 85-45 on first reading; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. The Clerk read the Bill.

Mayor Bussinger directed the City Manager to notify the applicant of the need for a conceptual storm drain plan prior to the third and final reading.

ITEM 18 ON THE AGENDA: OTHER BUSINESS.

Mr. Winkler noted there were several ladies in the audience here for the 7311 N Oak Homestead Builders site plan discussion and he wanted to make sure they understood what transpired tonight. He told them that the Council has requested actual plans for the project and tabled the item until the plans are available. He suggested they leave their names and telephone numbers with the City Clerk so they can be contacted.

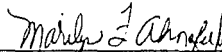
There was no further business to come before the August 12, 1985 meeting of the Gladstone City Council whereupon Mayor Bussinger adjourned the meeting.

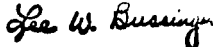
Respectfully submitted

Approved as submitted: \_\_\_\_\_

corrected/ \_\_\_\_\_

amended: ☒ \_\_\_\_\_

  
Marilyn F. Ahnefeld  
City Clerk

  
Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

August 26, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of August 12, 1985 City Council Meeting.

PROCLAMATION:

Designating September 7, 1985 as "PEACE DAY".  
Requested by International Association for World Peace.

RESOLUTION OF SUPPORT for Juvenile Affairs Committee of the Northland Citizens Crusade Council in establishing Northland program for prevention of alcohol abuse among our youth.

5. CONSENT AGENDA:

Resolution NO. 85-49, authorizing the sale of surplus city property to the highest bidder: five patrol vehicles (3-'82 Fords; 2-'83 Chevrolets); IBM System 34 Computer, printer, and (5) CRTS.

Resolution NO. 85-50, amending the FY '86 General Fund Operating Budget. General Fund: +\$21,741 for revised grand total General Fund Budget of \$4,205,860.

Resolution NO. R-85-51, authorizing execution of Lease/Purchase Agreement with First National Bank of Gladstone for lease/purchase of IBM System 36 computer and peripherals. Grand total over 3 year period: \$78,267.83

Resolution NO. R-85-52, authorizing Change Order No. 2 to the Lamm Construction Old Maids Creek Drainage Improvement Contract and authorizing final payment. Change Order 2: +\$2,416.00. Total revised contract: \$198,436.00; Final Payment Due: \$58,556.00



Resolution NO. R-85-53, authorizing the City Manager to execute Supplemental Agreement to Agreement with Missouri Highway Department for public improvement of Route J (1).

Resolution NO. R-85-54, authorizing execution of contract with Bob Bell Construction Company for certain sidewalk work.

Resolution NO. R-85-55, authorizing employment of Stinson, Mag & Fizzell to serve as Bond Counsel in connection with November 5, 1985 water and sewer revenue bond election.

Resolution NO. R-85-56, authorizing employment of Zahner and Company and Stifel Nicolaus & Company as Financial Advisors for issuance of water and sewer revenue bonds to be voted upon at November 5, 1985 special election.

Approval of Gladstone Jaycees Limited Beer License in connection with GLADFEST, October 4,5,6.  
Managing Officer: Ron Whitaker

Building Remodeling Permit: 6597 N Oak  
Applicant: Treasury Drugs

Building Remodeling Permit: 6100 N Antioch  
Applicant: James Webb

Building Permit: 6313 N Antioch Road.  
Applicant: American Aluminum Recycling for Golden Goat

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-3, Commercial District-Planned, property at 6104 N Antioch Road.  
Applicant: Ruston K. Ferzandi
10. PUBLIC HEARING: Request to rezone from CP-O, Planned Non-Retail Business District to CP-2, Planned General District, property at Antioch & 57th Terrace.  
Applicant: Commercial Investment Properties

11. PUBLIC HEARING: Request to rezone from CP-2, General Business District to CP-3, Commercial District-Planned, property at 7021 N Oak. Applicant: Gary Gabel
12. PUBLIC HEARING: Request to rezone from CP-2, General Business District to CP-2, Planned General Business District, 7027 N Oak. Applicant: Gary Gabel
13. APPROVAL OF PRELIMINARY PLAT OF CLAYMONT ESTATES, Vivion & Belleview. Walker/Wales Development Co.
14. REVISED SITE PLAN APPROVAL: Meadowlane Development, 2201 NE 72nd. Mitcon, Inc.
15. REVISED SITE PLAN APPROVAL: North Park Place Professional Building, 2109 NE 72nd. Dr. Frank Gardner
16. SECOND READING: BILL 85-44, an ordinance rezoning from RCHP-1, Cluster Housing District to R-2, Two-Family Dwelling District, property 500' north of NW 72nd at Broadway. Applicant: Les Smith Owner: Main Enggas
17. SECOND READING: BILL 85-45, an ordinance rezoning from CP-O, Non-Retail Planned District and R-1, Single Family District to CP-1, Planned Local Business District, 5710-14 N Antioch Rd. Applicant: John Hutcherson
18. FIRST READING: BILL 85-46, an ordinance rezoning from R-1, Single Family to CP-2, General Business District-Planned, property at 200-300 Englewood Rd. Applicant: John Chezik Buick, Inc.
19. FIRST READING: BILL 85-47, an ordinance rezoning from R-1, Single Family Dwelling District to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Rd. (east of Prospect Plaza Shopping Center).
20. FIRST READING: BILL 85-48, an ordinance fixing the rate of levy for the 1985 real estate and personal property taxes for the City of Gladstone at .55 /\$100 valuation.
21. FIRST READING: BILL 85-49, an ordinance authorizing acceptance of Standard Sewer Easements in connection with East-West Flora Park Storm Drainage Improvements.

22. FIRST READING: BILL NO 85-50, an ordinance calling an election on Tuesday, November 5, 1985 on the question whether to issue \$4,500,000 principal amount of combined waterworks and sewerage system revenue bonds of the city.
23. FIRST READING: BILL NO 85-51, an ordinance repealing Sections 29-53 through 29-60 of the City Code dealing with apportionment procedures on main sewer assessments.
24. FIRST READING: BILL NO 85-52, amending certain sections of Chapter 29 of the City Code pertaining to materials used in sewer construction to allow use of plastic pipe.
25. Other Business
26. Questions from the News Media
27. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
August 26, 1985

Mayor Lee Bussinger called the August 26, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT                      Councilman Ken Winkler  
                                 Councilman Les Smith  
                                 Councilman Jim Butler  
                                 Councilman Bob Ashcroft  
                                 Mayor Lee Bussinger

In addition to the members of the City Council, City Manager Patrick Reilly, City Counselor John Dods and the City Clerk were present.

Mayor Lee Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Mayor Bussinger read a Proclamation designating September 7, 1985 as "PEACE DAY" in the City of Gladstone as requested by the International Association for World Peace.

Mayor Bussinger also read a Resolution supporting the Juvenile Affairs Committee of the Northland Citizens Crusade Council's establishment of a Northland program for prevention of alcohol abuse among our youth.

ITEM 4 ON THE AGENDA:      ACCEPTANCE OF MINUTES.

Mr. Winkler moved to approve the minutes of the August 12, 1985 City Council Meeting with the correction as noted by Mayor Bussinger (pg. 9, paragraph 10 should correctly reflect vote to table as "aye" - Winkler, Smith, Butler, Ashcroft. "no" - BUSSINGER (4-1); Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 5 ON THE AGENDA:      CONSENT AGENDA:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item from the consent agenda for placement on the regular agenda. Mr. Smith requested removal of Building Remodeling Permit at 6100 N Antioch Road, Applicant: James Webb; and Mr. Butler requested removal of Building Permit for 6313 N Antioch Road. Applicant: American Aluminum Recycling for Golden Goat. (see Council action on these removed items under Agenda Item 5-a).

Mr. Ashcroft moved to approve the remaining Consent Agenda items as listed; Mr. Smith seconded. The vote: All "aye" Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CONSENT AGENDA DETAIL:

Mr. Ashcroft moved to adopt RESOLUTION R-85-49, authorizing the sale of five surplus public safety vehicles and IBM System 34 Computer, printer and CRTS to the highest bidder. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-50, amending the FY-'86 General Operating Budget. General Fund: +\$21,741 for revised grand total General Fund Budget of \$4,205,860. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-51, authorizing execution of Lease/Purchase Agreement with First National Bank of Gladstone for lease/purchase of IBM System 36 computer and peripherals. Grand total over 3 year period \$78,267.83. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-52, authorizing Change Order No. 2 to the Lamm Construction Old Maids Creek Improvement Contract and authorizing final payment. Change Order No. 2 - +\$2,416. Final payment: \$58,556. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-53, authorizing execution of Supplemental Agreement to Agreement with Missouri Highway Department for public improvement of Route J(1). Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-54 authorizing execution of contract with Bob Bell Construction Company for certain sidewalk work. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-55, authorizing employment of Stinson, Mag & Fizzell to serve as Bond Counsel in connection with November 5, 1985 water and sewer revenue bond election. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-56, authorizing employment of Zahner and Company and Stifel Nicolaus & Company as Financial Advisors for issuance of water and sewer revenue bonds to be voted on at November 5, 1985 special election. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to approve Gladstone Jaycees Limited Beer License in connection with GLADFEST October 4,5,6. Managing Officer: Ron Whitaker. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to approve Remodeling Permit for Treasury Drugs, 6597 N Oak as submitted. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 5-A ON THE AGENDA:

Building Remodeling Permit, 6100 N Antioch Road. (removed from Consent Agenda).

Mr. James L. Webb, 3003 NW Oakwood Drive, advised the building at location is presently American Rentals and he proposes remodeling for drive-thru Frozen Yogurt facility. Council noted the plans meet the Code in all respects but questioned what affect the drive-thru would have on Antioch Road traffic and suggested the need for Public Safety Department review. Mr. Webb suggested that the drive-thru is really only a minor part of the business. Following Council discussion, Mr. Smith moved to approve the building plans as submitted contingent upon approval of the Public Safety Department. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Building Permit Request, 6313 N Antioch Road. (removed from Consent Agenda). Applicant: American Aluminum Recycling for Golden Goat.

Neither the applicant or his representative was present to discuss this application.

Mr. Butler indicated his concern was that there is a lot of trash and debris left around the two similar facilities in our city. He sees a need for some type of fencing and also noted that the proposed location is in close proximity to the intersection of our N Prospect (Highway 1) street reconstruction project. When this project is completed this will be one of our prime intersections and he questions the suitability of a Golden Goat facility there. Trash and location are his main concerns. Mr. Bussinger said he tends to agree. He suggested Council let the applicant know of their concerns and table the item. Mr. Butler so moved; Mr. Smith seconded. The vote: "aye" - Winkler, Smith, Butler, Bussinger. "no" - Ashcroft. (4-1 to Table the Building Permit Request).

ITEM 6 ON THE AGENDA: COMMUNICATIONS FROM THE AUDIENCE.

Mr. Mike McDonald, 7040 N Olive, said he was curious as to whether the City of Gladstone subsidizes MAST Ambulance. He said this was not brought out clearly in the newspapers with the advent of the ambulance change-over. Mr. Bussinger said not to his knowledge, although space and housing is provided for MAST personnel. City Manager Reilly confirmed this was correct.

\* \* \*

Mr. William F. Albright, 6817 N Bellefontaine, stated that he was sure all were aware of the events that occurred August 17 and 18th in the 68th & N Bellefontaine area. He is here as spokesman for the affected homeowners who have formed the BELLEFONTAINE HOMEOWNERS ACTION GROUP. Speaking in their behalf he read a statement that they still believe they live in a democracy and have the right and duty to petition their elected and appointed officials when they have just cause to do so. Systematic destruction of their homes they believe is just cause to Petition. They believe that elected and appointed officials are duty bound to carefully review their grievances and act responsibly to remedy or rectify, where it is within their authority to do so, conditions or events which have given rise to their grievances.

He continued it is time for the City to act decisively to address the water and sanitation problems which have plagued Bellefontaine and adjacent homeowners for many years. There are many homeowners who have lived with a great sense of fear every time the area receives a significant amount of rain. One homeowner has lived with this experience for 22 years and Mr. Albright said he had personally spent over \$5,000 to repair or prevent damage from water to his home. This does not include over \$3,000 in casualty loss in August of 1982. The Bellefontaine group believes it is time for the city to bite the bullet and to act decisively in coming to grips with the problem. They are grieved, they are angry, they are damn mad.

Mr. Albright presented the Bellefontaine Homeowners Action Group's agenda of requests to the City Council (attached to these minutes). He noted that he was not certain that each item was necessarily appropriate in this forum but these are the items the group would like to have addressed.

Mr. Bussinger acknowledged those in the audience present to support Mr. Albright's statements. He said he could personally vouch for the statements made because he personally viewed the situation and if it were his home he would not like it either. He said the group has asked a number of questions which will be addressed. If there are any direct questions, City Manager Reilly and Mr. Dave Dyhouse of Butler and Associates are available.

Mr. Albright said the group will continue to have meetings as a homeowner's action group and what steps they will take from this point on has yet to be developed.

Mr. Smith asked if they had been in contact with the contractor. Mr. Albright said they had heard nothing from him.

Mr. Smith said he understands where they are all coming from and certainly sympathizes with them but feels like the city is seen as the villain here. They are on their side and feels he can speak for the Council in saying they will do everything they can to help. The City came out the day it happened and sent city crews into their basements. He asks that they bear with the city and they will continue to do all they can. It will take some time to respond to all of their questions. He again stressed they will continue to do everything they can and are on their side.



Mr. Albright pointed out that the last item on the group's agenda is plaudits for the water department employees. Mayor Bussinger agreed they did an excellent job.

Christine Treat, 6818 N Bellefontaine, asked if the City had been in contact with the contractor.

Mr. Reilly stated he had been in contact with the contractor as well as the developer and the contractor states he assumes no liability for what took place and should anyone have a damage claim the first contact should be to the homeowner's insurance company and if no response there, ask the insurance company to contact the contractor's insurance company. Mrs. Treat asked the name of the insurance company. Mr. Reilly did not know.

Mrs. Treat asked how long it would take to address the issues on the agenda presented by the action group, specifically availability of reports on the second page of their requests. Mr. Ashcroft stressed that the information is public information and as soon as they have copies it will be available to them. Council indicated the City Manager should be the group's contact person.

\* \* \*

Mrs. Louise Estes, 6733 N Park, asked for information on an advertised public hearing before the Gladstone Industrial Development Commission to be held September 4, 1985 at 5:30pm on a development at 70th & N Prospect. She said the information references the project to be owned by a Clay County resident however no name is mentioned.

Mr. Ashcroft acknowledged that the Gladstone Industrial Development Commission was setup by the City Council and the Council appointed the Commissioners but the group acts independently of the Council. Mrs. Estes said she was told her questions could be answered if she came to the meeting tonight.

Mr. Winkler indicated he had spoken with Mrs. Estes and asked City Manager Reilly to explain the function of this group. Mr. Reilly deferred to Counselor Dods.

Mr. Dods explained that the Industrial Commission is authorized by state statute to act as an agent for the issuance of bonds for development.

The City has no authority for its operation or any authority over what the Commission does other than the authority and responsibility to appoint its members. When projects are proposed by the Commission, if they are within the city of Gladstone, they would have to come to the Council for ultimate approval of the development as far as code compliances.

It was noted Attorney Tom Stahl is the Secretary of the group and C. Milton Wallace the Chairman. The Clerk was asked to provide the commission membership listing to Mrs. Estes.

Mrs. Estes referenced a recent article in the KANSAS CITY STAR on such development bonds and those who benefit. She questioned why the project on N Prospect would be funded by the Development Commission when there was considerable local objection. She asked how this Commission was created.

Mr. Ashcroft clarified that the request for establishment of the Gladstone Industrial Commission did not come about because of a particular project but was from a number of sources. The City was already covered by Clay County's Development Commission.

\* \* \*

Floyd Barnes, 7310 N Olive, asked why we need a major expense for a water line for the east side of the city as he had lived on the east side and never experienced problems. Mayor Bussinger replied to provide better water pressure and for fire fighting capabilities. We have had a problem for about 4-5 years but it is at the point we have to do something about it.

Mr. Ashcroft and Mr. Winkler also explained the need.

\* \* \*

Mr. Ed Lemke, 2613 NE 69th Terrace, (re: N Bellefointaine area previous discussion) pointed out that he had already contacted his insurance company and he was told he was not covered. You have to have flood insurance. He also called Damon Pursell and was told Pursell had turned over to their insurance company the listing of affected property owners supplied by the city.

Mr. Reilly said that was correct that the city had developed the listing of affected properties and turned it over to Pursell but what they would do with the listing he could not say. In conversation today Pursell Company told Mr. Reilly they would wait for individuals to contact them. Mr. Lemke said when he has contacted Pursell he has been told they have turned it over to the insurance company and they will get around to it.

Mayor Bussinger asked what action the city could take to get Pursell to respond. Mr. Dods suggested pressure from the Council and City Manager on the contractor's insurance company.

Mr. Butler asked if there was one particular person to contact at the Pursell Company for answers so that everyone gets the same information. Mr. Reilly said he could not speak for the Pursell Company - they were advised there would be residents here tonight on this matter and encouraged to send a representative. He can't speak for the company as to who their contact person should be but would suggest the names of Mike Pursell and Chuck Logan.

Mr. Butler said the Pursell Company does a lot of business with the city so they will be under a microscope from now on.

Mr. Albright said the homeowners are looking to the City to use whatever influence they have to get at least a meeting of the minds with the contractor. He suggested that with as many contracts as the city has with this organization as stated earlier, it would be foolhardy on their part to set themselves up so as far as the city and the citizens are concerned that they put themselves outside the purview so to speak of viable contracting in the future.

Mr. Ashcroft stressed that this contract for storm sewers is NOT being let by the city to Damon Pursell but rather by the developer who is developing the property in the area - he asked if everyone understands that. He further stressed that any contract the Pursell Company has had with the city they have achieved on a low bid basis. So we want to be careful that we act in such a way that we are not cutting out the low bid and thereby taxing the rest of the city. Although we have some leverage with them - they have done a credible job, this happens to be one where they goofed up.

Christine Treat clarified that what was meant was that there is a great amount of business that is carried on between the City and the Pursell Company and the city is in a better position to say - Hey mister, why don't you clean up your act. Mr. Ashcroft said we are very sympathetic to the situation and will do all that is possible and again stresses that this is not a contract that the city has entered into. It has been implied the city is "whitewashing" the situation and he resents that and feels the person who said so should identify himself. The City Manager has been involved and visited with Mike Pursell, visited with residents; the water department has spent days and administrative personnel have been in the homes which would not have happened if we were trying to whitewash.

Mr. Ken Boxley, 6901 N Agnes admitted to the remark that it was a whitewash.

Mayor Bussinger closed the discussion on this matter and called for a five minute recess.

ITEM 7 ON THE AGENDA:      COMMUNICATIONS FROM THE  
   CITY COUNCIL.

None.

ITEM 8 ON THE AGENDA:      COMMUNICATIONS FROM THE CITY  
   CITY MANAGER.

Mr. Reilly asked for agenda addition of Building Plan Approval for remodeling at 6032 N Antioch for use as National Video. It meets all city standards and requirements. Mayor Bussinger designated the item as agenda item 24-a.

Mr. Reilly also stated for the record that he and his staff personally volunteered to attend the Bellefontaine homeowners group and was told by one of the chairpersons that that was not appropriate. He further invited them to meet with him at anytime as well as Mr. Dyhouse of Butler Associates to discuss in general as well as specifically if they wished the storm water plan and he was told that was not necessary. He wants it very clear that city staff has tried to make an effort. He can assure Council there will be a full report but does not want to release it piecemeal and does want to do a complete and thorough job on it. It will be well done.

ITEM 9 ON THE AGENDA: PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-3, Commercial District-Planned, property at 6104 N Antioch Road. Applicant: Rustom K. Ferzandi

Mr. Rustom K. Ferzandi, 6104 N Antioch, explained the present use is Coffman Transmission and the business will basically remain the same. The rezoning request to CP-3 is to allow them to expand and construct another building.

Mayor Bussinger noted drainage concerns in the Planning Commission minutes. Mr. Ferzandi advised that Peterson Company representative has agreed to take care of the drainage expense. Mr. Ferzandi said he will take care of the landscaping and terracing as suggested. So both of those issues are solved. He also agrees to sidewalk construction on Shady Lane.

Mr. Smith questioned no buffer to the north. Building Inspector Don Hathaway said there was no buffer there now and there has never been one. Mr. Ferzandi's development will keep the majority of the property as is conforming to the setback requirements for the buildings but adding no new buffer zone.

Mr. Butler asked about removal of the wooden fence which is now in a state of disrepair. Mr. Ferzandi said two-thirds of the fence has already been removed and the remaining will be torn down and replaced with tree screening. He agrees to the recommendations in this respect.

Mr. Winkler clarified if the CP-3 was not needed because there would be rapid-lube. Mr. Ferzandi said that was correct plus the addition of an extra bay.

Mr. Butler asked about the u-hauls presently on the property. Mr. Ferzandi said they would all be gone. Mayor Bussinger suggested that be put in writing for the city's files.

There was no further discussion, whereupon Mayor Bussinger closed the public hearing.

ITEM 10 ON THE AGENDA: PUBLIC HEARING: Request to rezone from CP-0, Planned Non-Retail Business District to CP-1, Planned Local Business District, property at 2503 NE 58th and 5708 N Antioch. Commercial Investment Properties

Mr. Jay Jensen, 4000 NE 57th Terrace, explained that this item is related to the rezoning item no. 17 on the agenda tonight requesting rezoning at 5710-14 N Antioch Road. They have a site plan but have not submitted it yet. The city has recommended a storm water study and they have commissioned someone to come out and do a topo so as soon as they can get their engineer to coordinate with their architect they will have the study. They knew that was going to be a problem.

Mr. Butler said he had spoken with residents several weeks ago regarding drainage problems and wanted to make sure the applicant to sensitive to that. Mr. Jensen said they were and that was why they have requested the topo to get a better feel for the needs.

There were no additional comments in favor or in opposition of this project whereupon Mayor Bussinger closed the public hearing.

ITEM 11&12 ON THE AGENDA: PUBLIC HEARING: Request to rezone from CP-2, General Business District to CP-3, Commercial District-Planned, property at 7021 N Oak. Applicant: Gary Gabel

PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-2, Planned General Business District, 7027 N Oak. Applicant: Gary Gabel

City Manager Reilly said he had conferred with Counselor Dods and they had agreed these two public hearings could be combined for discussion purposes.

Applicant Gary Gabel, 2208 NE 74th, advised that at 7021 N Oak they will construct a Rapid Lube & Oil; prior to purchasing the ground he checked with city officials on the zoning needed for this use and he was told the present CP-2 would allow that use. He purchased the ground and came in for building permits and was told he needed to make application for CP-3. They are not asking for any variances on the property - will construct a masonry building. Rapid Lube is a national franchise and will be a very clean operation with very few cars ever sitting around. The only service they perform is oil change and 10 minutes is the most a customer should be there.

On 7027 No Oak, Mr. Gabel said he was in for a building permit on the animal clinic about 6 weeks ago and at the time they were not aware they had a zoning problem. The west end of the property was C-2 and the east end was zoned CP-2 and it was determined that they did have a variance on two sides on the side setback. On the east side technically they need a 32 ft. setback because they are abutting an R-1 zone however the building to the east is a commercial building but is operating as R-1 under the grandfather clause. On the south property they are setback 5.25 feet so the two variances they request are side setback, they have revised their parking and according to the staff report it is satisfactory to the city.

Mr. Gabel requested advanced readings on the animal clinic due to time restraints. Mr. Reilly said that at one time parking was a concern but that has been remedied and the buffer can be remedied so zoning is the only issue.

It was agreed that the rezoning bill would be introduced this evening.

There were no further comments, therefore Mayor Bussinger closed the public hearing.

ITEM 13 ON THE AGENDA: APPROVAL OF PRELIMINARY PLAT OF CLAYMONT ESTATES, Vivion and Belleview. Walker/Wales Development Company.

Mayor Bussinger suggested that contacts be made with the City of Kansas City to determine if they would perform snow removal/street maintenance on the cul-de-sac in this subdivision which can only be accessed thru Kansas City in exchange for Gladstone's maintenance of a Kansas City street. He said ideally the street should go thru but it is just impossible. Mr. Walker said contacts have been made in that regard. Mayor Bussinger clarified he is talking about asking Kansas City if they want to incorporate that portion of Gladstone into Kansas City. Mr. Walker said they had not explored that possibility but would do so.

Mr. Smith said he would like to have them do as much as they can on this issue before the final plat.

Mr. Winkler moved to approve the preliminary plat of Claymont Estates as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 14 ON THE AGENDA:                      REVISED SITE PLAN APPROVAL:  
Meadowlane Development, 2201 NE 72nd Street. Mitcon, Inc.

Mr. Winkler moved to approve the revised site plan as submitted; Mr. Butler seconded.

Mr. Winkler clarified that this approval was just on the two buildings. Mr. Liggett said the construction plans were approved by the Council about a month ago and asked if they have to come back for Council action to build these two buildings on these lots with the site plan being approved tonight. Mr. Reilly said they would have no problems proceeding with building permits once the site plan is resolved.

Roll Call: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 15 ON THE AGENDA:                      REVISED SITE PLAN APPROVAL:  
North Park Place Professional Building, 2109 NE 72nd. Dr. Frank Gardner

Mr. Winkler moved to approve the revised site plan for 2109 N E 72nd Street provided it included tearing down the existing structure; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 16 ON THE AGENDA:                      SECOND READING: BILL 85-44,  
an ordinance rezoning from RCHP-1, Cluster Housing District to R-2, two Family Dwelling District, property 500' north of NW 72nd Street. Applicant: Les Smith Owner: Main Enggas

Mr. Winkler move to approve the first reading of Bill 85-44 and place said Bill on second reading; Mr. Ashcroft seconded. The vote: "aye" - Winkler, Butler, Ashcroft, Bussinger. "pass" - Smith. (4-1) Clerk read the Bill.

ITEM 17 ON THE AGENDA:                      SECOND READING: BILL 85-45,  
an ordinance rezoning from CP-0, Non-Retail District and R-1, Single Family Dwelling District to CP-1, Planned Local Business District, 5710-14 N Antioch. John Hutcherson

Mr. Smith moved to accept the first reading of Bill No. 85-45 and place said bill on second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.



ITEM 18 ON THE AGENDA: FIRST READING: BILL 85-46, an ordinance rezoning from R-1, Single Family District to CP-2, General Business District-Planned, property at 200-300 Englewood Road. Applicant: John Chezik

Mr. Winkler moved to place Bill 85-46 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

ITEM 19 ON THE AGENDA: FIRST READING: BILL 85-47, an ordinance rezoning from R-1, Single Family to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Road. (east of Prospect Plaza Shopping Center)

Mr. Winkler moved to place Bill 85-47 on first reading; Mr. Smith seconded. Mayor Bussinger asked that we ensure on the final plans that the access road is at the easternmost point down by the bridge. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) Clerk read the Bill.

ITEM 20 ON THE AGENDA: FIRST READING: BILL 85-48, an ordinance fixing the annual rate of levy for the 1985 real estate and personal property taxes for the City of Gladstone at .55/\$100 valuation.

Mr. Smith moved to place Bill 85-48 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill 85-48 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill 85-48 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill 85-48 and enact said bill as ORDINANCE 2.576; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 21 ON THE AGENDA: FIRST READING BILL 85-49, an ordinance authorizing acceptance of Standard Sewer Easements in connection with East-West Flora Park Storm Drainage Improvements.

Mr. Winkler moved to place Bill 85-49 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 85-49 and place said bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill 85-49 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-49 and enact said Bill as Ordinance No. 2.577

ITEM 22 ON THE AGENDA: FIRST READING: BILL 85-50, an ordinance calling an election on Tuesday, November 5, 1985 on the question whether to issue \$4,500,000 principal amount of combined waterworks and sewerage system revenue bonds of the city.

Mr. Butler moved to place Bill No. 85-50 on first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill in its entirety.

Mayor Bussinger read a press release explaining the necessity for this bond election and requested the assistance of all Gladstone voters in supporting this vital issue at the polls.

ITEM 23 ON THE AGENDA: FIRST READING BILL 85-51, an ordinance repealing Sections 29-53 through 29-60 of the City Code dealing with apportionment procedures on main sewer assessments.

Mr. Ashcroft moved to place Bill 85-51 on first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill 85-51 and place said Bill on second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the second reading of Bill 85-51 and place said Bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill. (5-0)

Mr. Ashcroft moved to accept the third and final reading of Bill 85-51 and enact said Bill as Ordinance No. 2.578

ITEM 24 ON THE AGENDA: FIRST READING: BILL 85-52, amending certain sections of Chapter 29 of the City Code pertaining to materials used in sewer construction to allow use of plastic pipe.

Mr. Winkler moved to place Bill 85-52 on first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 85-52 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill 85-52, and place said bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-52 and enact said Bill as Ordinance No. 2.579; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith pointed out that adopting use of plastic pipe bring us up to date in allowable construction materials. Mr. Butler stressed that the ordinance only allows plastic pipe for sewer lines not water line construction.

ITEM 24-A ON THE AGENDA: FIRST READING: BILL 85-53,  
rezoning property at 7027 N Oak from C-2, General Business  
District to CP-2, General Business District. Gary Gabel

Mr. Winkler moved to place Bill 85-53 on first reading; Mr.  
Smith seconded. The vote: All "aye" - Winkler, Smith,  
Butler, Ashcroft, Bussinger. (5-0) The Clerk read the  
Bill. (5-0)

Mr. Winkler moved to accept the first reading of Bill 85-53  
and place said Bill on second reading; Mr. Smith seconded.  
The vote: All "aye" - Winkler, Smith, Butler, Ashcroft,  
Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill 85-53  
and place said bill on third reading; Mr. Smith seconded.  
The vote: All "aye" - Winkler, Smith, Butler, Ashcroft,  
Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of  
Bill No. 85-53 and enact said Bill as Ordinance No. 2.580.  
Mr. Smith seconded. The vote: All "aye"- Winkler, Smith,  
Butler, Ashcroft, Bussinger. (5-0)

ITEM 24-B ON THE AGENDA: Approval of Building Plans for  
National Video, 6032 North Antioch Road

Mr. Ashcroft moved to approve the Building Plans as  
submitted for 6032 N Antioch Road subject to approval by  
City Staff; Mr. Smith seconded. The vote: All "aye" -  
Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

ITEM 25 ON THE AGENDA: Other Business.  
Mr. Reilly announced that a meeting has been set with the  
residents in the 69th Terrace & Bellefontaine area for  
Thursday, 7:30 at city hall.

There was no further business to come before this meeting,  
whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Approved as submitted: ✓

corrected/  
amended:

Lee W. Bussinger  
Lee W. Bussinger, Mayor

Marilyn F. Ahnefeld

Marilyn F. Ahnefeld  
City Clerk

8/26/85  
D. M. M. M.

Bellefontaine Homeowners Action Group (BHAG)

Agenda Items

~~City Council Meeting~~  
~~Planning and Zoning Commission~~

Meeting August 26, 1985

A. Request for Information

1. Name, address, telephone number
  - a. General contractor
  - b. Sub-contractors
  - c. Developer
  - d. Legal firms representing the above
  - e. Insurance companies representing the above
  - f. Consulting engineers for City of Gladstone
  - g. Legal representative for City of Gladstone
  - h. Individuals having signatory authority relative to the contract

B. Request for Action

1. Full investigation by City Engineer which would address as a minimum
  - a. Prospective structural damage to homes ?
  - b. Structural integrity of the old sanitation system
  - c. Structural integrity of the new sanitation system
  - d. Measures taken by contractor to eliminate or reduce occurrences of the kind experienced the weekend of August 17 and 18
  - e. An assessment of adherence to all city codes by contractor
2. Written report of investigation to be provided to the BHAG

C. Direct Query

- a. Are injunctive measures being considered by the city relative to?:

1. Current sanitation sewer construction
2. Surface water and storm sewer construction
- b. Has city confronted the contractor relative to all aspects of the occurrence of August 17 and 18 and future construction efforts?

D. Concerns

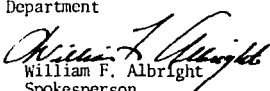
- a. Systematic destruction of homeowners property
- b. Devaluation of property e.g., Bellefontaine and adjacent properties including BrookTree
- c. Lack of long-range planning relative to surface water - storm sewers, sanitation sewers
- d. Apparent piece-meal approach to handling developmental activity
- e. Apparent unwillingness or inability to promptly contact and coordinate remedial efforts relative to emergency situations
- f. Apparent reticent on part of elective officials to actively pursue constituency & concerns

E. Recommendations

- a. Establish command post to handle emergency or unforeseen events
- b. Establish "hotline" between all elective or appointed officials who have decision making authority
- c. Develop policies and procedures to quickly deploy emergency equipment, men and materials to minimize or reduce destructive effects of man-made or natural disasters
- d. Instruct Public Safety personnel on appropriate conduct when receiving calls from the public at large relative to disasters of any kind
- e. Provide training to all Public Safety and Water Department employees relative to policies and procedures established to meet emergency or unforeseen events
- f. Establish clear line of command and decision making authority with concomitant responsibility relative to emergency conditions e.g., City Manager on vacation or ill who is next in line to make decisions?

F. Plaudits

- a. Employees of the City Water Department

  
William F. Albright  
Spokesperson

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
September 9, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of August 26, 1985 City Council Meeting.
5. CONSENT AGENDA:
  - Resolution NO. 85-57, authorizing execution of contract with Pole Line Electrical Construction Company for North Oak Traffic Signal repairs. \$27,964. Fund: Sales Tax
  - Resolution No. 85-58, authorizing execution of Water Main Extension Contract 193 with Mitcon, Inc. & Haines, Stowers Construction Co.
  - Approval of Interim Financial Report for August, 1985.
  - Building Permit: 7109 N Locust  
Applicant: Rod Tolle
  - Building Remodeling Permits
    - \* 6030 N Antioch, J.A. Peterson
    - \* 6060 N Antioch Road, Popeye's Fried Chicken
    - \* 7212 N Oak, canopy construction - Foster Const.
6. Building Permit: 2900 Kendallwood Parkway  
Applicant: Kendallwood Trails Nursing Center
7. Building Permit: Finish Existing Building,  
3701 NE 72nd Applicant: Kingston Court
8. Building Remodeling Permit: 2707 Brooktree Lane  
Applicant: Mademoiselle Spa
9. Communications from the Audience
10. Communications from the City Council
11. Communications from the City Manager
12. PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-3, Commercial District-Planned, property at 5607 N Antioch. Owner: Rutledge Oil  
Applicant: Lee & Theresa Quisenberry

13. PUBLIC HEARING: request to rezone from CP-1, Planned Local Business District to CP-2, General Business District, property at NE corner of NE 72nd & N Oak. Applicant: Gladstone Properties, Inc.
14. THIRD READING: BILL 85-44, an ordinance rezoning from RCHP-1, Cluster Housing District to R-2, Two-Family Dwelling District, property 500' north of NW 72nd at Broadway. Applicant: Les Smith Owner: Main Enggas
15. THIRD READING: BILL 85-45, an ordinance rezoning from CP-0, Non-Retail Planned District and R-1, Single Family District to CP-1, Planned Local Business District, 5710-14 N Antioch Rd. Applicant: John Hutcherson
16. SECOND READING: BILL 85-46, an ordinance rezoning from R-1, Single Family to CP-2, General Business District-Planned, property at 200-300 Englewood Rd. Applicant: John Chezik Buick, Inc.
17. SECOND READING: BILL 85-47, an ordinance rezoning from R-1, Single Family Dwelling District to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Rd. (east of Prospect Plaza Shopping Center).
18. SECOND READING: BILL 85-50, an ordinance calling an election on Tuesday, November 5, 1985, on the question whether to issue \$4,500,000 principal amount of combined waterworks and sewerage system revenue bonds of the city.
19. FIRST READING: BILL 85-54, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 6104 N Antioch Rd. Applicant: Rustom K. Ferzandi
20. FIRST READING: BILL 85-55, an ordinance rezoning from CP-0, Planned Non-Retail Business District to CP-1, Local Business District-Planned, 2503 NE 58th and 5708 N Antioch Road. Applicant: Commercial Investment Properties.
21. FIRST READING: BILL 85-56, an ordinance rezoning from CP-2, General Business District-Planned to CP-3, Commercial District-Planned, 7021 N Oak. Applicant: Gary Gabel
22. FIRST READING: BILL 85-57, amending Code Chapter 29 to adopt STANDARD SPECIFICATIONS AND DESIGN CRITERIA FOR CONSTRUCTION as published by the Kansas City Metropolitan Chapter of APWA.
23. Other Business
24. Questions from the News Media
25. Adjournment



## MINUTES

### GLADSTONE CITY COUNCIL MEETING GLADSTONE, MISSOURI September 9, 1985

Mayor Lee W. Bussinger called the September 9, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

In addition to the members of the City Council, City Manager Patrick Reilly, City Counselor Clyde Curtis and the City Clerk were also present.

Mayor Lee Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Winkler moved to accept the minutes of the August 26, 1985 City Council Meeting Minutes as submitted. Mr. Butler seconded. The vote: All "AYE" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5 on the Agenda: Consent Agenda.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler did not request removal but asked for clarification on the building permit for 7109 N Locust (Rod Tolle). He noted the staff report of September 5th indicates setback deficiency on the site plan. He asked if this is still the case. Mr. Reilly said yes, but he does not see a problem and staff will visit with Mr. Tolle on the matter. Mr. Winkler said if the City Manager sees no problem he will not request removal of the item.

City Council Minutes  
9/9/85 - Page 2

Mr. Ashcroft moved to approve the Consent Agenda Items as submitted. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CONSENT AGENDA DETAIL:

Mr. Ashcroft moved to adopt RESOLUTION R-85-57, authorizing execution of contract with Pole Line Electrical Construction Company for North Oak Traffic Signal repairs in the amount of \$27,964 from the Sales Tax Fund. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to adopt RESOLUTION R-85-58, authorizing execution of Water Main Extension Contract No. 193 with Mitcon, Inc. and Haines, Stowers Construction Company. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

*add Consent Bldg Permit 7109 No Locust*  
Mr. Ashcroft moved to approve the Interim Financial Report for August, 1985; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to approve Building Remodeling Permit for 6030 N Antioch Road, Applicant: J.A. Peterson; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to approve Building Remodeling Permit for 6060 N Antioch Road, Applicant: Popeye's Fried Chicken; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Ashcroft moved to approve Building Remodeling Permit for canopy construction at 7212 N Oak. Foster Construction Company. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda: Approval of Building Permit.  
2900 Kendallwood Parkway, Kendallwood Trails Nursing Center.

Mayor Bussinger noted the plans call for addition of a physical therapy room. Staff report indicated they do not anticipate any higher density problems since no additional beds are proposed and they foresee no parking problems.

Mr. Winkler said he would be one of the first to question this building permit EXCEPT from the plans it appears they will not change things all that much. It is a very small addition.

Mr. Winkler moved to approve the building plans for 2900 Kendallwood Parkway as submitted. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 7 on the Agenda: Approval of Building Permit.  
3701 NE 72nd Street, Kingston Court

Mr. Smith moved to approve the Building Permit for 3701 NE 72nd Street as submitted. The vote: All "aye" Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 8 on the Agenda: Building Remodeling Permit:  
2707 Brooktree Lane. Applicant: Mademoiselle Spa

Mayor Bussinger noted this location is the former racquetball club. Mr. Smith moved to approve the building permit for 2707 Brooktree Lane contingent upon staff review and approval.

Mr. Smith noted there have been problems in getting the sidewalks built at this location. Mr. Reilly suggested this requirement could be part of the motion for approval.

Mr. Winkler noted first there was a minor change and asked if he is to now understand there is an overall remodeling change. Mr. Reilly clarified that initially the item on the agenda was to obtain a building permit to allow them to demolish a wall, staff has now received complete remodeling plans although they have not been reviewed. He suggested Council may want to give approval on the full remodeling project contingent upon staff review for full compliance.

Mr. Smith amended his motion to approve the full remodeling plans for 2707 Brooktree contingent upon staff review for full Code compliance and the construction of sidewalks ; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 9 on the Agenda: There were no communications from the Audience.

Item 10 on the Agenda: Communications from the City Council.

Mr. Butler nominated Mr. Alan Pederson, 6220 NE Normandy to fill unexpired term of Keith Langel (term ending 12'88) on the Planning Commission. Mr. Smith seconded. Vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith congratulated City Clerk Marilyn Ahnefeld on her 24th anniversary with the City of Gladstone.

Mr. Smith noted the deteriorated condition of the Village of Oakview section of Shady Lane going west to Oak. He asked if there was any way we could prod the Village on this matter. City Manager Reilly said it is his understanding they intend to make repairs from a conversation he had with a Village representative a little over a month ago. Mr. Smith said he would like to see something done because everyone assumes it is a Gladstone street.

Item 11 on the Agenda: Communications from the City Manager

City Manager Reilly requested Council consideration of approval of Extra Work Order No. 1 for Sprague Construction Company in the amount of \$19,966.80 for relocation of utilities in connection with the M-1 project south of 64th Street. Mr. Winkler so moved; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 12 on the Agenda: Public Hearing: Request to rezone from C-2, General Business District to CP-3, Commercial District-Planned, property at 5607 N Antioch Road. Owner: Rutledge Oil. Applicant: Lee & Theresa Quisenberry

Mr. Reed Byers, Byers-Gunn Architects was present along with Lee and Theresa Quisenberry owners of the property to discuss this rezoning request for construction of a car wash.

According to Mr. Byers they propose a tunnel car wash. No traffic will enter or exit onto Antioch Road except in an emergency. All traffic enters from 56th Terrace. This traffic pattern was purposely done to eliminate as much traffic as possible from Antioch Road. There is a 17 car stacking area. This is a very fast operation with a car going through each 22 seconds. It is not like the do-it-yourself operation where an individual will remain in the bay wiping off their vehicle, etc. and stacking up large numbers of cars. This building is designed to be an attractive asset on this corner and will be totally landscaped on Antioch Road with only the emergency exit on Antioch in the event that a car gets in the line and at the last minute decides not to go through.

This gives them an emergency exit so they are not forced to go through in case they have some problem. Materials will be white cement stucco with split tile roof similar to the Englewood Shopping Center. He noted Mr. and Mrs. Quisenberry are familiar with this business and presently own other car washes and he has worked with them on one in Kansas City, Kansas.

Mayor Bussinger asked the width of 56th Terrace and if there would be sidewalks. Mr. Byers did not know the width and as far as the sidewalk requirement said they would abide by city requirements.

Mr. Bussinger suggested a haydite block would be preferable to stucco because the moisture around a car wash has a tendency to break down stucco. Mr. Byers said this is a block - it is concrete block with stucco surface. It was chosen rather than have the exposed block. He suggested if you put a good epoxy paint on the inside you won't have that problem. They will do the best they can to hold the moisture within the building.. Mr. Bussinger explained that he was looking down the road 15 years. Mr. Byers said the other car washes have a block which looks like brick but as far as he is concerned the Quisenberry's elected to go one better in going to this design.

Mr. Bussinger asked what signage is planned. Mr. Byers said they will use a monument sign not a pole sign.

Mr. Bussinger asked what they would do when there is a rainy Friday and all the cars get muddy and then a beautiful sunny day on Saturday with lots of cars to wash. What stacking problems would this create on Antioch Road.

Mr. Byers said he had visited several times with Butler & Associates and they have asked lots of questions about the operation. Mr. Byers said he really did not have a problem with their plans because of the speed that cars go through the operation. In response to Council question he said four persons will be employed during their busiest hours. Business hours will be 8:00am - 8:00pm.

Mr. Winkler asked the applicants if their other car washes are this type of operation and if there was a similar operation in the Kansas City area within a drivable distance that he could look at. He just questions their ability to run a vehicle through in 22 seconds and get a reasonable wash job.

Mr. Quisenberry said the operation they are proposing is new and the state of the art. Their two other car washes are self serve and automatic. The only one similar is All Seasons Car Wash on Wornall Road. Travel Clean car wash in North Kansas City is similar but this operation will have 3 blowers where Travel Clean has only two and they will have two side washers where Travel Clean has one. So this proposed car wash is much faster. Mrs. Quisenberry stressed that the three blowers is significant because the car should be dry by the time it gets through. The tunnel is 90 feet. It was clarified that it is not 22 seconds through the tunnel but one car can enter every 22 seconds. There are 5 cars in the tunnel at the same time.

Mr. Winkler said he has a favorable opinion about the project but is not convinced that they won't have a stacking problem on 56th Terrace. He is not convinced there will not be a problem on that street regardless of widening and curbs.

Mr. Bussinger asked if there was any area to stack on the lot. Mr. Byers said there was not. They have 17 cars stacked before they go through but they only have parking spaces for the employees.

Mr. Butler said he too has a problem with stacking. He said once the cars are in and going through they move quickly but it had been his experience at the N Kansas City car wash that extra time spent by the person knocking off the extra dirt, etc. slows down the operation. Mrs. Quisenberry pointed out that for each piece of equipment he sees at Travel King, they have two which means a lot less pre-washing. Mr. Bussinger also asked if the water is reclaimed. Mr. Quisenberry said it was. Reclaiming is almost a must now days. All the water should be contained on the site.

The existing Phillips 66 Station will be torn down and underground tanks removed.

Mr. Reilly asked if they had checked other similar facilities out of state even though there are no local examples. Mr. Quisenberry said they have not. This equipment is manufactured in Oregon.

Mr. Butler asked about renovation of the car wash at 73rd & Oak instead of building new. The Quisenberrys said they had looked at it but feel they need the Antioch location.

Opposition.

Gould  
Mrs. Sylvia, / 4900 Old Pike Road, said she owns property adjacent to the north of this application. She expressed concern this will cause hazardous and inappropriate traffic flow. The project is just too big for such a busy corner. It looks fine on paper but she does not feel there is significant square footage.

Mrs. Gould has concerns for: water run-off problems; if machine malfunctions how this traffic flow and stalmate of traffic will be handled; how do they propose to guarantee no erosion for hers and neighboring properties; heavy traffic is not appropriate for 56th Terrace because it is a residential area with children and local traffic. The only thing she could say is that the project would be fine for mini-cars. She thinks there will be a lot of traffic coming and going onto Antioch Road even though the applicant states it would only be used in an emergency. She said she would really be appalled if the Council approved the project because the square footage is just too small.

It was clarified that the property Mrs. Gould owns are vacant lots.

Mr. Byers said they would contain all water on the site. You do not have the constant stream of water that you do in typical car washes because here the cars should be dry when they come out. So there should not be this problem at all. As far as machine malfunction, you just push the cars out and the car behind it pushes it on through. Mr. Byers stressed that the car wash could not operate with cars going onto Antioch because they would be going through backwards. It has to go through the otherway. The Antioch exit is only a secondary exit and will be locked off. 90% of the time it will have a chain across it. Again, the only purpose is for that emergency when someone elects not to go through. They could not allow cars to come in or off of Antioch because they would foul up the entire operation.

Mrs. Gould asked how they can put in a 90 ft. tunnel on this small lot. Mr. Bussinger reported the lot was 137x85. Mr. Byers said the tunnel would be parallel to Antioch Road and engineeringwise it will work.

Mrs. Gould again stated she is highly opposed and asks the Council take this under consideration.

There were no futher comments whereupon Mayor Bussinger closed the Public Hearing.

Item 13 on the Agenda: Public Hearing: Request to rezone from CP-1, Planned Local Business District to CP-2, General Business District, property at NE corner of NE 72nd & N Oak. Applicant: Gladstone Properties, Inc.

Mr. Bruce Lambert, Applicant, explained the CP-2 request is due to the nature of business that desires to lease this building. One is a druggist and the other is a restaurant. The restaurant is a pizza chain known as Pizza Shop which is a very family oriented operation and will be run by Dave Herndon, son-in law of Mr. Ryan of Kerry Patch Restaurant who operate a chain of Pizza Shops in the Kansas City area. They have one in Platte Woods and from his experience knows they are a very desirable place to go. They propose to sell beer which requires the zoning change. He stressed they do not run a beer hall. The restaurant will take up 2,500 sq.ft. and the drug store about 8,000.

Mayor Bussinger asked if Industrial Revenue Bonds weren't issued for relocation of the drug store across the street. Mr. Reilly said there may have been a resolution of intent but he does not believe they were ever issued.

Mr. Lambert acknowledged that this is the same drug store (Gladstone Drugs) who was going across the street who will now occupy his space.

Mr. Bussinger said he had hoped to have that former Texaco Station developed. He commented the sign there looks awful and should come down.

Mayor Bussinger said he noticed this summer there were trucks, gravel, etc. on his property. Mr. Lambert said they had allowed Wesco to use the property to mix their resurfacing material. Mr. Bussinger told Mr. Lambert that was a violation of the City Code and hoped he would not let it happen again. Mr. Lambert said he was not aware it was a violation.

Mr. Winkler noted the Butler Associates report points out certain deficiencies on buffer, etc. He asked Mr. Reilly if these had been addressed with Mr. Lambert. Mr. Reilly responded that this is a planned zoning and would have been addressed with the original CP-1 zoning.

Mr. Lambert asked what effect this has on future tenants. Mr. Ashcroft stressed that it is the "P" (Planned) Zoning that is important as far as future tenants. Mr. Reilly said as example on his property where a bank is proposed, should he not develop the property as projected he would have to come back for another rezoning.



Pizza operation hours are 11AM - 11PM with heavy traffic period from 5:30 to 8pm. Although they have carry out they do not deliver or have plans to do so. No drive-in window is planned.

There were no further comments, whereupon Mayor Bussinger closed the Public Hearing.

Item 14 on the Agenda: Third Reading: Bill 85-44, an ordinance rezoning from RCHP-1, Cluster Housing District to R-2, Two-Family Dwelling District, property 500' north of NW 72nd at Broadway. Applicant: Les Smith Owner: Main Enggas

Mr. Butler moved to accept the Second Reading of Bill 85-44 and place said Bill on third and final reading; Mr. Winkler seconded. The vote: "Aye" - Winkler, Butler, Ashcroft, Bussinger. "Pass" - Smith. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final Reading of Bill 85-44 and enact said Bill as Ordinance No. 2.581. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Butler, Ashcroft, Bussinger. "Pass" - Smith. (4-0)

Item 15 on the Agenda: Third Reading: Bill 85-45, an ordinance rezoning from CP-0, Non-Retail Planned District and R-1, Single Family Dwelling District to CP-1, Planned Local Business District, 5710-14 N Antioch Road.  
John Hutcherson

Mr. Winkler moved to table the Third Reading of Bill 85-45 until such time as drainage plans are submitted; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 15-a on the Agenda:

Mr. Bill Burford addressed the Council at this time to thank Councilman Butler for his efforts in obtaining the park bench for use of Kendallwood residents.

Mr. Butler thanked Mr. Burford for his remarks and said it had been a team effort and appreciation goes to Paul Degenhardt and Bob Lemon as well.

Item 16 on the Agenda: Second Reading: Bill 85-46, an ordinance rezoning from R-1, Single Family Dwelling District to CP-2, General Business District-Planned, property described as 200-300 Englewood Road.  
Applicant: John Chezik Buick, Inc.

Mr. Winkler moved to accept the first reading of Bill 85-46 and place said bill on second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 17 on the Agenda: Second Reading: Bill 85-47, an ordinance rezoning from R-1, Single Family Dwelling District to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Road. Heritage Village

Mr. Smith moved to accept first reading of Bill 85-47 and place said Bill on second reading; Mr. Ashcroft seconded. Mayor Bussinger acknowledged receipt of a letter from the Meadowbrook United Methodist Church regarding the parking arrangement they had with Heritage Village for use of the church's parking lot.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 18 on the Agenda: Second Reading: Bill 85-50, an ordinance calling an election on Tuesday, November 5, 1985, on the question whether to issue \$4,500,000 principal amount of combined waterworks and sewerage system revenue bonds of the city.

Mr. Ashcroft moved to accept the first reading of Bill 85-50, and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill in its entirety.

Discussion: Mr. Ashcroft said there had been some question raised at the last Council meeting as to why we are proposing to spend all this money to improve the water system on the east side of town. There seems to be an opinion that we are doing something for strictly the east side of the city. He noted from the figures just received that in the Antioch Tower we were 15 feet below the critical level as of 7am Sunday morning. In the Linden Tower which basically serves the west side of town we are at a marginal level right now as far as at the critical stage.

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Any prolonged dry period that we usually experience in the summer would take both the east and west side down. The proposed bond issue is not something for solely the benefit of east or west side of town. These are critical concerns that we have in the water department as relates to our wells, our main source of supply, the pumps which bring the water from the wells to the treatment plant and then the supply mains from the plant to various parts of town. So it is a universal problem for our city and we need to make that known.

Mr. Ashcroft moved to accept the second reading of Bill 85-50, and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill in its entirety.

Mr. Ashcroft moved to accept the third and final reading of Bill 85-50 and enact said Bill as Ordinance No. 2.582. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 19 on the Agenda: First Reading: Bill 85-54, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 6104 N Antioch Road. Applicant: Ruston K. Ferzandi

Mr. Smith moved to place Bill 85-54 on first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mayor Bussinger noted the applicants have requested multiple readings on this Bill however he would recommend only one reading be given until receipt of landscaping plans. Mr. Reilly also suggested the need for elevations on all four sides of the project.

Item 20 on the Agenda: First Reading: Bill 85-55, an ordinance rezoning from CP-0, Planned Non-Retail Business District to CP-1, Local Business District-Planned, 2503 NE 58th and 5708 N Antioch Road. Applicant: Commercial Investment Properties.

Mr. Winkler moved to place Bill No. 85-55 on first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

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Mr. Winkler suggested perhaps a second reading of this Bill would be appropriate.

Mr. Winkler moved to accept the first reading of Bill 85-55, and place said Bill on second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 21 on the Agenda: First Reading: Bill 85-56, an ordinance rezoning from CP-2, General Business District-Planned to CP-3, Commercial District-Planned, property at 7021 N Oak. Applicant: Gary Gabel

Mr. Smith moved to place Bill 85-56 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 22 on the Agenda: First Reading: Bill 85-57, amending certain sections of Ordinance No. 1.94 (Code Chapter 29) to adopt standard specifications and design criteria for construction as published by the Kansas City Metropolitan Chapte of APWA.

Mr. Winkler moved to place Bill 85-57 on first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 85-57, and place said Bill on second reading; Mr. Smith seconded. the vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill 85-57, waive the appropriate paragraph of Ordinance No. 1.83 and place said Bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-57 and enact said Bill as Ordinance No. 2.583; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

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There being no further business to come before the September 9, 1985, meeting of the City Council, the meeting was adjourned at 8:45pm.

Respectfully submitted:

Approved as submitted: \_\_\_\_\_

corrected/ ☒  
amended: \_\_\_\_\_

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld  
City Clerk

Lee W. Bussinger  
Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

September 23, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of September 9, 1985 City Council Meeting.
5. CONSENT AGENDA:

RESOLUTION R-85-59, authorizing expenditure of \$2,000 to participate with area entities in opposing KCPL Wolf Creek Rate Increase.

RESOLUTION R-85-60, authorizing \$25,000 amendment to FY'86 General Fund Operating Budget. Revised Grand Total General Fund Budget: \$4,230,860.

RESOLUTION R-85-61, authorizing contract with Frazier & Sons for city hall roof in the amount of \$21,566.00.

Building Plan Approval: 7311 N Oak  
Homestead Realty. Alona Harris

Building Plans Approval: 5720 N Oak  
New Gas Tank Installation  
Amoco Oil Company

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: Request to vacate drainage easement in Carriage Hills 7th Replat. J.A. Peterson
10. Building Plan Approval: 2109 NE 72nd Dental Office  
Dr. Frank Gardner

11. THIRD READING: TABLED BILL 85-45, an ordinance rezoning from CP-0, Non-Retail Planned District and R-1, Single Family District to CP-1, Planned Local Business District, 5710-14 N Antioch Road. John Hutcherson
12. THIRD READING: BILL 85-46, an ordinance rezoning from R-1, Single Family Dwelling District to CP-2, General Business District-Planned, property at 200-300 Englewood Road. John Chezik Buick, Inc.
13. THIRD READING: BILL 85-47, an ordinance rezoning from R-1, Single Family Dwelling District to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Rd. Heritage Village.
14. THIRD READING: BILL 85-55, an ordinance rezoning from CP-0, Planned Non-Retail Business District to CP-1, Local Business District-Planned, property at 2503 NE 58 & 5708 Antioch Rd. Commercial Investment Properties
15. SECOND READING: BILL 85-54, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 6104 N Antioch Rd. Ruston K. Ferzandi
16. SECOND READING: BILL 85-56, an ordinance rezoning from CP-2, General Business District-Planned to CP-3, Commercial District-Planned, 7021 N Oak. Gary Gabel
17. FIRST READING: BILL 85-58, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 5607 N Antioch Rd. Owner: Rutledge Oil  
Applicant: Lee & Theresa Quisenberry
18. FIRST READING: BILL 85-59, an ordinance rezoning from CP-1, Planned Local Business District to CP-2, General Business District. property at NE corner of NE 72nd & Oak. Applicant: Gladstone Properties, Inc.
19. FIRST READING: BILL 85-60, an ordinance repealing Ordinance No. 1.706 (Code Section 27-1 and 27-2) and adopting new American Public Works standards for governing the construction of streets and storm sewers.
20. FIRST READING: BILL 85-61, an ordinance authorizing acceptance of certain Storm Drainage Easements.
21. Other Business
22. Questions from the News Media
23. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
September 23, 1985

Mayor Lee W. Bussinger called the September 23, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Winkler moved to approve the minutes of the September 9, 1985 City Council as corrected (line 2, page 7 corrected to read Mrs. Sylvia Could). Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5 on the Agenda: Consent Agenda:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested removal of Building Plans for 7311 N Oak. Homestead Realty.

Mr. Smith moved to approve the remaining Consent Agenda items as read; Mr. Winkler seconded. The vote: All "aye" Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)



CONSENT AGENDA DETAIL:

Mr. Smith moved to adopt RESOLUTION R-85-59, authorizing expenditure of \$2,000 to participate with area entities in opposing KCPL Wolf Creek Rate Increase; Mr. Winkler seconded. The vote: All "aye"- Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt RESOLUTION R-85-60, authorizing \$25,000 amendment to FY'86 General Fund Operating Budget. Revised Grand Total General Fund Budget: \$4,230,860. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt RESOLUTION R-85-61, authorizing contract with Frazier & Sons for city hall roof in the amount of \$21,566.00; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve Building Plans for new gas tank installation at 5720 N Oak (Amoco Oil Company) as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5-a on the Agenda:                      Building Plan Approval:  
7311 N Oak, Homestead Rlty.

Attorney Brian Hall, 6812 North Oak representing the applicant reviewed the plans with Council.

Mr. Hall and Counselor Dods explained the zoning history of this property. In 1978, applicant JRK Construction applied for rezoning from R-1 to straight commercial C-1 with the intent of utilizing the existing dwelling for commercial use. The Council denied the rezoning request. The applicant filed a lawsuit and the case was heard in the Circuit Court and the Council and the applicant ultimately settled the case by a Consent Judgement which rezoned the land to CP-1 with certain stipulations. Construction was to be in accordance with the site plan which was an exhibit to the stipulations and the 35' setback requirement on the south side of the property was waived with a 10' setback allowed. Further stipulation was that until such time as construction began in accordance with the site plan the structure on the property could continue to be used as single family residential rental property. Mr. Hall said the construction was delayed because loan money was not available.

CITY COUNCIL MINUTES

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Mr. Winkler said then the only reason a revised site plan was brought before the Council recently was because they wanted to do something other than the previously approved site plan. Mr. Hall said that was correct the reason for their request for revised site plan several weeks ago was because their plan deviated from site plan dated 4/11/78 which was part of court action. After reaction from Planning Commission and City Council it was obvious to the applicant there was a desire for a new structure. The applicants decided they would raze the existing building and build a new building in accordance with the previously approved site plan that was part of the court action. So they are here tonight seeking approval of the building permit.

Mr. Winkler asked if the building plans conform to City Codes.

Mr. Reilly explained the building plans had just been received and had not yet been approved by the City Staff.

Mr. Winkler suggested this item should be deferred until such time as we have staff review and recommendations.

Mr. Butler suggested approval could be given subject to staff review.

Mr. Smith moved to approve the plans as submitted subject to approval by Engineering Department that plans conform with all current code regulations. Mr. Winkler seconded. The vote: "No" - Winkler. "Aye" - Smith, Butler, Ashcroft, Bussinger. (4-1)

Item 6 on the Agenda: Audience Communications.

None.

Item 7 on the Agenda: City Council Communications.

Mr. Smith asked City Manager Reilly if we have a procedure for enforcement of the smoke detector requirement. Mr. Reilly said he had reviewed this with Public Safety Director Francis who indicated that we have an inspection of all apartments on a twice a year basis. Mr. Smith asked if we have sufficient means to invoke any penalty provisions of the ordinance. Mr. Reilly said Mr. Francis indicated we have not had any enforcement problems.

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Mr. Smith asked that our enforcement procedures as well as penalty provisions be reviewed to ensure that we have proper fire code administration and developer compliance.

Item 8 on the Agenda: City Manager Communications.

None.

Item 9 on the Agenda: Public Hearing: Request to vacate drainage easement in CARRIAGE HILLS 7TH REPLAT. J.A. Peterson Company, Applicant

Mr. Phillip Carey, J.A. Peterson Company, said this vacation will vacate a portion of a drainage easement around the detention pond on four lots in 7th Replat of Carriage Hills, essentially reducing the size of the detention pond and correct an error in placing the easements on two of the lots in the first place. The Planning Commission did not vote on the easement vacation request because they felt they did not have enough information and had some concerns. Mr. Carey said they he and company representatives have since met on two occasions with Mr. Dave Dyhouse, Butler and Associates, and Mr. Dyehouse is now satisfied as to any concerns. Mr. Carey said the vacation is really more of a housekeeping matter as opposed to a major matter that would have to go back to the Planning Commission. For this reason he requests that in addition to the Public Hearing, Council introduce and give three readings to the ordinance vacating this drainage easement. The reason they are trying to expedite this matter is the home is built on Lot 16 and the people are waiting to move in.

Mr. Carey reviewed with Council at the table engineering plans depicting the areas on which the vacation is sought and the detention pond.

Mr. Smith asked to clarify if the home was built not knowing there was an easement there. Mr. Carey said that was true and it was brought to their attention by Mr. Dyehouse two months ago. They immediately began working to resolve the matter.

In response to question from Mr. Smith, Mr. Carey clarified that the entire detention pond easement is not being vacated only the small portion on the four lots.

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Mr. Winkler asked if we were bound in any way to proceed with the vacation tonight since this is only the public hearing.

Mr. Bussinger said we are not but proceeding with passage of the ordinance to vacate the easements would help the company out and allow them to go ahead on the lots where the easement is in error.

Mr. Ashcroft commented that the Petterson Company is uncooperative with respect to paying their taxes on time and he has a hard time doing them a favor.

Mayor Bussinger said it was the Council's pleasure to proceed with the vacation tonight or not.

Counselor Dods advised that it would take an ordinance to vacate the easement and said it could be prepared for introduction later on the agenda if Council desired.

There were no further comments and Mayor Bussinger closed the Public Hearing.

Item 10 on the Agenda:                      Building Plan Approval:  
   2109 NE 72nd Street  
   Dr. Frank Gardner

Mr. Winkler moved to approve the Building Plans for 2109 NE 72nd Street as submitted with the provision that the existing structure be razed and removed totally and the construction of sidewalks on 72nd Street; Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 11 on the Agenda:                      THIRD READING:    TABLED BILL  
85-45, an ordinance rezoning from CP-0, Non-Retail Planned District and R-1, Single Family Dwelling District to CP-1, Planned Local Business District, 2504 NE 57TH Street and 5710-14 North Antioch Road. John Hutcherson, Applicant

Mr. Smith asked if the required drainage study had been submitted. Mr. Reilly said it had not. A topo map has been submitted but apparently there is some confusion as to the storm water structures and they have not been completed. Mr. Smith reminded that an adequate drainage study was requested before the third reading of the bill this evening therefore he would recommend leaving the bill on the table.

CITY COUNCIL MINUTES  
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Mr. Bussinger asked the applicant in the audience why the drainage study was lacking. The applicant responded that there is a problem as to whether there is adequate or any storm sewer for Antioch Road. The architect and engineers will be verifying their findings.  
(BILL 85-45 LEFT TABLED)

Item 12 on the Agenda:           THIRD READING BILL 85-46, an ordinance rezoning from R-1, Single Family Dwelling District to CP-2, General Business District-Planned, property at 200-300 Englewood Road. John Chezik Buick, Inc.

Mr. Winkler asked if Mr. Reilly was satisfied that the applicant has complied with all requirements made by the staff. Mr. Reilly indicated that at the August 12th Council Meeting, Council indicated a desire to have a complete plan showing consolidation of the driveways, signage, clarification of the intended use of the building, etc. To his knowledge this information has not been submitted.

Mr. Winkler moved to table the Bill until such time as the required information is received. Mr. Smith seconded. Mr. Smith further commented that the Council has to act in a manner that protects all the surrounding property owners and they cannot make intelligent decisions without adequate plans and specifications. Mayor Bussinger agreed we need to get the message across to the applicants that plans must be complete.

Roll Call on vote to table: All "AYE" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda:           THIRD READING: BILL 85-47, an ordinance rezoning from R-1, Single Family Dwelling District to rp-4, Apartment House District-Planned, property at 3000 NE Antioch Road. Applicant: HERITAGE VILLAGE

Mayor Bussinger asked if the applicant was present. He noted the need to clarify whether the applicants intend to construct sidewalk on Antioch Road or contribute to the sidewalk fund. Mr. Winkler also noted the need to discuss right-of-way needs for any future improvement at this location with the applicant.

CITY COUNCIL MINUTES

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Mr. Winkler moved to table Bill 85-47 until such time as assurance is given from the City Manager and his staff that the sidewalk and right-of-way questions are resolved. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 14 on the Agenda: THIRD READING: BILL 85-55, an ordinance rezoning from CP-0, Planned Non-Retail Business District to CP-1, Local Business District-Planned, property at 2503 NE 58th and 5708 N Antioch Road. Commercial Investment Properties.

Mr. Winkler moved to table Bill 85-55 since it related to tabled Bill 85-45 (Item 11 on the Agenda); Mr. Butler seconded. Mayor Bussinger clarified that the City Council is not trying to be "hard-nosed" but must have all the necessary information in order to vote. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 15 on the Agenda: SECOND READING: BILL 85-54, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 6104 N Antioch Road. Ruston K. Ferzandi

Mr. Bussinger asked City Manager Reilly if we have all the information we need since the applicant has requested two readings of the bill. Mr. Reilly responded that he has submitted elevations and landscaping plans as requested. The staff report had noted there were no sidewalks shown on the plan - these should be specifically reflected on the plan. The key unresolved issue seems to be whether the drainage situation between the applicant and the Peterson Company has been resolved to the satisfaction of all.

Mayor Bussinger asked Mr. Ferzandi if he had addressed the drainage problem with Peterson Company. Mr. Ferzandi said he had not received the Company's cooperation. Mr. Bussinger said that was a matter that the applicant and the Peterson Company would have to resolve.

Mr. Winkler suggested that Mr. Carey of the Peterson Company who is here tonight meet with Mr. Ferzandi and the staff to resolve any problems so that Mr. Ferzandi can get on with this business.

CITY COUNCIL MINUTES

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Mr. Winkler moved to accept the First Reading of Bill No. 85-54 and place said Bill on Second Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 16 on the Agenda: SECOND READING: BILL 85-56, an ordinance rezoning from CP-2, General Business District-Planned to CP-3, Commercial District-Planned, 7021 N Oak. Applicant: Gary Gabel

Mr. Smith moved to accept the first reading of Bill No. 85-56, and place said Bill on second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 17 on the Agenda: FIRST READING: BILL 85-58, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 5607 N Antioch Road. Owner: Rutledge Oil. Applicant: Lee & Theresa Quisenberry

Mayor Bussinger advised that a gentlemen had approached him prior to the start of the Council Meeting to ask if could speak against this project. Mr. Bussinger said he told him no, explaining that the public hearing which provides that opportunity had already been held. He asked for a show of hands of persons in the audience who oppose this application and suggested they submit a letter to the Mayor and City Council addressing their concerns because the public hearing has already been held.

City Manager Reilly advised for the record that a protest petition has been submitted and is being reviewed by staff to verify if it is a legal protest petition.

Mr. Winkler moved to place Bill No. 85-58 on first reading; Mr. Smith seconded.

Mr. Smith clarified for audience present who oppose this bill that it is generally the practice of the Council to give a favorable vote on the first reading. A decision on the fate of the Bill will be rendered on the third reading.

The vote on first reading: All "aye" -Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

CITY COUNCIL MINUTES

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ITEM 18 ON THE AGENDA: FIRST READING: BILL 85-59, an ordinance rezoning from CP-1, Planned Local Business District to CP-2, General Business District, property at NE corner of NE 72nd and Oak. Applicant: Gladstone Properties, Inc.

Mr. Butler moved to place Bill No. 85-59 on first reading; Mr. Smith seconded.

Mr. Winkler said he would like to suggest to Mr. Lambert that in case the rezoning is approved he for one feels that the plan needs to have a lot of work done with respect to the rear of the property. Mr. Winkler continued that the proposed plan asks for rear variances that the Council shouldn't be asked to give and that will be part of the contingency for him in considering the Bill. Mr. Winkler said that was only his personal opinion the rest of of the Council of course are free to do what they want. If Council approves the CP-2, they are making a great concession because there is some opposition to the zoning change. He feels there is a need to have the variances addressed and has suggested to City Manager Reilly that he meet with Mr. Lambert on the matter.

Vote on first reading: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0) The Clerk read the Bill.

Item 19 on the Agenda: FIRST READING: BILL 85-60, an ordinance repealing Ordinance No. 1.706 (Code Section 27-1 and 27-2) and adopting new American Public Works Standards for governing the construction of streets and storm sewers.

Mr. Smith moved to place Bill 85-60 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 85-60 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill No. 85-60 and place said Bill on third reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.



CITY COUNCIL MINUTES

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Mr. Smith moved to accept the third and final reading of Bill No. 85-60 and enact said Bill as Ordinance No. 2.584. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 20 on the Agenda: FIRST READING: BILL 85-61, an ordinance authorizing acceptance of certain Storm Drainage Easement in Northaven Garden First Plat.

Mr. Winkler moved to place Bill 85-61 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 85-61 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to accept the second reading of Bill 85-61 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-61, waive the appropriate paragraph of Ordinance No. 1.83 and enact said Bill as Ordinance No. 2.585; Mr. Butler seconded. The vote: All "aye"- Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 20-a on the Agenda: FIRST READING: BILL 85-62, AN ORDINANCE VACATING STORM SEWER EASEMENTS IN CARRIAGE HILLS 7TH REPLAT IN THE CITY OF GLADSTONE, MISSOURI.

Mr. Ashcroft moved to place Bill No. 85-62 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the first reading of Bill 85-62 and place said Bill on second reading; Mr. Smith seconded. The vote: "aye" -Smith, Butler, Ashcroft, Bussinger. "no" - Winkler. (4-1) The Clerk read the Bill.

CITY COUNCIL MINUTES  
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Mr. Smith said he had no problem enacting this ordinance tonight as long as we all understand that the action only deals with the four lots in the plat and he would further suggest that the easement vacated not be recorded until the legal description is reviewed by our consulting engineers.

It was clarified that there will still be a detention basin there; this action is vacating storm sewer easements only over four lots. Mr. Dods said it is his understanding also from Mr. Carey that we will be acquiring a substitute easement which will redefine the detention basin. If so it would be accepted by ordinance.

Mr. Ashcroft moved to accept the second reading of Bill No. 85-62 and place said Bill on third and final reading; Mr. Smith seconded.

Mr. Winkler quoted the Planning Commission Minutes as stating that the way the easement was written it accidentally got on two lots which they cannot get building permits on; although Mr. Carey said tonight that they have built on those two lots. Mr. Carey said that was a communication error at the Planning Commission meeting it was thought the building permits had not been obtained but in fact they have been. Mr. Winkler asked if we are sure there has been no error in communication tonight. Mr. Carey said he was sure. Mr. Winkler said he doesn't want to vote on something if he doesn't understand it.

The vote: "aye" - Smith, Butler, Ashcroft, Bussinger. "no" - Winkler. (4-1) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 85-62 and enact said Bill as Ordinance No. 2.586; Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. "no" - Winkler. (4-1)

\* \* \* \*

There was no further business to come before the September 23, 1985 City Council Meeting whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

*Mark E. Arnold*  
City Clerk

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

*Lee W. Bussinger*  
Lee W. Bussinger, Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 14, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of September 23, 1985 City Council Meeting.
- 4a. PRESENTATION: Missouri Municipal League Service Awards
  - 20 Year Award  
Rennie Roseberry, retired City Collector,  
Joseph Zacher, Community Services Department
  - 10 Year Award  
Carol Hopper, City Collector  
Douglas Scheffner, Public Safety Officer
5. CONSENT AGENDA:  
INTERIM FINANCIAL REPORTS for September, 1985.

RESOLUTION R-85-62, authorizing \$63,011 amendment to the FY-86 Sales Tax Operating Budget. Total Revised Sales Tax Budget: \$1,973,499.

RESOLUTION R-85-63, authorizing award of contract to Reconstruction Systems Unlimited in the amount of \$23,875.00 for Community Development offices remodeling. Fund: Sales Tax

RESOLUTION R-85-64, authorizing Supplemental Agreement No. 1 to Agreement for Engineering Services with City of Kansas City and Larkin & Associates for Englewood Road improvements.

RESOLUTION R-85-65, authorizing award of bid to Bill Allen Chevrolet in the amount of \$23,446.00 for purchase of (1) 1986 Chevrolet truck with galion dump body and 10' Meyer's plow.

RESOLUTION R-85-66, authorizing acceptance of Bills of Sale for sanitary sewers, water mains and sewer mains constructed in various subdivisions.

RESOLUTION R-85-67, authorizing acceptance of work under Penniston Ditching 73rd Terrace water main replacement contract and authorizing final payment in the amount of \$1,889.66.

SITE PLAN REVISION: Mademoiselle Spa, 2707 Brooktree Lane.

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager

PUBLIC HEARING: request to rezone from CP-2, Planned General Business District to CP-3, Planned Commercial District. Applicant: Gil Yunger

9. THIRD READING: TABLED BILL 85-45, an ordinance rezoning from CP-O, Non-Retail Planned District and R-1, Single Family Dwelling District to CP-1, Planned Local Business District, 2504 NE 57th and 5710-14 N Antioch Road. John Hutcherson
10. THIRD READING: TABLED BILL 85-46, an ordinance rezoning from R-1, Single Family Dwelling District to CP-2, General Business District-Planned, property at 200-300 Englewood Road. John Chezik Buick, Inc.
11. THIRD READING: TABLED BILL 85-47, an ordinance rezoning from R-1, Single Family Dwelling District to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Road. Heritage Village
12. THIRD READING: TABLED BILL 85-55, an ordinance rezoning from CP-O, Planned Non-Retail Business District to CP-1, Local Business District-Planned, property at 2503 NE 58TH & 5708 N Antioch Commercial Investment Properties
13. THIRD READING: BILL 85-54, an ordinance rezoning from C-2, General Business District to CP-3, Commercial Business District-Planned, property at 6104 No. Antioch Rd. Rustom K. Ferzandi

Building Plan Approval: 6104 N Antioch, Cottman Transmission addition and rapid lube.

14. THIRD READING: BILL 85-56, an ordinance rezoning from CP-2, General Business District-Planned to CP-3, Commercial District-Planned, 7021 N Oak. Gary Gabel  
Building Plan Approval: 7021 N Oak - rapid lube
15. SECOND READING: BILL 85-58, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 5607 N Antioch. Owner: Rutledge Oil  
Applicant: Lee & Theresa Quisenberry
16. SECOND READING: BILL 85-59, an ordinance rezoning from CP-1, Planned Local Business District to CP-2, General Business District, property at northeast corner of NE 72nd and Oak. Gladstone Properties

17. FIRST READING: BILL 85-63, an ordinance amending Schedule VIII of the Model Traffic Code to designate additional STOP Sign locations.
18. FIRST READING: BILL 85-64, an ordinance approving the FINAL PLAT OF CLAYMONT ESTATES, SE Vivion & Bellevue Walker/Wales Development
19. Other Business
20. Questions from the News Media
21. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
October 14, 1985

Mayor Lee W. Bussinger called the October 14, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger  
  
City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Winkler moved to approve the minutes of the September 23, 1985 City Council meeting as submitted. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

Item 4a on the Agenda: Presentation of Awards.

Mayor Bussinger announced the presentation of Missouri Municipal League Service Awards to four employees of the City of Gladstone. Those employees honored were Mrs. Renie Roseberry, retired City Collector, and Joseph Zacher, Community Services Department, with twenty years of service for each, and Ms. Carol Hopper, City Collector, and Douglas Scheffner, Public Safety Department, with ten years.

Item 5 on the Agenda: Consent Agenda:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested removal of Resolution R-85-64, authorizing Supplemental Agreement No. 1 to Agreement for Engineering Services with City of Kansas City and Larkin & Associates for Englewood Road improvements.

Mr. Butler moved to approve the remaining Consent Agenda items as read; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CITY COUNCIL MINUTES

10/14/85 - Page 2

CONSENT AGENDA DETAIL:

Mr. Butler moved to adopt INTERIM FINANCIAL REPORTS, for September 1985, as submitted. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler moved to adopt RESOLUTION R-85-62, authorizing \$63,011 amendment to the FY86 Sales Tax Operating Budget. Total Revised Sales Tax Budget: \$1,973,499. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler moved to adopt RESOLUTION R-85-63, authorizing award of contract to Reconstruction Systems Unlimited in the amount of \$23,875.00 for Community Development offices remodeling, from the Sales Tax Fund. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler moved to adopt RESOLUTION R-85-65, authorizing award of bid to Bill Allen Chevrolet in the amount of \$23,446.00 for purchase of one (1) 1986 Chevrolet truck with gallon dump body and 10' Meyer's plow. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler moved to adopt RESOLUTION R-85-66, authorizing acceptance of Bills of Sale for sanitary sewers, water mains and sewer mains constructed in various subdivisions. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler moved to adopt RESOLUTION R-85-67, authorizing acceptance of work under Penniston Ditching 73rd Terrace water main replacement contract, and authorizing final payment in the amount of \$1,889.66. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler moved to adopt SITE PLAN REVISION for Mademoiselle Spa, 2707 Brooktree Lane. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5b on the Agenda:

PROCLAMATION

Mayor Bussinger introduced a Proclamation designating the week of October 14-20, 1985 as Pilot International Week in the City of Gladstone as requested by the Pilot Club International.

Item 6 on the Agenda:

Audience Communications.

Mr. Ed Lemke, 2613 NE 69 Terrace, asked if the City had done anything to get Damon Pursell to settle with the homeowners for damages occurring during recent flooding. City Manager Reilly said that the City has provided Damon Pursell with a copy of the City staff's investigative report on the flooding incident, which clearly assigns responsibility for the flooding. Mr. Reilly said that legal counsel was advised to pursue the matter. Mayor Bussinger said that City personnel are watching it closely. City Manager indicated that correspondence had been received from Damon Pursell which disclaimed any responsibility for basement flooding along the North Bellefontaine sanitary sewer.

Item 7 on the Agenda:

City Council Communications.

There were none.

Item 8 on the Agenda:

City Manager Communications.

There were none.

Item 8a on the Agenda:

PUBLIC HEARING: Request to  
rezone from CP-2, Planned General Business District to CP-3, Planned  
Commercial District. Gilbert Yunger, Applicant.

Gilbert Yunger, 7109 North Walnut, explained that he was requesting rezoning of this property in order to build a new body shop for repairing cars. He stated that a company is presently working on the storm drainage plan, but the study is not finished yet. He requested that the rezoning be granted without first submitting the final building plans, with the stipulation that the building permit not be issued until the storm drainage plan was submitted for approval.

Mr. Winkler asked what the Planning Commission recommendations were? Mayor Bussinger said that the recommendation was unanimous to rezone with certain stipulations, including the storm drainage plan meet the City requirements.

City Manager Reilly said that, in the event the proposed screening was not sufficient, trees would be planted, both hard wood varieties and soft wood varieties, to more adequately shield the development from the adjacent residential area.

Mr. Milton Bashford, 7011 North Walnut, addressed the Council in opposition because the lot for the proposed building was down in the valley, and the residential homes were higher, so that they would have to look down on the development. He felt that CP-3 zoning this close to a residential area is too close. It would hurt the property values in the area.



CITY COUNCIL MINUTES

10/14/85 - Page 4

Mr. Marion Sweeney, 7105 North Walnut, expressed concern regarding traffic in the area. The only entrance to this property would be off Walnut and there is already a serious traffic problem for residents trying to exit their properties. Mr. Sweeney also expressed concern that this business would create further problems with storm drainage and worse flooding in the future from additional parking lots in the area. He urged Council not to allow future commercial development on this site.

Mr. Winkler clarified that the location of Mr. Sweeney's property is adjoining and directly south of applicant's lot.

Mr. Smith asked the applicant how many cars would he have daily coming to be repaired? Mr. Yunger indicated there would be approximately ten cars maximum.

Mr. Smith asked if the drainage that he was going to build would help or hurt the area? Mr. Yunger said that it would help the area.

City Manager Reilly said that the storm drainage plan is being prepared in accordance with specifications by the City.

Mr. Butler asked applicant if he did work on large trucks? Mr. Yunger said that only cars, trucks and fancy vans would be worked on. The largest vehicle would be a tow truck delivering the vehicle to be worked on.

Mr. Butler asked if the berm work being done had caused a blockage in the drainage pipe which might have caused some flooding? Mr. Yunger said that his proposed plan will catch all the storm water on his property and the water cannot run up the hill to the residential homes.

Mr. Jeff Henson, 7102 North Walnut, joined his neighbors in opposing the development. He indicated it would lower the property value. A fence or trees would not do the adjacent property owners any good.

Darlene McDaniels, 7103 North Walnut, said that she agrees with Mr. Sweeney that the trees or fence shielding the development won't do any good and that the property owners' property values will be affected.

There being no further comments, Mayor Bussinger closed the Public Hearing.

Item 9 on the Agenda: THIRD READING, TABLED BILL 85-45, an ordinance rezoning from CP-0, Non-Retail Planned District and R-1, Single Family Dwelling District to CP-1, Planned Local Business District, 2504 NE 57th and 5710-14 North Antioch Road. John Hutcherson, Applicant.

Mr. Winkler moved to remove Bill 85-45 from the table. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CITY COUNCIL MINUTES  
10/14/85 - Page 5

Mr. Winkler moved to accept the second reading of Bill 85-45 and place said Bill on third and final reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-45 and enact as Ordinance 2.587, with the contingencies that the building permit would be issued only upon receipt of a contractual agreement of storm drainage development. Mr. Butler seconded. During discussion, Mr. Smith stated he would not endorse building plans without the contractual agreement for storm drainage development. Mr. Winkler withdrew the contingency stipulation of the motion. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 10 on the Agenda: THIRD READING, TABLED BILL 85-46, an ordinance rezoning from R-1, Single Family Dwelling District to CP-2, General Business District-Planned, property at 200-300 Englewood Road. John Chezik Buick, Inc., applicant.

Mr. Winkler noted that a revised plan has been submitted which results in major deviations from the original one. Mayor Bussinger said the new plan should go back to the Planning Commission and go through the entire process again.

Mr. Ashcroft asked the applicant what changes were proposed? A representative from John Chezik said that the original building was going to be used as a new service center with a new addition of an Izuzu dealership. The original building was not large enough to accommodate the new dealership. The Council asked the applicant to submit revised plans and initiate review process beginning with the Planning Commission.

Item 11 on the Agenda: THIRD READING, TABLED BILL 85-47, an ordinance rezoning from R-1, Single Family Dwelling District to RP-4, Apartment House District-Planned, property at 3000 NE Antioch Road. Heritage Village, applicant.

Mr. Smith moved to take tabled Bill 85-47 off table. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to accept the second reading of Bill 85-47 and place said Bill on third and final reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith said that the City will require curbs and gutters to be built by developer. City Manager Reilly said the site plan should specify curbs and gutters, as well as sidewalks. The Clerk read the Bill.

CITY COUNCIL MINUTES

10/14/85 - Page 6

Mr. Smith moved to accept the third and final reading of Bill 85-47, and enact said Bill as Ordinance 2.588. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 12 on the Agenda:

THIRD READING, TABLED BILL 85-55, an ordinance rezoning from CP-0, Planned Non-Retail Business District to CP-1, Local Business District-Planned, property at 2503 NE 58th and 5708 North Antioch Road. Commercial Investment Properties, applicant.

Mr. Winkler moved to remove tabled Bill 85-55 from the table for the Council's consideration. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to accept the second reading of Bill 85-55 and place said Bill on its third and final reading. Mr. Butler seconded. Mr. Smith noted that development of storm drainage detention would be required in relation to issuance of building permit. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-55 and enact said Bill as Ordinance 2.589. Mr. Ashcroft seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda:

THIRD READING: BILL 85-54, an ordinance rezoning from G-2, General Business District to CP-3, Commercial Business District-Planned, property at 6104 North Antioch Road. Rustom K. Ferzandi, applicant.

Mr. Ashcroft moved to accept the second reading of Bill 85-54 and place said Bill on its third and final reading. Mr. Butler seconded. Mr. Butler stated that a retaining wall of railroad ties should be required extending the full length of the development. City Manager Reilly said that the plan for this property does show a retaining wall and landscaping as part of the site plan. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 85-54 and enact said Bill as Ordinance 2.590. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13a on the Agenda:

BUILDING PLAN APPROVAL, 6104 North Antioch, Cottman Transmission addition and rapid lube.

Mr. Ashcroft moved that the Building Plans for property at 6104 North Antioch be approved with the contingency that a contractual agreement between the City staff and the developer be acceptable to City staff concerning the site plan. City Manager Reilly clarified the Council's request that before a building permit be issued, the City enter into a contractual agreement that a retaining wall be constructed that is satisfactory to both sides. Mr. Butler seconded.

CITY COUNCIL MINUTES

10/14/85 - Page 7

Mayor Bussinger stated that an agreement should also be made with J.A. Peterson Company relating to the apartment side of the property so that drainage along the entire project can be taken care of at the same time. Mayor Bussinger said that Mr. Ferzandi and J.A. Peterson had reached a verbal agreement to take care of the drainage situation along the wall. City Counselor Dods said that the City has no authority to impose any requirement on the J. A. Peterson Company.

Mr. Butler presented a letter from J. A. Peterson Company agreeing to repair or reconstruct the drainage inlet structure on the east side of London Towers in conjunction with the rebuilding of the retaining wall.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 14 on the Agenda: THIRD READING: BILL 85-56, an ordinance rezoning from CP-2, General Business District-Planned to CP-3, Commercial District-Planned, property at 7021 North Oak. Gary Gabel, applicant.

Mr. Ashcroft moved to approve the second reading of Bill 85-56 and place said Bill on its third and final reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the third and final reading of Bill 85-56 and enact said Bill as Ordinance 2.591. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 14a on the Agenda: BUILDING PLAN APPROVAL, 7021 North Oak. Applicant, Rapid Lube.

Mr. Ashcroft moved to accept the Building Plans as submitted. Mr. Smith seconded. Mr. Winkler asked if the applicant had met all the agreements? City Manager Reilly said that the Building Plans and specifications are still being reviewed, but that Council's issuance of a building permit is conditioned upon the applicant meeting the various codes. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 15 on the Agenda: SECOND READING: BILL 85-58, an ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 5607 North Antioch. Owner: Rutledge Oil and Applicant, Lee & Theresa Quisenberry.

Mr. Butler moved to accept the first reading of Bill 85-58 and place said Bill on its second reading. Mr. Ashcroft seconded. The vote: Winkler, Butler, Ashcroft, Bussinger - "aye". Smith - "no". (4-1) The Clerk read the Bill.

CITY COUNCIL MINUTES  
10/14/85 - Page 8

Item 16 on the Agenda: SECOND READING: BILL 85-59, an ordinance rezoning from CP-1, Planned Local Business District to CP-2, General Business District, property at northeast corner of NE 72nd and North Oak. Gladstone Properties, applicant.

Mr. Winkler moved to accept the first reading of Bill 85-59 and place said Bill on its second reading. Mr. Smith seconded.

Mr. Smith asked City Manager Reilly what the status of this project was? Mr. Reilly indicated that a substitute site plan had been proposed which would entail demolition of the existing grocery store, construction of a new building, and rearrangement of the bank building to assist traffic flow. Mr. Reilly suggested that one reading be given as the new plan is not substantially different from the original and then recommend that the Planning Commission review it for conformance to the various City codes. Mr. Winkler encouraged the Planning Commission to review the plan in-house to expedite the process. The vote: All "aye" - Winkler, Smith, Butler, (Ashcroft absent), Bussinger. (4-0) The Clerk read the Bill.

Item 17 on the Agenda: FIRST READING: BILL 85-63, an ordinance amending Schedule VIII of the Model Traffic Code to designate additional STOP sign locations.

Mr. Smith moved to place Bill 85-63 on its first reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill:

Mr. Smith moved to accept the first reading of Bill 85-63 and place said Bill on its second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill 85-63, waive the appropriate paragraph, and place said Bill on its third and final reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill 85-63 and enact said Bill as Ordinance 2.592. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 18 on the Agenda: FIRST READING: BILL 85-64, an ordinance approving the FINAL PLAT OF CLAYMONT ESTATES, SE Vivion and Belleview, Walker/Wales Development.

Mr. Winkler moved to place Bill 85-64 on its first reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

## CITY COUNCIL MINUTES

10/14/85 - Page 9

Mr. Winkler moved to accept the first reading of Bill 85-64 and place said Bill on its second reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill 85-64, waive the appropriate paragraph and place said Bill on its third and final reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-64 and enact said Bill as Ordinance 2.593. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler noted the clarification in the agreement of the exchange of services obligation with the City of Kansas City, that they tend to the area extending from the City limits in this area, and Gladstone tend to the west end of 72nd Street here, pertaining to snow removal. City Manager Reilly indicated that the exchange of services could not be a contingency of the ordinance, but will be included in the record.

\* \* \* \* \*

There was no further business to come before the October 14, 1985 City Council Meeting, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Approved as submitted: ✓

Mary L. Reilly  
City Clerk

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

seo

Lee W. Bussinger  
Lee W. Bussinger, Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
October 28, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of October 14, 1985 City Council Meeting.

5. CONSENT AGENDA:

RESOLUTION R-85-64, authorizing Supplemental Agreement No. 1 to Agreement for Engineering Services with City of Kansas City and Larkin & Associates for Englewood Road improvements.

RESOLUTION R-85-68, authorizing award of water main extension contract to Barber Sewer & Ditching for new 8" main from 60th Terrace and Howard to 58th Street and Park. Amount: \$87,538.99  
Fund: Combined Waterworks and Sewerage System

RESOLUTION R-85-69, authorizing Change Order No. 2 in the amount of \$2,213.00 to the Sprague Excavating Contract for Highway #1 water main relocation.

Building Remodeling Plan Approval: 2700 Kendallwood Parkway. (Social Security Office)

Building Addition/Remodeling Plan Approval: 7113 N Oak. Applicant: Shirley Gibson for Hair Bender-2

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: Request for vacation of a sewer easement, Carriage Hills 7th Replat. Applicant/Owner: J.A. Peterson Co.
10. PUBLIC HEARING: Request for Site Plan Revision, property at Prospect Plaza Shopping Center.  
Applicant: Appleby Architects  
Owner: Brentwood Properties
- 10a. Approval of Site Plan Revision, Prospect Plaza Shopping Center. Appleby Architects/Brentwood Properties
11. PUBLIC HEARING: Request for Site Plan Revision, 2610 NE 60th Street.  
Applicant: Environmental Construction Co.  
Owner: The Curry Company

- 11a. Approval of Site Plan Revision, 2610 NE 60th Street  
Environmental Construction Co./Curry Company
12. PUBLIC HEARING: Site Plan Revision, 5606 N Oak  
Applicant/Owner: John Chezik
- 12a. Approval of Site Plan Revision, 5606 N Oak  
Applicant/Owner: John Chezik
13. Approval of Building Plans for Golden Goat Recycling  
Facility, 6313 N Prospect
14. THIRD READING: Bill 85-58, an ordinance rezoning from  
C-2, General Business District to CP-3, Commercial  
District-Planned, property at 5607 N Antioch.  
Owner: Rutledge Oil Applicant: Lee Quisenberry  
\* Legal Protest Petition
15. TABLED THIRD READING: BILL 85-46, an ordinance  
rezoning from R-1, Single Family Dwelling District-  
Planned to CP-2, General Business District-Planned,  
200-300 Englewood Road. John Chezik Buick, Inc.
16. THIRD READING: BILL 85-59, an ordinance rezoning from  
CP-1, Planned Local Business District to CP-2, General  
Business District, property at northeast corner of NE  
72nd & Oak. Applicant: Gladstone Properties
17. FIRST READING: BILL 85-65, an ordinance rezoning from  
CP-2, Planned General Business District to CP-3,  
Commercial District, 7109 N Walnut  
Applicant: Gil Yunger
18. FIRST READING: BILL 85-66, an ordinance vacating a  
sewer easement in CARRIAGE HILLS 7th REPLAT.
19. FIRST READING: BILL 85-67, an ordinance authorizing  
acceptance of water line easement for Highway #1  
utility relocation project.
19. Other Business
20. Questions from the News Media
21. Adjournment



MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
October 28, 1985

Mayor Lee W. Bussinger called the October 28, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger  
  
Acting City Manager Ed Wegner  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

The Pledge of Allegiance to the Flag was led by members of Scout Troops 354 of Chapel Hill Elementary School and 218 of Oakview Manor School.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Winkler moved to approve the minutes of the October 14, 1985 City Council meeting as submitted. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

Item 5 on the Agenda: Consent Agenda:

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Smith requested removal of Building Addition/Remodeling Plan Approval, 7113 North Oak, for further discussion.

Mr. Smith moved to approve the remaining Consent Agenda items as read; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

CONSENT AGENDA DETAIL:

Mr. Smith moved to adopt RESOLUTION R-85-64, authorizing Supplemental Agreement No. 1 to Agreement for Engineering Services with City of Kansas City and Larkin & Associates, for Englewood Road improvements. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0).

CITY COUNCIL MINUTES  
10/28/85 - Page 2

Mr. Smith moved to adopt RESOLUTION R-85-68, authorizing award of water main extension contract to Barber Sewer & Ditching for new 8" main from 60th Terrace and Howard to 58th Street and Park, in the amount of \$87,538.99 from the Combined Waterworks and Sewerage System Fund. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to adopt RESOLUTION R-85-69, authorizing Change Order No. 2 in the amount of \$2,213.00 to the Sprague Excavating Contract for Highway #1 water main relocation. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Smith moved to approve the Building Remodeling Plans for 2700 Kendallwood Parkway for the Social Security Office. Mr. Winkler seconded. The Vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5a on the Agenda: Building Addition/Remodeling Plan  
Approval: 7113 North Oak. Applicant: Shirley Gibson for Hair Bender-2.

Mr. Smith asked the applicant what the plans were for the underground gas tanks at the location. Mrs. Gibson indicated that they had not been removed and that the representative from ReMax Realtor had researched the matter. He had been advised that the Fire Code would require the tank to be filled in with wet river sand. The tanks have been abandoned for many years, but the cost to remove them would be prohibitive. The EPA sets regulations for cleaning them and then filling them with sand.

Acting City Manager Ed Wegner said that the EPA requires that a certain part per million of gasoline left in the tank be flushed out and then the tank be filled with sand. Should the tank develop a leak, the flushing out would prevent contamination of any surrounding area. Mrs. Gibson said that she would comply with the requirements.

Mr. Smith moved to approve the Building Addition/Remodeling Plans for 7113 North Oak with the condition that the existing tanks be flushed out and then filled with sand. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda: Audience Communications.

Louise Estes, 6732 North Park, addressed the Council. She was concerned about the Prospect 1 development and the flood control plan for the area. She stated that there had been no flood control or drainage studies done prior to the development proceeding.

Mayor Bussinger said that the City Manager has gone out of his way to try to take care of the concerns that Ms. Estes has presented. He has taken steps necessary to make sure that the development meets the city's requirements.

CITY COUNCIL MINUTES  
10/28/85 - Page 3

Ms. Estes stated that she felt that the rules and regulations were not followed by this developer.

City Counselor John Dods said that the developer had been contacted this date to arrange for a meeting to discuss some problems that still exist. City Manager Reilly is out of town, but when he returns, a meeting will be held with Mr. Rose.

Mr. Wegner said that specific areas will be addressed and flooding problems will be discussed. It is possible that all previous ills cannot be cured, but the concerns that Ms. Estes has expressed will be addressed.

Item 7 on the Agenda:

City Council Communications.

Mayor Bussinger noted that in the Clay West shopper newspaper of October 16 the article on the Gladstone City Council's opinion of the Gladfest was unnecessarily negative. Mayor Bussinger said that the Council discussed aspects to try to improve the Gladfest for the coming year and did in no way mean to speak only negatively of the Gladfest this October. Letters were presented from citizens that commended the festival and Chamber of Commerce for their work on the event.

Mr. Smith felt that the security arrangements for the rock concert that was held on Friday night were a major concern for the City and the Chamber of Commerce. An expenditure of \$10,000-\$15,000 for the Gladfest each year is a large expenditure and it was the hope of the Council that there could be a way to make the event an even better one in the coming year.

Mr. Smith stated that the November 5 election for the water distribution system is vitally important for the City of Gladstone and he urged every registered voter to exercise their option and vote.

Mr. Butler also commented on the newspaper article pertaining to the Gladfest. He said that the Council is very supportive of the Chamber of Commerce, the City of Gladstone, and the Gladfest committee.

There were no further communications from the Council members.

Item 8 on the Agenda:

City Manager Communications.

Acting City Manager Ed Wegner asked that RESOLUTION R-85-70, authorizing the sale of Surplus Photographic Development Equipment, be added to the Agenda.

CITY COUNCIL MINUTES

10/28/85 - Page 4

Item 9 on the Agenda: PUBLIC HEARING, Request for  
Vacation of a sewer easement, Carriage Hills, 7th Replat. Applicant/Owner:  
J. A. Peterson Co.

Mr. Phillip Carey of J.A. Peterson Company, 3508 West 98 Street, addressed the Council and explained that this sewer easement vacation has to do with abandonment of the sewer line that was installed outside of the easement. A new easement will be dedicated so that the new sewer line can be installed.

Mr. Smith asked Mr. Wegner if the sewer line was relocated and the old line be filled in? Mr. Butler asked if the City staff should be checking to make sure the line is laid correctly? Mr. Wegner said that the City staff does go out and check the construction.

Mr. Carey said that the only way to make sure that this was done correctly is to have a third consultant double check the plans. He said at this location a couple of manholes may be out of alignment by a foot or two.

There was no further discussion and Mayor Bussinger closed the Public Hearing.

Item 10 on the Agenda: PUBLIC HEARING: Request for Site  
Plan Revision, property at Prospect Plaza Shopping Center. Applicant:  
Appleby Architects. Owner: Brentwood Properties.

Mr. Les Appleby of Brentwood Properties, Dallas, Texas, addressed the Council with the site plan of the proposed development. A concern had been expressed by the Planning Commission with reference to the pad sites on the property. Mr. Appleby said that they have been reviewed by the Engineering Department and meet the requirements of the Code.

Mayor Bussinger asked if the applicant would agree to the three stipulations of the Planning Commission, (1) removal of the site pads; (2) installing a 15' curb radius and (3) no parking area to facilitate access by fire protection services on the west side. Mr. Appleby said that the stipulations would be met.

Mr. Winkler said that the Planning Commission's recommendations were very adamant about the removal of the site pads. They felt that the site pads could be developed without submission for site plan revision and approval. Mr. Winkler noted that CP-3 zoning would hold a fast-food establishment among other businesses.

There being no further discussion, Mayor Bussinger closed the Public Hearing.

CITY COUNCIL MINUTES

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Item 10a on the Agenda: Approval of Site Plan Revision,  
Prospect Plaza Shopping Center. Appleby Architects/Brentwood Properties.

Mr. Winkler moved to approve the site plan revisions of Prospect Plaza Shopping Center, as submitted, with the stipulations that the Staff Report (10/2/85) concerns be addressed and adequately satisfied. Mr. Smith seconded. The motion includes the Public Safety concerns and elimination of site pads as recommended by the Plan Commission. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 11 on the Agenda: PUBLIC HEARING: Request for Site  
Plan Revision, 2610 NE 60 Street. Applicant: Environmental Construction  
Co. Owner: The Curry Company.

Mr. Jim Youngers, Curry Company, 2700 Kendallwood Parkway, addressed the Council. Mr. Youngers expressed concern with the recommendations of the Planning Commission of rejection of the site plan application, based upon the storm drainage and storm water runoff into Brooktree. He read from an October 1978 Kansas City Star news article which quoted Cy Carney III, Acting City Manager for the City of Gladstone, as saying that the basin development will be built for the City to the City's specifications by The Curry Investment Company. It is the first step of our (City's) major storm drainage program. Mr. Youngers said that there are two major reasons for the storm basin development. For over 21 years, the Curry Company has felt corporate responsibility for the area. By reaching this agreement, the City and Curry Investment Company agreed that no on-site detention of storm water on the commercial portion of this development would be required. Our engineers were convinced that on-site detention would seriously worsen flooding into the Brooktree area, primarily due to the timing of the release of the storm water. The storm detention basin was constructed at considerable expense to Curry Company and they also donated 13 acres, that were zoned office, or R-4, he believed.

The second reason the Planning Commission rejected the site plan approval was economic viability of the proposed planned use. We have studied for 5-6 months before we brought this plan to the contract stage and we are convinced of the viability and success of this proposal. It is a very unique project. The Urban Land Institute has included the Kendallwood project in the case studies on development. Mr. Youngers then introduced Randall Address who represented the applicant.

Randall Address, 11658 North 91 Place, Scottsdale, Arizona, presented site drawings of the project to the Councilmembers.

Mr. Ashcroft asked the applicant what position the City would be in if this business should not be successful? Mr. Address said that they have done extensive research into the area and would not propose one in an area that does not have every possibility of being extremely successful.

CITY COUNCIL MINUTES  
10/28/85 - Page 6

Mr. Andress stated that his company owns 12 of these projects and have four more under consideration, primarily in the Phoenix and Albuquerque area. Extensive studies have been done on the Kansas City Market. Over 96% occupancy has been maintained in our existing markets. These units do not look like storage facilities, but do include a UPS package handling area, vaults, safety deposit boxes, as well as storage units. We do not have debt service against our projects, as they are syndicated. They are paid for with cash. It is a first-class project and will make a good cash flow for our investors. This proposed building will be a three-story project with elevators to carry the goods to the second and third floor. The dimensions of the storage areas are from 4' x 4' up to 10' x 20'. Everything is computerized and is a self-storage unit, heated and cooled on the inside and spotlessly clean.

Mr. Winkler said that testimony from the Planning Commission there was only one entrance proposed. Mr. Andress said that normally there is only one entrance at the front and a loading entrance at the side.

Mr. Winkler asked what the UPS packaging involvement was? Mr. Andress said that it was a pick-up and drop-off station for local residents for the UPS delivery service. There would be wrapping materials kept on-site for convenience. There will be no UPS personnel there, only our personnel and the people utilizing the facility.

Mr. Youngers noted that the H&R Block office in Antioch Shopping Center has a similar arrangement for the convenience of people needing a UPS service area.

Mr. Smith asked Mr. Andress questions pertaining to the staff report prepared by Butler and Associates. He asked what the height of the proposed building was? Mr. Andress said that it was 30'. Mr. Smith asked about the parking arrangements. Mr. Andress said that, under the zoning, we have put in 36 parking spaces and have an additional 41 we could make available if we do need them. There would be very little parking on the site and very little traffic. There would be parking on the east side of the building.

Mr. Smith asked if there would be a live-in manager? Mr. Andress said that some projects have live-in managers or security personnel on duty at all times. This project would be an enclosed project with security personnel, as security is very important to us.

Mr. Smith asked about the Public Safety report involving fire-fighting capabilities. Mr. Andress said that they were proposing to add extra parking in the back and gates for the convenience of the fire truck to obtain access. The plan has been changed to eliminate the masonry walls that surrounded the building by not putting the wall around the front but retaining it in the back of the building. Wrought iron (ornamental) fencing will be installed in the front. Location of the fire hydrant has been agreed to.

CITY COUNCIL MINUTES

10/28/85 - Page 7

Mr. Andress said that only 35% occupancy of the building is required to financially support it. However, the building is constructed so that the first floor could be converted to parking, with a concrete floor, should the need be there for additional parking, or the building could be scaled down.

Mr. Winkler said that part of the concern is that we want to make sure it is a good business and that it will make it in the area. The Councilmembers felt that the applicant had tried to meet the recommendations of the City and address their concerns.

There being no further discussion, Mayor Bussinger closed the Public Hearing.

Item 11a on the Agenda: Approval of Site Plan Revision,  
2610 NE 60th Street, Environmental Construction Company/Curry Company.

Mr. Smith moved to approve the site plan of the applicant as submitted. Mr. Butler seconded.

Mr. Winkler noted that the Council wishes to have noted in the minutes that, as a matter of record, the Planning Commission should not take the total abject view that the City Council votes in total contrast to them, should the vote on this issue be unanimously for the project.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 12 on the Agenda: PUBLIC HEARING: Site Plan  
Revision, 5606 North Oak. Applicant/Owner: John Chezik.

Al Erickson, 10420 North Grand, Kansas City, Missouri, explained that the proposed plan is an extension on the north side of the showroom floor to be used for office space and showroom space. There were no problems with the plan expressed by the Planning Commission.

Mr. Butler asked if the sidewalk and overhang back by the Parts Department will be corrected? Mr. Erickson said that the overhang over the sidewalk will be repaired and steps added.

Mr. Winkler asked if the parking requirement has been addressed? Mr. Erickson said that it had been addressed and now have 28 or 29 spaces.

Mr. Smith commented on the Public Safety report pertaining to outside lighting and signs. Mr. Erickson said that there are no changes proposed in the lighting.

There was no further discussion and Mayor Bussinger closed the Public Hearing.

CITY COUNCIL MINUTES  
10/28/85 - Page 8

Item 12a on the Agenda: Approval of Site Plan Revision,  
5606 North Oak Street, Applicant/Owner: John Chezik.

Mr. Ashcroft moved to approve the site plan revision at 5606 North Oak, as submitted. \* Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda: Approval of Building Plans for  
Golden Goat Recycling Facility, 6313 North Prospect.

Mr. Ashcroft moved to approval Building Plans for Golden Goat Recycling Facility, 6313 North Prospect as submitted. Mr. Winkler seconded. The vote: All "No" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 14 on the Agenda: THIRD READING: BILL 85-58, an  
Ordinance rezoning from C-2, General Business District to CP-3, Commercial District-Planned, property at 5607 North Antioch. Owner: Rutledge Oil. Applicant: Lee Quisenberry.

Mr. Ashcroft moved to accept the Second Reading of Bill 85-58, waive the appropriate paragraph and place said Bill on its third and final reading. Mr. Butler seconded. The vote: Winkler "No", Smith "No", Butler "No", Ashcroft "Aye", Bussinger "Aye". (3-2) The Bill was defeated as a legal petition requires a unanimous vote of 4-1 affirmative.

Item 15 on the Agenda: TABLED THIRD READING: BILL 85-46,  
an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-2, General Business District-Planned, 200-300 Englewood Road. Applicant: Gladstone Properties.

There was no action on this Agenda Item.

Item 16 on the Agenda: THIRD READING: BILL 85-59, an  
ordinance rezoning from CP-1, Planned Local Business District, to CP-2, General Business District, property at northeast corner of NE 72nd and Oak Streets. Applicant: Gladstone Properties.

There was no action on this Agenda Item.

Item 17 on the Agenda: FIRST READING: BILL 85-65, an  
ordinance rezoning from CP-2, Planned General Business District to CP-3, Commercial District, property at 7109 North Walnut. Applicant: Gil Yunger.

Mr. Ashcroft moved to place Bill 85-65 on its first reading. Mr. Butler seconded. The vote: Winkler, Butler, Ashcroft, Bussinger - "Aye". Smith - "Pass". (4-1) The Clerk read the Bill.



CITY COUNCIL MINUTES

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Item 18 on the Agenda: FIRST READING: BILL 85-66, an ordinance vacating a sewer easement in CARRIAGE HILLS, 7th REPLAT.

Mr. Winkler moved to place Bill 85-66 on its first reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0). The Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 85-66 and place said Bill on its second reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill 85-66, waive the appropriate paragraph and place said bill on its third and final reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-66 and enact said Bill as Ordinance 2.594. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 19 on the Agenda: FIRST READING: BILL 85-67, an ordinance authorizing acceptance of water line easement for Highway #1 utility relocation project.

Mr. Butler moved to place Bill 85-67 on its first reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the first reading of Bill 85-67 and place said Bill on its second reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the second reading of Bill 85-67, waive the appropriate paragraph and place said Bill on its third and final reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the third and final reading of Bill 85-67 and enact said Bill as Ordinance 2.595. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 19a on the Agenda: RESOLUTION NO. R-85-70, A RESOLUTION Authorizing the Sale of Surplus Photographic Development Equipment.

Mr. Ashcroft moved to adopt RESOLUTION R-85-70, as submitted. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CITY COUNCIL MINUTES

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Item 20 on the Agenda:

Other Business.

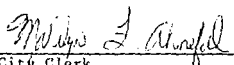
It was announced that a meeting would be held on Monday, November 4, 1985 at 5:30 pm at the City Hall, with Damon Pursell Construction company regarding differences on the flooding problem on North Bellefontaine.

There was no further business to come before the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting.


Respectfully submitted

Approved as submitted: 

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

  
\_\_\_\_\_  
City Clerk

seo

  
\_\_\_\_\_  
Lee W. Bussinger, Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 11, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of October 28, 1985 City Council Meeting.
5. CONSENT AGENDA:
  - Building Plan Approvals
  - 7634 N Oak, CARLITA'S RESTAURANT
  - Applicant: Benjamin Cuda
  - Owner: Lloyd Harbison
  - 6829 N Oak, TANS UNLIMITED
  - Applicant: Charles Isley
  - 7609 N Oak, UNCLE HAM'S RESTAURANT
  - Applicant: Bob Etzel
  - 7304 N Oak, P.J.'s CARPET
  - Applicant: Mace Anderson

RESOLUTION R-85-71, authorizing execution of Water Main Extension Contract No. 194 with North Haven East, Inc and Barber Sewer & Ditching, Inc. for water mains in NORTHAVEN GARDEN Subdivision.

RESOLUTION R-85-72, authorizing execution of Water Main Extension Contract No. 195 with Susan Rose and Damon Pursell Construction Co. for PROSPECT 1.

Approval of Interim Financial Reports for October, 1985.

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. THIRD READING: TABLED BILL 85-46, an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-2, General Business District-Planned, 200-300 Englewood Road. John Chezik Buick, Inc.

10. THIRD READING; TABLED BILL 85-59, an ordinance rezoning from CP-1, Planned Local Business District to CP-2, General Business District, property at northeast corner of NE 72nd & Oak. Applicant: Gladstone Properties
11. SECOND READING; BILL 85-65, an ordinance rezoning from CP-2, Planned General Business District to CP-3, Planned Commercial District, 7109 N Walnut. Gil Yunger
12. FIRST READING; BILL 85-68, an ordinance declaring the the results of the November 5, 1985 Bond Election.
13. FIRST READING; BILL 85-69, an ordinance amending Ordinance No. 2.369 regulating the conduct of Councilmanic elections
14. RESOLUTION NO. R-85-73, establishing the filing period for declarations of candidacy for the office of Councilperson in the City of Gladstone.
15. Other Business
16. Questions from the News Media
17. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 11, 1985

Mayor Lee W. Bussinger called the November 11, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Mayor Lee Bussinger

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

ABSENT: Councilman Bob Ashcroft

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Butler moved to approve the minutes of the October 28, 1985 City Council meeting as submitted. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 5 on the Agenda: Consent Agenda.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda. There was no request for removal of any item.

Mr. Smith moved to approve the Consent Agenda as submitted, with stipulation of meeting building approval in accordance with City's staff report. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

CONSENT AGENDA DETAIL:

Mr. Smith moved to approve the Building Plans for property at 7634 North Oak, CARLITA'S RESTAURANT. Applicant-Benjamin Cuda; Owner-Lloyd Harbison. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Smith moved to approve the building plans for property at 6829 North Oak, TANS UNLIMITED, Applicant-Charles Isley. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Smith moved to approve the Building Plans for property at 7609 North Oak, UNCLE HAM'S RESTAURANT, Applicant-Bob Etzel. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Smith moved to approve the Building Plans for property at 7304 North Oak, P.J.'s CARPET, Applicant-Mace Anderson. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Smith moved to adopt RESOLUTION R-85-71, authorizing execution of Water Main Extension Contract No. 194 with North Haven East, Inc., and Barber Sewer & Ditching, Inc., for water mains in NORTHAVEN GARDEN Subdivision. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Smith moved to adopt RESOLUTION R-85-72, authorizing execution of Water Main Extension Contract No. 195 with Susan Rose and Damon Pursell Construction Company for PROSPECT 1. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Smith moved to approve the Interim Financial Reports for October 1985 as submitted. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. Bill Burford, representing Kendallwood Trails Nursing Center, Kendallwood Trails Retirement Apartments, and Kendallwood Trails Home Health Agency, spoke to the City Council regarding a concern which has arisen in the availability of parking in the area. He said that, coming into the holiday season, with the Kendallwood Parkway being separated by a berm with actually two-lane traffic in either direction, there is no place for the people visiting the center to park. They are concerned about being ticketed by the City of Gladstone Public Safety. At a recent meeting, over 85 family members were represented and he was asked to get back to them with details regarding this situation. The area has been checked and we found that there were a lot of no parking signs put in, with the exception of on 60th Street from Antioch Road to Kendallwood Parkway and Chestnut Street.

We had agreed at a meeting to spend an additional \$18,000 at the Nursing Center to put in the additional \$18,000 for extra parking for employees, but the weather has held us back on that. The parking will be eliminated

CITY COUNCIL MINUTES  
11/11/85 - Page 4

Mr. Winkler stated that he was gratified by the turnout on the water bond election and the results from that election.

Mr. Butler said that he was pleased with the citizens of Gladstone that they read the facts in improving the water system and that over 76% voted for the project.

Mr. Smith thanked Mr. Reilly and his staff for the incredibly long hours spent working on the bond campaign. The result spoke well for the City and was a vote of confidence for all.

Item 8 on the Agenda:

City Manager Communications.

There were no additional communications from the City Manager.

Item 9 on the Agenda:

THIRD READING, TABLED BILL 85-46, an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-2, General Business District-Planned, 200-300 Englewood Road. John Chezik Buick, Inc., applicant.

There was no action on BILL 85-46 and said Bill was left tabled.

Item 10 on the Agenda:

THIRD READING: TABLED BILL 85-59, an ordinance rezoning from CP-1, Planned Local Business District to CP-2, General Business District, property at northeast corner of NE 72 Street and North Oak. Applicant: Gladstone Properties.

Mr. Winkler made a motion to remove Bill 85-59 from the table and place said Bill on the table for action. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Winkler moved to approve the second reading of Bill 85-59, waive the appropriate paragraph and place said Bill on its third and final reading. Mr. Smith seconded.

Mr. Bruce Lambert, the applicant, addressed the Council. He said that the bids are out for total destruction of the old house, station, and old grocery store building and will be handled all at one time. Mayor Bussinger asked if that would be done in the next few weeks, if weather holds? Mr. Lambert said it would, and that a meeting would be held tomorrow night to discuss it.

Mr. Reilly said that, for clarification, the ordinance before the Council is a rezoning ordinance, and Mr. Lambert does not have an application for a building permit before the Council this evening.

of consulting engineer

Mr. Butler said that, as a point of clarification, the recommendation is to leave the zoning as a current CP-1 zoning status and the Bill states that it changes from a CP-1 to a CP-2. Butler & Associates initially

recommended on their review of this project that rather than rezone leaving it at current CP-1 zoning and special use permits be granted. Mr. Reilly said that the Planning Commission recommended CP-2 due to the decision some time ago not to allow special use permit for purposes of liquor sale upon recommendation of legal counsel. Mr. Butler asked why Council cannot abide by the recommendations of the paid planning consultant? Mr. Reilly said that the Council can pick and choose from his recommendations. Mayor Bussinger said that the Council can study the recommendations of the paid consultant and then choose from them. Mr. Reilly said that there is a legal conflict between Mr. Drew's recommendations and Mr. Dods' interpretations of a special use permit in liquor.

Mr. Butler asked about elimination of the service road on the north entrance of North Oak realignment. Mr. Lambert said that the service road or extra entrance has been eliminated. We had three entrances or access roads into the shopping center on North Oak. We have eliminated that one, also. All requirements have been complied with. In response to a question pertaining to the existing wooden fence on the east property line, Mr. Lambert said he had maintained it all along and it will continue to be maintained by the shopping center. Mr. Butler asked if the fence would be extended to the south? Mr. Lambert said that the neighbor on the corner of 72nd Street has requested a different type of fence and we have agreed to give him what he wants.

Mr. Butler asked how the trash would be handled? Mr. Lambert said that there was a 5' wide walk and a row of bins that would be put there on pickup days. They can go either to the north or the south. The green-space does not allow for driving vehicles back there - it is 4' high above the walkway behind the buildings, going up the hill. Mr. Lambert said that a general maintenance man will be used to take care of the area. Mr. Smith asked if right of way for 72nd expansion is calculated on the plans. Mr. Lambert said it was on the original plans and remains. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The clerk read the Bill.

Mr. Winkler moved to accept the third and final reading of Bill 85-59 and enact said Bill as Ordinance 2.596. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 11 on the Agenda:

SECOND READING: BILL 85-65, an ordinance rezoning from CP-2, Planned General Business District to CP-3, Planned Commercial District, 7109 North Walnut. Gil Yunger, Applicant.

Mr. Yunger presented an artist's rendering of the development and noted that he has added a carport on the back of the development on Walnut Street.

Mr. Winkler moved to accept the first reading of Bill 85-65 and place said Bill on its second reading. Mr. Butler seconded. The vote: Winkler, Butler, Bussinger - "aye"; Smith - pass. (3-1) The clerk read the Bill.



CITY COUNCIL MINUTES

11/11/85 - Page 3

by the no parking signs and we are concerned, with the holiday season coming up, and the need for parking when family members do come into the area. Mr. Burford asked for a report from the City Council that he could take back to his family members in this situation.

City Manager Reilly said that a recommendation by Public Safety Department resulted in an ordinance recently adopted by the City Council which provided for no parking on both sides of the street in that area, as well as other areas of the City. The City Council had asked for a comprehensive review of no parking recommendations in the City and individual justifications were provided.

Mr. Smith said that he was one of the persons who had complained about parking in the Kendallwood area, but he did agree with Mr. Burford's point in that parking had been allowed in the past and perhaps needed to allow it to continue. He suggested a specific report be prepared on this area by Public Safety and action on the matter by the Council in the immediate future. Mr. Reilly indicated one of the concerns was the access by fire fighting apparatus.

Mr. Burford said that he had discussions with Ken Francis pertaining to the removal of the berm to permit easier access to the fire hydrant. Mr. Burford said he offered to bear the expense of removing trees and opening up the berm so that fire vehicles could enter there. Public Safety agreed to that and he understood the City was presently drawing up plans in this respect.

Mayor Bussinger said that when Public Safety had completed the review and prepared a recommendation, the Council would look at it and get back with Mr. Burford.

Mr. Winkler stressed the importance of adequate parking provisions in any development that comes before the Council, in order to prevent a situation such as this in the future.

There were no further communications from any persons in the audience.

Item 7 on the Agenda:

City Council Communications.

Mayor Bussinger commended the voters in the City of Gladstone for the fine turnout on the water bond election. He said this will cost each individual homeowner somewhat more, but they are to be commended in taking the time to read the information on the issue and consider the betterment of the community. He said the various projects would be started in April and May in order to beat the summer problems of water rationing that have been experienced in the past. He indicated that the letting of the contract on the M-1 project would be held on January 11.

CITY COUNCIL MINUTES

11/11/85 - Page 6

Item 12 on the Agenda: FIRST READING: BILL 85-68, an ordinance declaring the results of the November 5, 1985 Bond Election.

Mr. Smith moved to place Bill 85-68 on its first reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The clerk read the Bill in its entirety.

Mr. Smith moved to accept the first reading of Bill 85-68 and place said Bill on its second reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill 85-68 and place said Bill on its third and final reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill 85-68 and enact said Bill as Ordinance 2.597. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 13 on the Agenda: FIRST READING: BILL 85-69, an ordinance amending Ordinance No. 2.369 regulating the conduct of Councilmanic elections.

Mr. Butler moved to place Bill 85-69 on its first reading; Mr. Winkler seconded. Mr. Dods explained that the conduct of elections is now regulated by State Statutes. Recently the State of Missouri modified the timing of elections by which the Notice of Election must be given to the Clay County Election Board. The cut-off dates will be complied with in accordance with the State Statutes. This Resolution grants to the City Clerk the authority to determine that primary elections are, in fact, required, and, if so, to notify the Election Commission. The time of filing for candidacy will be decided by the Council from year to year. If adopted, this ordinance will require adoption of a Resolution for administration. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the first reading of Bill 85-69 and place said Bill on its second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the second reading of Bill 85-69 and place said Bill on its third and final reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the third reading of Bill 85-69 and enact said Bill as Ordinance 2.598. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

CITY COUNCIL MINUTES  
11/11/85 - Page 7

Item 14 on the Agenda:

RESOLUTION NO. R-85-73, establishing the filing period for declarations of candidacy for the office of Councilperson in the City of Gladstone.

Mr. Winkler moved to adopt RESOLUTION R-85-73. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

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There was no further business to come before the November 11, 1985 City Council Meeting, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Approved as submitted: \_\_\_\_\_

Martha L. Ahrens  
City Clerk

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

seo

Lee W. Bussinger  
Lee W. Bussinger, Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 25, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of November 11, 1985 City Council Meeting.
5. CONSENT AGENDA:

RESOLUTION R-85-74, authorizing purchase of  
Alert 2 Computer System for Gladstone Public  
Safety from International Business Machines  
Corporation in the amount of \$16,000. (For  
connection to KCMO Police Department)

RESOLUTION R-85-75, authorizing acceptance and  
final payment of Lamm Construction Company  
Contract for Mill Creek at East-West Flora Park  
Storm Drainage Improvements. Final payment due:  
\$7,500.00.

Building Plan Approval: Italian Deli  
6595 N Oak Applicant: Frank Palermo

Request Waiver of Occupation License Fee for  
Charitable Cause: Operation of Christmas Tree Lots

\*5945 Antioch Rd (Bob's IGA parking lot).  
Mini Model T's, Ararat Shrine of KC.

\*6316 N Oak (Bob's IGA parking lot)  
Gladstone Jaycees

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: Site Plan Revision, southwest corner  
NE 72nd & Antioch. Applicant/Owner: Gary Gabel
- 9a. Revised Site Plan Approval: SW corner NE 72nd &  
Antioch. Applicant: Gary Gabel

10. Revised Site Plan Approval and Building Plan Approval:  
3000 NE Antioch  
Applicant/Owner: Heritage Village of Gladstone
11. BUILDING PLANS: Young Learners Montessori School,  
102 NE 72nd Street. Applicant: Nancy Heathman
12. THIRD READING: TABLED BILL 85-46, an ordinance  
rezoning from R-1, Single Family Dwelling  
District-Planned to CP-2, General Business  
District-Planned, 200-300 Englewood Road.  
John Chezik Buick
13. THIRD READING: BILL 85-65, an ordinance rezoning from  
CP-2, Planned General Business District to CP-3,  
Planned Commercial District, 7109 N Walnut.  
Gil Yunger
- 13a. Approval of Building Plans: 7109 N Walnut  
Gil's Body Shop. Applicant: Gil Yunger
14. FIRST READING: BILL 85-70, an ordinance amending  
Schedule VIII of the Model Traffic Ordinance to  
designate 4-way stop at 56th Terrace & N Indiana
15. FIRST READING: BILL 85-71, an ordinance accepting  
standard sewer easements from Jim Carlson Construction,  
Inc. and John Hagen Builder, Inc. for CARRIAGE HILL 7TH  
PLAT.
16. Other Business
17. Questions from the News Media
18. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 25, 1985

Mayor Lee W. Bussinger called the November 25, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 pm.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Mayor Lee Bussinger

City Manager Patrick J. Reilly  
City Counselor Clyde Curtis  
City Clerk Marilyn F. Ahnefeld

ABSENT: Councilman Bob Ashcroft

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Smith moved to accept the Minutes of the City Council Meeting of November 11, 1985 with a correction to include Mr. Smith's question to Mr. Bruce Lambert on the donation of right-of-way for the 72nd Street expansion and further to include Mr. Lambert's acknowledgement that such right-of-way was included in the original plan and remains in the plan. Mr. Butler seconded the motion. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 5 on the Agenda: CONSENT AGENDA.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, Staff, or City council desired removal of any item from the Consent Agenda for placement on the Regular Agenda. There was no such request.

Mr. Butler moved to approve the Consent Agenda items as read. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

CONSENT AGENDA DETAIL:

Mr. Butler moved to adopt RESOLUTION R-85-74, authorizing purchase of Alert-2 Computer System for Gladstone Public Safety from International Business Machines Corporation in the amount of \$16,000 (for connection to KCMO police department). Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

CITY COUNCIL MINUTES

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Mr. Butler moved to adopt RESOLUTION R-85-75, authorizing acceptance and final payment of Lamm Construction Company contract for Mill Creek at East-West Flora Park Storm Drainage Improvements - Final payment due: \$7,500.00. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to approve the Building Plans for Italian Deli, 6595 North Oak, Applicant-Frank Palermo. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to approve the Request for Waiver of Occupation License Fees for Charitable Causes - Operation of Christmas Tree Lots for Ararat Shrine of K.C., at 5945 Antioch Road (Bob's IGA parking lot) - Mini Model-T's; and

Gladstone Jaycees, 6316 North Oak (Bob's IGA parking lot). Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 6 on the Agenda:

Communications from the Audience

Mr. Art Wuttke, 1021 NE 73 Terrace, addressed the Council with his continuing problem with the extension of 73rd Terrace. He said that he has had serious problems getting in and out of his property and he has been forced to spend \$95.00 in car repair for one of his automobiles and \$35.00 for a friend's car that got stuck in the mud. The continual delay in getting the access to his property finished is even more serious now that winter is here. Mr. Wuttke presented a photocopy of the check he had given to the City for \$2,500 for escrow for the access road.

The City Councilmembers and the City Manager discussed the problems they have encountered in getting the contractor to finish the road. The delay in part had been caused because there had been a problem in the engineering design of the road and then an easement had to be gotten from a neighbor.

Mr. Wuttke said that Asphalt Plant Sales had come in and graded the access down at the street and water now runs down the street and settles. Mr. Reilly said that the contractor was supposed to go out and put down some gravel to alleviate some of the problem with the mud, but that has not been done. Mayor Bussinger suggested the City crews put gravel there and deduct it from the payment to the contractor. Mr. Reilly said that could be done. The Councilmembers all agreed that pressure needs to be put on the contractor to get the job finished.

Item 7 on the Agenda:

Communications from City Council

Mr. Butler said that he has never told any resident who came before him that he never wanted to see them again. This was in response to Mr. Wuttke's statement that the last time he came before the Council with his problem, the Council said they never wanted to see him in front of them again.

CITY COUNCIL MINUTES

11/25/85 - Page 3

Item 8 on the Agenda:

Communications from City Manager

There were none.

Item 9 on the Agenda:

PUBLIC HEARING: Site Plan Revision,  
southwest corner NE 72 Street and Antioch. Applicant/Owner: Gary Gabel.

Gary Gabel, 2208 NE 74 Street, addressed the Council with his site plan revision for the planned development. He said that the original plan of 52 apartments has been changed to eight four-plexes, or 32 units. This was changed to conform with the recommendations on the parking spaces from the Planning Commission. Mr. Gabel said that he has worked on the water run-off and curbing, gutter and sidewalk will be put in on Antioch Road rather than putting the money in escrow.

Mayor Bussinger asked when the construction was proposed to begin? Mr. Gabel said that the entire project is sold out and he would like to start tomorrow, or as soon as approval can be obtained. Mr. Gabel indicated that he does not have the finalized stormwater plan yet, but it will be finalized in about two weeks.

Mr. Smith asked the City Manager if this is an important stage in the City's stormwater plan? Mr. Reilly indicated that the detailed stormwater plan has to be finished before the developer will be allowed to start his project.

Mr. Gabel indicated that the initial plan was approved and that a 50' right-of-way was put in there.

There were no further questions and Mayor Bussinger closed the Public Hearing.

Item 9a on the Agenda:

Revised Site Plan Approval: SW  
corner NE 72 Street and Antioch. Applicant: Gary Gabel.

The Council left this item tabled until the final Storm Water Plan was presented for approval.

Item 10 on the Agenda:

Revised Site Plan Approval and  
Building Plan Approval: 3000 NE Antioch, Applicant/Owner: Heritage Village  
of Gladstone.

Richard H. Swiers, II, Encom Engineering, addressed the Council with building plans for the development. Mr. Swiers explained the basic plan and the revision which was due to the flood plain on the adjusted site plan. Calculations have been made by Engineering and the basement elevation has been raised up to the point where it will be 6' above the flood plain.



CITY COUNCIL MINUTES

11/25/85 - Page 4

Mr. Smith asked if the developer had any exterior plans to show the Council. Mr. Swiers explained that the base of the building is brick and the upper part is a synthetic material that is energy efficient, since it is made out of insulated material. The roof will be constructed of a composition material which looks like timberline material.

There were no further questions of the applicant. Mr. Winkler moved to approve the revised site plan with the following provisions: (1) installation of fire hydrant near the entrance to the project per Public Safety review of September 20, 1985; (2) verification of building compliance with Federal Energy Management Agency flood hazard area requirements; and (3) approval of architectural, structural and mechanical details by the City's Engineering staff, and further that the developer continue the wainscoting effect on the building with the brick veneer to be aesthetically pleasing to the neighborhood. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 11 on the Agenda: BUILDING PLANS: Young Learners Montessori School, 102 NE 72 Street. Applicant: Nancy Heathman.

Nancy Heathman addressed the Council requesting approval of a building permit to allow minor cosmetic changes to the building at 102 NE 72 Street to improve safety and care of the children at the school. Mr. Smith noted that there was a discussion over concern that this operation required a special use permit. He indicated that the staff is conducting a study to see what is required. He said that he wants to be sure that this business is in full compliance with City codes. There is concern over the operation of this business on such a busy street.

Mr. Smith moved to table the consideration for approval of building plans for the Young Learners Montessori School, 102 NE 72 Street to the next scheduled City Council meeting to allow a full study of these concerns. Mr. Butler seconded.

Ms. Heathman explained that the single-paned windows in the building were not air-tight or weather-proofed, which could lead to vandalism, and she, too, was concerned with the safety of the children and this was why she was requesting approval of the proposed building plans. She indicated that she has worked with Mr. Hathaway to get this facility in order so that it meets with the Fire Code and City requirements. Mr. Winkler said that the City's staff report pertaining to this request listed six concerns and asked if they had been addressed? The City engineering staff said these concerns were not addressed in the building plans now under consideration. Mr. Winkler noted that the Engineering Department states that this building does not meet some specific requirements of City ordinance, and that it is a continuing non-compliance use in a commercial zone.

Mr. Butler asked what the applicant was going to do pertaining to the upgrading of safety of the building?

Ms. Heathman stated that insulation was going to be put in the ceilings and walls. She said that she has been working with Wells Fargo and they will

CITY COUNCIL MINUTES

11/25/85 - Page 5

install a monitoring system for a fire alarm and security system. She planned to put in an entrance door where there is now a garage door. She said that the State Fire Inspector was out to inspect the building and he had no problem with the way the exit is now. She said the children are always in an enclosed, supervised area while in her care. There is an area sufficiently large enough for cars to come into the driveway to drop off the children and room for them to turn around to exit the driveway.

(to table until next city council meeting)

The vote: / All aye" - Winkler, Smith, Butler, Bussinger. (4-0) City Manager Reilly noted that the next Council meeting would be held December 23.

Item 12 on the Agenda:

THIRD READING: TABLED BILL 85-46, an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-2, General Business District-Planned, 200-300 Englewood Road. John Chezik Buick, Applicant.

Mr. Smith moved to remove Bill 85-64 from the Table and place said Bill on the table for action. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger.

Mr. Smith moved to approve the SECOND READING of Bill 85-46 and place said Bill on its third and final reading. Mr. Butler seconded. Mr. Butler said that he had two concerns and requested that the motion include the stipulations as recommended by the Planning Commission on this development regarding the buffer zone being increased from 10' to 20' on the front footage; and also that the rear of the property being downzoned to CP-2.

Mr. Smith suggested that a stipulation be required that the City staff be directed not to issue any building permits until the rear of the property be downzoned to CP-2.

Mr. Winkler asked Planning Commission Chairman Vincent Saladino if the 20' buffer zone was acceptable to the Planning Commission. Mr. Saladino said that he walked up and down the entire Englewood Road project from the plaza area on North Broadway up to John Chezik's property to determine the buffer zone. Mr. Arse and Mr. Saladino walked the area to check out the Englewood Road setback. He indicated both he and Mr. Arse would like to see the 35' buffer zone left between the end of Chezik's sidewalk and the street, but, as a compromise, could live with the 20' buffer zone between the end of the sidewalk and his building. He felt that the majority of the Planning Commission could go along with the compromise.

The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

CITY COUNCIL MINUTES

11/25/85 - Page 6

Mr. Smith moved to accept the Third and Final reading of Bill 85-46 and enact said Bill as Ordinance 2.599. Mr. Butler seconded. Mr. Smith commended the Planning Commission on their work on this project because it opened the Councilmembers' eyes on the potential problems here. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 13 on the Agenda: THIRD READING: BILL 85-65, an ordinance rezoning from CP-2, Planned General Business District, to CP-3, Planned Commercial District, 7109 North Walnut. Applicant: Gil Yunger.

Mr. Winkler moved to accept the Second Reading of Bill 85-65, waive the appropriate paragraph and place said Bill on its Third and Final reading. Mr. Butler seconded. The vote: "Aye" - Winkler, Butler, Bussinger. "Pass" - Smith. (3-1) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final reading of Bill 85-65 and enact said Bill as Ordinance 2.600. Mr. Butler seconded. The vote: "Aye" - Winkler, Butler, Bussinger. "Pass" - Smith. (3-1).

Item 13a on the Agenda: Approval of Building Plans: 7109 North Walnut, Gil's Body Shop. Applicant: Gil Yunger.

Mr. Winkler said that he had a concern about the stormwater drainage design plan and asked Mr. Yunger if he had a conceptual plan to present? Mr. Yunger said that there had been an error on some of the calculations that indicated the catchbasin inlet was 3' x 5'. Engineering rechecked it and it would be a 3' x 8' catchbasin. The required buffer zone and landscaping are required and applicant agreed to meet the stipulations.

Mr. Winkler moved to approve the Building Plans for property at 7109 North Walnut with the stipulation that a building permit not be issued until the stormwater drainage conceptual plan has been approved by the City staff and all the recommendations of the staff report of November 19, 1985 have been met. Mr. Butler seconded. The vote: "Aye" - Winkler, Butler, Bussinger. "Pass" - Smith. (3-1)

Item 14 on the Agenda: FIRST READING: BILL 85-70, an ordinance amending Schedule VII of the Model Traffic Ordinance to designate 4-way stop at 56 Terrace and North Indiana.

Mr. Smith moved to place Bill 85-70 on its First reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the First reading of Bill 85-70 and place said Bill on its second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

## CITY COUNCIL MINUTES

11/25/85 - Page 7

Mr. Smith moved to accept the Second reading of Bill 85-70, waive the appropriate paragraph and place said Bill on its Third and Final reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final reading of Bill 85-70 and enact said Bill as Ordinance 2.601. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 15 on the Agenda: FIRST READING: BILL 85-71, an ordinance accepting standard sewer easements from Jim Carlson Construction, Inc., and John Hagen Builder, Inc., for CARRIAGE HILL 7TH PLAT.

Mr. Butler moved to place Bill 85-71 on its First reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the First reading of Bill 85-71 and place said Bill on its Second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.


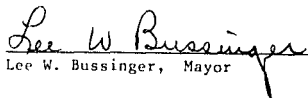
Mr. Butler moved to accept the Second reading of Bill 85-71, waive the appropriate paragraph and place said Bill on its Third and Final reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final reading of Bill 85-71 and enact said Bill as Ordinance 2.602. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

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There was no further business to come before the November 25, 1985 City Council Meeting, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Approved as submitted: Approved as corrected/  
amended: \_\_\_\_\_  
City Clerk  
Lee W. Bussinger, Mayor

NOTICE OF SPECIAL CITY COUNCIL MEETING  
FRIDAY, DECEMBER 6, 1985  
8:00 A.M.

Public notice is hereby given that a special meeting of the City Council of the CITY OF GLADSTONE, MISSOURI, will be held at the City Hall, on Friday, December 6, at 8:00 A.M., to consider and act upon the matters on the following tentative agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

1. Introduction and adoption of Resolution No. R-85-76, , providing for acceptance of Bond Purchase Agreement for sale of approximately \$5,000,000 of City of Gladstone Combined Waterworks and Sewerage System Revenue Bonds.

2. First Reading: Bill No. 85-72, establishing new water service rates for the City of Gladstone effective March 1, 1986.

The public is invited.

DATED this 4th day of December, 1985.

Marilyn L. Chiswick  
City Clerk of the City of  
Gladstone, Missouri

SPECIAL CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 6, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Communications
5. RESOLUTION NO. R-85-76, accepting Bond Purchase Agreement for sale of approximately \$5,000,000 of City of Gladstone Combined Waterworks and Sewerage System Revenue Bonds.
6. FIRST READING: BILL NO. 85-72, establishing new water service rates for the City of Gladstone effective March 1, 1986.
7. Other Business
8. Questions from the News Media
9. Adjournment

AFFIDAVIT OF POSTING OF NOTICE

STATE OF MISSOURI     )  
                              ) SS.  
COUNTY OF CLAY        )

I, the undersigned, do hereby certify that attached hereto is a true and correct copy of the Notice of Meeting that was posted on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for posting notices at the City Hall in Gladstone, Missouri, being the principal office and meeting place for the City; (2) said Notice was posted at least 24 hours prior to the commencement of the meeting; and (3) a copy of said Notice was made available to each representative of the news media who requested it.

*William W. Vinton*  
City Clerk of the City of  
Gladstone, Missouri

Subscribed and affirmed before me this 14<sup>th</sup> day of  
December, 1985.

*Marion M. Vinton*  
Notary Public - State of Missouri  
Commissioned in Clay County

My commission expires Jan. 27 1987.

MINUTES

SPECIAL GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

DECEMBER 6, 1985

Mayor Lee W. Bussinger called the December 6, 1985 Special Meeting of the Gladstone City Council to order in the Council Chambers of the Gladstone City Hall at 8:00am, notice of such special meeting having been publically posted and members of the news media so advised on Wednesday, December 4, 1985.

PRESENT: Councilman Les Smith                    ABSENT: Councilman Ken Winkler  
          Councilman Jim Butler  
          Councilman Bob Ashcroft  
          Mayor Lee Bussinger

City Manager Patrick J. Reilly  
Director of Administrative Services Toni Anderson  
City Clerk Marilyn Ahnefeld

Item 4 on the Agenda:                    There were no communications.

Item 5 on the Agenda:                    Mr. Ashcroft moved to adopt RESOLUTION NO. R-85-76, approving the entering into of a Bond Purchase Agreement with Zahner and Company and Stifel, Nicolaus & Company, Incorporated, in connection with the issuance of \$4,975,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series 1985, of the City of Gladstone, Missouri.

Mr. Smith seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)



Special City Council Meeting Minutes  
December 6, 1985, Page Two

Item 6 on the Agenda: FIRST READING: BILL 85-72, establishing new water service rates for the City of Gladstone effective March 1, 1986.

Mr. Smith moved to place Bill No. 85-72 on first reading; Mr. Butler seconded.

Mayor Bussinger asked that the public record show we are increasing our water rates effective March 1, 1986 and called on Mr. Reilly to explain when consumer's bills would be affected. Mr. Reilly advised that with an effective date of March 1, 1986 the rate increase will be applicable to water consumed March and April of 1986, residents are billed in May with collection in June 1986.

The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0) The Clerk read the Bill in its entirety.

Mr. Ashcroft moved to accept the first reading of Bill No. 85-72 and place said Bill on second reading; Mr. Butler seconded.

The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0) The Clerk read the Bill in its entirety.

Mr. Ashcroft moved to accept the second reading of Bill No. 85-72 and place said Bill on third and final reading; Mr. Butler seconded.

The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0) The Clerk read the Bill in its entirety.

Mr. Ashcroft moved to accept the third and final reading of Bill 85-72 and enact said Bill as Ordinance No. 2.603; Mr. Butler seconded. The vote: All "aye" - Smith, Butler, Ashcroft, Bussinger. (4-0)

Item 7 on the Agenda: Other Business.

Mr. Butler said that he and Mr. Smith had attended the Industrial Revenue Board Meeting last evening and the Board advised they are donating \$1,000 to the Gladstone Mayor's Christmas Tree Fund.

Mr. Butler said the Board of course cannot say that they will be in a position to make such a donation every year but it is affordable this year and they are happy to donate to such a worthy cause.

Mr. Bussinger said he would see that the Board's gift is properly acknowledged and expressed appreciation for the Gladstone Industrial Development Authority's assistance to the city in many ways.

Special City Council Meeting Minutes  
December 6, 1985, Page Three

\* \* \*

There was no further business to come before the December 6, 1985 Special Meeting of the Gladstone City Council, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Marilyn I. Arnyff  
City Clerk

Approved as submitted: ✓

Approved as corrected/  
amended:       

Lee W. Bussinger  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
December 23, 1985

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of Regular November 25, 1985 and Special December 6, 1985 City Council Meetings.
5. CONSENT AGENDA:

RESOLUTION R-85-77, authorizing Change Order No. 1 in amount of \$33,910.28 to Barber Sewer & Ditching Howard Street - 57th Terrace Water Main Extension Contract.

RESOLUTION R-85-78, authorizing sale of surplus Public Safety vehicles and equipment to the highest bidder. (2) 1983 Ford patrol vehicles; (1) Smith & Wesson Light Bar

RESOLUTION R-85-79, authorizing execution of contract with Kansas City Area Transportation Authority for purchase of Senior bus. 80%/20% matching grant. City share: \$9,000

RESOLUTION R-85-80, authorizing renewal of annual contract with Kansas City Area Transportation Authority for public transportation. City share: \$17,408

RESOLUTION R-85-81, authorizing purchase of 1985 1,000 gpm Class A Gruman Pumper from Snead Safety Sales in the amount of \$77,695.67

RESOLUTION R-85-82, authorizing execution of contract with Frazier and Sons Roofing Company for water treatment plant roof repairs. Amount: \$48,535.00

RESOLUTION R-85-83, acceptance of work under the Reconstruction Systems Unlimited, Inc. city hall remodeling contract and authorizing final payment. Grand Total Adjusted Contract Amount: \$26,634.00; Final Payment Due: \$1,411.80

APPROVAL OF BUILDING REMODELING PERMIT, 6004 N Antioch Road. Applicant: Antioch Printing

APPROVAL OF INTERIM FINANCIAL REPORTS for November, 1985.

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: request to rezone from C-3, District to CP-2, General Business District-Planned, property at 200-300 Englewood Road (rear of 5606 N Oak). Applicant: John Chezik
10. Building Plan Approval: 102 NE 72nd Street Young Learners Montessori School Applicant: Nancy Heathman
11. Building Plan Approval: 5708-14 N Antioch Road Antioch Plaza Center Applicant: Commercial Investment Properties
12. FIRST READING: BILL 85-73, an ordinance amending Section VIII of the Model Traffic Ordinance to designate additional Stop Sign location at NE corner Shady Lane Dr. and N Mersington.
13. FIRST READING: BILL 85-74, an ordinance repealing certain sections of the Floodway and Floodway Fringe District Ordinance and enacting new sections in lieu thereof.
14. FIRST READING: BILL 85-75, an ordinance authorizing the issuance of \$4,975,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds of the City.
15. FIRST READING: BILL 85-76, an ordinance relating to the Preliminary Official Statement and Official Statement Used in Connection With the Public Sale and Offering of \$4,975,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series, 1985.
16. Other Business
17. Questions from the News Media
18. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 23, 1985

Mayor Lee W. Bussinger called the December 23, 1985 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Mayor Lee W. Bussinger  
  
City Manager Patrick J. Reilly  
City Counselor Clyde Curtis  
City Clerk Marilyn F. Ahnefeld

ABSENT: Councilman Bob Ashcroft

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Winkler moved to approve the minutes of the November 25, 1985 regular City Council Meeting and the minutes of the December 6, 1985 Special City Council Meeting, as submitted. Mr. Butler seconded. The vote: Winkler - "aye" on November 25 meeting, "pass" on December 6 meeting. Smith, Butler, Bussinger - all "aye". November 25, 1985 vote: (4-0); December 6 vote: (3-1).

Item 5 on the Agenda: Consent Agenda.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, Staff, or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Smith requested that RESOLUTION R-85-81 be withdrawn from the Consent Agenda for further discussion.

Mr. Butler moved to approve the remaining Consent Agenda items as read; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

CONSENT AGENDA DETAIL:

Mr. Butler moved to adopt RESOLUTION R-85-77, authorizing Change Order No. 1 in the amount of \$33,910.28 to Barber Sewer and Ditching Howard

CITY COUNCIL MINUTES  
12/23/85 - Page two

Street - 57th Terrace Water Main Extension Contract. Mr. Smith seconded.  
The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to adopt RESOLUTION R-85-78, authorizing sale of surplus Public Safety vehicles and equipment to the highest bidder: (2) 1983 Ford patrol vehicles; and (1) Smith & Wesson Light Bar. Mr. Smith seconded.  
The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to adopt RESOLUTION R-85-79, authorizing execution of contract with Kansas City Area Transportation Authority for purchase of Senior bus, 80%/20% matching grant. City share: \$9,000. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to adopt RESOLUTION R-85-80, authorizing renewal of annual contract with Kansas City Area Transportation Authority for public transportation. City share: \$17,408. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to adopt RESOLUTION R-85-82, authorizing execution of contract with Frazier and Sons Roofing Company for water treatment plant roof repair in the amount of \$48,535.00. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to adopt RESOLUTION R-85-83, acceptance of work under the Reconstruction Systems Unlimited, Inc., city hall remodeling contract and authorizing final payment. Grand total adjusted contract amount: \$26,634.00; Final payment due: \$1,411.80. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to approve the Building Remodeling Permit for property at 6004 North Antioch Road, Applicant: Antioch Printing. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Mr. Butler moved to approve the Interim Financial Reports for November, 1985. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 5a on the Agenda: RESOLUTION R-85-81, authorizing purchase of 1985 1,000 gpm Class A Gruman Pumper from Sneed Safety Sales in the amount of \$77,695.67.

Mr. Smith moved to adopt RESOLUTION R-85-81. Mr. Winkler seconded. Mr. Smith said that he would like to see an explanation from the City Manager why the low bid for this equipment was not accepted.

CITY COUNCIL MINUTES  
12/23/85 - Page three

City Manager Reilly said that routinely all references of all low bidders are checked and in this case it was discovered that the low bidder had no local maintenance support team and some purchasers of his equipment complained about lack of maintenance and lack of support. When calls were made to obtain further information about specifications, they were, in effect, rather rude and non-responsive and we felt that it was not an appropriate expenditure.

Mr. Smith asked about the procedure of analyzing bids and determining how the bid is awarded. City Manager Reilly said that, in such equipment as complex a vehicle as a pumper, there are some areas that are more vague than others, so traditional information is requested and then specific provisions are requested to determine what the bidder will supply in order to enable the City to determine what equipment would most adequately fill the requirements of the City.

The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 6 on the Agenda:

Communications from the Audience.

There were none.

Item 7 on the Agenda:

Communications from the City Council.

Mr. Winkler commended the City staff on the snow and ice removal on the City streets during the recent severe weather.

Mayor Bussinger introduced a guest at the City Council Meeting, Mr. Gary Crockett, City Councilman from North Kansas City.

Item 8 on the Agenda:

Communications from the City Manager.

There were none.

Item 9 on the Agenda:

PUBLIC HEARING: Request to rezone from C-3, District to CP-2, General Business District-Planned, property at 200-300 Englewood Road (rear of 5606 North Oak). Applicant: John Chezik.

Mayor Bussinger said that the purpose of this rezoning is to bring the area into conformance with the remainder of the property. There were no comments from anyone in the audience or from the developer. Mayor Bussinger closed the Public Hearing.

CITY COUNCIL MINUTES  
12/23/85 - Page four

Item 10 on the Agenda: Building Plan Approval: 102 NE 72 Street, Young Learners Montessori School. Applicant: Nancy Heathman.

Mr. Allan Zimmerman, attorney for Nancy Heathman, addressed the Council. Mr. Zimmerman said that a letter was received from the Director of Planning & Development for the City of Gladstone and he also talked with John Dods of the City Counselor's office. The two issues of importance before the City regarding the Young Learners School are: (1) Whether or not a Special Use Permit may be required; and (2) Whether or not a building permit should be issued.

Our position on the first issue is that this is a nursery school not a day care center. In talking with Mr. Dods, he indicated that this was not a school. It is our opinion that he does not have all the facts on the matter, since this is a school, and a school is permitted in a C-1 zone. In regard to a Special Use Permit, a permit would allow a nursery school or day care center to be located in any zoned area upon approval by Council of a special use permit. Mr. Zimmerman said that this school has been in operation in Gladstone since June 30, 1983. At that time, the Young Learners School was located at 6906 North Locust, in another residential-type house located in C-1 zoning. She was issued an occupation license at that time and this operation has been in business since June 1983. In February 1984, it was transferred to this present location, which she purchased already zoned C-1, at 102 NE 72 Street, located just west of the building at 72 and North Oak, which houses Godfather's Pizza. She has continued in operation and has had occupation licenses since February 1984, so our position is, that, even if she is a nursery or pre-school, she is "grandfathered in", so to speak. She has been dependent on the use of this property, and has a large number of parents who depend upon her skills.

Our second position is, that, even if this is not "grandfathered in" and is not appropriate as a non-conforming use, this is a school. Any definition of a school is an institution of teaching and this school qualifies in that regard. Ms. Heathman is certified by the Montessori Institute of America, which is a nationwide organization. In order to use the name, "Montessori", a person must be certified by the Institute. The Institute establishes a strict curriculum and regulations, and an educational philosophy used by the teachers using these methods. Ms. Heathman is also certified as a "Play Square" where new Montessori teachers can learn and serve an internship to learn to prepare for their program. So there is also teaching going on - not only of small children through kindergartners, but also of teaching of interns or adults who are learning to be Montessori teachers. Mr. Zimmerman noted that there were several people in the audience, both parents and teachers, who were willing to testify for Ms. Heathman as to activities in the school.

Mr. Zimmerman addressed the concern of the Council pertaining to the building permit and the set-back lines, located 175' from the back of the building. He presented a drawing for the Council to view which detailed



CITY COUNCIL MINUTES  
12/23/85 - Page five

the proposed changes in the existing building. He indicated there are 10' setbacks from the parking area, and proposed to expand the parking area in two locations, as well as install a door and two windows. He said that there is a fenced area, but in the back of the lot, the creek floods and is not usable area. The permit application sets out Ms. Heathman's standards and most expensive is the fireproofing and the upgrading of the building on the inside. Basically, she wants to take out a garage door and put a wall up.

Mayor Bussinger said that the Council has to follow the rules; and the philosophy of the Council is not to see businesses go into homes or residential areas. He said that his concern is for the safety of the children. Any business of this nature is being required to obtain a special use permit. He said that incidents have been observed of cars letting children out on 72nd Street to enter the building and this could endanger the children by the heavy traffic in the area.

Mr. Zimmerman responded that there are businesses operating out of houses all over the City of Gladstone and in this instance, there is a situation where the improvements are to alleviate problems of safety for the children. There has to be a concern here regarding the legal rights of people who are operating very nice businesses out of houses. He said that if the problem is not the fact that it is a school, but is a problem dealing with parking, and drop-off points, then we are trying to solve those problems and would be very happy to work with the Council to achieve the desired results.

Mayor Bussinger said that he would like to have Mr. Zimmerman and Ms. Heathman meet with the City staff to resolve some of the concerns. He said the City is not trying to hassle the applicant. Mr. Zimmerman asked that, if this is a pre-ordained issue, he would appreciate knowing immediately so that he can take it to court; but if it is not a pre-ordained issue then he wants the opportunity for the staff and the Council to discuss the matter with his client. Mayor Bussinger urged a meeting prior to the next Council meeting on January 13 with the City staff to attempt to reach an agreeable decision.

Mr. Winkler said that he would like to assure Mr. Zimmerman that the City Council doesn't intend to put someone out of business, but some serious large loopholes have been found in the zoning ordinance and we are now aware of them and are trying to bring them into conformance. Someone has to be number one.

Mr. Zimmerman said that the applicant cannot afford to go to great expense, as she is almost in poverty. She makes a small income on this business. When she received a letter notifying her of the need for a special use permit and fee of \$400, she cannot afford that. The situation is humanitarian in this standpoint, and, for a businessman who can afford to go through all the expensive procedures is one matter, but he urged the Council to reconsider in this case.

CITY COUNCIL MINUTES  
12/23/85 - Page six

Item 11 on the Agenda: Building Plan Approval: 5708-14 North Antioch Road, Antioch Plaza Center. Applicant: Commercial Investment Properties.

Mr. Smith moved to approve the building plans as submitted, with direction to the City Staff that no building permit be issued until the stormwater drainage and landscaping requirements as stipulated by the City Staff be met. Mr. Butler seconded.

Mr. Butler said that the City Council will be looking very closely at stormwater drainage plans in this area.

The vote: All "aye" - Winkler, Smith, Butler, Bussinger (4-0)

Item 12 on the Agenda: FIRST READING: BILL 85-73, an ordinance amending Section VIII of the Model Traffic Ordinance to designate additional Stop sign location at NE corner Shady Lane Drive and North Mersington.

Mr. Winkler moved to place Bill 85-73 on its First Reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill 85-73 and place said Bill on its Second Reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill 85-73, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill 85-73 and enact said Bill as Ordinance 2.604. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 13 on the Agenda: FIRST READING: BILL 85-74, an ordinance repealing certain sections of the Floodway and Floodway Fringe District Ordinance and enacting new sections in lieu, thereof.

Mr. Smith moved to place Bill 85-74 on its First Reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill 85-74 and place said Bill on its Second Reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

CITY COUNCIL MINUTES  
12/23/85 - Page seven

Mr. Smith moved to accept the Second Reading of Bill 85-74, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 85-74 and enact said Bill as Ordinance 2.605. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 14 on the Agenda: FIRST READING: BILL 85-75, an ordinance authorizing the issuance of \$4,975,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds of the City.

Mr. Smith moved to place Bill 85-75 on its First Reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill 85-75 and place said Bill on its Second Reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill 85-75, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third Reading of Bill 85-75 and enact said Bill as Ordinance 2.606. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 15 on the Agenda: FIRST READING: BILL 85-76, an ordinance relating to the Preliminary Official Statement and Official Statement Used in Connection with the Public Sale and Offering of \$4,975,000 Combined Waterworks and Sewerage System Refunding and Improvement Revenue Bonds, Series, 1985.

Mr. Winkler moved to place Bill 85-76 on its First Reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill 85-76 and place said Bill on its Second Reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill 85-76, waive the appropriate paragraph, and place said Bill on its Third and Final Reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0) The Clerk read the Bill.

CITY COUNCIL MINUTES  
12/23/85 - Page eight

Mr. Winkler moved to accept the Third Reading of Bill 85-76 and enact said Bill as Ordinance 2.607. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)

Item 16 on the Agenda:

Other Business.

Mr. Smith moved to reappoint Jeff Duer to the Park Board for a two-year term, and John Swenson for a one-year term to fill the expiring term of Russell Zimmerman. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. (4-0)


Mayor Bussinger introduced Mr. Jerry Kaster, the Director of Community Development for the City of Gladstone. Mr. Kaster came to the City from Troy, Ohio.

\* \* \* \* \*

There was no further business to come before the December 23, 1985 City Council Meeting, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted

Marilyn J. Ahnfeldt  
City Clerk

Approved as submitted: 

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

seo

Lee W. Bussinger  
Lee W. Bussinger, Mayor

CITY COUNCIL MEETING MINUTES

1-13-86 to 12-22-86

MINUTE BOOK 73

1986 CITY COUNCIL MINUTES

| <u>MEETING</u> | <u>DATE</u>       |
|----------------|-------------------|
| REGULAR        | JANUARY 13, 1986  |
| REGULAR        | JANUARY 27, 1986  |
| REGULAR        | FEBRUARY 10, 1986 |
| REGULAR        | FEBRUARY 24, 1986 |
| NO MEETING     | MARCH 10, 1986    |
| REGULAR        | MARCH 24, 1986    |
| REGULAR        | APRIL 14, 1986    |
| REGULAR        | APRIL 28, 1986    |
| REGULAR        | MAY 12, 1986      |
| NO MEETING     | MAY 26, 1986      |
| REGULAR        | JUNE 9, 1986      |
| REGULAR        | JUNE 23, 1986     |
| REGULAR        | JULY 14, 1986     |
| REGULAR        | JULY 28, 1986     |
| REGULAR        | AUGUST 11, 1986   |
| REGULAR        | AUGUST 25, 1986   |
| REGULAR        | SEPTEMBER 8, 1986 |

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 13, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of December 23, 1985 City Council Meeting.
5. CONSENT AGENDA:

RESOLUTION NO. R-86-1, authorizing acceptance of work under City Hall roofing contract and authorizing final payment to Frazier & Sons Roofing Company in the amount of \$2,155.60.

RESOLUTION NO. R-86-2, authorizing acceptance of bid and execution of contract for 1986 Street Light Program with Total Electric Company.  
Contract Amount: \$20,888

RESOLUTION NO. R-86-3, authorizing sale of surplus city asphalt pot machine to highest bidder.

RESOLUTION NO. R-86-4, authorizing award of contract to Landplan Engineering, Lawrence, Ks. for Happy Rock Park master planning services.  
Not to exceed \$6,300.

RESOLUTION NO. R-86-5, authorizing award of contract to Layne Western Company for design and construction of two water wells. \$250,170

RESOLUTION NO. R-86-6, authorizing execution of Agreement with Missouri State Highway Commission relative to re-routing of traffic in connection with Route #1 (N Prospect) improvement project.

APPROVAL OF INTERIM FINANCIAL REPORTS for December, 1985.

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager

9. PUBLIC HEARING: Request to rezone from R-1, Single Family District to CP-1, Local Business District-Planned, property at 106 NE 72nd street. Applicant/Owner: Lewis and Rebecca Patton
10. PUBLIC HEARING: Request to vacate an easement (detention basin north of Carriage Hills, 7th Replat). Applicant/Owner: J.A. Peterson Co.
11. PUBLIC HEARING: Request to rezone from R-3, Garden Apartment District, to R-1, Single Family District, property at the southwest corner of Pleasant Valley Road and N Jackson. Applicant/owner: J.A. Peterson Company.
12. FIRST READING: BILL 86-1, an ordinance rezoning from C-3, Commercial District to CP-2, General Business District-Planned, property at 200-300 Englewood Road (rear of 5606 N Oak). Applicant: John Chezik
13. Other Business
14. Questions from the News Media
15. Adjournment



MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 13, 1986

Mayor Lee W. Bussinger called the January 13, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda:

Acceptance of Minutes

Mr. Smith moved to approve the minutes of the December 23, 1985 City Council Meeting as submitted. Mr. Butler seconded. The vote: "Aye" - Winkler, Smith, Butler, Bussinger. "Pass" - Ashcroft. (4-1)

Item 5 on the Agenda: Consent Agenda.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda. There was no such request.

Mr. Winkler moved to approve the Consent Agenda items as read; Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CONSENT AGENDA DETAIL:

Mr. Winkler moved to adopt RESOLUTION R-86-1, authorizing acceptance of work under City Hall roofing contract and authorizing final payment to Frazier & Sons Roofing Company in the amount of \$2,155.60. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CITY COUNCIL MINUTES

1/13/86 - Page 2

Mr. Winkler moved to adopt RESOLUTION R-86-2, authorizing acceptance of bid and execution of contract for 1986 Street Light Program with Total Electric Company, in the contract amount of \$20,888. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION R-86-3, authorizing sale of surplus city asphalt pot machine to highest bidder. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION R-86-4, authorizing award of contract to Landplan Engineering, Lawrence, Kansas, for Happy Rock Park master planning services, total not to exceed \$6,300. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION R-86-5, authorizing award of contract to Layne Western Company for design and construction of two water wells, in the amount of \$250,170. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION R-86-6, authorizing execution of Agreement with Missouri State Highway Commission relative to re-routing of traffic in connection with Route #1 (North Prospect) improvement project. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to approve the INTERIM FINANCIAL REPORTS for the month of December, 1985, as submitted. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda:

Audience Communications.

There were none.

Item 7 on the Agenda:

City Council Communications.

Mayor Bussinger noted that he had been witness to an accident at 72 and North Euclid and was very concerned about traffic safety at that location. He asked City Manager Reilly whether Public Safety had done a study of the feasibility of a traffic light at that intersection.

Mr. Reilly said that the study that was done did not find that there was enough traffic flow generated at that intersection to justify a traffic light. However, this is one of the areas to be studied in the future.

Mayor Bussinger asked City Manager Reilly about repairing of the city streets that have been damaged by the winter weather. The City Manager indicated that as soon as the night-time temperature was warm enough work could begin, but it would probably be May or June.

Item 8 on the Agenda:

City Manager Communications

There were none.

Item 9 on the Agenda:

PUBLIC HEARING: Request to rezone from R-1, Single Family District, to CP-1, Local Business District-Planned, property at 106 NE 72 Street. Applicant/Owner: Lewis and Rebecca Patton.

Mr. Larry Wickham, architect for Lewis and Rebecca Patton, addressed the Council with the proposed plans for the parcel of land located at 106 NE 72 Street. He said that the proposal was to completely renovate the total building, with only the structural frame remaining. He noted that the Planning Commission had given the proposal their approval and a recommendation for approval with a 9-1 vote. The stipulations by the Planning Commission relating to this proposal were reduction of the driveway entrances from two to one, and a buffer zone on the north boundary of the property. The Planning Commission felt that it was important to have on record a definite compliance with the City Code, and have a 35' buffer zone installed in compliance with their recommendations.

Mr. Wickham said that the applicant is in agreement with two of the recommendations, but has some concern relating to the elimination of one driveway access to the property. He said that the access is by way of two 15' driveways and the applicant would like to enlarge these to 30'. He indicated the front portion of the parking would be used by the Insurance customers but the long-term parking would be on the back portion of the lot. He said that, due to the terrain of the lot, they would like to keep both of the approaches, and curve the driveway from the east to the west and connect the two parking lots. He indicated that, in inclement weather, the cars would have to navigate a rather steep terrain if there were only one entrance. They felt that it was important to keep both entrances in order to maintain orderly entrance and exits from the property on 72nd Street.

Mr. Patton described the construction and appearance of the proposed exterior of the building, with brick on the entire front of the building. He planned to change all the windows and doors to obtain a business-like appearance. He said that landscaping would be carried through on both the front and back of the areas. The building has a solid concrete foundation and is in excellent condition. He proposed to remove the current roof and install a new roof on the building.

Mayor Bussinger said that he has concerns about the exterior of the building in relation to the stucco finish on the ends. He also said that he has concerns about the two driveways onto the property.

CITY COUNCIL MINUTES

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Mr. Winkler referenced Butler & Associates memorandum relating to the proposed use of the property now being CP-0. He questioned the request by the applicant of CP-1 and would that be to allow the later addition of retail usage to the building? He asked the applicant if he planned to develop the basement at the rear of the property for some customer parking. Mr. Patton indicated that the parking in the back will be mainly utilized by employees, my wife and myself as agents of the business. He indicated that they were in and out of the office a lot during the day.

Mr. Winkler said that he has a concern with the curb cuts and the driveways. With the traffic on 72nd Street traveling at 35 miles per hour and cars entering and exiting the property, the possibility of accidents is increased.

Mayor Bussinger asked Mr. Patton why the applicant did not totally remove the existing building and put in a new building? He and the other Councilmembers felt that with the expense to renovate an old building, it might be more cost-effective to raze the old building and begin with a totally new building.

Mr. Butler expressed his concern with commercial businesses going into residential-type buildings. He said that traffic is a problem with the way the house sits out in front of the other buildings. He said that the precedent of letting businesses go into residential buildings is causing concern with the Councilmembers.

Mr. Patton said that his business would not be putting a lot of traffic in the area - probably not more than two or three cars at a time. The inflow from 72 Street should not be much of a safety problem because there just will not be a large number of cars entering or exiting the property.

Mr. Smith asked how many cars would go in and out of the property during an average day? Mr. Patton said possibly ten. Mr. Smith asked about the front yard setback? Mr. Patton said that the front yard has a 40' setback.

When asked what the life expectancy of this building would be after the renovation, Mr. Wickham said that with upkeep and maintenance performed on it it would last indefinitely.

Mr. Winkler asked about the driveway expansion to 30'? Mr. Reilly said that the City Staff has recommended one driveway. He said that the more street cuts on a project, the worse the traffic problems.

Mr. Smith asked if the problem with the turn-around in the front cause a stacking of cars and traffic? It was determined that there would be sufficient room for cars to turn around and exit.

Mr. Butler expressed a concern about the front yard landscaping. He said that he would like to see more green space in the 30'-35' buffer.

Mr. Patton indicated there are two landscaped areas - one toward the front of the street and another in front of the building. He said he is trying to make improvements in the area and make it modern and permanent with brick and stucco. He wants a professional building to operate his business out of. He said that he did not want to operate out of a house-type atmosphere, but wants it to look like a professional building.

Randy Robb addressed the Council in response to a question that Mr. Butler had raised. The concern Mr. Butler expressed was that, if this residential building were converted to a professional building, then the other two parcels of land adjacent to this one might not be as marketable as they might be if a buyer could purchase all three parcels. Mr. Robb said that all three pieces of property have been on the market for the last 18 months, but no prospective purchaser has expressed any interest.

Mr. Robb also addressed the driveway issue by saying that he had recently been in the building adjacent to the proposed project to the east and said that the elimination of one of the entrances concerned him. He said that the building would be much better served with two driveways, which would much more effectively serve the traffic flow.

There was no further discussion and Mayor Bussinger closed the Public Hearing.

Item 10 on the Agenda: PUBLIC HEARING: Request to vacate an easement (detention basin north of Carriage Hills, 7th Replat). Applicant/Owner: J. A. Peterson Company.

Mayor Bussinger asked if there was any person in the audience to speak on this issue. There were none. The applicant was not present. There were no questions from the Councilmembers, so Mayor Bussinger closed the Public Hearing.

Item 11 on the Agenda: PUBLIC HEARING: Request to rezone from R-3, Garden Apartment District, to R-1, Single Family District, property at the southwest corner of Pleasant Valley Road and North Jackson. Applicant/Owner: J. A. Peterson Company.

There were no persons in the audience to speak on this issue. The applicant was not present and there were no questions from the City Councilmembers, so Mayor Bussinger closed the Public Hearing.

CITY COUNCIL MINUTES  
1/13/86 - Page 6

Item 12 on the Agenda: FIRST READING: BILL 86-1, an ordinance rezoning from C-3, Commercial District, to CP-2, General Business District-Planned, property at 200-300 Englewood Road (rear of 5606 North Oak). Applicant: John Chezik.

Mr. Smith moved to place Bill 86-1 on its First Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill 86-1 and place said Bill on its Second Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill 86-1, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 86-1 and enact said Bill as Ordinance 2.608. Mr. Winkler seconded the motion. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda: Other Business.

Mr. Winkler moved to <sup>re-</sup>appoint the following persons to three-year terms on the Planning Commission: Mr. Joe Arse, Mr. Richard Davis, Mr. Brian Hall and Mr. Ed O'Neill. He moved to re-appoint Mr. Louis Scott for a one-year term. He moved to appoint Mr. Terry O'Hara for a new one-year term. Mr. Butler seconded the nominations. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)


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There was no further business to come before the January 13, 1986 City Council Meeting, whereupon Mayor Bussinger adjourned the meeting.

Respectfully submitted:

*Marion J. Bussinger*  
City Clerk

seo

Approved as submitted: 

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

*Lee W. Bussinger*  
Lee W. Bussinger, Mayor

*Bob Ashcroft*  
Bob Ashcroft Mayor Pro Tem

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

revised

January 27, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of January 13, 1986 City Council Meeting.
5. PRESENTATION OF SERVICE PLAQUES TO FORMER CITY COMMISSIONERS:  
    Randall Lary, Planning Commission, January 1978 to  
    December 1985

Russ Zimmerman, Park Board, January 1978 to  
December 1985

6. CONSENT AGENDA:

RESOLUTION NO. R-86-7, authorizing execution of Engineering Services Agreement with George Butler Associates, Inc. in connection with water supply and distribution improvements. Not to exceed \$25,000. Fund: Combined Waterworks & Sewerage System

RESOLUTION NO. R-86-8, authorizing acceptance of proposal from Bill Allen Chevrolet for purchase of 1 Ton Pickup with Karry-All Body. Amount: \$13,200

RESOLUTION NO. R-86-10, amending the RULES AND REGULATIONS OF THE COMBINED WATER AND SEWER UTILITY to provide for certain water installation and connection fee increases and implementation of a returned check charge.

APPROVAL OF COMMERCIAL BUILDING PERMIT FOR  
SATELLITE DISH INSTALLATION: 5606 Antioch Road  
Applicant: Billie Yeatman

7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
- 9.a. PUBLIC HEARING: Request to rezone from C-1, Local Business District to C-2, General Business District, property at 7609 N Oak. Applicant: Uncle Ham's Tenderloins. Bob F. Etzell, II

10. FIRST READING: BILL NO. 86-2, rezoning from R-1, Single Family Dwelling District to CP-1, Local Business District-Planned, property at 106 NE 72nd street.  
Applicant/Owner: Lewis and Rebecca Patton
11. FIRST READING: BILL NO. 86-3, vacating an easement in Carriage Hills 7th Replat (detention basin).  
Applicant: J. A. Peterson Company
12. FIRST READING: BILL NO. 86-4, an ordinance rezoning property at southwest corner Pleasant Valley Rd. & N Jackson from R-3, Multi-Family Dwelling District to R-1, Single Family Dwelling District. Applicant/Owner: J.A. Peterson Company.
13. FIRST READING: BILL NO. 86-5, an ordinance requiring a Building Relocation Permit to move a building structure on the public streets in the City of Gladstone and establishing a fee for such purpose.
14. FIRST READING: BILL NO. 86-6, repealing Section 3-28 of the City Code and enacting a new Section 3-28 providing for Employee Permits for dispensing alcoholic beverages and establishing fee for such purpose.
15. FIRST READING: BILL NO. 86-7, amending Section 27-13 of the City Code establishing Excavation Permit Fees.
16. FIRST READING: BILL NO. 86-8, amending Section 29-65 of the City Code establishing Sewer Tap charges.
17. FIRST READING: BILL NO. 86-9, establishing a revised SCHEDULE OF LICENSES, FEES AND CHARGES for services and activities provided by the City; providing that increased licenses, fees and charges shall be subject to voter approval in compliance with state law; calling an election for such purpose on Tuesday, April 1, 1986 and describing the form of the ballot.
18. Other Business
19. Questions from the News Media
20. Adjournment



MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

January 27, 1986

Mayor Pro-tem Bob Ashcroft called the January 27, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Mayor Pro-tem Bob Ashcroft  
  
City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

ABSENT: Mayor Lee Bussinger

Mayor Pro-tem Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Winkler moved to accept the minutes of the January 13, 1986 City Council Meeting as submitted. Mr. Butler seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 5 on the Agenda: PRESENTATION OF SERVICE PLAQUES.

Mayor Pro-tem Ashcroft presented service plaques to former City of Gladstone Commissioners Randall Lary of the Planning Commission for service from January 1978 to December 1985, and to Russ Zimmerman, Park Board, for service from January 1978 to December 1985. Mr. Ashcroft commended the gentlemen for their dedicated service and thanked them on behalf of the City.

Item 6 on the Agenda: CONSENT AGENDA.

Following the Clerk's reading of the Consent Agenda, Mayor Pro-tem Ashcroft asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda. Mr. Winkler asked that the Request for Approval of Commercial Building Permit for a Satellite Dish Installation at 5606 North Antioch Road be removed from the Consent Agenda and placed on the Regular Agenda. There were no other requests.

Mr. Smith moved to approve the remaining Consent Agenda items as submitted. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

CONSENT AGENDA DETAIL:

Mr. Smith moved to adopt RESOLUTION R-86-7, authorizing execution of Engineering Services Agreement with George Butler Associates, Inc., in connection with water supply and distribution improvements, total amount not to exceed \$25,000. Monies to be allocated from the Combined Water-works & Sewerage System Fund. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith moved to adopt RESOLUTION R-86-8, authorizing acceptance of proposal from Bill Allen Chevrolet for purchase of one-ton pickup with Karry-All body, in the amount of \$13,200. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith moved to adopt RESOLUTION R-86-10, amending the RULES AND REGULATIONS OF THE COMBINED WATER AND SEWER UTILITY to provide for certain water installation and connection fee increases and implementation of a returned-check charge. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 7 on the Agenda.  
There were none.

Communications from the Audience.

Item 8 on the Agenda:

Communications from the City Council.

Mr. Smith asked the City Manager to bring a copy of the most recently adopted sign ordinance to the Council Work Session on February 1 and 2 at the Marriott Hotel beginning at 8:30 am.

Mr. Smith proposed that the Political Sign ordinance enforce the following regulations: (a) one political sign per lot per street side; (b) no political signs on utility poles; (c) no political signs on public right-of-way; and (d) no political signs lit by external sources with the sole purpose to light said sign, with penalty provisions for violations.

There were no further communications from the City Council.

Item 9 on the Agenda:

Communications from the City Manager.

There were none.

Item 9a on the Agenda: PUBLIC HEARING: Request to rezone from C-1, Local Business District to C-2, General Business District, property at 7609 North Oak. Applicant: Uncle Ham's Tenderloins - Bob F. Etzell, II.

Mayor Pro-tem Ashcroft asked if there were anyone in the audience to speak either for or against the rezoning request. There was no response. The Public Hearing was closed.

Item 9b on the Agenda: APPROVAL OF COMMERCIAL BUILDING PERMIT FOR SATELLITE DISH INSTALLATION, 5606 North Antioch Road. Applicant: Billie Yeatman.

Mr. Winkler asked Ms. Yeatman what purpose the satellite dish served for her business? Ms. Yeatman said that it was used as a computer hookup to the main office in Los Angeles and served as a small antenna. The dimensions are approximately 3½' x 6'.

Mr. Ashcroft asked where the dish would be placed? Ms. Yeatman said that it would be installed on the southwest corner of the building in the back. She proposed that it be attached to a pole right at the rear of the building on the corner. It would not be more than 20' to 25' high. She was concerned that, if the dish were on the ground, it would be subject to vandalism. She indicated it could be mounted on the wall of the building near the top of the roof peak.

Mr. Smith asked if the current satellite dish ordinance dealt with commercial establishments? City Manager Reilly said that it only dealt with residential structures. The present ordinance prohibits roof-top and front-yard installation. He said that they can be installed no higher than the highest point of the roof.

Mr. Smith moved to approve the Commercial Building Permit for the Satellite Dish Installation at 5606 North Antioch Road, with the stipulation that the antenna not be higher than the highest point on the building. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 10 on the Agenda: FIRST READING: BILL NO. 86-2, Rezoning from R-1, Single-Family Dwelling District, to CP-1, Local Business District-Planned, property at 106 NE 72 Street. Applicant/owner: Lewis and Rebecca Patton.

Mr. Smith moved to place BILL 86-2 on its First Reading. Mr. Winkler seconded. Mr. Smith stated for the record that, in the minutes of the January 13, 1986 City Council Meeting, it was stated that the Councilmembers felt that with the expense of renovating an old building, it might be more cost-effective to raze the old building and begin with a totally new building, and he personally did not concur with that statement.

CITY COUNCIL MINUTES  
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Mr. Winkler stated that this First Reading is to put the Bill into action but at some point in time the concerns the Council has raised must be addressed.

The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mayor Pro-tem Ashcroft asked Mr. Patton if he would accept the CP-0 zoning rather than the CP-1. Mr. Patton said he didn't see any reason why he would not.

Item 11 on the Agenda: FIRST READING: BILL NO. 86-3, vacating an easement in Carriage Hills 7th Replat (detention basin). Applicant: J. A. Peterson Company.

Mr. Winkler moved to place BILL 86-3 on its First Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill 86-3 and place said Bill on its Second Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill 86-3, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill 86-3 and enact said Bill as Ordinance 2.609. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 12 on the Agenda: FIRST READING: BILL NO. 86-4, an ordinance rezoning property at southwest corner Pleasant Valley Road and North Jackson from R-3, Multi-Family Dwelling District to R-1, Single Family Dwelling District. Applicant/Owner: J. A. Peterson Company.

Mr. Winkler moved to place BILL 86-4 on its First Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill 86-4 and place said Bill on its Second Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith asked the City Manager if the City is satisfied with the street alignment? Mr. Reilly said that they are not and the City staff met with Kansas City to discuss the issue.

CITY COUNCIL MINUTES

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Mr. Winkler moved to accept the Second Reading, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill 86-4 and enact said Bill as Ordinance 2.610. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 13 on the Agenda: FIRST READING: BILL NO. 86-5, an ordinance requiring a Building Relocation Permit to move a building structure on the public streets in the City of Gladstone and establishing a fee for such purpose.

Mr. Smith moved to place BILL 86-5 on its First Reading. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft (4-0) The Clerk read the Bill.

Mayor Pro-tem Ashcroft noted that the Bills 86-5, 86-6, 86-7, 86-8 and 86-9 are for offsetting the various expenses of the City, and covering the costs of issuing permits. They are not meant to make money.

Mr. Smith moved to accept the First Reading of Bill 86-5 and place said Bill on its Second Reading. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill 86-5, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 86-5 and enact said Bill as Ordinance 2.611. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 14 on the Agenda: FIRST READING: BILL 86-6, Repealing Section 3-28 of the City Code and enacting a new Section 3-28 providing for Employee Permits for dispensing alcoholic beverages and establishing fee for such purpose.

Mr. Butler moved to place BILL 86-6 on its First Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the First Reading of Bill 86-6 and place said Bill on its Second Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Second Reading of Bill 86-6, waive the appropriate paragraph and place said Bill on its Third and Final Reading.

CITY COUNCIL MINUTES  
1/27/86 - Page six

Mr. Winkler seconded the motion. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final Reading of Bill 86-6 and enact said Bill as Ordinance 2.612. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 15 on the Agenda: FIRST READING: BILL NO. 86-7, Amending Section 27-13 of the City Code establishing Excavation Permit Fees.

Mr. Winkler moved to place BILL 86-7 on its First Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill 86-7 and place said Bill on its Second Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill 86-7 and enact said Bill as Ordinance 2.613. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 16 on the Agenda: FIRST READING: BILL NO. 86-8, amending Section 29-65 of the City Code establishing Sewer Tap charges.

Mr. Smith moved to place BILL 86-8 on its First Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill 86-8 and place said Bill on its Second Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill 86-8, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 86-8 and enact said Bill as Ordinance 2.614. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

CITY COUNCIL MINUTES  
1/27/86 - Page seven

Item 17 on the Agenda. FIRST READING: BILL NO. 86-9, establishing a revised SCHEDULE OF LICENSES, FEES AND CHARGES for services and activities provided by the City; providing that increased licenses, fees and charges shall be subject to voter approval in compliance with state law; calling an election for such purpose on Tuesday, April 1, 1986, and describing the form of the ballot.

Mr. Butler moved to place BILL 86-9 on its First Reading. Mr. Smith seconded.

Mr. Butler asked City Manager Reilly about the \$50.00 per-hour rental charge for the municipal swimming pool, and whether there was liability coverage included in the fee? Mr. Reilly said that the fee covers the cost of electricity and staffing but there is no factoring in for liability. The present fee is \$25.00 per hour.

The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the First Reading of Bill 86-9 and place said Bill on its Second Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Second Reading of Bill 86-9, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Third Reading and Final Reading of Bill 86-9 and enact said Bill as Ordinance 2.615. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 18 on the Agenda:

Other Business.

Mr. Winkler commended City of Gladstone's Public Safety Director Kenneth Francis on his recent appointment to the Missouri Department of Public Safety Criminal Justice Advisory Board. The other members of the City Council concurred in the commendation.

Item 19 on the Agenda:  
There were none.

Questions from the News Media.

\* \* \* \* \*

There was no further business to come before the January 27, 1986 City Council Meeting, whereupon Mayor Pro-tem Ashcroft adjourned the regular meeting. The Council called a special meeting to be convened immediately in the City Manager's office for the purpose of discussing potential litigation.

Respectfully submitted:

Marilyn F. Ashcroft  
City Clerk

seo

Approved as submitted: ✓

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

Lee W. Bussinger



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
February 10, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of January 27, 1986 City Council Meeting.
5. **CONSENT AGENDA:**  
RESOLUTION NO. R-86-11, authorizing adoption of SOLID WASTE MANAGEMENT PLAN for the City of Gladstone in compliance with State Law.  
  
RESOLUTION NO. R-86-12, authorizing execution of Lease/Purchase Agreement with First National Bank of Gladstone for IBM 3274 Control Unit, Display Station and Printer. Total payment over 3 years: \$12,340.00  
  
APPROVAL OF INTERIM FINANCIAL REPORT for January, 1986.  
  
BUILDING PLAN APPROVAL: 7001 N Locust, complete suite construction of second floor. Applicant: Charles Ferrara for New Haven Condominium Partnership  
  
BUILDING PLAN APPROVAL: 6030 N Antioch remodeling (Meadowbrook Shopping Center). Applicant: Dugmar Electric for CASCON'S PIZZA EXPRESS
6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. **PUBLIC HEARING:** Request to rezone from RCHP, Planned Cluster Housing District to CP-0, Planned, Non-Retail Business District, property at northeast corner of Englewood & Broadway.  
Applicant: VARNUM, ARMSTRONG, DEETER
10. **SECOND READING:** Bill 86-2, rezoning from R-1, Single Family Dwelling District to CP-1, Local Business District-Planned, property at 106 NE 72nd Street.  
Applicant/Owner: Lewis and Rebecca Patton

11. FIRST READING: BILL 86-10, rezoning property at 7609 N Oak from C-1, Local Business District, to C-2, General Business District. Applicant: Uncle Ham's Tenderloins Bob F. Etzel, II
12. FIRST READING: BILL 86-11, adopting the 1985 UNIFORM BUILDING CODE as the official Building Code of the City of Gladstone, Missouri.
13. Other Business
14. Questions from the News Media
15. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 10, 1986

Mayor Lee Bussinger called the February 10, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnfeld

Mayor Bussinger led the Pledge of Allegiance to the Flag, in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Butler moved to approve the minutes of the January 27, 1986 City Council Meeting as submitted. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-1)

Item 5 on the Agenda: CONSENT AGENDA.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, Staff, or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda. Mr. Smith said that the applicant for Building Plan Approval for property at 6030 North Antioch Road, had requested that his application be withdrawn from the agenda. Mr. Winkler commented that the applicant for Building Plan Approval for property at 7001 North Locust should be cautioned to request approval of building plans in advance before commencing work. City Manager Reilly said that, as soon as City staff discovered they were going ahead with the work a stop-work order was issued. Mr. Winkler noted that the developer was not being too cooperative in this matter.

Mr. Winkler moved to approve the Consent Agenda as submitted, with the exception of Request for Building Plan Approval for property at 6030 North Antioch. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CITY COUNCIL MINUTES  
2/10/86 - Page two

CONSENT AGENDA DETAIL:

Mr. Winkler moved to adopt RESOLUTION R-86-11, authorizing adoption of Solid Waste Management Plan for the City of Gladstone in compliance with State Law. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION R-86-12, authorizing execution of Lease/Purchase Agreement with First National Bank of Gladstone for an IBM 3274 Control Unit, Display Station, and Printer, for total payment over three years of \$12,340. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to approve the Building Plans for property at 7001 North Locust, complete 2nd floor. Applicant - Charles Ferraro for New Haven Condominium Partnership. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. Gary Gabel, 2208 NE 74 Street, addressed the Councilmembers regarding the construction at 72nd and North Antioch Road. He asked for information and guidance from the Council regarding the long-range plans for the Antioch Road improvement project.

Mayor Bussinger asked Mr. Gabel what improvements he had agreed to in relation to installation of curb and gutter and storm water detention on his property when he requested the down-zoning on the property? Mr. Gabel said that he had been given the choice of putting the monies for the construction of curb and gutter into escrow or of actually putting them in. He had checked with the State Highway Department and they will allow him to go ahead and put in the improvements. He felt that the density on his property was so low now, with the down-zoning, he felt that the requirement for him to put in the storm water drainage culvert would be an unfair stipulation.

Mayor Bussinger said that he felt that the City would work with him and share in the responsibility of the culvert. The Councilmembers said they would have some answers for Mr. Gabel by the next Council Meeting on February 24.

Item 7 on the Agenda:

Communications from the City Council.

Mr. Butler said that some residents have contacted him with a problem with trash collection trucks leaving a real mess in their streets when picking up and compacting the trash. He asked City Manager Reilly to check into ways to possibly control the trucks and their collection procedures. Mr. Reilly said he would check into it.

CITY COUNCIL MINUTES  
2/10/86 - Page three

Mayor Bussinger said that there would be no City Council Meeting held on March 10. He noted that there would be an executive session convening immediately following tonight's Council Meeting.

Item 8 on the Agenda:

Communications from the City Manager.

City Manager Reilly advised the Councilmembers that the bids were in on the M-1 Highway project. Bids opened on January 29 totaled approximately \$5.6 million, and had been jointly with the State and KCP & L. The State's portion came in approximately 30% higher than they were estimating. The State is ready and able to re-bid their project in March, but we have not been advised what KCP & L's plans are.

Mayor Bussinger said that the bond issue the citizens of Gladstone passed in 1982 gave the City the mandate to go ahead with the project and we should do everything we can to get this project underway. He urged the City Manager to convey the urgency to both the State and KCP & L. Mr. Reilly said that he would do so.

Item 9 on the Agenda:

PUBLIC HEARING: Request to rezone from RCHP, Planned Cluster Housing District to CP-0, Planned, Non-Retail Business District, property at northeast corner of Englewood and Broadway. Applicant - Varnum, Armstrong & Deeter.

Mayor Bussinger noted that the applicant is revising the plans and has asked that this Public Hearing be continued. Mr. Ashcroft moved to continue the Public Hearing to the February 24 City Council Meeting. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 10 on the Agenda:

SECOND READING: BILL 86-2, Rezoning from R-1, Single Family Dwelling District to CP-1, Local Business District - Planned, property at 106 NE 72 Street. Applicant/owner: Lewis and Rebecca Patton.

Mr. Ashcroft moved to accept the First Reading of Bill 86-2 and place said Bill on its Second Reading. Mr. Butler seconded.

Mr. Smith moved to amend the zoning of BILL 86-2 from CP-1 to CP-0. Mr. Butler seconded. The vote on amending the zoning: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Butler noted that the applicant has upgraded the plan by adding brick to the east side of the building and included improvements in the ingress and egress to the parking. The vote on accepting the First Reading: "Aye" - Winkler, Smith, Butler, Ashcroft. "No" - Bussinger. (4-1) The Clerk read the Bill.

CITY COUNCIL MINUTES  
2/10/86 - Page four

Item 11 on the Agenda: FIRST READING: BILL 86-10, rezoning property at 7609 North Oak from C-1, Local Business District, to C-2, General Business District. Applicant: Uncle Ham's Tenderloins - Bob F. Etzell, II.

Mr. Smith moved to place BILL 86-3 on its First Reading. Mr. Winkler seconded. Mr. Winkler noted that there would be just one reading of the Bill because of potential other action. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Item 12 on the Agenda: FIRST READING: BILL 86-11, adopting the 1985 UNIFORM BUILDING CODE as the official Building Code of the City of Gladstone, Missouri.

Mr. Ashcroft moved to place BILL 86-11 on its First Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the First Reading of Bill 86-11 and place said Bill on its Second Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Second Reading of Bill 86-11, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third Reading of Bill 86-11 and enact said Bill as Ordinance 2.616. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 13 on the Agenda: Other Business.

There were no other items of business from the City Council.

Item 14 on the Agenda: Questions from the News Media.

A question was asked by a reporter regarding the M-1 project bid. He asked if the \$1.2 million portion of the contract in the bid from the State was to relocate utilities? Of the \$4.4 million bid to construct the facility with the State, was the State's portion 30% higher than projected?

CITY COUNCIL MINUTES  
2/10/86 - Page five

City Manager Reilly explained that KCP & L is reviewing its options and once they have reviewed them they will determine what they are going to do. Once that is determined, then the State can decide what action to take and whether to re-bid the project or not.

A question was asked on how the City's portion would be paid. It was explained that bond monies and FAU monies will be used. Any excess that would be required will come out of the Sales Tax fund, should more than \$2.9 million be required.

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There was no further business to come before the February 10, 1986 City Council Meeting, whereupon Mayor Bussinger adjourned the regular meeting. The Council called an executive session to be convened immediately in the City Manager's office for the purpose of discussing potential litigation.

Respectfully submitted:

Approved as submitted: ✓

Marilyn I. Ahnfeldt  
City Clerk

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

seo

Lee W. Bussinger  
Lee W. Bussinger, Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 24, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of February 10, 1986 City Council Meeting

5. CONSENT AGENDA:

RESOLUTION NO. 86-13, authorizing execution of contract with Bell Construction Company for certain sidewalk work in areas of N Oak and 64th Street. Contract Amount \$23,600.

RESOLUTION NO. 86-14, authorizing the City Counselor to represent the City, City Manager and other employees in the defense of certain claims.

RESOLUTION NO. 86-15, authorizing execution of Engineering Services Contract with George Butler & Associates for engineering of water line improvements to the Antioch Tower. Not to exceed \$37,000

APPROVAL OF BUILDING PLANS: 6030 N Antioch remodeling  
(Meadowbrook Shopping Center)

Applicant: CASCON'S PIZZA EXPRESS

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. THIRD READING; BILL NO. 86-2, rezoning from R-1, Single Family Dwelling District to CP-1, Local Business District-Planned, property at 106 NE 72nd Street.  
Applicant/Owner: Lewis and Rebecca Patton
10. SECOND READING; BILL NO. 86-10, rezoning property at 7609 N Oak from C-1, Local Business District to C-2, General Business District. Applicant: Uncle Ham's Tenderloins
11. FIRST READING: BILL NO. 86-12, amending sections of the Gladstone Sign Ordinance dealing with Political Signs, being Chapter 25 of the City Code.
12. Other Business
13. Questions from the News Media
14. Adjournment



MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

February 24, 1986

Mayor Lee Bussinger called the February 24, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

City Manager Patrick J. Reilly  
City Counselor Clyde Curtis  
City Clerk Marilyn F. Ahnefeld

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Ashcroft moved to accept the minutes of the February 10, 1986 City Council Meeting as submitted. Mr. Butler seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5 on the Agenda: CONSENT AGENDA.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda. There was no such request.

Mr. Winkler moved to approve the Consent Agenda as read. Mr. Smith seconded the motion. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CONSENT AGENDA DETAIL:

Mr. Winkler moved to adopt RESOLUTION NO. 86-13, authorizing execution of a contract with Bell Construction Company for certain sidewalk and drainage construction work in areas of North Oak and 64 Street, in the contract amount of \$23,600. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

CITY COUNCIL MINUTES

2/24/86 - Page two

Mr. Winkler moved to adopt RESOLUTION NO. 86-14, authorizing the City Counselor to represent the City, City Manager, and other employees in the defense of certain claims. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. 86-15, authorizing execution of Engineering Services Contract with George Butler & Associates for engineering of water line improvements to the Antioch Tower, in the amount not to exceed \$37,000. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to approve the Building Plans, 6030 North Antioch remodeling (Meadowbrook Shopping Center) - Applicant: Cascone's Pizza Express. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda:

Communications from the Audience.

Larry Wickham, 6736 North Park, addressed the Council with his concern over the high density of "no parking" signs that had been installed within the past thirty days in the area of the Kendallwood Nursing Home. It was his opinion that the high number of signs was uncalled for in that area. He also noted that on Chestnut Street behind Bob's IGA in the Kendallwood area, there had been "no parking" signs installed. He stated that the installation of "no parking" signs should be based on high traffic usage and he felt that this area did not justify such an installation. He commented that it seemed that it was a vindictive act against the nursing home, in that the persons who visit the home cannot find any place to park on weekends. He suggested that the "no parking" restrictions be limited to one side of the street only. He asked if there was some City or State standard that regulated placement of these signs. He implied that the City's budget allowed too much money for street signs. Mr. Wickham also expressed disapproval of the four-way stop on 56th Terrace and North Indiana and indicated that that was an unnecessary change as he felt that the traffic flow did not justify it.

Mr. Ashcroft addressed Mr. Wickham's comments and suggested that he sit down with the City staff and find out the reasons that things are done the way they are. He said that Public Safety has indicated continuing problems with Annie's Santa Fe restaurant parking and has tried to do what is right for the safety of the citizens.

Mayor Bussinger indicated that the City had done a survey due to complaints about parking in various areas throughout the City. He also felt that it was unnecessary to have "no parking" in the Kendallwood Nursing Home area. Both Mr. Ashcroft and Mayor Bussinger disagreed with Mr. Wickham's comment on the City's budget allocation for street signs.

Mr. John Bledsoe, 206 NE 76 Terrace, asked the Council about the stretch of sidewalk in front of Fred Angle's business that has been unfinished and open for so long.

City Manager Reilly said that the original contractor had gone bankrupt. Then there was a problem with the retaining wall. The sidewalk and retaining wall will be completed by Bell Construction Company in conjunction with the Resolution previously approved this evening for work in the areas of North Oak and 64 Street.

Item 7 on the Agenda.

Communications from the City Council.

Mayor Bussinger said that there had been a press conference earlier in the evening regarding a teacher's memorial which will be put up in Central Park. He said that there would be a meeting of the Beautification Committee on Tuesday evening, February 25, at 7:30 pm at the Community Building in Central Park. This Committee has been formed in conjunction with the Gladstone Chamber of Commerce and he invited any interested persons to attend.

Item 8 on the Agenda.

Communications from the City Manager.

City Manager Reilly said that the State is accepting bids on the M-1 Highway project on March 28 including the KCP & L work. He hoped that the bidding will enable work to begin in April.

Mr. Reilly asked the Council to consider a request by Gary Gabel pertaining to an agenda item that was tabled in November. Mayor Bussinger added the request as item 8-A on the Agenda.

Item 8a on the Agenda.

REVISED SITE PLAN APPROVAL, property at the southwest corner of NE 72 Street and North Antioch Road. Applicant - Gary Gabel.

Gary Gabel, 2208 NE 74 Street, addressed the Council with his amended site plan. He said that he has the storm water calculations completed. He asked the Council what his responsibilities would be regarding the storm culvert going under 72nd Street. He said that he has agreed to comply with the requirements for curb and gutter installation on Antioch Road, but that the need for the culvert had only come to light within the past few months. He said that in the beginning he had not planned to do anything on Antioch Road due to the fact that it was a State highway project. The density on his property has been decreased to eight four-plexes.

Mayor Bussinger asked Mr. Gabel what the detention basin would cost? Mr. Gabel said that the engineering calculations cost \$5,000 and he felt that since his property would only retain approximately 4% of the water that goes through the area, he felt that the money could be better used if applied to some other area of the project. He estimated the cost of putting in the culvert under Antioch Road would be around \$75,000.

Mr. Smith asked if the City had sufficient right-of-way on both sides of the street that is needed? Mr. Gabel said that he has agreed to grant an additional 5' of right-of-way, making the right-of-way 70' total. He said that he was willing to contribute the cost of the water detention basin because it will improve the overall area.

Mr. Winkler asked if Mr. Gabel had upgraded this project voluntarily? Mr. Gabel said that he had done so voluntarily.

Mr. Winkler moved to approve the Revised Site Plan as presented for the property at the southwest corner of NE 72 Street and North Antioch Road, with the stipulation that an agreement be reached between the City staff and Gary Gabel, the applicant, on the stormwater detention basin and the culvert. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 9 on the Agenda: THIRD READING: BILL NO. 86-2, rezoning from R-1, Single Family Dwelling District to CP-1, Local Business District-Planned, property at 106 NE 72 Street. Applicant/Owner: Lewis and Rebecca Patton. *Note: Applicant agrees to C.P.O. 2/24/86*

Mayor Bussinger noted that a letter from the applicant has been received conveying 10' of the right-of-way to the City, when and if the City needs it at any time.

Mr. Ashcroft moved to accept the Second Reading of Bill 86-2, waive the appropriate paragraph, and place said Bill on its Third and Final Reading. Mr. Butler seconded. The vote: "Aye" - Smith, Butler, Ashcroft. "No" - Winkler, Bussinger. (3-2) The Clerk read the Bill.

Mr. Ashcroft moved to accept the Third and Final Reading of Bill 86-2 and enact said Bill as Ordinance 2.617. Mr. Butler seconded. The vote: "Aye" - Smith, Butler, Ashcroft. "No" - Winkler, Bussinger. (3-2)

Item 10 on the Agenda: SECOND READING: BILL NO. 86-10, rezoning property at 7609 North Oak from C-1, Local Business District, to C-2, General Business District - Applicant: Uncle Ham's Tenderloins.

Mr. Winkler moved to table Bill 86-10 pending the further determination of the City Counsellor as to issuance of liquor license and a lesser zoning. Mr. Ashcroft seconded.

Mr. Ashcroft noted that, for the record, there is a potential of doing what the applicant wishes to do without increasing the zoning. There is no problem in issuing the liquor license, but trying to do it in such a way without increasing the zoning is the goal the Council wants. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Bill is tabled until further notice.

Item 11 on the Agenda: FIRST READING: BILL NO. 86-12, amending sections of the Gladstone Sign Ordinance dealing with Political Signs, being Chapter 25 of the City Code.

Mr. Winkler moved to table Bill 86-12 pending refinement of the wording. Mr. Ashcroft seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger (5-0)

Item 12 on the Agenda: Other Business.

Mayor Bussinger made note of the beautification program now underway in the City and asked that an ordinance be drafted addressing the parking of cars in yards in the City.


Item 13 on the Agenda: Questions from the News Media.

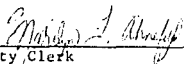
In response to a question by a reporter, City Manager Reilly explained more fully the proposed improvement of the water lines to the water tower on Antioch Road. He indicated there would be a need for an additional line in the southern section of the City, to function as a distribution line.

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There was no further business to come before the February 24, 1986 City Council Meeting, whereupon Mayor Bussinger adjourned the meeting.


Respectfully submitted:

Approved as submitted: 

  
City Clerk

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

seo

  
Lee W. Bussinger Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

March 24, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of February 24, 1986 City Council Meeting.

PROCLAMATIONS:

Designating Saturday, April 5th "ARBOR DAY"

Designating Friday, April 11th "KANSAS CITY ROYALS OPENING DAY"

5. CONSENT AGENDA:

Liquor License Approval: Carlito's 7634 N Oak  
Class F License (Non-intoxicating Beer by Drink  
and in original package)

Approval of Interim Financial Report for February, 1986

RESOLUTION NO. R-86-16, authorizing the City  
Manager to execute agreement with American Express  
for credit privileges for the City of Gladstone.

RESOLUTION NO. R-86-17, authorizing execution of  
Supplemental Agreements No. 5 and 6 with George  
Butler Associates, Inc. for final design and  
construction services for Storm Drainage  
Improvements on Rock Creek and East Creek.  
Amount: No. 5 (\$25,000); No. 6 (\$21,000)

RESOLUTION NO. R-86-18, authorizing execution of  
Water Main Extension Contract No. 196 with  
Woodlands Investment Associates and Haines-Stowers  
Construction Co., Inc.

RESOLUTION NO. R-86-19, authorizing acceptance of  
Sprague Construction Highway 1 (N Prospect)  
utility relocation contract and authorizing final  
payment in the amount of \$5,323.76

RESOLUTION NO. R-86-20, authorizing acceptance of  
Frazier Company water plant roof contract and  
authorizing final payment in the amount of \$4,853.50.

RESOLUTION NO. R-86-21, authorizing contract with  
Bill Larkin, Jr. Land Development Company for 69th  
Terrace Storm Drainage Improvements. \$24,862.50

RESOLUTION NO. R-86-22, accepting work under  
Tyson & Son N Oak Sidewalk Construction project  
and authorizing final payment in the amount of \$15,417.01

RESOLUTION NO. R-86-23, authorizing contract with  
R.A. Pohl Construction for water main replacement  
generally area of 58th - 60th, Antioch to Park.

BUILDING PLAN APPROVAL 6940 N Oak. remodel  
existing suite for pizza delivery service  
Applicant: Pizza Hut, Inc.

BUILDING PLAN APPROVAL: 5607 Antioch Road  
Applicant: Safe Lite Industries.  
Owner: Rutledge Oil

SITE PLAN APPROVAL: Gladstone Village Center  
Northeast corner of 72nd & N Oak  
Applicants: Shelton Tower, Harvey Haynes,  
Larry Hughes. Owner: Bruce Lambert

*Consent from Agenda  
Council approval not required*

6. Communications from the Audience
- 6a Discussion of American Cablevision Services
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: Request to rezone from C-1, Local Business District to CP-3, Commercial District-Planned, property at 6305 N Prospect. Applicant: Lawrence A. Wickham Owner: Texaco Refining & Marketing, Inc.
10. PUBLIC HEARING: Request to rezone from R-1, Single Family District to R-4, Apartment House District, property at 2001 NE 72nd Street. Applicant: Ronald Tietz
11. PUBLIC HEARING: Request to rezone from RCH-1, Cluster Housing District, to CP-O, Non-Retail Business District-Planned, property at the northeast corner of Englewood and Broadway. Applicant/owner: Varnum Armstrong Deeter, Inc.
12. SECOND READING: TABLED BILL 86-10, rezoning property at 7609 N Oak from C-1, Local Business District to C-2, General Business District. Applicant: Uncle Sam's Tenderloins
13. FIRST READING: BILL 86-12, amending Chapter 25 of the City Code being the Gladstone Sign Ordinance specifically dealing with political signs.
14. FIRST READING: BILL 86-13, accepting a Standard Sewer Easement on property in MEADOWBROOK ESTATES.
15. FIRST READING: BILL NO. 86-14, an ordinance regulating the outdoor sale and storage of food and seasonal goods in C-1, C-2 and C-3 Commercial Districts.
16. FIRST READING: BILL NO. 86-15, an ordinance regulating the sale and consumption of alcoholic beverages and non-intoxicating beer in C-1, C-2 and C-3 districts.
17. FIRST READING: BILL NO. 86-16, an ordinance amending the performance standards pertaining to the sale and consumption of non-intoxicating beer and alcoholic beverages in C-1, C-2 and C-3.
18. FIRST READING: BILL NO. 86-17, an ordinance deleting a subsection in the performance standards governing C-1 districts which deals with outdoor storage and display of food and foodstuffs.
19. Other Business.
20. Questions from the News Media
21. Adjournment

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

MARCH 24, 1986

Mayor Lee Bussinger called the March 24, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Winkler moved to approve the minutes of the February 14, 1986 City Council Meeting as submitted. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

PROCLAMATIONS: Mayor Bussinger read proclamations designating Saturday, April 5th as "ARBOR DAY" and April 11th as "KANSAS CITY ROYALS OPENING DAY".

Item 5 on the Agenda: CONSENT AGENDA.

Following the Clerk's reading of the Consent Agenda, Mayor Bussinger asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Smith requested removal of Resolution No. R-86-23 from the Consent Agenda. Mr. Winkler requested deletion of Building Plans for 5607 Antioch Road as he understands from City Staff that Council approval is not required and removal of Site Plan Approval for Gladstone Village Center, Northeast corner 72nd & Oak for placement on the regular agenda.

Mr. Winkler moved to approve the remaining Consent Agenda items as read; Mr. Butler seconded. The vote: Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)



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CONSENT AGENDA DETAIL:

Mr. Winkler moved to approve CLASS F LIQUOR LICENSE for Carlito's 7634 N Oak, Class F License. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to approve INTERIM FINANCIAL REPORT for February 1986. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. R-86-16, authorizing the City Manager to execute agreement with American Express for credit privileges for the City of Gladstone. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. R-86-17, authorizing execution of Supplemental Agreements No. 5 and 6 with George Butler Associates, Inc. for final design and construction services for Storm Drainage improvements on Rock Creek and East Creek. Amount No. 5 (\$25,000 and No. 6: \$21,000). Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. R-86-18, authorizing execution of Water Main Extension Contract No. 196 with Woodlands Investment Associates and Haines Stowers Construction Co., Inc. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. R-86-19, authorizing acceptance of Sprague Construction Highway #1 (N Prospect) utility relocation contract and authorizing final payment in the amount of \$5,323.76 Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. R-86-20, authorizing acceptance of Frazier Company Water Plant Roof Contract and authorizing final payment in the amount of \$4,853.50. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. R-86-21, authorizing contract with Bill Larkin, Jr. Land Development Company for 69th Terrace Storm Drainage Improvements. Amount: \$24,862.50 Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to adopt RESOLUTION NO. R-86-22, accepting work under the Tyson & Son N Oak Sidewalk Construction project and authorizing final payment in the amount of \$15,417.01 Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to approve BUILDING PLANS for 6940 N Oak to remodel existing suite for pizza delivery service. Applicant: PIZZA HUT, INC. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5a on the Agenda: RESOLUTION NO. R-86-23, authorizing contract with R.A. Pohl Construction for water main replacement generally area of 58th-60th, Antioch to Park in the amount of \$219,680

Mr. Smith moved to approve Resolution No. R-86-23; Mr. Winkler seconded.

Mr. Smith said that he personally supports the project and worked very hard for passage of the bond election for water improvements but will be voting against this resolution. His "no" vote is a personal reflection on his feelings for the R.A. Pohl Company.

The vote: "Aye" - Winkler, Butler, Ashcroft, Bussinger. "No" - Smith. (4-1)

Item 5b on the Agenda: SITE PLAN APPROVAL, GLADSTONE VILLAGE CENTER, 72ND & N OAK. Applicants: Shelton Bower, Harvey Haynes, Larry Hughes. Owner: Bruce Lambert

Mr. Winkler told the applicants present that he has a problem with this development because Mr. Lambert promised removal of the existing buildings at the site some months back. He voted "yes" at that time with the understanding that the old buildings would be removed. They are still there. Until the buildings are removed he will not vote in favor of site plan approval.

Mr. Willard Smith, architect for the project responded that there are new persons involved (Shelton Bower, Harvey Haynes and Larry Hughes) who have just reached an agreement with Mr. Lambert for purchase of the site. Mr. Haynes operates the Gladstone Pharmacy on the site. Mr. Smith said he understands what Council was promised and assures that with the new ownership they intend to proceed quickly with the things that need to be done including the demolition of the buildings. Their option to purchase is up on March 31st and they need Council approval on their plans so they can verify that they have a real project.

In response to question from Mayor Bussinger on timetable for removal of the buildings, Mr. Shelton Bower said within 30 days.

The site plan before the Council tonight has slight modifications over what was previously approved and is back before the Council because it is a P zoning. The depth of the stores is 10 feet deeper east to west and the parking ratio is maintained. There were previously some notches in the back intended for trash pickup and they now intend to pick up the trash as a center responsibility with manual removal. The trash pickup will be hidden from the adjoining residential. There is a great topographic assistance there.

Mr. Bussinger asked about the temporary modular bank still on the plan. Mr. Smith said that is a little up in the air as the bank does not have their charter yet. If the bank becomes a reality they will be a very attractive tenant but they are not addressing that end of the property at this time because of that unknown.

Mr. Ashcroft asked if the project was contingent upon the bank. Mr. Smith said it was not. Mr. Smith said they would be back to the Council with another use for that property if the bank does not get their charter.

Councilman Smith asked if this plan incorporates the needed right-of-way on 72nd Street. Mr. Reilly said it is specified on the plan.

Mr. Winkler moved to approve the site plan as submitted with the stipulation as agreed to by the respective owners that the old buildings (service station, house and garage) be raised and removed within 30 days (end of April). Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. Vaughn Shinaberry, 7108 North Cherry, complained that some of the assurances made at the Planning Commission and Council meetings when property behind him at 7109 N Locust was rezoned for Rodney Tolle's business are not being carried out. Statements were made about the greenways, trees to be left, and how the business would be run. He presented complaints from himself, Mr. Clyde Walker and a gentleman who lives across the street. As far as late night operation, cars have been worked on at 9:00 pm and driven there as late as 12 midnight and this very evening a tow truck backed in there with a disabled car at 7:20pm and the spotlight shone in his window. Mr. Shinaberry said he had tried to talk with Mr. Tolle about the problems but had in effect been told that the property was rezoned and the building is up and there is nothing Mr. Shinaberry can do about it.

Mr. Shinaberry said he has obtained Planning and City Council Meeting Minutes to see what they reflect. Mr. Shinaberry said Mr. Tolle said he would not cut the trees down but in fact has. He provided Council with pictures of a tree that was cut that is 8" diameter and pictures of the property as viewed from his home. He said after talking with City staff members, Jerry Kaster, Don Hathaway and Kathleen Coakley Mr. Tolle was told not to cut anymore trees or green out. The very next day Mr. Tolle went in and cut more trees, cut up the brush and took out the fence which is the only thing that was blocking the view. Mr. Shinaberry continued that he had received a letter from Mr. Kaster indicating that Mr. Tolle would be submitting a plan to landscape the buffer area with pine trees.

Mr. Shinaberry said if pine trees were used for screening they would have to be 6-8 ft. high and alternated so they would block out the view. They are having a terrible time with noise, trash and a general bad attitude on the part of Mr. Tolle. He noted that Mr. Tolle had stated that if a fence was needed he would put one in. Mr. Shinaberry said he even offered to share the expense of a fence with Mr. Tolle, but is no longer interested because of the problems they have had.

Mr. Tolle had stated that the cars left for repair would be left inside overnight but that has not been the case. If the fence could be put from the corner of the Tolle building to the property line it would shed a lot of the noise, and trash and the buffer zone would be of some value. Mr. Shinaberry asked the Council for their help.

Mayor Bussinger suggested that the first course of action is to have the parties sit down with Mr. Reilly and see what can be worked out. It was agreed a meeting would be arranged.

Item 6a. on the Agenda:                      Discussion of American Cablevision Services.

Carol Rothwell, Director of Public Affairs for AMERICAN CABLEVISION thanked the Council for the opportunity to come before the Council to give an update on some of the things that have occurred since they began managing the cable system in September. There have been two major changes. The first was cycle billing which they instituted so that they would not be receiving all their telephone inquiries at the same time. All of the northland was put on the 10th of the month billing date. This has created confusion because it used to be the date the payment was due and it has generated a lot of inquiries. By the time subscribers receive their April 10th bill hopefully they will be adjusted to the new billing date.

The second major change was to put all Gladstone and CSI properties on computer and then merge that into their data base in order to deal effectively with their computer terminal. That will be a big advantage to Gladstone citizens now that customer history is into the computer. Customers will have the convenience of going into any of the 9 office locations and service their account. Some are open as late as 9pm. They may not be able to exchange convertors at all locations.

They are also presently doing a programming survey of Gladstone customers to see what our subscribers want as far as additional programming. The survey results should be available in April.

On the bad news side of the ledger Ms. Rothwell explained that on Friday night, March 7th they had an outage that affected the entire city of Gladstone. It was a difficult situation where a piece of the microwave failed. It was reported between 9 and 9:30 and they worked throughout the night to restore service.

She said she knew Council has received a number of calls about the length of telephone hold time. They are receiving up to 80,000 calls a month and cycle billing is the cure but in taking the steps to alleviate the number of phone calls by going to cycle billing they created a real monster in January and February. They now feel the mechanisms are in place for improved service and have added staff and will continue to do so.

She said they had met three times with the Gladstone Cable Advisory Board and found them to be an excellent body of intermediaries between the company and the city and suggested that was the proper channel for citizens who have questions or complaints. American Cable works very closely with them and Assistant to the Manager Javonni Brown.

Mrs. Rothwell invited questions.

Mayor Bussinger acknowledged that probably all the Council has been contacted on problems with American Cable's service. He frankly thinks their planning for the changeover was poor. He said he let the phone ring 22 times that morning at 8:12am when calling the customer service line. He later let it ring 9 times at 8:30 and when it was finally answered he was put on hold for nine minutes. Those are the kinds of problems people are experiencing and to him it is not good service.

Mr. Butler said he had received calls on poor reception, pictures fading out and reports of persons being left on hold for such long periods they finally just hang up. He agrees with Mr. Bussinger we are getting poor service. It is like we are a step-child in the northland. We just are not getting what we were promised or what we were used to in the past.

Ms. Rothwell said they have done a full system technical sweep and have corrected quite a few problems. She expressed surprise to hear Mr. Butler say there are reception problems. There is testing of the scrambling on Showtime and Movie Channel which is causing some problems for viewers but it is not anything American is doing. In general the pictures should be better than they have been. The next thing that will happen is the use of an outside company to look for illegal hookups and tampering with the lines and when they find those they do quite often find technical problems as well.

Councilman Winkler said he was probably as vocal and as disappointed as anyone in Gladstone about the service received since the change in the franchise. He said he was particularly glad to see someone from customer service here this evening because he does not know when he has so graciously been told to go fly a kite as when he called their office. He has had a number of calls both as a private individual and a councilman on the cable service. On March 7th after trying to get in on the telephone for 20 minutes his daughter was told that they would not send a dispatcher to check any type of trouble until they had received at least 5 calls. When they call they receive a recording and then the recording goes off and they have to hang up and recall. According to Mr. Winkler the same was true on the night of March 9th. He tried every phone listed and could not get anyone. Mr. Winkler said all the conveniences of additional offices have been discussed but what about the convenience that people are paying for. This is a luxury that people are paying for. They aren't receiving the program books either.

Ms. Rothwell said they were lost in the mail in January but did not know subscribers were still not receiving them. They used to come with the billing but now with the billing on the 10th the books should be coming separately on the 1st of the month.

Mr. Winkler said the only time he got a book is after calling the company and then it was the Johnson County version.

Mr. Butler asked if they intend to continue the present Gladstone office?

Mr. Nate Smith, Vice President of Customer Service for American Cable said they are looking at the best way to serve their customers and are looking for a location in a mall in the area which would provide evening access much like they are able to do at their Ward Parkway location. They reviewed this with the Cable Advisory Board to see if they would be receptive to this approach and received their approval to research it. Their goal is to be accessible to the northland and they are not sure they are doing that right now.

Mr. Smith pointed out that the microwave malfunction could have happened to any company. They have an entire crew designed to do preventive maintenance on their plant and are most anxious to maintain if not improve the level of service our subscribers receive. He will not deny that during this merger there were some rough spots but they believe they have the resources and a game plan to make the service better. He cannot give any assurance that any outage will never recur.

Mr. Winkler said that when the outages occur in the evening and weekends, subscribers don't even know that the cable company knows it because they can't get anyone to answer. Ms. Rothwell said that in a case like that everyone is calling at once.

Mr. Butler asked for an answer to his question on maintaining the Gladstone office. Ms. Rothwell said if they find a good mall location it is one of the requirements in the franchise agreement that they come before the Council for approval. Mr. Butler reminded that we have shopping center right here in Gladstone that could be explored.

Mayor Bussinger asked if Cable TV Advisory Board members present would like to comment.

Mr. Darrell Cunningham said Ms. Rothwell and Mr. Smith had met with the Board and reviewed the problems and he believes they are being addressed. He has not had many calls lately.

Mayor Bussinger said that they didn't have these problems under the previous franchisee; so bigger is not always better.

Mr. Smith said they are in the customer service business and they are not anxious to put the Council in the middle.

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Mr. Don Rose said he has had few complaints other than those from persons in new areas trying to get cable service. He is personally in a new area and has been told it may be July or August before service is available.

Mr. Nate Smith said he did not know what the previous company did on line extensions but American is frankly swamped and all requests are coming from the areas they have merged with. They have 155 requests at present.

On outages they keep a service technician on call not to go out on every service call that comes in but to go out if an outage occurs. Their rule of thumb for determining an outage is 4-5 calls. He can only assume that in the case of the nights mentioned that the phone calls were from such a wide area that they never anticipated that the entire system was out. Outages are solved by going first to the house and then to the amplifier and working back. It took them a while in working back to make the determination they had an area wide outage.

Councilman Butler said there are some areas where there is only a house or two that they need to serve. Mr. Smith said they are willing to service if they is a reasonable payback and if it is a very sparsley populated area they will probably look for an aid to subscription from the residents. Otherwise ultimately the people in the dense area will be subsidizing the bills of the less dense area.

Ted Polito, 6305 N Grand commented that the picture quality was poor on March 8th and he called 7 times with no response. Ms. Rothwell said this was a spin-off of the outage the previous night. Mr. Polito said the picture quality is still poor and he does not think he is getting what he is paying for. He would like to be included in the survey. Ms. Rothwell agreed to arrange that.

Mr. Wayne Kuhlman, 3000 NE 76th asked for the criteria for obtaining service. He lives in a sparsely populated area and had offered to lay his own line which the company would not accept. Mr. Smith said that was because American would have to maintain it. Mr. Smith said they would be in contact with Mr. Kuhlman but the criteria generally is 50 homes per lineal mile.

Mr. John Mitchell, said he was very dissapointed in the service and suggested that persons who share his concern contact the FCC at 63rd & Raytown Road.

Mr. Smith replied that they can't afford customer dissatisfaction and they will address the concerns expressed and thanked the Council and the audience for hearing him and Ms. Rothwell this evening.

Mayor Bussinger closed the cable discussion as there were no further comments.

Item 7 on the Agenda: Communications from the City Council.

Councilman Ashcroft complimented City Staff on the first edition of the GLADSTONE REPORTER newsletter to citizens noting that it was very professionally done.

Councilman Winkler said he certainly agreed.

Councilman Butler introduced members of the STICKS (Stop Teen Intoxicating Kick) organization present in the audience.

Mayor Bussinger asked when street striping would be done. City Manager Reilly said we are meeting with the contractor shortly, however the temperature must be 50 degrees and above for pavement markings.

Item 8 on the Agenda: Communications from the City Manager.

City Manager Reilly announced that M-1 (N Prospect) bids are due on March 28th.

Item 9 on the Agenda: PUBLIC HEARING: Request to rezone from C-1, Local Business District to CP-3, Commercial District-Planned, property at 6305 N Prospect. Applicant: Lawrence A. Wickham  
Owner: Texaco Refining & Marketing, Inc.

Mr. Wickham explained this rezoning request came about because Texaco desires to have a carwash with the service station at this location. This will be a single bay drive-thru facility which will wash a car, he believes, every 3 minutes. The facility will be Texaco's new image called Texaco 2000 consisting of free standing canopy with modified convenience store with cashier and self service gasoline. The car wash will be located where the present building is now.

In discussing the Planning Commission's concerns he noted there was Public Safety concern that cashier could see all of islands. With the glass all islands are visible to cashier. The raised median discussed before the Commission will come down from 64th Street to just past the north approach so people exiting from the north approach would be compelled to make a right hand turn.

The Planning Commission voted unanimously to approve the proposal with 4 stipulations. Sidewalks, curb and gutter improvements along Antioch Road - to what extent that stretch of road will be improved along with M-1 project Mr. Wickham is not sure. But they would prefer not to build them at the present and have Texaco participate at such time as we have an area wide improvement thru escrow or other agreement. He is not an advocate of spot improvements along the road. He said he is reminded of what was done on Oak Street and does prefer to see sidewalks installed on an area-wide basis all at once.



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Mr. Bussinger asked why the sidewalks would hurt the project. Mr. Wickham said they don't hurt the project but said as example on Oak Street all of the improvements done on Oak street were done with the idea that they would be incorporated into the overall program and in many instances they wound up being put in twice.

The Commission felt there were too many curb cuts and after discussion with Texaco they agree the south approach onto Antioch Road could be eliminated.

Mr. Bussinger said he would think they would want to install those improvements on the Texaco site. Mr. Wickham said it is going to present some problems to construct them because there is a 4 ft. average drop on the Antioch frontage. Again, Texaco does not want to shirk the responsibility.

The Commission suggested some additional greenway along Antioch. Their proposal does not include any new pavement and to include the additional greenway which would be to the north would hamper the internal traffic flows.

In reviewing the site plans with Council at the table Mr. Wickham said he would like to have the City Counselor review the definition of "setback" in the code. He has a different interpretation than the Commission.

Mr. Butler said the Commission minutes reflect discussion that sidewalks are desirable for convenience of pedestrian seniors and that Mr. Wickham had responded that it was no big deal and now his is saying they are a problem to install.

Mr. Smith said he is a supporter of sidewalks but could see a good point in waiting for that intersection to be completed so that the alignment is clear. He asked if there would be any additional work on Antioch Road. Mr. Reilly said it is his understanding that there will be.

Mr. Kevin Jamison, representing Gene's Party Shop, which is about 100 feet from the station is in favor of this application and said they think the car wash is a good idea particularly because it would draw traffic to their little business triangle. It looks like it would be an asset to the neighborhood. He commented he would like to see sidewalks because some of his clerks walk over to McDonalds.

There were no persons to speak in opposition whereupon Mayor Bussinger closed the public hearing.

Item 10 on the Agenda: PUBLIC HEARING: Request to rezone from R-1, Single Family Dwelling District to R-4, Apartment House District, property at 2001 NE 72nd Street. Applicant: Ronald Tietz

Mayor Bussinger asked if this should not be listed as RP-4 on the agenda.

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Mr. Ronald Tietz, applicant, said they initially asked for straight R-4 zoning. When they met with Planning Commission the plan they submitted met with all code and zoning requirements in every respect and no variances were needed. The Planning Commission agreed that based on the plans no exceptions would be needed but suggested that the request should be for P zoning so that they would have a final look at the project. Mr. Tietz said they would agree to P zoning because the project submitted is workable on the property. If there were more units it would dilute the privacy of the tenants if there were less units it would take away the payback situation on the project so under those circumstances they are not opposed to "P" zoning because they would like to see their project approved as presented.

The property is a five acre tract and 20-25% of the property lies in the flood plain. From this standpoint they can't do much else with the project than what they have laid out. The property is R-1 now and is abutted by R-1 on the east and west. He questions whether it is feasible for any R-1 to be built around it. The light sub-station and tennis courts are on the east. On the west is the 100 year floodplain from Rock Creek and a wooded area that has been dedicated for conservation on the west and south. Property across the street has been commercially zoned and property beyond the R-1 that abuts them is commercially zoned, the project across the street to the north is zoned multi-family. They believe their project will be an asset to the area.

Mr. Bussinger said we already have problems with 72nd Street and questions the number of additional cars generated from the 60 units. Mr. Tietz said they have provided 2 accesses to 72nd Street. One of the requests from the Commission was that they take their west access and try to align it with Euclid if at all possible. The problem is that the property line splits Euclid so they couldn't align the street and still stay on their property. He has yet to contact the other property owner but plans to do so.

As far as fire protection, the two entrances are a real asset and they have provided for fire plugs, etc. to accommodate this need.

Mr. Tietz said the project looks tight because the flood plain keeps them from spreading the project out. KCPL has a 100 ft. easement. They have discussed the project with KCPL and they said they would probably grant an encroachment to park in their easement area as long as there was room for traffic behind the parking area. They have no pole structures directly in line with the building or parking lot. This project would not be underneath their power lines but would be on the easement portion. So they are pretty cramped.

As far as 72nd Street traffic it would appear there is a problem there whether they are there or not. He said he is aware there is a light under consideration presently. 72nd Street problems would not be automatically solved if they didn't build.

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Mr. Winkler asked why they would want to restrict this to no children. Mr. Tietz clarified that certain buildings would be restricted, as example older adults wanting peace and quiet. This is not uncommon for apartment complexes to restrict children to certain areas. The same is true of pets.

Councilman Smith asked if the developer would incur additional expenses and paperwork for the P zoning. Mr. Reilly said there are some additional requirements in the sense of putting paperwork together but he does not believe it is a significant dollar cost. Mr. Reilly pointed out that with P zoning if the applicant begins investigating the proposal and finds that there are certain changes that are deemed to be more than slight he would then have to go through the process again, which could be a real cost. No one anticipates this happening but there is always a possibility.

Mr. Tietz said it is his impression that with P zoning all the things that are required to make the project complete (architects plans, engineer site drainage plans) are required upon requesting P zoning. What the Planning Commission has done is to give them a little latitude by saying that if they will agree to P zoning they will allow them to present all of the plans and documentation after the P zoning is approved instead of before.

Mr. Smith asked if the Council is willing to agree to the Plan Commission's recommendations. Mayor Bussinger said that would be left up to the discretion of each Councilman.

Mr. Tietz clarified that the reason they presented their application for straight zoning is because it has always been his feeling that straight zoning is by far the best solution to any problem. The Zoning and Building Codes were established to set guidelines for development and construction. P zoning is probably an alternative in instances when regular zoning is not permissible or where there are situations that warrant it (inadequate buffer zones, greater density, or you don't have driveway accesses you need). They are trying desperately to comply with the requirements without having to ask for any exceptions.

Mr. Butler expressed his concern for the traffic that will be added to that area and he does not see any storm water plans. Mr. Tietz said the storm water plans will come with the building permit application along with all of the other completed plans and documents required. Lutjen & Associates and Butler & Associates have preliminarily looked at their plans and believe what they have shown will take care of the project drainage concerns. This property has only a 16 ft. variation from front to back so it is a pretty flat piece of ground. The fact that it is surrounded by the flood plain and there are no storm sewers available to the site is why the water is exited the way it is shown. The parking lot will all be curbed and that will act as a containment area and slow the water as it goes into Rock Creek.

Mr. Bussinger asked what the exterior construction was. Mr. Tietz said it was masonry and brick.

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Opposition:

Mr. Jim Eaton, 2317 NE 75th Terrace, expressed concern for traffic and the density. We have a number of apartment projects now and one of the reasons he moved to Gladstone was the quality of life and residential character. We have exceeded our water line capacity now and each additional project puts a drain on city services. He said he was disappointed with the way we went about our water improvements. We have new developments going in but it does not appear that the people who are adding on are paying any additional compensation. In other states when you go in with a new development you are liable for the increases costs. We did it backwards in that we overextended ourselves first.

Mr. Winkler asked Mr. Eaton as a resident of that area, what he would like to see on that particular piece of property. Mr. Eaton said ideally a ballpark for kids or a few single family homes.

Mr. Tietz said they did look at single family development but given the area that is in the flood zone and the cost of the property it is not feasible.

Mr. John Woody, 7201 N Woodland, said he opposes the project but does think it fairer to the residents to require P zoning if it requires developers to come back to finalize the plans and provides some additional controls. This is the 6th time he has been before the Council and it has taught him that the Gladstone Council is very progressive and civic minded, guardians of the neighborhood and responsive in the past to the petitions circulated. They have not circulated petitions this time because their views are pretty well established. There have been applications in this area for gas stations, car wash, nursing home, apartments, commercial buildings and the Council has worked with the developers and the residents of the area. They have established the precedent that they are willing to say no to a project when it will interfere with the beauty and aesthetics of an area.

As far as this plan, he is concerned with the density and the number of cars as well as the pedestrian travel crossing to Quick Trip. People he has talked with have likened some of the Prospect apartments to barracks and he does not think now is the time to add another complex in the area.

Mayor Bussinger noted that there will be a light at 72nd & N Prospect which will help some but not cure the situation when the area is fully developed.

Mr. Bob Sturm, 7311 N Euclid, said although perhaps selfish on his part he would prefer R-1 on the site because it would probably hold its value for the neighborhood. He is also concerned with the density and traffic at 72nd & Euclid. For it to be a workable intersection the street going into the complex should line up with Euclid. He uses the intersection several times daily and if there is an offset there it will be a bad situation.

It should be a traffic controlled intersection before anything goes in there with turn lanes if at all possible. He does not know much about P zoning but likes the assurances it seems to provide.

Mayor Bussinger closed the Public Hearing.

Item 11 on the Agenda: PUBLIC HEARING: Request to rezone from RCH-1, Cluster Housing-District to CF-O, Non-Retail Business District-Planned, property at the northeast corner of Englewood and Broadway. Varnum Armstrong Deeter

Mr. Ron Smith, Varnum Armstrong Deeter and Architect Stan Staats were present to represent this request.

Mr. Smith said their application for the NE corner of Broadway & Englewood consists of 3 buildings- 2 office buildings and 1 financial building. The Planning Commission vote was 9-1 with four recommendations. None of the recommendations present any problem and they will comply with all.

Stan Staats of Nearing & Staats, Architects reviewed the artist rendering and plans with Council. He explained that to the back of the site is a piece of ground owned by Mr. Scharhag to be developed in RP-3 zoning which will come to the council before too long.

Access to the site is off Englewood Rd and N Broadway. One building will have 17,784 sq. ft., one 19,926 and a small financial building of 4,296. At the time Englewood Rd was established there was an agreement of accesses to the property along Englewood Road and Mr. Staats reviewed those on the drawings with Council. They are asking for a portion of the island to be cut off because of the short sight distance problems. The Plan Commission stipulations call for further study on with respect to the island. They have addressed all fire apparatus needs. They are over on parking requirements. Along Englewood Road they are into the 20 ft. setback and agreeable to cutting out some parking.

One of the other stipulations was to move the trash enclosure and they are agreeable to that. There is a 15 ft. setback and a written agreement has been reached with Mr. Scharhag for VAD to give 15 ft. and Mr. Scharhag will have 20 ft. on his property which will establish the buffer required. If this project is approved they would be moving ahead with one of the office buildings immediately.

The project will be a duplicate of their first project with red tile but using beige rather than white stucco. They had quite a discussion with the Planning Commission on the zoning they are seeking but feel that office buildings are more suitable for this site.

Mr. Butler said he uses that shopping center a lot and there is a real site problem with respect to the island.

Mr. Winkler asked if the 35 ft. buffer was what was required. Mr. Kaster said it was.

Mr. Butler said he thought the Scharhag property was to be developed at the same time. Ron Smith said he is involved in that project as well and it will be coming to the Planning Commission hopefully the next month. Mr. Butler asked about the number of cuts from the Day property. Mr. Smith said that at the time of the Englewood improvements there was a lot of controversy and in order to settle the right-of-way decisions designated accesses were agreed to on the north and south sides of Englewood and an Exhibit was prepared. So the only cuts agreed to for all those properties are in the Exhibits.

Mr. Ashcroft asked if Mr. Smith sees all these properties coming together and being compatible. Mr. Smith said he does not have direct control over the properties but because he was the one that put the Scharhag tract under contract and seems to be working out the logistics and has been able to influence the development of the tract to the north.

Mr. Butler asked if the eastern street was split on the two properties. Mr. Smith said that was true and was the reason they agreed to use jointly the Day property and theirs so they could eliminate another access on either property.

There was no opposition or further comments whereupon Mayor Bussinger closed the public hearing.

The Council commended Messrs. Smith and Staats on their presentation of the rezoning application.

\* Mayor Bussinger requested Mayor Protem Ashcroft to chair the meeting.

Mayor Protem Ashcroft asked to skip down to items 16 and on the Agenda.

Item 16 on the Agenda: First Reading: Bill No. 86-15, an ordinance regulating the sale and consumption of alcoholic beverages and non-intoxicating beer in C-1, C-2 and C-3 districts.

Mr. Smith moved to place Bill No. 86-15 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill No. 86-15 and place said Bill on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

CITY COUNCIL MINUTES

3/24/86 - Page 16

Mr. Smith moved to accept the second reading of Bill No. 86-15 and place said Bill on third and final reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill No. 86-15 and enact said Bill as Ordinance No. 2.618. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 17 on the Agenda: First Reading: Bill No. 86-16, an ordinance amending the performance standards pertaining to the sale and consumption of non-intoxicating beer and alcoholic beverages in C-1, C-2 and C-3.

Mr. Winkler moved to place Bill 86-16 on first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the first reading of Bill 86-16 and place said bill on second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the second reading of Bill No. 86-16 and place said Bill on third and final reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third and final reading and enact said Bill as Ordinance No. 2.619. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 12 on the Agenda: Second Reading: Tabled Bill 86-10, rezoning property at 7609 N Oak from C-1, Local Business District to C-2, General Business District. Applicant: Uncle Ham's Tenderloins

Mr. Winkler moved to remove Bill 86-10 from the table for Council consideration. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mr. Winkler moved to accept the first reading of Bill No. 86-10 and place said Bill on second reading; Mr. Smith seconded. The vote: Unanimous "No" - Winkler, Butler, Smith, Ashcroft, Bussinger. (5-0)

FILE NOTE: THIS REZONING APPLICATION WAS MADE TO ALLOW APPLICANT TO SERVE INTOXICATING BEER. WITH ENACTMENT OF ORDINANCE NO. 2.618, SUCH SALES HENCEFORTH ALLOWED IN C-1 ZONE MAKING THIS REZONING APPLICATION UNNECESSARY.

CITY COUNCIL MINUTES

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Item 13 on the Agenda: First Reading: Bill No. 86-12, amending Chapter 25 of the City Code being the Gladstone Sign Ordinance specifically dealing with political signs.

Mr. Smith moved to place Bill No. 86-12 on first reading; Mr. Winkler seconded. The vote: "Aye" - Winkler, Smith, Ashcroft, Bussinger. "No" - Butler. (4-1)

Item 14 on the Agenda: First Reading: Bill 86-13, accepting a Standard Sewer Easement on property in MEADOWBROOK ESTATES.

Mr. Smith moved to place Bill 86-13 on first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of Bill 86-13 and place said Bill on second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of Bill 86-13 and place said Bill on third and final reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Bill 86-13 and enact said Bill as Ordinance No. 2.620 Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 15 on the Agenda: First Reading: Bill No. 86-14, an ordinance regulating the outdoor sale and storage of food and seasonable goods in C-1, C-2 and C-3 Commercial Districts.

Mayor Protem Ashcroft noted that this Bill incorporates requirements in Bill 87-17 (item 18 on the Agenda) therefore Bill 86-17 will not be necessary and can be deleted from the Agenda.

Mr. Smith moved to place Bill No. 86-14 on first reading; Mr. Butler seconded. Council discussed time period that should be inserted for Item 1-(e) in the Bill "Duration-for Seasonal Goods". Counselor Dods recommended that Council use 100 days which could be changed if Council desired on subsequent readings of the Bill. Council agreed.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Council was of the opinion this bill is a step in the right direction but would need some work.



Item 19 on the Agenda:

Other Business.

Mr. Smith asked on parkings lots and curbs if Gladstone Baptist Church and ERA building will put them in. Mr. Reilly said they have not yet but would.

Mr. Butler questioned a ladder rental from Glad Rents for \$15 on the financial report. Mr. Wegner said it was rental of an extension ladder to get to one of our basins.

Mr. Butler said the rezoning application before us tonight on 72nd Street was an excellent example of density versus flood plain. They have an excess of ground there which they can't use but they can incorporate it into the volume of density without using it. Really what we should be working on is the ground available to the developer to use and not include the unusable terrain. He would like to see this issue explored. Mr. Reilly said it was a deliberate decision sometime ago not to do anything on it and that is why there is nothing on the books now. If Council wants to direct staff to develop something they certainly will. Council said he recalled that the Planning Commission mentioned it but decided not to pursue it because of the limited applicability in the future.

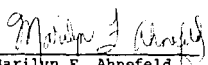
Mr. Ashcroft asked if there was legal precedence on the issue. Mr. Dods said there could be a problem in exclusion merely because it is in a flood plain because it could have some usage in connection with the project. Mr. Reilly said he thought you had to make a distinction between a floodway and a floodway fringe because in some cases the fringe is perfectly usable. Mr. Dods said particularly when you define it by a 100 flood plain level you are getting into an area that has a lot of actual usages although you can't put a habitable structure there.

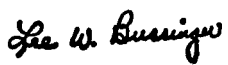
Mr. Smith asked if they are allowed to figure the flood plain ground in the play area or parkland donation. In terms of the play area Mr. Reilly said other than the immediate drainageway itself he believes it can be calculated.

There being no further business to come before the March 24, 1986 City Council Meeting, Mayor Bussinger adjourned the meeting.

Respectfully submitted:

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

  
Marilyn F. Ahnefeld  
City Clerk

  
Lee W. Bussinger

\_\_\_\_\_  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 14, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of March 24, 1986 City Council Meeting.
5. FIRST READING BILL No. 86-18, declaring the results of the April 1 Gladstone Councilmanic and Special Fee Election.
6. OATH OF OFFICE: Councilman Elect Bob Ashcroft
7. ELECTION OF MAYOR AND OATH OF OFFICE
8. ELECTION OF MAYOR PRO-TEM
9. CONSENT AGENDA:

RESOLUTION NO. R-86-24, amending the 1985-86 Annual General Fund Budget. Total increase \$146,301. Grand total revised budget: \$4,377,161

RESOLUTION NO. R-86-25, authorizing acceptance of a Bill of Sale from Woodlands Investments Associates and Haines-Stowers Construction Co. Inc. for main constructed in WOODLANDS 2ND REPLAT under Water Main Extension Contract No. 196

RESOLUTION NO. R-86-26, authorizing Engineering Services Agreement with Burns & McDonnell Engineering Company, Inc. for neighborhood water main extension improvements. Not to exceed: \$36,500

RESOLUTION NO. R-86-27, authorizing engineering services agreement with Larkin & Associates for water main extension on East 76th Street. Grand Total not to exceed: \$4,600

Approval of Financial Reports for March, 1986

Approval of Midland Shows Carnival on rear Bob's IGA parking lot, 6316 N Oak, April 16-26  
Sponsor: Gladstone Rotary Club

Approval of Liquor License, Uncle Ham's Tenderloins, 7609 N Oak, Class-D-License *amended to 'd' license 4/14/86*

Approval of Building Permit, 6250 N Oak, construct solarium on north side of building. Hardee's Food Systems *6/1/86 c/c*

Approval of Building Permit, 6100 N Antioch, construct drive-through menu board.  
TCBY Yogurt

Approval of Building Permit, 6910 N Holmes, finish 3rd floor. Owner: Remax of Missouri

10. Communications from the Audience.
11. Communications from the City Council
12. Communications from the City Manager
13. PUBLIC HEARING: Request to rezone from CP-1, Local Business District-Planned, to R-1, Single Family District, property at the northwest corner of NW 72nd & Broadway. Applicant: Les Smith Owner: Main Enggas
14. PUBLIC HEARING: Request for issuance of Special Use Permit for operation of day care facility on property at 7027 N Oak. Owner: Gladstone Animal Clinic Applicant: Catherine Cain
15. SECOND READING: BILL NO. 86-12, amending Chapter 25 of the City Code being the Gladstone Sign Ordinance specifically dealing with political signs.
16. SECOND READING: BILL NO. 86-14, an ordinance regulating the outdoor sale and storage of foods and seasonal goods in C-1, C-2, and C-3 Commercial Districts.
17. FIRST READING: BILL NO. 86-19, rezoning from C-1, Local Business District to CP-3, Commercial District-Planned property at 6305 N Prospect. Applicant: Lawrence A. Wickham. Owner: Texaco Refining
18. FIRST READING: BILL NO. 86-20, rezoning from RCH-1, Cluster Housing District to CP-O, Non-Retail Business District-Planned, property at the northeast corner of Englewood & Broadway. Applicant/Owner: Varnum Armstrong Deeter
19. FIRST READING: BILL NO. 86-21, rezoning from R-1, Single Family Dwelling to R-4, Apartment House District 2001 NE 72nd Street, Applicant: Ronald Tietz
21. Other Business
22. Questions from the News Media
23. Adjournment

YOU ARE CORDIALLY INVITED TO THE LOBBY RECEPTION  
HONORING THE MAYOR AND CITY COUNCIL  
HOSTED BY GLADSTONE CHAMBER OF COMMERCE

MINUTES

GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 14, 1986

Mayor Lee Bussinger called the April 14, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Bob Ashcroft  
Mayor Lee Bussinger  
  
City Manager Patrick Reilly  
City Counselor Clyde Curtis  
City Clerk Marilyn Ahnefeld

Mayor Bussinger led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes.

Mr. Butler moved to approve the Minutes of the March 24, 1986 City Council Meeting, as submitted. Mr. Smith seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Item 5 on the Agenda: FIRST READING: BILL 86-18, Declaring the Results of the April 1 Gladstone Councilmanic and Special Fee Election.

Mr. Smith moved to place Bill 86-18 on its First Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill 86-18 and place said Bill on its Second Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill 86-18, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 86-18 and enact said Bill as Ordinance 2.621. Mr. Winkler

seconded the motion. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 6 on the Agenda.

OATH OF OFFICE.

Councilman-Elect Bob Ashcroft was given the Oath of Office by the City Clerk.

Mayor Bussinger introduced his daughter Rosemary and grandchildren Misty and Sean who were visiting in the Kansas City area. He said that the past year has been the busiest year he has spent since being elected to the City Council over thirteen years ago. He praised the City Manager and his staff for doing an outstanding job. The City has established two new positions that make the City operation function well.

Mayor Bussinger acknowledged Harold "Bud" Ahnefeld as an outstanding citizen of the City of Gladstone for his many hours of volunteer service. He presented a key to the City to Mr. Ahnefeld and thanked him on behalf of the entire City Council and staff.

Item 7 on the Agenda:

Election of Mayor.

Mr. Winkler nominated Bob Ashcroft as Mayor for the coming term. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft, Bussinger. (5-0)

Mayor-Elect Ashcroft praised Mr. Bussinger for his thirteen years of service as City Councilman. He asked to go on record that he supports City Manager and staff so that they can continue doing what they are presently doing. The staff and Council have recognized some short-falls in the past year and they are being addressed. He committed his continuing support over the storm water drainage problems which Councilmen Smith and Butler have worked so hard on. The M-1 Highway project is now going out for the third bid letting with the State Highway Department having rejected the first two. He looked forward to continuing to work with each and every one of the Councilmembers and also the citizens of Gladstone.

Item 8 on the Agenda:

Election of Mayor Pro-Tem.

Mr. Butler nominated Mr. Smith as Mayor Pro-Tem. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

CONSENT AGENDA (continued)

Mr. Bussinger moved to approve the Financial Reports for March, 1986 as submitted. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve the Building Permit, 6250 North Oak, for construction of solarium on north side of the building at Hardee's Food Systems. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve the Building Permit, 6100 North Antioch, for construction of drive-through menu board, TCBY Yogurt. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve the Building Permit, 6910 North Holmes, finish the third floor. Owner: Remax of Missouri. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 10 on the Agenda.

Communications from Audience.

There were none.

Item 11 on the Agenda.

Communications from City Council.

Councilman Smith introduced his wife Rhonda, son Jason and mother from Arizona, Carmen Smith, who were present in the audience.

Item 12 on the Agenda.

Communications from City Manager.

City Manager Reilly said that the second bid was rejected on the M-1 project. Staff has met with the Highway Department and KCP&L and it has been agreed that the bids could be split when the contract is bid the third time.

Item 12b on the Agenda.

Request for Approval of Midland Shows Carnival on rear Bob's IGA parking lot, 6316 North Oak, April 16-26. Sponsor: Gladstone Rotary Club.

Mr. Winkler stated publicly that he does not have anything against the Rotary or other benevolences in their money

Item 9 on the Agenda:

CONSENT AGENDA.

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested that the Request for Approval of Midland Shows Carnival on the rear of Bob's IGA parking lot, 6316 North Oak, April 16-26 (sponsor: Gladstone Rotary Club) be removed from the Consent Agenda for placement on the regular agenda.

Mr. Smith requested that Request for Approval of Liquor License for Uncle Ham's Tenderloins, 7609 North Oak, Class 'D' license be removed from the Consent Agenda and be placed on the regular agenda.

Mr. Bussinger moved to approve the remaining Consent Agenda items as revised; Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

CONSENT AGENDA DETAIL:

Mr. Bussinger moved to adopt RESOLUTION R-86-24, amending the 1985-86 Annual General Fund Budget, for a total increase of \$146,301. Grand total revised budget: \$4,377,161. Mr. Winkler seconded. The Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION R-86-25, authorizing acceptance of a Bill of Sale from Woodlands Investments Associates and Haines-Stowers Construction Co., Inc., for main constructed in WOODLANDS 2ND REPIAT under Water Main Extension Contract No. 196. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION R-86-26, authorizing Engineering Services Agreement with Burns & McDonnell Engineering Company, Inc., for neighborhood water main extension improvements, in an amount not to exceed \$36,500. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION R-86-27, authorizing Engineering Services Agreement with Larkin & Associates for water main extension on East 76th Street, Grand total not to exceed \$4,600. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

CITY COUNCIL MINUTES  
4/14/86 - Page 5

raising activities. Last year when he voted on this same permit, he thought he had been assured that they would not be requesting this location again. He voted for it reluctantly at that time, but he would be voting against it tonight.

Mr. Bussinger moved to approve the Request for Approval of Midland Shows Carnival as requested. Mr. Butler seconded. The vote: "Aye" - Smith, Butler, Bussinger, Ashcroft. "No" - Winkler. (4-1)

Item 12c on the Agenda: Request for Approval of Liquor License for Uncle Ham's Tenderloins, 7609 North Oak, Class 'D' License.

Mr. Smith asked City Manager Reilly if this request should be for Class 'D' or Class 'F'? Mr. Reilly said that at the last minute the applicant had requested Class 'F'. Discussion was held as to the differences in the two classes. Class 'D' approves the sale of malt liquor, non-intoxicating beer and light beer by the drink and in the original package for six days a week, not including Sunday sales. Class 'F' allows sale of 3.2 (non-intoxicating) beer by the drink and in the original package seven days a week.

Mr. Smith said that he would in no way be agreeable to allowing an establishment to provide liquor by the drink through a drive-up window in light of the drinking concerns with the public and teenagers.

Mr. Butler moved to approve a Class 'F' liquor License for Uncle Ham's Tenderloins, 7609 North Oak. Mr. Bussinger seconded. The vote: "Aye" - Winkler, Butler, Bussinger. "No" - Smith, Ashcroft. (3-2)

Item 13 on the Agenda: PUBLIC HEARING: Request to rezone from CP-1, Local Business District-Planned, to R-1, Single Family District, property at the northwest corner of NW 72 Street and North Broadway. Applicant: Les Smith. Owner: Main Engges.

Mr. Steve Warger of McDonald and Warger, Inc., 1003 NE 61 Terrace, addressed the Council on behalf of the applicant. He explained the downzoning of the parcel which would permit the development of two single-family lots in a proposed subdivision north of the remaining CP-1 zone. The changes realign the streets to more effectively conform to the presently-existing streets. He indicated that the busiest traffic would bypass the single-family residential area. There were no further questions and Mayor Ashcroft closed the Public Hearing.



CITY COUNCIL MINUTES  
4/14/86 - Page 6

Item 14 on the Agenda. PUBLIC HEARING: Request for Issuance of Special Use Permit for operation of day care facility on property at 7027 North Oak. Owner: Gladstone Animal Clinic. Applicant: Catherine Cain.

Catherine Cain, 6206 North Charlotte, explained her request and proposed use for the basement area of the lower level of the Gladstone Animal Clinic. She planned to use the area for a day care center which would have a maximum of 30 children each 8-to-9 hour day. The State and Fire inspectors have inspected the building and plans and have approved them. Mr. Bussinger asked about the play area which faces the side of Locust Street? Mrs. Cain explained that the play area of 40' x 30' would be used by only ten children at a time with a supervisor at all times. The ages of the children were anticipated to be from two years to eight years of age. Mr. Bussinger was concerned about a day care facility in a commercial zone and the traffic that this type of zone could generate.

Mr. Winkler asked if Dr. Clifford had offered Mrs. Cain any other area for the playground? Mrs. Cain said "No". Mr. Winkler noted that he was concerned about the empty space adjacent to the building next door and if the parking lot were shared by the day care center and an undetermined occupant of the remainder of the building, it could become a real problem. Mrs. Cain said that she is supposed to have a 14-car space parking lot for her use.

Mr. Butler noted the Planning Commission had stated that there are strong rules and regulations regarding the ventilation of the building, relating to the housing of animals in the upper portion of the building.

There were no further questions and Mayor Ashcroft closed the Public Hearing.

Item 15 on the Agenda: SECOND READING: BILL NO. 86-12, amending Chapter 25 of the City Code being the Gladstone Sign Ordinance specifically dealing with political signs.

Mr. Winkler moved to accept the First Reading of Bill 86-12 and place said Bill on its Second Reading. Mr. Smith seconded. Mr. Smith said that he would appreciate only giving one reading to this Bill at this meeting as he would like to propose some amendments at the next study session. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Item 16 on the Agenda: SECOND READING: BILL NO. 86-14, an ordinance regulating the outdoor sale and storage of foods and seasonal goods in C-1, C-2, and C-3 Commercial Districts.

CITY COUNCIL MINUTES  
4/14/86 - Page 7

Mr. Winkler moved to accept the First Reading of Bill 86-14 and place said Bill on its Second Reading. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 17 on the Agenda: FIRST READING: BILL NO. 86-19, Rezoning from C-1, Local Business District to CP-3, Commercial District - Planned Property at 6305 N. Prospect. Applicant - Lawrence A. Wickham. Owner: Texaco Refining.

Mr. Bussinger moved to place Bill 86-19 on its First Reading. Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Item 18 on the Agenda: FIRST READING: BILL NO. 86-20, rezoning from RCH-1, Cluster Housing District to CP-0, Non-Retail Business District-Planned property at northeast corner of Englewood and Broadway. Applicant/Owner: Varnum Armstrong Deeter.

Mr. Bussinger noted that the applicant had asked that this Bill be given two readings because construction time has been limited. He said that the Planning Commission has recommended this request be approved. Mr. Bussinger said that there is no opposition or controversy on this whatsoever.

Mr. Butler moved to place Bill 86-20 on its First Reading. Mr. Bussinger seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the First Reading of Bill 86-20 and place said Bill on its Second Reading. Mr. Bussinger seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the Second Reading of Bill 86-20, waive the appropriate paragraph and place said Bill on its Third and Final Reading. Mr. Bussinger seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final Reading of Bill 86-20 and enact said Bill as Ordinance 2.622. Mr. Bussinger seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 19 on the Agenda: FIRST READING: BILL 86-21, rezoning from R-1, Single Family Dwelling to R-4, Apartment House District, 2001 NE 72 Street. Applicant: Ronald Tietz.

Mr. Smith moved to place Bill 86-21 on its First Reading. Mr. Bussinger seconded. The vote: "Aye" - Smith, Butler, Bussinger, Ashcroft. "No" - Winkler. (4-1) The Clerk read the Bill.

Item 20 on the Agenda.

OTHER BUSINESS.

There was no further business to come before the April 14, 1986 City Council Meeting. The meeting was adjourned to the Lobby Reception in honor of the Mayor and City Councilmembers hosted by the Gladstone Chamber of Commerce.

Respectfully submitted:

Approved as submitted: ☒

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

*Marilyn F. Ahnefeld*  
Marilyn F. Ahnefeld  
City Clerk

*Bob Sharras*  
BOB SHARRAS  
MAYOR

seo

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

April 28, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of April 14, 1986 City Council Meeting.

PROCLAMATION: Designating May, 1986 as "ABWA EDUCATION MONTH". Requested by: American Business Women's Association

5. CONSENT AGENDA:

Building Plan Approval: 106 NE 72nd Street, conversion of single family residence to office space subject to provisions of CD Staff Report 4/24/86. Applicant: Andy Patton

Building Plan Approval: 6902 N Oak, remodel existing Taco Via for office space subject to provisions of CD Staff Report 4/24/86  
Applicant: Ray W. Gibson

Building Permit Approval: 5828 N Oak, minor alteration to door and exterior steps.  
Hubble Auto

RESOLUTION NO. R-86-28, authorizing a contract with Peat, Marwick, Mitchell & Company for FY '86 Audit Services and Report Preparation/Printing.  
Not to exceed: \$19,000

RESOLUTION NO. R-86-29, authorizing final payment of Bell Construction Sidewalk Contract.  
Final Amount Due: \$1,620

RESOLUTION NO. R-86-30, authorizing acceptance of Bill of Sale from Mitcon Inc. and Haines-Stowers Construction for mains constructed under Water Main Extension Contract No. 193 in MEADOWLANE SUBDIVISION.

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager

9. PUBLIC HEARING: Request to rezone from RCH-1, Cluster Housing District to CP-1, Local Business District-Planned. Applicant: Varnum Armstrong Deeter
10. THIRD READING: BILL NO. 86-12, amending Chapter 25 of the City Code being the Gladstone Sign Ordinance specifically dealing with political signs.
11. THIRD READING: BILL NO. 86-14, regulating the outdoor sale and storage of foods and seasonal goods in C-1, C-2 and C-3 Commercial Districts.
12. SECOND READING: BILL NO. 86-19, rezoning from C-1, Local Business District to CP-3, Commercial District-Planned property at 6305 N Prospect. Applicant: Lawrence A. Wickham. Owner: Texaco Refining
13. SECOND READING BILL NO. 86-21, Rezoning from R-1, Single Family Dwelling District to R-4, Apartment House District, 2001 NE 72nd Street. Applicant: Ronald Tietz
14. FIRST READING: BILL 86-22, rezoning from CP-1, Local Business District-Planned, to R-1, Single Family District, property at northwest corner of NW 72nd Street and Broadway. Applicant: Les Smith  
Owner: Main Enggas
15. FIRST READING: BILL 86-23, an ordinance granting a Special Use Permit for one year period for operation of day care facility at 7027 N Oak.  
Applicant: Catherine Cain
16. FIRST READING: BILL 86-24, rezoning from RCH-1, Cluster Housing District to CP-1, Planned Local Business District, property described as part of NE corner Broadway & Englewood. Varnum Armstrong Deeter
17. FIRST READING: BILL 86-25, an ordinance approving the Final Plat of CARRIAGE HILLS 9TH PLAT (Pleasant Valley Road & N Jackson). J. A. Peterson Company
18. FIRST READING: BILL NO. 86-26, an ordinance authorizing execution of Agreement for Reciprocal Fire Protection with Southern Platte Fire Protection District.
19. FIRST READING: BILL NO. 86-27, an ordinance amending Ordinance No. 2.372 requiring certain public improvements prior to issuance of residential structure building permits by addition of section to provide for contribution to Public Improvements Construction Fund in lieu of actual construction.
20. FIRST READING: BILL NO. 86-28, an ordinance repealing Ordinance No. 2.556 and enacting in lieu thereof a new ordinance levying sewer service charges.
21. Other Business
22. Questions from the News Media
23. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

APRIL 28, 1986

Mayor Bob Ashcroft called the April 28, 1986 City Council Meeting to order in the Council chambers of the Gladstone City Hall at 7:30 PM.

PRESENT:     Councilman Ken Winkler  
              Councilman Les Smith  
              Councilman Jim Butler  
              Mayor Bob Ashcroft

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

ABSENT:     Councilman Lee Bussinger

Mayor Bob Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

ITEM 4 ON THE AGENDA:           ACCEPTANCE OF MINUTES.  
Mr. Smith moved to approve the April 14, 1986 City Council Meeting Minutes as submitted. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mayor Ashcroft recognized scouts from Troop 389 sponsored by Hillside Christian Church who were present in fulfillment of their Communications Merit Badge.

PROCLAMATION:                   Mayor Ashcroft read a Proclamation designating the month of May, 1986 as "AMERICAN BUSINESS WOMEN'S ASSOCIATION. Members of Happy Rock Diamond Chapter were present to accept the Proclamation.

ITEM 5 ON THE AGENDA:           CONSENT AGENDA.  
Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested that Building Plans for 106 NE 72nd Street for conversion of single family residence to office space be placed on the regular agenda as Item 8-a.

Mr. Smith moved to approve the remaining Consent Agenda items as listed; Mr. Butler seconded. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

CONSENT AGENDA DETAIL:

Mr. Smith moved to approve BUILDING PLANS FOR 6902 NORTH OAK, remodeling of existing Taco Via for office space. Approval subject to provisions of Community Development Staff Report dated 4/24/86. Applicant: Ray W. Gibson. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith moved to approve BUILDING PLANS FOR 5828 NORTH OAK, minor alteration to door and exterior steps. Applicant: Hubble Auto Supply. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith moved to adopt RESOLUTION NO. R-86-28, authorizing a contract with Peat, Marwick, Mitchell & Company for FY'86 Audit Services and Report Preparation/Printing for an amount not to exceed \$19,000. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith moved to adopt RESOLUTION NO. R-86-29, authorizing final payment of Bell Construction Sidewalk Contract for final amount due of \$1,620. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith moved to adopt RESOLUTION NO. R-86-30, authorizing acceptance of Bill of Sale from Mitcon Inc. and Haines-Stowers Construction for mains constructed under Water Main Extension Contract No. 193 in MEADOWLANE SUBDIVISION. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. R.E. Carver, 3408 NE 68th Terrace, addressed the Council on dog and dirt bike problems in his neighborhood. 4-wheelers regularly ride on vacant land in the area creating dust as well as noise problems. In his opinion this activity should not be allowed in a residential zone and he asked that the City explore legislation to prevent it. A dog in the neighborhood continually runs loose and has chased a child over the fence and frightens pedestrians. His calls to Animal Control and Public Safety have not been effective although situation has lessened from time to time. The dog in question is certainly not under the control of the owner. He suggested a need for a "Leash Law" similar to Kansas City's.

Mr. Carver asked if an electric fence was allowed. Mr. Reilly told Mr. Carver that he had researched the question for him and Mr. Carver should be receiving his letter on the matter. According to Mr. Reilly an electric fence is only allowed in a public place with permission of the City Council.

Mr. Carver clarified that he was not speaking solely for himself but that other residents in the area have the same concerns.

City Council Meeting Minutes  
4/28/86 - Page 3

Mayor Ashcroft asked Mr. Reilly if we have heard from other residents on the riding. Mr. Reilly said no, and until Mr. Carver spoke this evening he had assumed that based on communications he had that the problem had ceased. Mr. Ashcroft asked if he had received calls on the dog. Mr. Reilly said he had not although the calls may have gone to animal control.

Mayor Ashcroft thanked Mr. Carver and assured him that the staff would check the matter out and continue to pursue it.

Item 7 on the Agenda: Communications from the City Council.

Mr. Smith said he would like Council's permission to ask the City Manager to draft a leash law if our animal control ordinance is not as restrictive as a leash law.

Mr. Reilly said as he understands Gladstone's ordinance as long as the dog or animal is under voice command the dog may freely roam. Counselor Dods clarified that we do not have a leash law per se but the dog must be within site and under immediate control by voice or other signal.

Mr. Smith also asked City Manager Reilly to draft legislation controlling satellite dishes in commercial zones imposing the same requirements as in residential areas. Mr. Smith noted an installation approved by Council on Antioch Road wound up being placed on the side and it was his recollection Council requested the applicant to place the dish in the rear yard. Mr. Reilly indicated front yard installations are prohibited but side are allowable.

Item 8 on the Agenda: Communications from the City Manager.

None

Item 8a on the Agenda: Building Plan Approval, 106 NE 72nd.

Conversion of single family residence to office space subject to provisions of Community Development Staff Report dated 4/24/86.  
Applicant: Andy Patton

Mr. Winkler clarified that he had not requested this be pulled from the Consent Agenda out of any anomisity but rather so he could have the option of being consistent in his voting on this project.

Mr. Winkler moved to approve the Building Plans for 106 NE 72nd Street in accordance with staff stipulations (reference Community Development Staff Report dated 4/24/86); Mr. Smith seconded.

Mr. Smith said as he recalled from previous conversations with Mr. Patton no public restrooms are offered. He notes handicapped restroom requirements on the staff report. Mr. Reilly said it is a requirement under the Uniform Building Code.



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The vote: "No" - Winkler. "Aye" - Smith, Butler, Ashcroft. (3-1)

Item 9 on the Agenda. Public Hearing: Request to rezone from RCH-1, Cluster Housing District to CP-1, Local Business District-Planned. Applicant: Varnum Armstrong Deeter

Mr. Stan Staats, architectural firm of Nearing and Staats, was present to represent Varnum Armstrong Deeter in this matter.

Mr. Staats said they initially filed for C-O zoning of this parcel and had all along projected a financial building in the corner of the property. When they found out the financial institution would require CP-1, that portion was dropped from the C-O rezoning application. They are here tonight to request the CP-1 zoning to accommodate the property for the proposed financial institution. This is consistent with the overall plan previously submitted. The Planning Commission did recommend approval at their meeting last week.

Following review of plans with Council there were no further questions and no persons to speak in favor or in opposition of the request, whereupon Mayor Ashcroft closed the public hearing.

Item 10 on the Agenda. Third Reading: Bill No. 86-12, amending Chapter 25 of the City Code being the Gladstone Sign Ordinance specifically dealing with political signs.

Mr. Smith moved to accept the second reading of Bill No. 86-12 and place said Bill on third and final reading; Mr. Butler seconded.

Mr. Smith moved to amend Bill No. 86-12 and designating it Bill 86-12A by inserting provisions as to number and size in Paragraphs E (3) and E (4). Mr. Butler seconded. The vote: on the Amendment: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith moved to accept the second reading of Amended Bill 86-12; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the third and final reading of Amended Bill 86-12A and enact said Bill as Ordinance No. 2.623. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Smith commented that the purpose of this ordinance was to promote the beautification of our city and to prevent every politician having a blank check to litter our city with signs at any time throughout the year. In addition by disallowing the signs on utility poles and public right-of-way candidates, will be encouraged to contact individual voters to explain the platforms and promote their candidacy.

Item 11 on the Agenda: Third Reading: Bill 86-14, regulating the outdoor sale and storage of foods and seasonal goods in C-1, C-2 and C-3 Commercial Districts.

As there are our substantial changes proposed for this Bill, Counselor Dods suggested that it would appropriate to move to substitute Bill No. 86-14-A for Bill No. 86-14 and that the Substituted Bill be placed on first reading. Mr. Winkler so moved. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Substitute Bill No. 86-14-A and place said Bill on Second Reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Substitute Bill 86-14-A, waive the appropriate paragraph and place said Bill on Third and Final Reading; Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill No. 86-14-A, and enact said Bill as Ordinance No. 2,624. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 12 on the Agenda: Second Reading: Bill No. 86-19, rezoning from C-1, Local Business District to CP-3, commercial District-Planned property at 6305 N Prospect. Applicant: Lawrence A. Wickham. Owner: Texaco Refining

Mr. Winkler moved to accept the First Reading of Bill No. 86-19 and place said Bill on Second Reading; Mr. Smith seconded. The vote: All "aye" Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Noting the applicant was not present, Council suggested a need to meet with Mr. Wickham before the third and final reading because of concerns that staff and Council have and asked Mr. Reilly to advise Mr. Wickham of the concerns so that he will come to the meeting prepared.

Item 13 on the Agenda: Second Reading: Bill No. 86-21, rezoning from R-1, Single Family Dwelling District to R-4, Apartment House District, 2001 NE 72nd Street. Applicant: Ronald Tietz

Mr. Smith moved to place Bill No. 86-21 on First Reading: Mr. Winkler seconded.

Mr. Butler said he would be voting "NO" on this Bill tonight because he does not feel this is the highest and best use of the land.

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Mr. Winkler asked that the minutes reflect that there have been changes made in the plan which would reduce the density from 60 to 48 units. Mr. Winkler further commented that although he voted no on the first reading he is undecided what his vote will be on the third and final reading of the Bill.

Mayor Ashcroft noted that with only four Council Members present this evening 2 no votes would kill the bill.

Mr. Butler stated for purposes of advancing the bill and in light of Mr. Bussinger's absence this evening he will be voting yes on the bill tonight. Although he will likely be voting no on the third and final reading at the next council meeting.

The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Item 14 on the Agenda: First Reading: Bill No. 86-22, rezoning from CP-1, Local Business District-Planned to R-1, Single Family Dwelling District, property at northwest corner of NW 72nd Street and Broadway. Applicant: Les Smith Owner: Main Enggas

Mr. Butler moved to place Bill No. 86-22 on First Reading; Mr. Winkler seconded. The vote: "Aye" - Winkler, Butler, Ashcroft. "Pass" - Smith. (3-1) The Clerk read the Bill.

Mayor Ashcroft suggested consideration of additional readings of the Bill in light of the fact this is a downzoning.

Mr. Butler moved to accept the First Reading of Bill No. 86-22 and place said Bill on Second Reading; Mr. Winkler seconded. The vote: "aye" - Winkler, Butler, Ashcroft. "Pass" - Smith. (3-1) The Clerk read the Bill.

Mr. Butler moved to accept the Second Reading of Bill No. 86-22, and place said Bill on third and final Bill on third and final reading. Mr. Winkler seconded. The vote: "Aye" - Winkler, Butler, Ashcroft. "Pass" - Smith. (3-1) The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final Reading of Bill No. 86-22 waive the appropriate paragraph and enact said Bill as Ordinance No. 2.625. Mr. Winkler seconded. The vote: "Aye" - Winkler, Butler, Ashcroft. "Pass" - Smith. (3-1)

Item 15 on the Agenda: First Reading: Bill No. 86-23, an ordinance granting a Special Use Permit for one year period for operation of day car facility at 7027 North Oak. Applicant: Catherine Cain

Mr. Winkler moved to place Bill No. 86-23 on First Reading; Mr. Butler seconded.

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Mr. Winkler stated that while he realizes that Dr. Clifford and Mrs. Cain would desire three readings tonight, because of Mr. Bussinger's absence tonight the applicants could wind up with a 2-2 vote which would kill the bill. For this reason he suggests only giving one reading tonight with additional readings at the next Council Meeting when a full Council will be present.

Mr. Cain suggested that they were hoping for all three readings tonight.

Mayor Ashcroft informed the applicants that there have been both negative and positive views of the Council expressed and that is why it would be to their (applicant's) benefit to await a full five member Council vote on the additional readings.

Mr. Winkler said he had not fully decided which way he will vote. If he does vote yes it will be over the objections of his own conscience. He has discussed publically the play area. He does object to the amount of play area provided, however, he has no intention of trying to regulate parental discretion as to where parents place their children. He asked where the cars will exit from the Jiffy Lube next door.

Dr. Clifford responded they would exit directly west back onto North Oak. There is another planned office project to the immediate east of the Jiffy Lube which Mr. Gary Gable is proposing.

Mr. Butler asked Dr. Clifford if there will be a tie between the day care driveway and the proposed office building he just mentioned. Dr. Clifford said there would be a connecting exit from Locust into the proposed office complex parking lot next door and currently there is an exist onto 71st Street. This will ease the traffic flow.

Mr. Butler said he is in favor of this project and will be voting yes on the Bill. There are a number of day care facilities that are not legislated by the state or city and we don't know if nutrition needs or playarea needs are met. In the case before us we have some controls because we have a one year special use permit and a facility that meets city and state requirements. He commends the applicants for their desire to put in a state and city approved facility. He agrees that it should be parental judgement if the play area meets their child's needs.

Mr. Smith said he does not think it is the availability of day care space that has children going to homes that may not be state approved but it is a matter of economics, choice and other factors. So it's not a matter of supply and demand but rather economics and choice.

The vote on First Reading: All "Aye" - Winkler, Smith, Butler, Ashcroft/ (4-0) The Clerk read the Bill.

City Council Meeting Minutes  
4/28/86 - Page 8

Item 14 on the Agenda: First Reading: Bill No. 86-24, rezoning from RCH-1, Cluster Housing District to CP-1, Planned Local Business District, property described as part of NE corner Broadway & Englewood. Applicant: Varnum Armstrong Deeter

Mr. Winkler moved to place Bill No. 86-24 on First Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill No. 86-24 and place said Bill on Second Reading; Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill 86-24 and place said Bill on Third and Final Reading; Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill 86-24, waive the appropriate paragraph and enact said Bill as Ordinance No. 2.626. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 17 on the Agenda: First Reading: Bill 86-25, an ordinance approving the Final Plat of Carriage Hills 9th Plat (Pleasant Valley Road & N Jackson). J. A. Peterson Company, Applicant

Mr. Winkler moved to place Bill No. 86-25 on first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler asked if Peterson Company has agreed to all staff recommendations. Mr. Reilly said yes, that was his understanding.

Mr. Winkler moved to accept the First Reading of Bill No. 86-25 and place said Bill on Second Reading; Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill No. 86-25 and place said Bill on Third and Final Reading; Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill 86-25, waive the appropriate paragraph and enact said Bill as Ordinance No. 2.627. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 18 on the Agenda: First Reading: Bill 86-26, an ordinance authorizing execution of Agreement for Reciprocal Fire Protection with Southern Platte Fire Protection District.

Mr. Butler moved to place Bill 86-26 on First Reading; Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the First Reading of Bill 86-26 and place said Bill on Second Reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Second Reading and place said Bill on Third and Final Reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final Reading, waive the appropriate paragraph and enact said Bill as Ordinance No. 2.628. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 19 on the Agenda: First Reading: Bill 86-27, amending Ordinance No. 2.372 requiring certain public improvements prior to issuance of residential structure building permits by addition of new section to provide for contribution to Public Improvements Construction Fund in lieu of actual construction.

Mr. Smith moved to place Bill 86-27 on First Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill 86-27, and place said Bill on Second Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of Bill 86-27, and place said Bill on Third and Final Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 86-27, waive the appropriate paragraph and enact said Bill as Ordinance No. 2.629. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

City Council Minutes  
4/28/86 - Page 10

Item 20 on the Agenda: First Reading: Bill 86-28, an ordinance repealing Ordinance No. 2.566 and enacting in lieu thereof a new ordinance levying sewer service charges.

Mr. Smith moved to place Bill No. 86-28 on First Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of Bill 86-28 and place said Bill on Second Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Butler advised that the increase sewer charge in the Bill being read amounts to two cents per day to customers and is a pass-along charge due to Kansas City's rate increase to Gladstone for sewerage treatment.

Mr. Smith moved to accept the Second Reading of Bill 86-28 and place said Bill on Third and Final Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of Bill 86-28 and enact said Bill as Ordinance No. 2.630.

Item 21 on the Agenda: Other Business.

Councilman Winkler moved to resolve that the City Manager be instructed to advance the hands of the Council Chambers clock to reflect day light savings time. Mr. Reilly took note of the resolution and said he would have no problem making the change.

City Counselor John C. Dods announced that this was the start of his 25th year of association with the City of Gladstone. City Council Members and staff congratulated him on this anniversary.

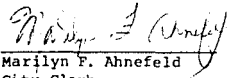
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There was no further business to come before the April 28, 1986 City Council Meeting whereupon Mayor Ashcroft adjourned the meeting.  
Time: 9:00 P.M.

Respectfully submitted:

Approved as submitted: ☒

Approved as corrected/  
amended: ☐

  
Marilyn F. Ahnefeld  
City Clerk

  
BOB ASHCROFT  
MAYOR

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

revised

May 12, 1986

A G E N D A

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of April 28, 1986 City Council Meeting.

PROCLAMATION: Designating June 14, 1986 as "Flag Day".

PRESENTATION OF APPRECIATION CERTIFICATES to  
Beautification Week Volunteers.

5. CONSENT AGENDA:

RESOLUTION NO. R-86-31, amending the 1985-86  
Annual Sales Tax Budget and authorizing  
expenditure of funds. Increase: \$150,000 Grand  
Total Revised Budget: \$2,123,499

RESOLUTION NO. R-86-32, authorizing Engineering  
Services Agreement with George Butler Associates  
for Indiana culvert improvements.

RESOLUTION NO. R-86-33, authorizing a contract  
with Frazier & Sons Roofing for re-roofing of  
Public Works Building and City Hall addition.  
Total contract: \$38,817.

RESOLUTION NO. R-86-34, authorizing execution of  
Water Main Extension Contract No. 197 for  
construction of water main in Carriage Hills 9th  
Plat.

APPROVAL OF INTERIM FINANCIAL REPORT for  
April 1986.

BUILDING PLAN APPROVAL: 7403-B N Oak, tenant  
finish for carry out pizza shop. Subject to  
compliance with 5/7/86 CD staff report  
Little Caesar's Pizza Owner: Joe Cannova  
Little Caesar's Pizza.

BUILDING PLAN APPROVAL: 6555-B N Oak, install  
overhead door. Bargain Barn Furniture  
Subject to CD Staff report 5/7/86

BUILDING PLAN APPROVAL: 5606 N Oak, showroom  
addition. John Chezik  
Subject to CD Staff Report 5/6/86



6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: Request to rezone from CP-2 to RP-4, and approval of a site plan in a CP-2 zone, property at the southwest corner of Vivion Road and Bellevue.  
Applicant: Paragon Group, Inc.  
Owner: Commerce Bank and Trust
10. THIRD READING: BILL 86-21, rezoning from R-1, Single Family Dwelling District to R-4, Apartment House District, 2001 NE 72nd Street.  
Applicant: Ronald Tietz
11. SECOND READING: BILL 86-23, an ordinance granting a Special Use Permit for one year period for operation of day care facility at 7027 N Oak.  
Applicant: Catherine Cain
12. FIRST READING: BILL 86-30, an ordinance rezoning from CP-2 to RP-4, property at southwest corner of Vivion Road and North Bellevue. Paragon Group, Inc.  
Note: Legal Protest Petition
13. FIRST READING: BILL 86-31, an ordinance accepting a Storm Sewer Easement from Curry Investment Company, on property at Brooktree Lane & Antioch Road.
14. Other Business
15. Questions from the News Media
16. Adjournment

*adj Item 10 A Third Reading Bill No 86-19, Elyse  
6305 N Prospect A-1 to CP-3  
applicant Lawrence A. Wickham for Texaco*

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

MAY 12, 1986

Mayor Bob Ashcroft called the May 12, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30PM.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Ashcroft

Mayor Bob Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda                      Acceptance of Minutes.

Mr. Butler moved to approve the April 28, 1986 City Council Meeting Minutes as submitted; Mr. Winkler seconded. The vote: "Aye" - Winkler, Smith, Butler, Ashcroft. "Pass" - Bussinger. (4-1)

Mayor Ashcroft read a Proclamation designating June 14, 1986 as "Flag Day" in the City of Gladstone and urged all residents to fly the flag and pause for the Pledge of Allegiance at 7:00 pm on this day.

Presentation of Appreciation Certificates to Beautification Week Volunteers.

Mayor Ashcroft presented Beautification Week Chairman Joe Bock with a plaque on behalf of the City Council and the Gladstone Development Committee in appreciation of his outstanding leadership and personal efforts as Chairman of the Beautification Committee and commended him on the success of the project.

Mr. Bock thanked the City Council, city staff, numerous civic groups, service organizations and the business community who helped to make this effort such a great success. He noted in addition to the dumpster pick-ups provided by the city, scout groups were responsible for picking up 187 bags of trash, homes were painted by the Lions and Elks Clubs, paint and materials were donated, community garden was established, cash donations were made by the First National Bank of Gladstone, Royals tickets and other prizes were donated, and numerous other contributions to the project.

Mr. Bock presented thirty certificates of appreciation to individuals and groups and again thanked the City Council, and particularly Assistant to the City Manager Javonni Brown and Community Services Director Ed Wegner for their support and leadership.

In closing Mr. Bock announced that Savings of America is the recipient of the "Beautiful Business" Award to be presented by the Gladstone Chamber of Commerce. He recognized Branch Manager Ardith Ubben and thanked her for her efforts in that regard.

Mayor Ashcroft commented that it is times like these when we are drawn together that bring home the fact that we do have a very warm community. He again thanked Joe Bock and all participants for a successful beautification effort.

Item 5 on the Agenda:            Consent Agenda.

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

There were no requests whereupon Mr. Smith moved to approve the Consent Agenda as read. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

CONSENT AGENDA DETAIL

Mr. Smith moved to adopt RESOLUTION NO. R-86-31, amending the 1985-86 Annual Sales Tax Budget and authorizing expenditure of funds. Increase \$150,000. Grand Total Revised Budget: \$2,123,499. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

City Manager Reilly explained that this action appropriates \$150,000 from sales tax fund balance to this year's budget to enable the City to initiate the 1986 street maintenance program prior to July 1st. Although the funds will not be spent prior to the end of the fiscal year, funds must be appropriated at the time the contract is executed. It is likely an amendment will be necessary in July to carry the funds over to the new year.

Mr. Smith moved to adopt RESOLUTION NO. R-86-32, authorizing an Engineering Services Agreement with George Butler Associates for an amount not to exceed \$17,500 for Indiana culvert improvements. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith move to adopt RESOLUTION NO. R-86-33, authorizing a contract with Frazier & Sons Roofing for re-roofing of the Public Works building and City Hall addition for total amount of \$38,817. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to adopt RESOLUTION NO. R-86-34, authorizing execution of Water Main Extension Contract No. 197 for construction of water main in Carriage Hills 9th Plat. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to approve INTERIM FINANCIAL REPORT for April 1986 as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to approve BUILDING PLANS FOR 7403-B NORTH OAK, for carry out pizza shop subject to compliance with Community Development Staff Report dated 5/7/86. Applicant: Little Caesar's Pizza Owner: Joe Cannova. Mr. Winkler seconded the motion. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to approve BUILDING PLANS FOR 6555-B NORTH OAK for overhead door installation. Applicant: Bargain Barn Furniture. Mr. Winkler seconded. The vote: All "aye" Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to approve BUILDING PLANS FOR 5606 NORTH OAK for showroom addition subject to Community Development Staff Report dated 5/6/86. Applicant/Owner: John Chezik. Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith,, Butler, Bussinger, Ashcroft. (5-0)

Item 6 on the Agenda:

Communications from the Audience.

Mr. Bert Rothschild, 202 NW 65th Street, thanked the City Council and city staff and especially the Community Services Department for their efforts in securing and preparing the site for the proposed Teachers Memorial. He invited all to the dedication on May 23rd at 4:00pm. He also announced that a garage sale would be held on May 22nd at the Community Center to benefit the memorial fund and invited donations and participation.

Mr. Ron Shinaberry, 7108 North Cherry, advised that he had brought to the Council some weeks back his concerns for the condition of Gladstone Auto Center to the rear of his property. Mr. Shinaberry said while he does agree that Mr. Tolle has cleaned up the area quite respectably he still objects to his and his neighbors loss of privacy. He understands that Mr. Tolle has met with the City Council and is to submit a landscaping plan. Mr. Shinaberry said Mr. Tolle objects to putting in a 60 ft. fence but when Mr. Tolle wanted his zoning he would have agreed to a 235 ft. privacy fence. The noise from late night and early morning work and drop off of vehicles disturbs the neighbors rest and privacy on a daily basis. He does not see that landscaping will help and appeals to the Council for a solution.

Mr. Tolle said the Planning Commission had recommended denial of this rezoning and at least 3 adjacent homeowners had spoken out against it.

Mr. Ashcroft asked if Mr. Tolle had offered to put in the fence. Mr. Shinaberry responded that Mr. Tolle had agreed to put it in if he (Shinaberry) paid for it.

Mayor Ashcroft said the City does not like to be in the position of a mediator. When they met with Mr. Tolle, he said the allegations of work in the middle of the night are unfounded. The Council has directed City Manager Reilly and the staff to put together a solution. At this time he cannot say what that will be but the assignment has been given.

Mr. Reilly pointed out for the record that the Planning Commission voted against the rezoning not because they were against that particular development but because they thought the existing zoning category permitted that use.

Mr. Butler said he would agree with Mr. Shinaberry that junk automobiles are unsightly and noise is a problem and he would hope that an affable solution can be worked out soon.

Mr. Clyde Walker, 7104 North Cherry, spoke on the same matter and problems of late night deliveries of vehicles. He also said he does not believe shrubs will alleviate the problems and favors fence construction.

Item 7 on the Agenda:

Communications from the City Council.

Mr. Bussinger thanked Joe Bock and Bill Reynolds for their efforts in the City Beautification Program.

On the subject of beautification, Mr. Bussinger noted there are some commercial areas in the city that are in need of upgrading and he would think that we could rely on the business owner's sense of pride to accomplish the needed improvements. Of particular note is the condition of Triple AAA Lawnmower at 73rd & North Oak. He has counted 29 signs on their property and questions if they comply with our Sign Code. He suggests we contact the owner and ask that he clean up his business.

Mr. Reilly indicated that at one time the owner, Mr. Powell, was thinking of doing some remodeling. Mr. Bussinger said the remodeling has been talked about for 10 years and nothing has come of it. He thinks the business does an injustice to our city.

Mr. Reilly said if Council desires, now that the Community Development Department is fully staffed, he will put together an aggressive code enforcement strategy for all our commercial areas. Mr. Bussinger said it is time that the Council takes some action and asked Mr. Reilly to proceed.

Mr. Bussinger said he continues to get calls regarding the stretch of Shady Lane from the Gladstone Shopping Center drive west to Oak. Many persons do not realize that is within the Village of Oakview. He would propose that we look at the possibility of taking that street over for Gladstone maintenance whether by de-annexation or other agreement. He would propose that we take the entire street from North Oak to the creek. The street is certainly used by Gladstone residents and he can appreciate the expense of maintenance for a Village the size of Oakview. He believes we have an obligation to Gladstone residents to alleviate the poor road condition.

Mr. Reilly agreed to review alternatives on this matter.

Item 8 on the Agenda:                      Communications from the City Manager.

Mr. Reilly advised there will be no Council Meeting on Monday, May 26, 1986 as it falls on Memorial Day.

Mr. Reilly also announced for public record that the City staff is considering for its budget submission to the Council a change in the benefit level of the Public Employees Retirement system now affecting city employees from the current L-3 level to the LT-5 level. This announcement does not obligate the City Council in any way but does fulfill a statutory requirement that we make this announcement 45 days prior to the implementation of the plan. The City has available for public review:

- . Explanation of the Benefit Formula Programs and the LT-5 Plan.
- . 36 Month Final Average Plan.
- . Certification Letter from the system's actuarial firm.
- . Two page summary of the assumptions used by the Actuary in determining the contribution rates.
- . Schedule showing the Employer contribution rates under the contributory plan and the non-contributory plan and the different benefit programs at the 60 month and the 36 month final average plan.

Mr. Reilly clarified that the LAGERS Program is a social security supplemental plan and under the proposed LT-5 program employees would be allowed early retirement with some additional income from the time the employee retires until eligible for social security.

Item 9 on the Agenda:                      Public Hearing:  
Request to rezone from CP-2, to RP-4, and approval of a site plan in a CP-2 zone, propperty at the southwest corner of Vivion Road and Belleview. Applicant: Paragon Group, Inc.  
Owner: Commece Bank and Trust

Mr. Ward Katz, 4446 West 56th Street, Kansas City, Missouri, Vice President of Operations for Kansas City Paragon Group at One Ward Parkway, Kansas City, Missouri was present to represent this application along with David Brazwell, Development Manager.

Mr. Katz explained that their company is a diversified development and property management company with corporate headquarters in Dallas and midwest regional headquarters in St. Louis. Their portfolio consists of approximately 22,000 apartment units and twelve million feet of commercial space in 45 cities across the nation. They are long term investors and consequently manage all their own properties. They have been continuously engaged in the development and management of property since 1968 and in Kansas City since 1974.

The proposed plan for the S.W. corner of Vivion & Belleview calls for a mixed use development consisting of a residential community including 206 one and two-bedroom apartments and townhouses and a specialty retail center containing approximately 35,000 - 39,000 sq. ft. of retail space. The plan complies with the technical requirements of the the City Code.

Mr. Katz said they concur with all City staff recommendations and received unanimous recommendation for approval from the Planning Commission. It is his belief that the mixed use development they propose will result in the Claymont area becoming a model of what a well planned cohesive neighborhood should be with appropriate mix and quantity of single and multi- family residential, office and retail uses.

Mr. Winkler asked Mr. Katz if he heard him correctly that they intend to maintain and manage the property and that it is not a speculative effort. Mr. Katz said that was correct this is not a speculative project.

Mr. Butler asked if they had ever just built for investment purposes and sold. Mr. Katz said he could not say they had never sold property but they have never developed property for an immediate sale and he doubts that they have ever sold property in a short period of time after development.

Mr. Bussinger said he had no questions of the applicant because their proposal was well outlined in their plans.

Opposition.

Mr. John Bowers, 4412 Claymont Woods Drive, said he lives close to the project and is Treasurer of the Claymont Woods Homeowners Association. The association was just recently founded and was active in fighting a rezoning application that is right across the street (Walker Wales) from the development before the Council tonight. The association has not been active in protesting this rezoning because it was felt the application would be denied since the same arguments they used in protesting the previous application are still valid. Those being: not typical with the present housing in the neighborhood, density, and traffic problems.

Mayor Ashcroft asked Mr. Bowers if he was representing the Claymont Woods Association. Mr. Bowers said no he was only representing himself.

Mr. Ashcroft asked if the Paragon Group had not met with the Association. Mr. Bowers acknowledged that a meeting had been held at the Motter building but only he and one other member attended. Mr. Bowers said the Association does plan a meeting on May 13 and will be discussing this matter as well as others.

Mr. Ashcroft asked if he is aware this property is presently zoned commercial and that this would be a downzoning. Mr. Bowers said he was and would prefer commercial, ideally something like the Motter complex.

Mr. Ron Baldwin, 4412 NW Briarcliff Lane, said he represented the Homeowners Association of Claymont North and it is the general feeling of the Directors that they do not oppose and in fact are in favor of the project but would prefer wood roofs. He said it may appear they are talking out of both sides of their mouths but if it came down to losing the project because of the issue of wood roofs they would take that into consideration.

Mr. Bob Grant, 4400 N. Mulberry, spoke in opposition stating that it is a detriment to the Claymont area to not have owner occupied units. He expressed concern for the general structures, traffic and public safety protection because of the density of 206 units. He would prefer less density and owner occupied condos.

Mr. George Wood, 705 NW 44th Terrace, commented that Mr. Baldwin was speaking only for the Board of Directors and not a polling of Claymont North homeowners. He would say there are a number of homeowners who would disagree with the Board. He was active in the protest of the Walker Wales proposal that was denied and he sees this proposal as no different. The general feeling is that owner occupied less dense condos in a higher price range would be more appropriate although commercial development is preferable.

Mr. Eual Motter, 4007 Briarcliff Road, said as owner of the two adjacent buildings he is not here in opposition but does have a problem with the lack of cooperation from the applicant. He has not been able to receive definitive answers on the roof materials and also opposes the proposed carports because he has not seen any attractive ones. He is here in a spirit of cooperation. He would like to see approval of the project but would urge Council to do so with certain restrictions. He said at one of the meetings Mr. Katz made the statement that it would not be difficult to talk them out of carports but the plans before the Council tonight do include them.

Mr. Bussinger pointed out that an automobile is certainly a costly investment and he would see carports as desirable.

Mr. Katz said he carports would be located in proximity to the building but are not viewable from the street. People in the area won't even see them. Carports have been included because they make the property more marketable and residents want them.



Mr. Butler asked Mr. Motter to clarify the roof materials of the two Motter buildings. Mr. Motter said the pitch roofs that you see are wood. The second building is entirely wood and there is some metal trim on the first building.

There were no further comments and Mayor Ashcroft closed the Public Hearing.

Item 10 on the Agenda:      Third Reading: Bill 86-21, rezoning from R-1, Single Family Dwelling District to R-4, Apartment House District, property at 2001 NE 72nd Street.

Mr. Smith moved to accept the Second Reading of Bill 86-21 and place said Bill on Third and Final Reading; Mr. Butler seconded.

Mr. Smith said there has been discussion by the applicant that he would be willing to make a contribution to a traffic signal on that corner and asked the applicant to elaborate on his commitment.

Mr. Tietz said they would be more than happy to contribute 25% of the cost of such installation not to exceed \$20,000. Their commitment thus far has been verbal and they will put it in writing. It is his understanding the cost of the signal is approximately \$50,00 - \$60,000.

The vote: "Aye" - Winkler, Smith, Ashcroft. "No" - Butler, Bussinger.  
(3-2) The Clerk read the Bill.

Mr. Bussinger said in all due respect to the developer who is a fine gentleman he does not feel this is the highest and best use of this property and voted no for that reason.

Mr. Smith moved to accept the Third and Final Reading of Bill No. 86-21 and enact said Bill as Ordinance No. 2.631. Mr. Bussinger seconded.  
The vote: "Aye" - Winkler, Smith, Ashcroft. "No" - Butler, Bussinger.  
(3-2)

Item 10-A on the Agenda:      Third Reading Bill No. 86-19, rezoning from C-1, Local Business District to CP-3, Commercial District-Planned, property at 6305 N Prospect. Applicant: Lawrence A. Wickham

Mr. Bussinger moved to accept the Second Reading of Bill 86-19 and place said Bill on Third and Final Reading; Mr. Butler seconded.

Following lengthy discussion of setback concerns, sidewalk construction, ingress, egress and grade levels at the Council table, City Manager Reilly listed the decisions reached by the Council and the applicant and Mr. Bussinger amended his motion to accept the Second Reading and place Bill 86-19 on Third and Final reading with the following stipulations; Mr. Butler seconded.

- 1) Elimination of ingress/egress on the southeast portion of the property.
- 2) Submission of landscaping plan for the entire tract, especially the southern portion of the tract that would meet Council approval.
- 3) That the Council over-ride the Planning Commission's recommendation in terms of setback along Antioch Road and agree to setback as shown on plans (11 ft. on rear yard and 3 ft. on side yard).
- 4) Contractual Agreement between Texaco and successor owners and the City of Gladstone stipulating that the owner of this property will pay a pro-rata share of engineering, street, curb and sidewalk improvements at such time as the City elects to pursue construction of same.
- 5) Restructuring of the north ingress/egress on Antioch Road.
- 6) That all of the above matters be resolved and documented and the Contractual Agreement executed prior to issuance of a building permit.

The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft.  
(5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the Third and Final Reading of Bill No. 86-19 and enact said Bill as Ordinance No. 2.632. Mr. Butler seconded.  
The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft.  
(5-0)

Item 11 on the Agenda:      Second Reading: Bill 86-23, an ordinance granting a Special Use Permit for one year period under certain conditions for operation of a day care facility at 7027 North Oak, Suite A. Applicant: Catherine L. Cain.

Mr. Butler moved to accept the First Reading of Bill No. 86-23 and place said Bill on Second Reading; Mr. Winkler seconded.

Mr. Smith said he waived at length on how he would vote on this application and the deciding factor was the close proximity of the day care center to the new automotive center and proposed office structures and the fact that the children have to go outside and cross the parking lot and come up stairs to get to the play area.

Mr. Butler pointed out that the day care operation has been approved by the State of Missouri and that he is happy when someone comes before the Council and tries to ensure that their business meets all local and state regulations. There are many home operations for child care who do not. He respects Mrs. Cain for her attempts to comply with the requirements and fully supports this application.

The vote: "Aye" - Winkler, Butler, Bussinger, Ashcroft. "No" - Smith.  
(4-1) The Clerk read the Bill.

Mr. Butler moved to accept the Second Reading of Bill No. 86-23 and place said Bill on Third and Final Reading; Mr. Winkler seconded. the vote: "Aye" - Winkler, Butler, Bussinger, Ashcroft. "No" - Smith.  
(4-1) The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final reading of Bill 86-23, waive the appropriate paragraph and enact said Bill as Ordinance No. 2.633. Mr. Winkler seconded. The vote: "Aye" - Winkler, Butler, Bussinger, Ashcroft. "No" - Smith. (4-1)

Item 12 on the Agenda:      First Reading: Bill 86-30, an ordinance rezoning from CP-2 to RP-4, property at the southwest corner of Vivion Road and North Bellevue. Applicant: Paragon Group, Inc. Note: Legal Protest Petition.

Mayor Ashcroft explained for the benefit of audience that a legal protest petition means that 10% of the property owners within 185 feet of the subject rezoning have filed a legal protest petition which will require a 2/3 majority (4-1) vote of the Council for enactment of this Bill as an Ordinance. In this instance the legal protest petition has been filed by Walker Wales Company.

Mr. Smith moved to place Bill No. 86-30 on First Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. The Clerk read the Bill.

Mayor Ashcroft announced that because of cancellation of the second Council Meeting in May two readings will be afforded this Bill at the June 9 Council Meeting.

Item 13 on the Agenda:      First Reading: Bill 86-31, an ordinance accepting a Storm Sewer Easement from Curry Investment Company, on property at Brooktree Lane & Antioch Road.

Mr. Winkler moved to place Bill 86-31 on First Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the First Reading of Bill 86-31 and place said Bill on Second Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill 86-31, and place said Bill on Third and Final Reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final Reading of Bill 86-31, waive the appropriate paragraph and enact said Bill as Ordinance No. 2.634; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Winkler asked if he had any further report about the day care center in his neighborhood. Mr. Reilly said the last he knew the State had given them a 14 day notice, he will apprise Mr. Winkler of any further developments.

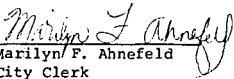
Mr. Butler said he has received three calls in the last ten days about cable problems and it appears Gladstone residents are again being treated like a step child by American Cable. Mr. Reilly asked for the names so he can forward them on to the Cable TV Advisory Board.

Mr. Smith said he had been impressed by American Cable's presentation to the Council recently but believes the company still does not take Gladstone resident's concerns seriously.

City Manager introduced new city employee Rhonda Stevenson, who is the Secretary to the City Manager. Ms. Stevenson will regularly attend Council Meetings and take the meeting minutes.

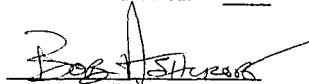
There being no further business to come before the May 12, 1986 City Council Meeting, Mayor Ashcroft adjourned the meeting.

Respectfully submitted,

  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: \_\_\_\_\_

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

  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
June 9, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of May 12, 1986 Council Meeting.

5. CONSENT AGENDA:

RESOLUTION NO. 86-35, declaring the necessity for street improvement of NE 73rd Terrace west of Troost; requiring publication of notice of public hearing on July 14th; and declaring intent that payment of such improvement shall be made by assessments against fronting and abutting property and issuance of special tax bills pursuant to state law.

RESOLUTION NO. 86-36, establishing Sidewalk Requirement Appeal Procedures and Guidelines for considering appeals.

RESOLUTION NO. 86-37, authorizing Change Order No. 2 to Barber Sewer and Ditching North Howard/57th Terrace Water Main Construction Contract and authorizing acceptance of contract and final payment in the amount of \$12,169.43.

RESOLUTION NO. 86-38, authorizing execution of Water Main Extension Contracts No. 198, 199 and 200 for Claymont Estates, The Woodlands and Heritage Village.

RESOLUTION NO. 86-39, authorizing Change Orders No. 1 and 2 to the Bill Larkin Jr. Land Improvement Company NE 69 Terrace, east of North Prospect Storm Drainage Improvement Contract, accepting the work under the contract and authorizing final payment in the amount of \$11,966.68

RESOLUTION NO. 86-40, authorizing execution of contract with R.A. Pohl Company for Rock Creek at 69th Terrace Channel Improvements. Contract Amount: \$256,200.

RESOLUTION NO. 86-41, authorizing execution of contract with Kiewit-Western Company for Rock Creek at 72nd & N Highland channel improvements. Contract Amount: \$392,156.

RESOLUTION NO. 86-42, authorizing execution of contract with Bowen Construction Company for Community Services Maintenance Building parking lot repairs. Contract Amount: \$23,872.

CONSENT AGENDA (continued)

ACCEPTANCE OF INTERIM FINANCIAL REPORTS for May, 1986.

APPROVAL OF BUILDING PERMIT, 6829 N Oak, alter interior to include bakery.  
Perkins Restaurants.

APPROVAL OF BUILDING PERMIT, N. Broadway & Englewood Rd., construct first of three office buildings.  
Varnum Armstrong Deeter  
Approval subject to requirements of CD Staff Report 6/2/86

6. Communications from the Audience
7. Communications from the City Council
8. Communications from the City Manager
9. PUBLIC HEARING: Proposed 1986-87 Annual Fiscal Budget including proposed use of Federal General Revenue Sharing Funds.
10. SECOND READING: BILL 86-30, an ordinance rezoning from CP-2 to RP-4, property at the southwest corner of Vivion Road and N. Belleview. Paragon Group, Inc.  
Note: Legal Protest Petition
11. FIRST READING: BILL 86-32, an ordinance regulating the design, construction, equipment, operation and maintenance of all public and semi-public swimming pools, spas, hot tubs and whirlpool baths and requiring construction and operation permits from the Clay County Health Department.
12. FIRST READING: BILL 86-33, repealing Ordinance No. 2.562 regulating the installation of satellite receiving antennas in residential areas and enacting a new ordinance regulating such installations in residential, commercial and industrial zones.
13. FIRST READING: BILL 86-34, amending the Animal Control Ordinance by providing for a new definition of the term "Restaint".
14. FIRST READING: BILL 86-35, amending the Model Traffic Code to designate new Stop Sign locations.
15. FIRST READING: BILL 86-36, acceptance of Standard Utility Easement from Walker-Wales for Claymont Estates.
16. FIRST READING: BILL 86-37, accepting permanent and temporary construction easements required for storm drainage improvements on Rock Creek at NE 69th Terrace and 72nd & N. Highland.
17. FIRST READING: BILL NO. 86-38, approving the final plat of REPLAT of REPLAT of LOT 25, EAST LINDEN SUBDIVISION.  
Applicants: Timothy Edward Archer, Jr. and Richard L. Miles
18. Other Business
19. Questions from the News Media
20. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

JUNE 9, 1986

Mayor Bob Ashcroft called the June 9, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Ashcroft

Mayor Bob Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda      Acceptance of Minutes.

Mr. Butler moved to approve the May 12, 1986 City Council Meeting Minutes as submitted; Mr. Smith seconded. Mr. Bussinger noted that he was reported absent but actually attended the Meeting. The motion to approve the Minutes as corrected was voted: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 5 on the Agenda:      Consent Agenda.

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

There were no requests whereupon Mr. Bussinger moved to approve the Consent Agenda as read. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

CONSENT AGENDA DETAIL

Mr. Bussinger noted that this Consent Agenda contained approximately \$600,000 for storm drainage improvements. The City Manager stated work will start after July 1 and one contractor had promised to begin work July 14. 72nd Street will be closed seven to eight weeks when work begins. A highly publicized campaign will take place to inform the public on this situation.

Mr. Bussinger moved to adopt RESOLUTION NO. R-86-35, declaring the necessity for street improvement of NE 73rd Terrace west of Troost; requiring publication of notice of public hearing on July 14th; and declaring intent that payment of such improvement shall be made by assessments against fronting and abutting property and issuance of special tax bills pursuant to state law. Mr. Butler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Mr. Bussinger moved to adopt RESOLUTION NO. R-86-36, establishing Sidewalk Requirement Appeal Procedures and Guidelines for considering appeals. Mr. Smith initiated discussion of Item d. of the proposed guidelines for considering appeals which reads: "Locations where vehicular traffic is light and the need to separate pedestrian traffic from vehicular traffic is questionable". In his opinion this is a very judgemental issue and does not think it should be in the code. Mr. Reilly clarified that this is not an ordinance but is only a resolution and a general statement of what may serve as criteria. The Council is not obligated to follow the criteria. The resolution is needed to provide staff some direction on applying the sidewalk requirements. The particular item Mr. Smith mentions would be a highly unusual situation and would not frequently occur. Mr. Butler felt that Mr. Smith had a legitimate concern as there was some uncertainty. Following discussion on whether to remove the resolution from the consent agenda it was agreed to leave the resolution in its present form and amend it at some later date if warranted. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION NO. R-86-37, authorizing Change Order No. 2 to Barber Sewer and Ditching North Howard/57th Terrace Water Main Construction Contract and authorizing acceptance of contract and final payment in the amount of \$12,169.43. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)



City Council Meeting Minutes  
06-09-86, Page 3

Mr. Bussinger moved to adopt RESOLUTION NO. R-86-38, authorizing execution of Water Main Extension Contracts No. 198, 199 and 200 for Claymont Estates, The Woodlands and Heritage Village. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Mr. Bussinger moved to adopt RESOLUTION 86-39, authorizing Change Orders No. 1 and 2 to the Bill Larkin Jr. Land Improvement Company on NE 69 Terrace, east of the North Prospect Storm Drainage Improvement Contract, accepting the work under the contract and authorizing final payment in the amount of \$11,966.68. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION 86-40, authorizing execution of contract with R. A. Fohl Company for Rock Creek at 69th Terrace Channel Improvements. Contract Amount: \$256,200. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION 86-41, authorizing execution of contract with Kiewit-Western Company for Rock Creek at 72nd and North Highland channel improvements. Contract Amount: \$392,156. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION 86-42, authorizing execution of contract with Bowen Construction Company for Community Services Maintenance Building parking lot repairs. Contract Amount: \$29,872. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve BUILDING PLANS FOR 6292 NORTH OAK to alter interior to include bakery. Applicant: Perkins Restaurants. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve BUILDING PLANS FOR NORTH BROADWAY AND ENGLEWOOD ROAD to construct first of three office buildings. Approval subject to requirements of Community Development Staff Report 6/2/86. Applicant: Varum Armstrong Deeter. Mr. Butler seconded. The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

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

Mayor Ashcroft recognized Boy Scout Joel Pratt who was attending the City Council Meeting to fulfill a merit badge on Citizenship. Joel Pratt's father, Homer Pratt, was also in attendance.

Mr. Butler commented that on Prospect on the north side of the fire station there is a park with numerous playground items and benches. While the street is closed for construction, he felt the equipment could be utilized at other parks elsewhere in the City.

Item 8 on the Agenda: Communications from the City Manager

There were no communications from the City Manager.

Item 9 on the Agenda: Public Hearing: 1986-1987 City Budget

City Manager Reilly introduced the proposed 1986-1987 Fiscal Budget. He also announced the records were available for public review to those present. Service levels that presently exist will be maintained in the next fiscal year. Also there is no proposal to change the existing taxing levels. City Manager Reilly also noted that three major problem areas exist for the City's operations: skyrocketing insurance costs, determination of general revenue sharing, and fair labor standards act. One of the key Council goals is to maintain our existing service levels with primary focus of this effort to improvement to the traditional public works functions. Efforts were made to maintain capital funding levels for street maintenance and lighting program, and the budget does include greater capital funding for street lighting in commercial areas and also provide for greater than before general park improvements. It also includes our efforts to publish a Gladstone Reporter to be published three times annually. The Budget provides funds to update the Comprehensive Plan with concentration on the economic corridors of Antioch and Oak and allows for the review and updating of the Thoroughfare Plan as well as the Zoning Codes. The key issue presented to the council is the long-term fiscal future. The general fund budget reflects a

deficit of \$432,000. City Manager Reilly noted that proposed use of estimated \$25,531 in Federal General Revenue Sharing Funds is for the combined Public Safety function as in prior years. Sales tax provides financing for all capital expenditures equipment or improvement. General Fund expenditures are up approximately 6.3 percent from prior fiscal year. Our financial condition is not so much dictated by the expenditures but by revenue. The General Fund finances are in serious condition. A depletion of the General Fund reserves could be anticipated in Fiscal Year 1989 unless financial circumstances dictate otherwise. We do not have many good options available to us. Some options for policy changes suggested to the Council to provide services and minimize tax increases would be: consolidation of the General Fund and the Sales Tax Fund and that future capital improvements be financed through a transportation sales tax to be presented to the voters during the 1987 Fiscal Year. Cost estimates for M-1 will require a greater contribution from the fund balance than we had originally thought, and we have obligated ourselves to the completion of Englewood Road improvements and are uncertain of the final costs. We also spent in the past year \$100,000 on water line breaks on Oak. A surplus should be maintained to meet these kind of requirements. The capital improvement program of \$300,000 will continue. A second-year effort is reflected to upgrade capital equipment. Personal services reflects a 2 percent cost-of-living increase. The LAGERS program is to be upgraded from an LT-3 to an LT-5 program which also includes some early retirement options for our employees.

Mr. Bussinger asked the City Manager where funds would come from for emergency repairs along north Oak. The City Manager replied that monies would come from fund balances. Mr. Bussinger also noted that the age of the water line on North Oak was a problem. The line is also placed on bedrock and near a high-pressure gas line which accelerates aging of the line. Councilman Bussinger asked if the Transportation Tax could be used to replace this water line. Mr. Reilly replied repairs to the line are expensive and replacement of the line would be very expensive, and he would suggest a separate bond issue. Transportation tax can be used only for streets.

Mayor Ashcroft invited questions/comments from the audience. There were none, whereupon he closed the Budget Hearing.

Item 10 on the Agenda: Second Reading: Bill 86-30, an ordinance rezoning from CP-2 to RP-4, property at the southwest corner of Vivian Road and North Bellevue. Paragon Group, Inc. Note: Legal Protect Petition.

Mr. Bussinger moved to accept the First Reading of Bill 86-30 and place on Second Reading. Mr. Butler seconded. Mr. Bussinger asked Mr. Ward Katz if car ports are to be included as the plans now stand, and he replied that the car ports are to be included.

The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the Second Reading and place on the Third and Final Reading. Mr. Smith seconded.

The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the Third and Final Reading of said bill and enact said Bill as Ordinance No. 2.635. Mr. Smith seconded.

The vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 11 on the Agenda: First Reading: Bill 86-32, an ordinance regulating the design, construction, equipment, operation and maintenance of all public and semi-public swimming pools, spas, hot tubs and whirlpool baths and requiring construction and operation permits from the Clay County Health Department.

Mr. Winkler moved to place said Bill on First reading. Mr. Smith seconded. Vote: All "Aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the bill.

Item 12 on the Agenda: First Reading: Bill 86-33, repealing Ordinance No. 2.562 regulating the installation of satellite receiving antennas in residential areas and enacting a new ordinance regulating such installations in residential, commercial and industrial zones.

Mr. Smith moved to place said Bill on First Reading. Mr. Winkler seconded.

Mr. Butler announced that he would vote "no" on this Bill because he believes that this Bill denies persons the freedom of catching the airwaves and access to outer space and he questions the constitutionality of such a denial. He

believes the airwaves will be vitally important in the future because people will have the ability to do shopping, banking, correspondence and a whole vast array of communication applications. He is opposed to our ordinance because it will limit the future access.

Vote: "Aye" - Winkler, Smith, Bussinger, Ashcroft. "No" - Butler. (4-1) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading and Place on Second reading. Mr. Winkler seconded. Vote: "Aye" - Winkler, Smith, Bussinger, Ashcroft. "No" - Butler. (4-1) The Clerk read the Bill.

Mr. Smith moved to accept the Second reading, waive Para. 2 of Ordinance 1.83 and place on Third and Final Reading. Mr. Winkler seconded. Vote: "Aye" - Winkler, Smith, Bussinger, Ashcroft. "No" - Butler. (4-1) The Clerk read the Bill.

Mr. Smith moved to accept the Third and Final Reading of said Bill and enact as Ordinance No. 2.636. Mr. Winkler seconded. Vote: "Aye" - Winkler, Smith, Bussinger, Ashcroft. "No" - Butler. (4-1)

Item 13 on the Agenda: First Reading: Bill 86-34, amending the Animal Control Ordinance by providing for a new definition of the term "Restraint".

Mr. Smith moved to place said Bill on First Reading. Mr. Winkler seconded. Vote: "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Smith moved to accept the First Reading and place on Second Reading. Mr. Winkler seconded. Vote: "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading, waive Paragraph 2 of Ordinance 1.83 and place on Third and Final Reading. Mr. Winkler seconded. The Clerk read the Bill. Vote: "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Discussion was made by Mr. Butler that clarification of "responsible" be made in the Bill. Mr. Curtis, Acting City Counselor, was consulted; his opinion was that "responsible" usually referred to mental state. He suggested additional language to say on a "hand-held leash by a responsible person physically capable of controlling the dog."

Mr. Smith moved to amend Bill 86-34 to read under Sect. 1, Para. B. "On a hand-held leash by a responsible person

physically of capable of controlling such dog." Mr. Butler seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill. Mr. Smith moved to accept the Third and Final Reading of Bill 86-34 and enact Amended Bill as Ordinance No. 2.637. Mr. Winkler seconded. The Clerk read the Bill. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Item 14 on the Agenda: First Reading Bill 86-35, amending the Model Traffic Code to designate new Stop Sign locations.

Mr. Bussinger moved to place said Bill on First Reading. Mr. Butler seconded. Vote: All "Aye" - Winkler, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Bussinger moved to accept the First Reading and place said Bill on Second Reading. Mr. Smith seconded. Vote: All "Aye" - Winkler, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Bussinger moved to accept the Second Reading of Bill 86-35, and place said Bill on Third and Final Reading; Mr. Smith seconded. Vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Bussinger moved to accept the Third and Final Reading of Bill 86-35, waive Paragraph 2 of Ordinance No. 1.83 and enact said Bill as Ordinance No. 2.638. Vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Item 15 on the Agenda: First Reading of Bill 86-36, acceptance of Standard Utility Easement from Walker-Wales for Claymont Estates.

Mr. Smith moved to place said Bill on First Reading; Mr. Bussinger seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Smith moved to accept the First Reading and place said Bill on Second reading; Mr. Bussinger seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Smith moved to accept the Second reading and place said Bill on the Third and Final Reading. Mr. Winkler seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

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Mr. Smith moved to accept the Third and Final reading of Bill 86-36, waive Para. 2 of Ordinance No. 1.83 and enact said bill as Ordinance No. 2.639. Mr. Winkler seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Item 16 on the Agenda: First Reading of Bill 86-37, accepting permanent and temporary construction easements required for storm drainage improvements on Rock Creek at NE 69th Terrace and 72nd and North Highland.

Mr. Butler moved to place Bill 86-37 on First Reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Discussion followed as Mr. Smith publicly commended Mr. Reilly, Dave Dyhouse, and Ed Wegner on acquiring the easement at 72nd and North Highland.

Mr. Butler moved to accept the First Reading of Bill 86-37 and place said Bill on Second Reading; Mr. Winkler seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Butler moved to accept the Second Reading of Bill 86-37 and place said Bill on Third and Final Reading; Mr. Winkler seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Butler moved to accept the Third and Final reading of Bill 86-23, waive Para. 2 of Ordinance No. 1.83 and enact Bill as Ordinance No. 2.640. Mr. Winkler seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Item 17 of the Agenda: First Reading of Bill No. 86-38, approving the final plat of REPLAT OF LOT 25, EAST LINDEN SUBDIVISION. Applicants: Timothy Edward Archer, Jr. and Richard L. Miles.

Mr. Winkler moved to place Bill 86-38 on the First Reading; Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

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Mr. Winkler moved to accept the First Reading of Bill 86-38 and place said Bill on Second Reading; Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill 86-38, and place said Bill on Third and Final Reading; Mr. Smith seconded. The vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

Mr. Winkler moved to accept the Second Reading of Bill No. 86-38 and place said Bill on Third and Final Reading; Mr. Smith seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the Third and Final reading of Bill 86-38, waive Para. 2 of Ordinance 1.83 and enact said Bill as Ordinance No. 2.641. Mr. Smith seconded. Vote: All "Aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 18 on the Agenda: Other Business: Mr. Bussinger asked the City Manager the amount that was being carried in the 1986-87 budget as a contingency fund in the event of a crisis in the City. The City Manager stated that monies were carried in the fund balance for Council's appropriation.

Item 19 on the Agenda: Questions from the News Media: Traci Menke of the Clay West Shopper asked for definition of what is meant by semi-public baths, pools, etc. Semi-public was clarified to mean those pools/baths which are for profit.


George McCuiston, Gladstone Sun Chronicle, questioned was raised from the Press about the need for an additional satellite ordinance. The reply from the Council was that this ordinance was to include industrial and commercial whereas the first ordinance was only for residential. This would encompass all three.

There being no further business to come before the June 9, 1986 City Council Meeting, Mayor Ashcroft adjourned the meeting at 8:35 p.m.



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Respectfully submitted,

  
-----  
Marilyn F. Ahnefeld  
City Clerk

Approved as submitted: -----

Approved as corrected/  
amended: ----- ✓

  
-----  
Bob Stenrod  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
June 23, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of June 9, 1986 City Council Meeting

PRESENTATION: Certificate of Conformance in Financial Reporting presented to City of Gladstone by Government Finance Officers Association of the United States and Canada for ninth consecutive year.

5. CONSENT AGENDA:

RESOLUTION NO. R-86-43, adopting the 1987 annual operating Budget for the City of Gladstone, Missouri, and authorizing the expenditure of funds.

RESOLUTION NO. R-86-44, setting a Public Hearing on Monday, August 11, 1986 to establish the 1987 Property Tax Levy for the City of Gladstone, Missouri in compliance with Missouri State Law.

RESOLUTION NO. R-86-45, electing changes under the Missouri Local Government Employees Retirement System provided to Gladstone employees. Change from Plan LT-3 to Plan LT-5.

BUILDING PERMIT APPROVAL: N.E. Corner 72nd and North Oak, construction of 21,370 sq. ft. retail sales center. Applicant: Maxfield, Simon, Diehl, Inc., General Contractor.  
Owner: Gladstone Village Center  
Approval subject to requirements of CD Staff report 6/16/86 and conveyance of required right-of-way to the City.

BUILDING PERMIT APPROVAL: Northland National Bank modular facility at northeast corner 72nd & North Oak.  
Owner: Gladstone Village Center

BUILDING PERMIT APPROVAL: 6211 North Chestnut and 6417 North Oak, facia remodeling of existing Zarda store for Texaco. Applicant: Lawrence Wickham. Owner: Texaco Refining and Marketing

BUILDING PERMIT APPROVAL: 6305 North Prospect, construct new service station to include car wash. Applicant: Architect Lawrence Wickham. Owner: Texaco Refining and Marketing, Inc.  
Approval subject to requirements of CD Staff Report 6/16/86.

APPROVAL OF NEW LIQUOR LICENSE: 6553 North Oak, Class "C" Package License. Bob's IGA. Managing Officer: Robert E. Lemons (formerly Save Mart Stores)

LIQUOR LICENSE RENEWAL: Class C Package License. Berbiglia Liquor Store, 7407 N Oak. Mgr. Officer: Mike Berbiglia

6. BUILDING PERMIT APPROVAL: 6800 North Oak, construct cement silo to rear of building for small quantity cement mixing. Applicant: Glad Rents
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. SECOND READING: BILL 86-32, an ordinance regulating the design, construction, equipment and maintenance of all public and semi-public swimming pools, spas, hot tubs and whirlpool baths and requiring construction and operation permits from the Clay County Health Department.
11. FIRST READING: BILL NO. 86-39, amending certain sections of the Alcoholic Beverage Code dealing with required food-liquor ratio for Restaurant Bar license categories.
12. FIRST READING: BILL NO. 86-40, an ordinance authorizing acquisition of interests in real property by purchase or condemnation for construction of water distribution system improvements along 68th Street - North Broadway to North Forest.
13. FIRST READING: BILL NO. 86-41, an ordinance amending Schedule VIII of the Model Traffic Ordinance (Code Section 18-12) to provide for additional STOP sign locations on North Cleveland at 60th Street.
14. Other Business
15. Questions from the News Media
16. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

JUNE 23, 1986

Mayor Bob Ashcroft called the June 23, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Ashcroft

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

Mayor Ashcroft was "arrested" by members of the Metro North Theatres as a promotion of the American Heart Association's fund raising project "Cardiac Arrest" on Friday, June 27, 1986.

Councilman Smith led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of the Minutes

Mr. Bussinger moved to accept the minutes as submitted; Mr. Butler noted corrections/clarifications to the minutes as follows:

Page 9, Item 16, paragraph 4 (First Reading: Bill 86-37), should reflect that Mr. Winkler seconded the motion for acceptance of the first reading not Mr. Butler.

Page 6, Item 12, paragraph 3 (First Reading: Bill 86-33). Mr. Butler asked that the minutes be more specific to reflect that his "no" vote for the Satellite Receiving Antenna Regulations Bill was because it denies persons the freedom of catching the airwaves and access to outer space and he questions the constitutionality of such a denial. He believes the airwaves will be vitally important in the future because people will have the ability to do shopping, banking, correspondence, and a whole vast array of communication applications. He is opposed to our ordinance because it will limit that future access.

Mr. Winkler further noted that the Perkins Restaurant address as listed on Page 3, paragraph 6 of the Minutes should properly be 6292 North Oak.

Mr. Butler seconded the motion to approve the June 9, 1986 City Council Meeting Minutes with corrections noted. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Presentation: The Certificate of Conformance in Financial Reporting was presented to the City of Gladstone by Government Finance Officers Association of the United States and Canada for the eighth consecutive year. The Mayor presented the award to Director of Administrative Services Toni Anderson.

Item 5 on the Agenda:                      Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested that Item 4, Building Permit approval at 72nd and North Oak, (File No. BP 86-021) and Item 7, Building Permit approval at 6305 North Prospect, (File No. BP86-023) be placed on the Regular Agenda.

There were no other requests whereupon Mr. Bussinger moved to approve the Consent Agenda as modified. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

5.a. Building Permit Approval, NE Corner of 72nd and North Oak, retail sales center. Owner: Gladstone Village Center

City Manager Reilly indicated that the only items yet to be resolved are the final configuration of the bank site, which is not a major concern; and the conveyance of 6 feet of right-of-way along 72nd Street immediately east of Oak pledged at the time of rezoning and shown on the plans.

Mr. Willard Smith, Architect, spoke on behalf of the owner, Harvey Haynes who was in attendance. He stated that when they received the conveyance document it was forwarded to the surveyor to ensure that the legal description accurately described the land to be conveyed. The surveyor has told Mr. Smith that his findings would be given at the end of the week. Gladstone Village fully intends to execute the conveyance. He also stated that he did not understand that they would not be able to move a

step at a time and felt they had shown good faith by the demolition of the unsightly corner building. He asked if the Council would approve the building plans and authorize the Staff to issue the actual building permit when the conveyance document is received.

Mr. Reilly interjected that this is Phase I of the project and that Council would still have the authority to disapprove Phase II. Mr. Winkler stated that he would only vote in favor of the permit when everything was submitted and in order. He said he does not intend to be arbitrary but too often the City ends up picking up the burden when the developer's obligations are not fulfilled.

Mr. Bussinger voiced his opinion that the developer had demonstrated good faith in demolishing the buildings and moved to approve the Building Plans for Gladstone Village Center contingent upon receiving the conveyance of property on 72nd Street before issuing the permit. Mr. Butler seconded. There was discussion to clarify that the building permit would not be issued until the conveyance was received. Building plans have been approved. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith presented a rendering for the council to view. The sentiment from the Council was very complimentary.

5.b. Building Permit Approval, 6305 North Prospect. Owner: Texaco Refining and Marketing, Inc.

Mr. Larry Wickham submitted a letter of contractual agreement from Texaco regarding the sharing of engineering, street curb and sidewalk improvements; however, the Council, City Manager Reilly, and Counselor Dods concurred that this letter was not specific about the matters and leaves the City vague on these subjects. The City in discussion with Mr. Wickham finally came to a decision for a contractual agreement that would be binding with the land so that there would be no misunderstanding what improvements would be made. Mr. Winkler commented that he understood the applicant's desire to get the project underway, but he did not feel that approval was right because of incomplete information. Mr. Reilly noted although the letter is dated June 11 it was only received just prior to the meeting tonight. Mr. Wickham said that was partially his fault because he had held the letter to submit with the completed landscape plans which he had just received this afternoon. Mr. Reilly said he would like to have the staff review the contractual agreement prior to Council's acceptance.

Mr. Wickham said they had conveyed to Texaco the items to be covered in the contractual agreement and if the City does not

think it is complete he suggested having the City Counselor draft the desired verbage for submission to Texaco for signature. The shuffle of paperwork back and forth will cause delays in their project. The staff has reviewed the plans and as far as he knows they meet all the code requirements. Mr. Wickham questioned the Council's reluctance to approve the Building Plans when Council still has the right to withhold the actual occupancy permit.

CONSENT AGENDA DETAIL

Mr. Bussinger moved to adopt RESOLUTION NO. 86-43, adopting the 1987 annual operating Budget for the City of Gladstone, Missouri, and authorizing the expenditure of funds. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION NO. 86-44, setting a Public Hearing on Monday August 11, 1986 to establish the 1986 Property Tax Levy for the City of Gladstone, Missouri in compliance with the Missouri State Law. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION NO. 86-45, electing changes under the Missouri Local Government Employees Retirement System provided to Gladstone employees. Change from Plan L-3 to Plan LT-5. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve the BUILDING PLANS FOR NORTHLAND NATIONAL BANK modular facility at the northeast corner of 72nd and North Oak. Owner: Gladstone Village Center. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve the BUILDING PLANS FOR 6211 NORTH CHESTNUT and 6417 NORTH OAK, facia remodeling of existing Zarda stores for Texaco. Applicant: Architect Lawrence Wickham. Owner: Texaco Refining and Marketing. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve a new liquor license for 6553 NORTH OAK, CLASS "C" PACKAGE LICENSE for Bob's 1GA. Managing Officer: Robert E. Lemons. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to approve a liquor license renewal for 7407 NORTH OAK, CLASS "C" PACKAGE LICENSE for Berbiglia. Managing Officer: Mike Berbiglia. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

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Item 6 on the Agenda:

Building Permit Approval, 6800 North  
Oak, Glad Rents

Mr. Steve Warger (1003 NE 61 Terrace), representing Glad Rents, stated that Glad Rents would like to construct a cement silo behind the building for mixing small batches of cement. The property is presently zoned C-2 with Glad Rents operating as a non-conforming use.

Mr. Warger stated that the silo is actually just a storage facility with the cement being mixed on a utility truck. The total structure is 32 feet above the ground, 10 feet circumference and holds 1,000 cubic feet of cement product. He believes the maximum amount the truck can mix is a 5 yard batch of cement. They are trying to compete with the larger companies that are restricting customer to 5 and 6 yards of cement and only go to residential sites by special arrangement. He again stressed the silo is not for mixing but for storage.

When asked by Council what zone Glad Rents should have, Mr. Warger said probably C-3. Mr. Winkler expressed that this is more of a zoning problem than a problem of building permit approval. Mr. Reilly pointed out that the current use is non-conforming, therefore, the addition of the proposed silo would continue and expand a non-conforming use.

There was further discussion on what zoning would be proper for this type of use. Mr. Ashcroft questioned if C-3 would be appropriate. Mr. Reilly suggested the need to examine the intended cement mixing process because he believes the performance standards under C-3 would prohibit cement mixing although it may allow storage. It perhaps would be allowable in an M-1 zone, this is a matter that would have to be reviewed. Mr. Warger asked if the building plan approval could be deferred pending the City's review. Mr. Reilly said at this point it does not matter whether the proper zoning should be C-3 or M-1 because the property is presently C-2.

Mr. Bussinger moved to approve the Building permit for 6800 North Oak. Mr. Winkler seconded. The vote: All "no" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) Building permit unanimously denied.

Item 7 on the Agenda:

Communications from the Audience

Mrs. Edith McDaniel commended Community Services Director Ed Wegner on a job well done on repair of the tennis courts. She also felt that the Council should have a raise.

Mr. Tom Rutherford, Charles F. Curry Co., had questions on the proposed pool ordinance (Agenda Item 10). At the suggestion of City Manager Reilly, Mr. Rutherford, Assistant City Manager Javonni Brown and the Clay County Health Department representative adjourned to a meeting room to review Mr. Rutherford's concerns.



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Item 8 on the Agenda:                    Communications from the City Council

Mr. Butler nominated Ms. Linda Jenkins to the Planning and Zoning Committee for Mr. Scott's term expiring December 31, 1986. Mr. Butler made motion for the nomination. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 9 on the Agenda:                    Communications from the City Manager

City Manager Reilly requested agenda additions of three liquor licenses: Transfer of Class B License from Zarda to Texaco at 6417 North Oak and 6211 North Chestnut; and new Class A & B License to Azzaro's Pizza with Wings, 7102 North Oak. Public Safety has recommended approval.

Mr. Bussinger moved that the liquor licenses be approved. Mr. Winkler seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

City Manager Reilly said he had become aware of a flurry of press releases making accusations about the City's housekeeping at the Community Service Center. Based upon some investigation it has been concluded that we are running an illegal dump. He said he has had conversations with the Department of Natural Resources who indicated that this is a minor issue, not a major one. He said he pledged to the Department of Natural Resources and as well to any representative of the media who has called him that if there is a problem we will solve it and if our practices have been inappropriate we will discontinue them. Apparently it has been our tradition for at least twenty years to take various items of debris found on the street and deposit at the service center. He cannot say it has been appropriate policy but nevertheless it has taken place and now that it has been brought to the City's attention we will address it. In the scheme of things we would have addressed it in any event because recent approval was given to parking surface improvements at the service center and the staff has discussed the need to improve our housekeeping practices there. Mr. Reilly again assured that if there is something wrong we will correct it.

Mr. Bussinger said it is his understanding that State Representative Eberspacher contacted the Department of Natural Resources following receipt of a letter from a northland resident complaining about the site. He asked if Mr. Eberspacher had contacted Mr. Reilly prior to contacting the DNR and issuing press releases on the matter. Mr. Reilly said he did not. Mr. Bussinger said as a State Representative representing our City

Mr. Eberspacher should have had the courtesy to contact the City first for information before contacting the DNR and prior to issuing press releases and suggested that this is a campaign re-election ploy and totally unfair.

Mayor Ashcroft said the full Council concurs with Mr. Bussinger's sentiments.

Mr. Smith questioned if we have a definition of "solid waste" as it is not adequately defined in the copy of Mr. Eberspacher's press release he was able to obtain.

The City Manager was asked if he had had any complaints to City Hall on this issue. Mr. Reilly said no.

Item 10 on the Agenda:      Second Reading, Bill 86-32, an ordinance regulating the design, construction, equipment and maintenance of all public and semi-public swimming pools, spas, hot tubs and whirlpool baths and requiring construction and operation permits from the Clay County Health Department.

Mr. Winkler moved to accept the first reading of said bill and place on Second Reading. Mr. Smith seconded. Mr. Rutherford, Curry Company, said that his earlier questions had been clarified by Mrs. Brown and the representatives of the Clay County Health Department but felt that there were areas of the Bill that needed further definition. The vote: "aye". Winkler, Smith, Butler, Ashcroft. (4-0) Mr. Bussinger was absent for this vote. The Clerk read the bill.

Item 11 on the Agenda:      First Reading Bill No. 86-39, amending certain sections of the Alcoholic Beverage Code dealing with required food-liquor ratio for Restaurant Bar license categories.

Mr. Winkler moved to place said bill on the First Reading. Mr. Butler seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the First Reading of said bill and place on Second Reading. Mr. Smith seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the Second Reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place said bill on Third and Final Reading. Mr. Smith seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the Third Reading of said bill and enact as Ordinance 2.642. Mr. Smith seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 12 on the Agenda:      First Reading Bill No. 86-40, an ordinance authorizing acquisition of interests in real property by purchase or condemnation for construction of water distribution system improvements along 68th Street - North Broadway to North Forest.

Mr. Butler moved to place said Bill on the First Reading. Mr. Winkler seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Butler moved to accept the First Feading of said Bill 86-40 and place on the Second Reading. Mr. Winkler seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the second reading, waive Paragraph 2 or Ordinance 1.83, and place on Third Reading. Mr. Winkler seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the Third Reading of said Bill and enact as Ordinance 2.643. Mr. Winkler seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 13 on the Agenda:      First Reading of Bill No. 86-41, an ordinance amending Schedule VIII of the Model Traffic Ordinance (Code Section 18-12) to provide for additional STOP sign locations on North Cleveland at 60th Street.

Mr. Smith moved to place said Bill on First Reading. Mr. Bussinger seconded. The vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of said bill and place on Second reading. Mr. Bussinger seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the bill.

Mr. Smith moved to accept the Second Reading, waive paragraph 2 of Ordinance 1.83 and place on Third and Final Reading. Mr. Bussinger seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0). The Clerk read the Bill.

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Mr. Smith moved to accept the Third Reading of said Bill and enact as Ordinance 2.644. Mr. Bussinger seconded. Vote: All "aye". Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0).

Item 14 on the Agenda:      Other Business

Reminder was made to the Council of the Clay County Coordinating Committee Meeting on Thursday, June 24.

Item 15 on the Agenda:      Questions from the News Media

No questions asked.

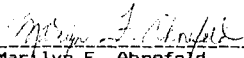
Item 16 on the Agenda:      Adjournment

There being no further business to come before the June 23, 1986 City Council Meeting, Mayor Ashcroft adjourned the meeting at 8:50 p.m.

Respectfully submitted,

Approved as submitted: ✓ \_\_\_\_\_

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

  
\_\_\_\_\_  
Marilyn F. Ahnefeld  
City Clerk

  
\_\_\_\_\_  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
July 14, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of June 23, 1986 City Council Meeting

PROCLAMATION: Supporting the SECOND ANNUAL SHOW ME STATE GAMES DAYS August 1-3, 1986, in Columbia, Missouri. Sponsor: Governor's Council on Physical Fitness and Health.

5. CONSENT AGENDA:

RESOLUTION NO. 86-46, authorizing execution of contract with R.A. Pohl Construction for 76th Street water main construction. (area approximately 2700 NE 76th to east city limits). Contract amount: \$54,830

RESOLUTION NO. 86-47, accepting Bill of Sale from Walker Wales Development and Snyder Excavating for water main constructed in Claymont Estates under Contract No. 198.

LIQUOR LICENSE APPROVALS:

New License - P&R Enterprises Corporation, dba Italian Deli

6595 N Oak Trafficway

Mgr. Officer: Patricia J. Crumby

Class D License (Malt liquor and non-intoxicating beer by drink and in original package)

Michael Forbes Grill, 6425 N Oak (former Guthries)

Mgr. Officer: Forbes Jones

Class A & B liquor by drink license

Renewals - Pizza Hut, 6420 N Oak, Class F

Elks Lodge #2376, 7620 N Oak, Class A

Szechuan Restaurant, 6465 N Prospect, Class A&B

Nadine's 6821-25 N Oak, Class A & B

Best United Super Inc., 7503 N Oak, Class C

China Plaza, 7521 N Oak, Class A&B

Kwik Shoppe, 7603 N Oak, Class C

Annie's Santa Fe, 6129 N Antioch, Class A&B

Red Lobster, 6221 N Chestnut, Class A&B

Bobby Bell Bar-B-Que, 7013 N Oak, Class A&B

21-21 Restaurant, 5941 N Antioch, Class A&B

Bob's Antioch IGA, 5945 N Antioch Road, Class C

Godfather's Pizza, 328 NE 72nd, Class A&B

Begulia's Liquors, 6401 North Antioch, Class C

Pizza Inn, Inc. 7000 N Oak, Class F

Quick Trip, 2000 NE 72nd, Class C

Gene's Party Shop, Inc. 6313 N Prospect, Class C

Shop-N-Go, 5821 N Antioch Road, Class C

5. CONSENT AGENDA (CONTINUED)

Building Plan Approvals:

- a. 7102 N Oak, conversion of deli to Pizza Restaurant.  
No building alterations only equipment replacement.  
Azzaro's Pizza with Wings. Michael F. Azzaro
  - b. 2909 Brooktree Lane, remodeling existing space for law  
office. Owner: Stephen V. Crain
  - c. 6420 N Oak, replace existing storage shed  
Pizza Hut, Inc.
6. Communications from the Audience
  7. Communications from the City Council
  8. Communications from the City Manager
  9. PUBLIC HEARING: Improvement of NE 73rd Terrace Street, west of  
Troost, approximately 346 feet to the intersection of NE 73rd  
Terrace and North Harrison by issuance of Special Tax Bills.
  10. THIRD READING: BILL NO. 86-32, regulating the design,  
construction, equipment and maintenance of all public,  
semi-public swimming pools, spas, hot tubs and whirlpool baths.
  11. FIRST READING: BILL NO. 86-42, authorizing acceptance of  
Dedication Deed and Standard Storm Sewer Easement.
  12. FIRST READING: BILL NO. 86-43, approving the final plat of REPLAT  
of Lots 19 and 20, PARK TOWER SUBDIVISION. (approximately 1400 NE  
68th STREET) Applicant: Les Smith
  13. Other Business
  14. Questions from the News Media
  15. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

JULY 14, 1986

Mayor Bob Ashcroft called the July 14, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Mayor Bob Ashcroft

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn F. Ahnefeld

ABSENT: Councilman Lee Bussinger

Mayor Bob Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Mayor Bob Ashcroft also acknowledged Boy Scout Troop 271 of the Gashland Methodist Church who were in attendance in conjunction with working towards merit badges for the Eagle Scout award.

Item 4 on the Agenda: Acceptance of the Minutes

Mr. Smith moved to approve the minutes of the June 23, 1986 City Council Meeting as submitted; Mr. Winkler seconded. The vote: all "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mayor Ashcroft read a Proclamation supporting the Second Annual Show Me State Games Days August 1 - 3, 1986, in Columbia, Missouri. Sponsor: Governor's Council on Physical Fitness and Health.

Presentation of the first annual Business Beautification award was made by Beautification Committee Chairman Joe Bock to Mrs. Ardith Ubben of Savings of America. This award represents the theme of the Beautification of Gladstone program implemented in the community to develop pride and beauty.

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City

City Council Meeting Minutes  
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Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

There were no requests whereupon Mr. Butler moved to approve the consent Agenda as read. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

CONSENT AGENDA DETAIL

Mr. Butler moved to adopt RESOLUTION NO. 86-46, authorizing execution of contract with R. A. Pohl Construction for 76th Street water main construction. (area approximately 2700 NE 76th to east city limits). Contract amount: \$54,830. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Butler moved to adopt RESOLUTION NO. 86-47, accepting Bill of Sale from Walker Wales Development and Snyder Excavating for water main constructed in Claymont Estates under Contract No. 198. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Butler moved to approve liquor license approvals as follows:

New licenses

P & R Enterprises Corporation, 6595 N. Oak Trafficway, Class D License  
Michael Forbes Grill, 6425 N. Oak Trafficway, Class A & B License

Renewals:

|                        |                      |             |
|------------------------|----------------------|-------------|
| Pizza Hut              | 6420 N. Oak          | Class F     |
| Elks Lodge #2376       | 7620 N. Oak          | Class A     |
| Szechuan Restaurant    | 6465 N. Prospect     | Class A & B |
| Nadine's               | 6821-25 N. Oak       | Class A & B |
| Best United Super Inc. | 7503 N. Oak          | Class C     |
| China Plaza            | 7521 N. Oak          | Class A & B |
| Kwik Shoppe            | 7603 N. Oak          | Class C     |
| Annie's Santa Fe       | 6129 N. Antioch      | Class A & B |
| Red Lobster            | 6221 N. Chestnut     | Class A & B |
| Bobby Bell Bar-B-Que   | 7013 N. Oak          | Class A & B |
| 21-21 Restaurant       | 5941 N. Antioch      | Class A & B |
| Bob's Antioch IGA      | 5945 N. Antioch Road | Class C     |
| Godfather's Pizza      | 328 NE 72nd          | Class A & B |
| Begulia's Liquors      | 6401 North Antioch   | Class C     |
| Pizza Inn, Inc.        | 7000 N. Oak          | Class F     |
| Quick Trip             | 2000 NE 72nd         | Class C     |
| Gene's Party Shop Inc. | 6313 N. Prospect     | Class C     |
| Shop-N-Go              | 5821 N. Antioch Road | Class C     |



Mr. Winkler seconded. The vote: all "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Butler moved to approve building plans at:

7102 North Oak, conversion of deli to Pizza Restaurant for Azzaro's Pizza with Wings. Owner: Michael F. Azzaro

2909 Brooktree Lane, remodeling existing space for law office. Owner: Stephen V. Crain.

6420 N. Oak, replace existing storage shed. Owner: Pizza Hut, Inc.

Mr. Winkler seconded. The vote all "aye" - Winkler, Smith, Butler, Ashcroft. (4-0).

Item 6 on the Agenda: Communications from the Audience

Mr. Bert Rothchild read a letter to the Mayor on behalf of the Teachers' Memorial Committee conveying full ownership to the City of Gladstone. The letter stated that all debts are paid and that only some maintenance is required of the City. The inscription of the donors', committee members', and Council names onto the monument is still pending.

Mr. Butler noted that additional flowers are being placed at the memorial in Central Park and the emotional and positive impact the memorial has placed on the City. Mr. Rothchild expressed his hopes that this memorial will be in local registries and be put on the list of tourist attractions to the area.

Mr. Rothchild also explained to the Council that the flag poles are still awaiting permanent placement and receipt of additional flags, and the present United States flag has flown at the White House, and the Missouri State flag has flown at the state capital. The Committee's reasoning for the seven flag poles symbolizes the seven astronauts of the fatal January 28, 1986 Challenger flight. Teacher Christa McAuliffe, who was aboard the fateful flight of the Challenger chosen by Presidential selection to be the first teacher in space of the NASA space shuttle program, was included in the memorial to symbolize the aspirations and achievements of all teachers especially those in the North Kansas City School district who are teaching or who have taught children in the Gladstone area.

Item 7 on the Agenda:      Communications from the City Council

There were no communications from the City Council.

Item 8 on the Agenda:      Communications from the City Manager

City Manager Reilly commented for public record that the M-1 bid was rejected by the State for the third time; however, the State is anticipating another bid letting this October. Striping of North Prospect will take place and the State will remove several mounds of dirt.

Storm water improvements began this date at 72nd and Highland. City Manager Reilly asked the citizens to bear with the City over the next few months as construction is underway.

Also several telephone calls have been received at City Hall in reference to inadequate maintenance after water breaks near Englewood and Oak with responsibility belonging to the City of Kansas City, Missouri; Kansas City has assured the City Manager that they will remedy the situation but have not yet done so.

Item 9:      Public Hearing:      Improvement of NE 73rd Terrace Street, west of Troost, approximately 346 feet to the intersection of NE 73rd Terrace and North Harrison by issuance of Special Tax Bills.

Mayor Ashcroft opened the Public Hearing and asked that persons in favor of the 73rd Terrace Street Improvement project address the Council first followed by those in opposition.

In favor of:

Mr. Phillip Arnold of 3135 NE 59th Terrace, bought a lot in this area approximately two months ago and expressed his desire to see 73rd Terrace completed so that he could build his home. He also stated that by building a home he would be contributing property tax money to the community as opposed to letting the lot remain vacant with no street access.

Mr. Dean Reilly, Route 2, Smithville, Missouri, spoke on behalf of Mrs. Phyllis Frazier. Mrs. Frazier was unable to attend the City Council Meeting due to work schedule conflict. Mr. Reilly is to be the builder of her home, and he indicated her desire to have the street constructed so that she may proceed with building.

Opposed to:

Mr. William Shepherd, 7316 N. Troost, NE corner lot adjacent to 73rd Terrace, stated that the City had already constructed 190 feet of street with an additional 115 feet on the vacant lot behind his lot. He expressed his understanding that the City had a policy in the past of establishing an escrow account for the purpose of street construction. He pointed out that homes have been built in the absence of a street many years ago now there are two landlocked landowners who must have streets in order to build, also the City has constructed 190 feet of street for one property owner. He feels the City is changing the rules on street financing and feels that it is unfair for a resident who has been on his property for over 19 years.

Mr. Shepherd said two property owners do not have access to 73rd Terrace and the City wants him to pay an estimated \$7,100 for his share of the road when he does not need it. The road construction will increase the value of his property but not by \$7,100. He has no plans to develop his empty lot. If he did and at a profit then he should pay his share of the road. Some landowners bought their property below market value because of lack of road; he did not. He cannot afford \$7,100 and would be forced to sell his property and take a loss or try to come up with the money or take the matter to court. Mr. Shepherd said he believes it would be a good case for the homeowners because the City keeps changing the rules. He concluded his remarks by asking that the City Council reconsider the method of financing the road so that it can be done more fairly for all concerned.

Councilman Smith asked Mr. Reilly if the amount that each home owner contributed would be required in a lump sum or could be financed over a period of time. Mr. Reilly replied that the amount could be financed for a period of ten years at a percentage rate of 0% to 8%.

Further discussion proceeded with the Mayor and members of the audience involved with 73rd Terrace. Mayor Ashcroft asked Mr. Arnold when he bought his lot and his understanding of how 73rd Terrace would be financed. Mr. Arnold said that his understanding was that he would pay for the street and is prepared for the additional expense. Mrs. Arnold said they had the understanding their builder would be able to build their portion of the street and that is why they went ahead and purchased the lot. The builder now advises he cannot construct it for what he had estimated so the matter lies in the City's hands.

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Mayor Ashcroft indicated that there are problems in trying to solve all the possibilities for street construction on 73rd Terrace and that the City Council was working toward an equitable solution to construct the street whereupon Mayor Ashcroft closed the Public Hearing.

Mr. Reilly clarified for the audience that a resolution reaffirming the need to proceed with this project will be submitted to the Council for their action at the July 28, 1986 City Council Meeting. The Council then will either approve, defeat or table the resolution. The Council's action will be the triggering mechanism for the remainder of the process.

Item 10 on the Agenda: Third Reading Bill No. 86-32, regulating the design, construction, equipment and maintenance of all public, semi-public swimming pools, spas, hot tubs and whirlpool baths.

Mr. Winkler moved to accept the second reading of said bill and place on the third reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of Bill No. 86-32 and enact as Ordinance 2.645. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 11 on the Agenda: First Reading of Bill No. 86-42, authorizing acceptance of Dedication Deed and Standard Storm Sewer Easement.

Mr. Smith moved to place said bill on first reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the first reading of said bill and place on the second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of said bill and waive Paragraph 2 of Ordinance 1.83 and place on third reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.646. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 12 on the Agenda: First Reading Bill No. 86-43, approving the final plat of replat of Lots 19 and 20, Park Tower Subdivision. (approximately 1400 NE 68th Street). Applicant Les Smith.

Mr. Butler moved to place said bill on first reading. Mr. Winkler seconded. The vote: all "aye" - Winkler, Butler, Ashcroft; Smith passed. (3-0) The Clerk read the bill.

Mr. Butler moved to accept the first reading of said bill and place on second reading. Mr. Winkler seconded. The vote: all "aye" - Winkler, Butler, Ashcroft; Smith passed. (3-0) The Clerk read the bill.

Mr. Butler moved to accept the second reading of said bill and waive Paragraph 2 of Ordinance 1.83 and place on third reading. Mr. Winkler stated that he does not favor the proposed name change of Lydia Street to Jason Smith Court and his "yes" vote is for Plat approval. Mr. Winkler seconded. The vote: all "aye" - Winkler, Butler, Ashcroft; Smith passed. (3-0) The Clerk read the bill.

Mr. Butler moved to accept the third reading of said bill and enact as Ordinance 2.647. Mr. Winkler seconded. The vote: all "aye" - Winkler, Butler, Ashcroft; Smith passed. (3-0)

Item 13 on the Agenda: Other Business

Mr. Winkler asked Mr. Reilly to make sure that Mr. Wegner has coordinated traffic signs for reduced speed through the detour areas for streets under construction.

Mr. Butler stated in reference to 73rd Terrace improvements that he is against the City building streets and feels that streets are the responsibility of developers.

Mr. Butler also had concerns about Sycamore Park in that the park needed to be mowed and wood, dirt, etc. be moved.

Mr. Smith commended the City staff on the July Fourth celebration for efforts in crowd and traffic control.

Mayor Ashcroft noted that July 17 was the MML Civic Leadership award dinner. This year's recipient from Gladstone will be Mr. and Mrs. Joe Wally.

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Item 14 on the Agenda: Questions from the News Media

No questions.

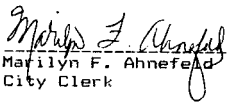
Item 16 on the Agenda: Adjournment


There being no further business to come before the July 14, 1986 city Council Meeting, Mayor Ashcroft adjourned the meeting at 8:20 p.m.

Respectfully submitted,

Approved as submitted:  \_\_\_\_\_

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

  
Marilyn F. Ahnefeld  
City Clerk

  
Bob Ashcroft  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
July 28, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of July 14, 1986 City Council Meeting

5. CONSENT AGENDA:

RESOLUTION NO. 86-48, amending the 1986-87 Annual General Fund and Sales Tax Budgets for the City of Gladstone, Missouri, and authorizing expenditure of funds. General Fund: + \$140,377 for revised total budget of \$4,367,945. Sales Tax: + \$48,872 for revised total budget of \$2,081,885.

RESOLUTION NO. 86-49, accepting work under Bell Construction Company Sidewalk and Related Improvements Contract on N Oak and 64th Street and authorizing final payment in the amount of \$2,360.

RESOLUTION No. 86-50, Accept Bills of Sale for water main constructed under Contract No. 192 and sanitary sewer line all in CARRIAGE HILLS 8TH PLAT.

RESOLUTION NO. 86-51, affirming the necessity for making street improvements to NE 73rd Terrace, west of Troost.

RESOLUTION NO. 86-52, authorizing execution of contract with Haven Construction Company for NE 68 Terrace (Bellefontaine to N Indiana) water transmission lines.  
Contract Amount: \$35,427.00.

RESOLUTION NO. 86-53, authorizing execution of contract with Corlew Construction for East Creek at 59th Place storm water improvements. Contract Amount: \$109,619.00

RESOLUTION NO. 86-54, authorizing execution of contract with Industrial Excavating & Equipment Company for Rock Creek at Indiana storm drainage improvements. Contract Amount: \$152,998.80

RESOLUTION NO. 86-55, authorizing execution of Water Main Extension Contract No. 201 with Havens Construction Company and Les Smith for water main to serve Replat of Lots 19 and 20 Park Towers Subdivision.

LIQUOR LICENSE RENEWALS:

Aardvark Liquor & Deli, 7507 N Oak, Class C  
Happy Rock Liquors #1, 6100 North Oak, Class C  
Brunswick Gladstone Bowl, 300 NW 72nd Street, Class A&B  
Minsky's Pizza, 6311 North Antioch Road, Class A&B  
Emissary Wines, 6942 North Oak, Class C  
P&C Liquors, 6587 N Oak, Class C

6. PUBLIC HEARING: Site Plan Revision in a CP-1 zone, property at 7016 North Cherry. Applicant/owner: Northland Surgical Associates
7. Communications from the Audience
8. Communications from the City Council
9. Communications from the City Manager
10. FIRST READING: BILL NO. 86-44, amending Schedule VIII of the Model Traffic Code to add Stop Sign at SW corner 74th Terrace & N Brooklyn.
11. FIRST READING: BILL NO. 86-45, approving the Final Plat of OAKWOOD MANOR CONDOMINIUM 2ND PLAT, 6000 North Oak. Applicant/Owner: Lakey-Donaldson Joint Venture
12. FIRST READING: BILL NO. 86-46, creating the 73rd Terrace Street Improvement District Benefit District.
13. FIRST READING: BILL NO. 86-47, accepting permanent and temporary easements required for storm drainage improvements on East Creek at 59th Place.
14. Other Business
15. Questions from the News Media
16. Adjournment



MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

JULY '28, 1986

Mayor Bob Ashcroft called the July 28, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Ashcroft

City Manager Patrick J. Reilly  
City Counselor John C. Dods  
City Clerk Marilyn P. Ahnefeld

Mayor Bob Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Mayor Bob Ashcroft also acknowledged Boy Scout Troop 288 of the North-minister Presbyterian Church who were in attendance in conjunction with a Communications Badge project requiring attendance at a town meeting.

Item 4 on the Agenda: Acceptance of the Minutes

Mr. Butler moved to approve the minutes of the July 14, 1986 City Council Meeting as submitted; Mr. Winkler seconded. The vote: all "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) Bussinger - pass

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested removal of Resolution No. 86-51 from the Consent Agenda and place on the Regular Agenda. Mr. Smith moved to approve the Consent Agenda as amended. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

CONSENT AGENDA DETAIL

Mr. Smith moved to adopt RESOLUTION NO. 86-48 amending the 1986-87 Annual General Fund and Sales Tax Budgets for the City of Gladstone, Missouri, and authorizing expenditure of funds. General Fund:

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+ \$140,377 for revised total budget of \$4,367,945. Sales Tax: +\$48,872 for revised total budget of \$2,081,885. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to adopt RESOLUTION NO. 86-49, accepting work under Bell Construction Company Sidewalk and Related Improvements Contract on North Oak and 64th Street and authorizing final payment in the amount of \$2,360. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to adopt RESOLUTION 86-50, to Accept Bills of Sale for water main constructed under Contract No. 192 and sanitary sewer line all in Carriage Hills 8th Plat. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to adopt RESOLUTION NO. 86-52, authorizing execution of contract with Haven Construction Company for NE 68th Terrace (Bellefontaine to North Indiana) water transmission lines. Contract Amount: \$35,427.00. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to adopt RESOLUTION 86-53, authorizing execution of contract with Corlew Construction for East Creek at 59th Place storm water improvements. Contract Amount \$109,619.00. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to adopt RESOLUTION 86-54, authorizing execution of contract with Industrial Excavating & Equipment Company for Rock Creek at Indiana storm drainage improvements. Contract Amount: \$152,998.80. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to adopt RESOLUTION 86-55, authorizing execution of Water Main Extension Contract N90. 201 with Haven Construction Company and Les Smith for water main to serve Replat of Lots 19 and 20 Park Towers Subdivision.

Mr. Smith moved to approve liquor license approvals as follows:

Renewals:

|                          |                    |             |
|--------------------------|--------------------|-------------|
| Aardvark Liquor and Deli | 7507 North Oak     | Class C     |
| Happy Rock Liquors #1    | 6100 North Oak     | Class C     |
| Brunswick Gladstone Bowl | 300 NE 72nd Street | Class A & B |
| Minsky's Pizza           | 6311 North Antioch | Class A & B |
| Emissary Wines           | 6942 North Oak     | Class C     |
| P & C Liquors            | 6587 N. Oak        | Class C     |

Item 5 (a) on the Agenda: Resolution No. 86-51

Mr. Winkler moved to adopt Resolution No. 86-51.

Whereas, on June 9, 1986 the City Council adopted Resolution No. 86-35 declaring the necessity to make certain street improvements on Northeast 73rd Terrace; declaring the payment of such work be made by assessments against fronting and abutting property; and

Whereas, Notice of such resolution was published pursuant to State Law; and

Whereas a public hearing was held before the City Council on July 14, 1986.

Now, therefore, be it resolved by the Council of the City of Gladstone, Missouri, as follows:

1. The Council hereby determines that the hearing regarding Section 88.523, RSMo. 1978 has been held according to law and that only one property owner of property fronting and abutting the proposed improvement appeared before the Council to protest said improvement.

2. The Council, having considered statements made at such public hearing, including objections made by said property owner, further determines that the interests of the public and of other property owners affected by the said proposed improvements outweigh said objections; and hereby affirms its determination to make street improvements to NE 73rd Terrace, and to pay for said improvements by assessments against fronting and abutting property owners for all that is authorized by law.

Mr. Bussinger seconded. The Vote: All "no" - Winkler, Smith, Butler, Bussinger, Ashcroft. (0-5) Unanimously defeated. Mayor Ashcroft stated that the need for Item 12 on the Agenda was now eliminated.

Item 6 on the Agenda: Public Hearing: Site Plan Revision in a CP-1 zone, property at 7016 North Cherry. Applicant/owner: Northland Surgical Associates.

There were no persons present in favor of or opposed to the subject of the Public Hearing whereupon Mayor Ashcroft closed the Public Hearing.

Item 7 on the Agenda: Communications from the Audience.

There were none.

Item 8 on the Agenda: Communications from the City Council.

Mr. Butler noted that a speed limit sign was down at 76th and North Troost.

Item 9 on the Agenda: Communications from the City Manager.

Mr. Reilly stated that for the record that the Council has authorized him to enter into a contract with Bliss and Associates to conduct necessary appraisals for the purpose of condemning land associated with the development of a water line for the Antioch tower in the area from Broadway to Antioch.

For the the record and clarification for the audience, it is his understanding that the Council has terminated the need for the special assessment district for the construction of NE 73rd Terrace. Mr. Reilly also stated that it was his further understanding that the City does not intend to proceed with the construction of NE 73rd Terrace. The Council confirmed Mr. Reilly's assumption that the issue is now dead.

Item 10 on the Agenda: First Reading, BILL NO. 86-44, amending Schedule VII of the Model Traffic Code to add Stop Sign at SW corner 74th Terrace and North Brooklyn.

Mr. Smith moved to place said Bill on the first reading. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the first reading of said bill and place on the second reading. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading of said bill and waive Paragraph 2 of Ordinance 1.83 and place on third reading. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.648. Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 11 on the Agenda: First Reading, BILL NO. 86-45, approving the Final Plat of Oakwood Manor Condominium 2nd Plat, 6000 North Oak. Applicant/Owner: Lakey-Donaldson Joint Venture.

Mr. Winkler moved to place said bill on the first reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place and the third reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.649. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 12 on the Agenda: BILL NO. 86-46

See Item 5 (a).

Item 13 on the Agenda: BILL NO. 86-47, accepting permanent and temporary easements required for storm drainage improvements on East Creek at 59th Place.

Mr. Butler moved to place said Bill on the first reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the first reading of said Bill and place on the second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place the third reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Butler moved to accept the third reading of said bill and enact as Ordinance 2.650. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 14 on the Agenda: Other Business

There was no other business.

Item 15 on the Agenda: Questions from the News Media

There were no questions.

Item 16 on the Agenda: Adjournment

There being no further business to come before the July 28, 1986 City Council Meeting, Mayor Ashcroft adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Approved as submitted:   X  

Approved as corrected/  
amended:           

*Marilyn P. Ahnefeld, Deputy City Clerk*  
Marilyn P. Ahnefeld  
City Clerk

*Bob Ashcroft*  
\_\_\_\_\_  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
August 11, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of July 28, 1986 City Council Meeting
5. CONSENT AGENDA:

RESOLUTION 86-56, authorizing execution of contract with Larkin Associates Consulting Engineers, Inc. for engineering of a water transmission main performed in two sections; "East Section - Virginia Avenue to Antioch Road Englewood Road Water Main" and "Middle Section - Oak Street to Virginia Avenue Englewood Road Water Main." Contract Amount for the East Section is \$22,500, Middle Section is \$15,000, totalling \$37,500.

RESOLUTION 86-57, accepting work under Frazier & Sons Roofing Company for re-roofing of the Public Works Building and the City Hall Addition and authorizing final payment in the amount of \$3,881.70.

RESOLUTION 86-58, authorizing the sale of surplus city-owned property to the highest bidder.

BUILDING PERMIT APPROVAL: NE 71st Street and North Locust  
Construction of a new office building.  
Owner/Applicant: Gary Gabel

APPROVAL OF INTERIM FINANCIAL REPORT for July 1986.

6. SITE PLAN APPROVAL: Northland Surgical Associates  
7016 N. Cherry  
Owner/Applicant: Dr. Jerry Cook

7. PUBLIC HEARING: Site Plan Revision in CP-3 Zone,  
property at 2610 NE 60th Street.  
Applicant: Helton Brothers Development Co.  
Owner: Curry Company

7a. SITE PLAN APPROVAL: 2610 NE 60th Street  
Applicant: Helton Brothers Development Co.  
Owner: Curry Company

8. PUBLIC HEARING: Proposed amendment to Chapter 32 of the City Code being the Gladstone Zoning Ordinance dealing with changes in parking regulations.  
Applicant: City of Gladstone

- 9. Communications from the Audience
- 10. Communications from the City Council
- 11. Communications from the City Manager

12. FIRST READING: BILL NO. 86-48, approving Final Plat of Replat of Lot 87, EVANSTON PLACE.

Applicant/Owner: Paul Richardson

13. FIRST READING: BILL NO. 86-49, approving the Final Plat of Replat of Lot 4, STORMY ACRES.

Applicant/Owner: James Dodson

14. FIRST READING: BILL NO. 86-50, amending Chapter 32 of the City Code, being the Gladstone Zoning Ordinance.

Applicant: City of Gladstone.

15. FIRST READING: BILL NO. 86-51, an ordinance amending Schedule V of the Model Traffic Ordinance of the City of Gladstone, Missouri, as established by Section 18-12 of the City Code, designating "No Parking" locations within the City.

16. Other Business

17. Questions from the News Media

18. Adjournment



MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

AUGUST 11, 1986

Mayor Bob Ashcroft called the August 11, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

PRESENT: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Ashcroft  
  
City Manager Patrick Reilly  
City Counselor Clyde Curtis  
Deputy City Clerk Rhonda Stevenson

Mayor Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of the Minutes

Mr. Bussinger moved to approve the July 28, 1986 City Council Minutes as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Butler requested removal of the Building Permit Approval for NE 71st Street and North Locust and place the item on the Regular Agenda. Whereupon, Mr. Bussinger moved to approve the Consent Agenda as read. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Consent Agenda Detail

Mr. Bussinger moved to adopt RESOLUTION 86-56, authorizing execution of contract with Larkin Associates Consulting Engineers, Inc. for engineering of a water transmission main performed in two sections: "East Section - Virginia Avenue to Antioch Road to Englewood Road Water Main" and "Middle Section - Oak Street to Virginia Avenue Englewood Road Water Main." Contract Amount for the East Section is \$22,500,

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Middle Section is \$15,000, totalling \$37,500. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION 86-57, accepting work under Frazier & Sons Roofing Company for re-roofing of the Public Works Building and the City Hall Addition and authorizing final payment in the amount of \$3,881.70. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Bussinger moved to adopt RESOLUTION 86-58, authorizing the sale of surplus city-owned property to the highest bidder. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft (5-0)

Mr. Bussinger moved to approve the Interim Financial Report for the City of Gladstone for the Month of July 1986. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft (5-0)

Item 5 (a) on the Agenda:      Building Permit Approval, 71st Street and North Locust

Mr. Bussinger moved to approve the Building Permit for 71st Street and North Locust for construction of a new office building; owner/applicant is Gary Gabel. Mr. Smith seconded. Discussion followed by Mr. Butler asking if drainage improvement on North Locust is on record as being completed or if is on plans to be done. City Manager Reilly concurred with the Staff Report furnished to the Council that at the same time a building permit be obtained that a permit for the construction of storm water improvements be obtained. Mr. Reilly further indicated that the Staff Report states that no occupancy permit will be issued without construction and completion of the storm water project. Prior to building permit issuances, plans for the storm water improvements being made a part of the total development of site which was not a condition of those prior issuances was discussed. Mr. Bussinger addressed Mr. Gabel, who was in attendance, about his plans for this project. He stated that contracts have already been let for this project and will be done soon and will be done prior to the building shell being constructed. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 6 on the Agenda:      Site Plan Approval, Northland Surgical Associates, 7016 N. Cherry. Owner/applicant, Dr. Jerry Cook.

Mr. Smith moved to approve the site plan as submitted. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft.

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Item 7 on the Agenda: Public Hearing

Site Plan revision in CP-3 one, property at 2610 NE 60th Street.

Applicant: Helton Brothers Development Co.; Owner: Curry Company.

Proponents

Mr. John Flournoy, Project Architect, residence: 5809 North Garfield, business: 5545 North Oak Trafficway, KCMO. Mr. Flournoy stated that the developer is in the process of purchasing land (1.68 acres) at said location and would build in two phases a car wash and office building. As represented by renderings shown to the Council, the land will be utilized to the greatest degree possible. The design of the car wash and office building were designed with emphasis on traffic circulation and compatible architectural design for the area so as not to be obtrusive to area and believes this to be the most optimal situation. Mr. Flournoy explained the architectural design and treatment for construction and area character. The office building is to be built in approximately three years. Patrons of the car wash would enter by the most westerly drive, circulate, and exit through most easterly drive; two of three exit/entrances go through light-controlled intersections. A small amount of traffic would go back through Brooktree. By designing circulation in this manner, car headlights shining in windows would not be a problem coming on to the street.

Mr. Winkler asked where vacuum areas would be located. Mr. Flournoy indicated that they would be located on the east side of the building. The car wash dimensions are 224 ft. long, 24 to 36 feet wide, and 110 ft. long at vacuum canopy which compares similarly in size to the car wash located on North Oak. Mr. Flournoy also presented plans for landscaping with plantings. Helton Brothers are in the process of applying for sanitary sewer easements. Mr. Winkler asked to have direction clarified, frontage is to the south and rear of car wash is to the north. Mr. Bussinger asked what the hours of operation would be. Mr. Myrl Helton stated that this would be a 24-hour operation. Mayor Ashcroft asked if there were any problems Helton Brothers had with the Staff Report. The reply was none.

Mr. Jim Youngers, Curry Investment Co., 2700 Kendallwood Pkwy. Mr. Youngers has been involved with this property for 19 to 20 years, and during this time has averaged one to two calls per week about a car wash on the property. No one has met standards they established until the Helton Brothers proposal was submitted. Curry Investment Company is owner of the balance of parcels of properties remaining (6 1/2 to 7 acres). Mr. Youngers stated that this is a positive development. Quality of materials and exterior construction would be at least equal to those used in other buildings. A timberline roof would be constructed similar to the Balhuizen building. Mr. Youngers was also concerned about petitions from Brooktree residents

containing a sketch of the proposed car wash with a scale comparing to the size of Royal's Stadium. The car wash would actually be smaller than the Annie's development. He also believes no additional problems would be created being a 24-hour operation.

The car wash noise level would be the same or less than produced in comparison to Missouri Highway 1 which carries approximately 30,000 cars daily and emergency vehicles servicing the Kendallwood Nursing Home. Road structure incorporated to the car wash provides for multiple choices of entrance/exit, two of which lead to light-controlled intersections. He also believes that instead of increasing traffic this car wash could decrease flow of traffic throughout the Northland area, alleviate some traffic problems, and decrease trip mileage of area residents. Parking problems in the area are being solved. This project does use existing zoning. Quality construction and character of design benefit this area and recommends approval.

Mr. Butler expressed his concern about the possibility of the car wash ceasing to do business and the future of such a site so that it is utilized and not an eyesore. Mr. Youngers feels it is a concern, but that the area would not lay idle because of its value in the area. Other businesses that have left have been resurrected as profitable businesses in a like concern.

Mr. Smith was concerned about ground elevation in reference to Burger King and Antioch Road. Mr. Youngers said that the car wash would be approximately 14 feet lower than Burger King. Another concern Mr. Smith voiced was the vacuum canopy along the south end using a solid wall for aesthetics instead of open-ended was as shown on the renderings. Mr. Myrl Helton said that he would like to keep the area open for safety reasons i.e. if a woman were vacuuming her car late at night, visibility would be available from all sides.

#### Opponents

Mr. Bill Burford spoke on behalf of the Kendallwood Nursing Home and Retirement Center and as a resident of Carriage Hills. Mr. Burford outlined the petition presented to the Council which he and his staff drafted in order to facilitate contacting people living in apartments and nursing home. The drawing was not intended to distort but to highlight for area residents what the site proposal contained. Additionally, Mr. Burford stated he was not an architect and not knowledgeable of appropriate methods for designing a schematic to appropriate scale. Petition for the record reads: "I oppose the site plan revision and construction of a 12-bay open car wash on 60th Street east of Burger King in Gladstone, Missouri. I

petition the City Councils as elected officials to deny the proposed site plan revisions for the following reasons: 24-hour operation, ice build-up on 60th street, 50 - 60 foot high side visible from residential areas, Woodland and Trails, noise level, and traffic congestion. The overall site would not blend in with the existing professional buildings or with the residential areas adjoining." The petition contains space for signature, address, registered voter, Clay County resident, and if acting as a business. Mr. Burford presented approximately 300 of the 3200 petitions distributed. He and his staff began distributing the petition Wednesday night throughout the Woodlands, Trails, Brooktree, and to businesses. Personal feelings expressed by area residents that were visited was opposition.

Being a member of the Clay County Crime Commission, Mr. Burford stated that he had met with Larry Harman, Prosecuting Attorney for Clay County about the affects of a 24-hour operation of a business such as a car wash in the area. Mr. Burford said car washes discussed were located on Troost and Westport area which pose major problems in their respective areas. He further stated that he does not want to see this to become a "hang-out" for juveniles. Family members would say their children are not juveniles, but nevertheless they are, in his opinion.

Another concern was that once Burger King closes that young adults/teenagers/juveniles would drift to the car wash. Mr. Burford stated that the No. 1 and 2 problems with adolescents are alcohol and drugs; trash is another problem and does not want these problems to become offensive to residents.

Another area of concern is creating additional problems with ice build-up on 60th street. The area has experienced problems in the past with the City in clearing street for emergency vehicles on the hill.

In addition to concern of safe passage on streets, fire hazards are of concern to the retirement area and the ability of emergency vehicles to enter the area safely and quickly. Officer Ladd recommends that residents put a sticker in the window indicating to the fire department to come through window.

The large sign planned to be used is offensive. Mr. Burford stated that a resident of the retirement apartments requested that he ask the Council if they would want this in their backyard.

Mr. Burford addressed the additional noise levels that the car wash would add to the area. Mr. Burford admitted that it is not like traffic on Antioch or emergency vehicles. Not all sirens in the area are for the retirement center area. With no control on noise,

signage, and inappropriate architectural design, this mixture does not blend the residential and commercial areas. Present "No Parking" signs were the result of City Council, Public Safety, and City Manager concurring that there was a problem. The Board of Directors of the Kendallwood Nursing Home have agreed to make additional parking if that is what Council wants. Board of Directors of Kendallwood Nursing are unanimously opposed to this project. If a study has not been conducted by Public Safety, he feels one should be conducted. The study should include MAST usage and traffic control.

As a homeowner Mr. Burford would like to have a car wash but not in a residential area or in a high-class residential area. To his knowledge, Texaco may be installing a car wash in the area. Businesses in the area after approximately two years have trouble with parking lot surfaces due to wear. Mr. Burford also had questions about the office building to be built in three to five years. As a businessman, he does not feel office space to be rentable at \$9 to \$10 per square foot with the surrounding areas. On behalf of the Nursing Center and Retirement Apartments and owners of Kendallwood Nursing Center, he is opposed to car wash. As a homeowner of Carriage Hills Mr. Burford is individually opposed to car wash.

Mrs. Bill Woods, NW 415 Briarcliff Extension, KCOMD. Mrs. Woods was in attendance on behalf of the families of tenants who live at Kendalwood Retirements Apartments. She expressed her concerns regarding elderly persons saying they still have a right to feel, vote, and be opposed to something they do not like; they do not like the possible noise, trash, and nuisances caused by such a project. Mayor Ashcroft asked of those in attendance to raise their hands who were being represented by Mrs. Woods. Of those tenants from the Kendallwood Retirement Apartments, the majority of the persons raised their hands.

Mr. Morty Barnes, 5946 N. Kansas, Gladstone. Mr. Barnes presently lives in the Trails and owns property in Brooktree; he spoke on behalf of the 137 Trails property owners. Values of Trails properties in houses are \$10 million. The Woodlands housing units begin at \$150,000 and does not feel such property valuations are compatible with a car wash in the area. Ice on streets are a hazard no matter what direction patrons of the car wash would leave. The safety factor of emergency vehicles passing through the area for the retirement/nursing buildings is of concern. Mr. Barnes feels that the promise of office building construction is ploy and further stated that he has not heard of a car wash architecturally suited for any area. Texaco's are putting in car washes and there are three in the immediate area. He suggested that a good place for another car wash would be the Woolco area. Mayor Ashcroft pointed out that there is a retirement home in the Woolco area. In response

to Mr. Youngers statement about the impact to Curry Investment Company, Mr. Barnes feels that Curry employees are impacted only during the day while at the office, they are not residents of the area. Mr. Barnes feels that portable radio noise could be a problem, and asked who would be responsible for policing the area.

Dennis McKinney, Board of Director of Woodlands Home Owners Association, 110 The Woodlands. Mr. McKinney stated that from his property he would have a clear view of the property in question. He feels that the proposed car wash could be obscured from the south but fails to see how such could be accomplished from the north. With just six families presently in the single-family area of the Woodlands and 45 vacant lots remaining, he expressed his concern about quality of life and visibility of 60 foot sign atop the car wash.

Carol McKinney, 110 the Woodlands. Mrs. McKinney stated that she was shocked by the announcement of a proposed car wash in the area. She and her husband understood at the time they moved to the neighborhood that it was to be a quiet area. Mrs. McKinney believes the noise issue is valid and that a possible 24-hour operation is excessive. She asked to have the density of the development clarified; the car wash includes ten self-service and two automatic bays. She was further concerned about increased traffic and surface run-off paths in area. She stated that, in her opinion, Mr. Youngers claim of a car wash being inevitable was not necessarily valid. Mrs. McKinney was further concerned about number of affected residents about this development, traffic, and storm sewer discharge, safety, noise hazards, and architectural suitability. Questioned office building size and was stated to be 7200 square feet.

Item 7 (a) on the Agenda:      Site Plan Approval  
2610 NE 60th Street, Applicant: Helton Brothers Development Co.,  
Owner: Curry Company

Mr. Smith moved to approve the site plan as submitted. Mr. Bussinger seconded. Mr. Smith asked if attendants would be employed. Helton Brothers responded that attendants would be available 14 hours daily. Mr. Smith also asked if demographics had been compiled about car wash usage. Mr. Smith asked Mr. Reilly asked if Brooktree Lane met Collectors Street Standards and was confirmed. Mr. Bussinger moved to table the site plan approval based on the Public Hearing until further study could be conducted. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mayor Ashcroft recessed the City Council meeting for five minutes at 8:32 p.m. and reconvened at 8:37 p.m.

Item 8 on the Agenda: Public Hearing

Amendment to Chapter 32 of the City Code being the Gladstone Zoning Ordinance dealing with changes in parking regulations. Applicant: City of Gladstone.

City Manager Reilly stated that the amendment would prohibit parking in front yards. Secondly, the amendment would reduce the required parking spaces in a multi-family development from two and one-half to one and three-fourths spaces. Public Hearing was held before the Planning Commission, and the Commission recommended that parking prohibition specifically targeted to front yards be amended to allow prohibition of parking on side yards and further recommended the parking requirement be reduced from two and one-half to two spaces and not one and three-fourths. Essentially, the prohibition of parking in front and side yards deals with beautification and aesthetics of the community. The second deals with the practice of requiring two and one-half spaces which is excessive in comparison to other communities. These matters have been brought to the Council's attention. Whereupon the Mayor Ashcroft closed the Public Hearing.

Item 9 on the Agenda:

Communications from the Audience

None.

Item 10 on the Agenda:

Communications from the City Council

Mr. Smith made motion to approve the Jaycee's liquor license for the Gladfest to be held in October contingent upon the review of Public Safety. Mr. Bussinger seconded. Mayor Ashcroft stated they had adequate time to submit the paperwork for approval. Mr. Winkler asked Mr. Smith to convey the message that they have had plenty of time for approval. Mr. Smith said that there has been a logistical problem. Mr. Butler also commented that in the past when he had been a Jaycee in charge of the beer garden he had the necessary information available to know the procedures for paperwork submission and approval and would not be in favor of passing such a motion. The vote: Winkler - aye, Smith - aye, Butler - no, Bussinger - aye, Ashcroft - aye. (4-1 to approve)

Item 11 on the Agenda:

Communications from the City Manager

City Manager Reilly reminded the Council of the Public Hearing regarding the tax levy at the next Council Meeting.



Item 12 on the Agenda:      First Reading Bill 86-48, approving Final Plat of Replat of Lot 87, Evanston Place. Owner/Applicant: Paul Richardson.

Mr. Bussinger moved to place Bill 86-48 on First Reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the First Reading of said bill and place on Second Reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept the Second Reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place on Third Reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Bussinger moved to accept Third of Reading of said bill and enact as Ordinance 2.651. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Item 13 on the Agenda:      First Reading Bill 86-49, approving the Final Plat of Replat of Lot 4, Stormy Acres. Applicant/Owner: James Dodson.

Mr. Smith moved to place Bill 86-49 on First Reading. Mr. Butler seconded. Mr. Winkler asked the City Manager if all problems had been resolved including Item 6 of the Board of Zoning Adjustment report. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the First Reading of said Bill and place on Second Reading. Mr. Butler seconded. The vote: Winkler - no, Smith - aye, Butler - aye, Bussinger - aye, Ashcroft - aye. (4-1) The Clerk read the Bill.

Mr. Smith moved to accept the Second Reading of said Bill, waive Paragraph 2 of Ordinance 1.83, and place on Third Reading. Mr. Butler seconded. The vote: Winkler - no, Smith - aye, Butler - aye, Bussinger - aye, Ashcroft - aye. (4-1) The Clerk read the Bill.

Mr. Smith moved to accept Third Reading of said bill and enact as Ordinance 2.652. Mr. Butler seconded. The vote: Winkler - no, Smith - aye, Butler - aye, Bussinger - aye, Ashcroft - aye. (4-1)

Items 14 on the Agenda:      First Reading Bill 86-50, amending Chapter 32 of the City Code, being the Gladstone Zoning Ordinance. Applicant: City of Gladstone.

Being not ready for presentation, said Bill was stricken from the Agenda.

Item 15 on the Agenda:      First Reading Bill 86-51, an ordinance amending Schedule V of the Model Traffic Ordinance of the City of Gladstone, Missouri, as established by Section 18-12 of the City Code, designating "No Parking" locations within the City.

Mr. Butler moved to place Bill 86-51 on First Reading. Mr. Smith seconded. Mr. Smith seconded. Mr. Bussinger asked for clarification of the areas involved and was informed 70th Street and Holmes and for both sides of the street. The vote: Winkler - aye, Smith - aye, Butler - aye, Bussinger - no, Ashcroft - aye. (4-1) The Clerk read the bill.

Mr. Butler moved to accept First Reading of Bill 86-51 and place on Second Reading. Mr. Smith seconded. The vote: Winkler - aye, Smith - aye, Butler - aye, Bussinger - no, Ashcroft - aye. (4-1) The Clerk read the bill.

Mr. Butler moved to accept Second Reading of Bill 86-51, waive Paragraph 2 of Ordinance 1.83, and place on Third Reading. Mr. Smith seconded. The vote: Winkler - aye, Smith - aye, Butler - aye, Bussinger - no, Ashcroft - aye. (4-1) The Clerk read the bill.

Mr. Butler moved to accept Third Reading of Bill 86-51 and enact as Ordinance 2.653. Mr. Smith seconded. Mr. Winkler will vote in favor of said bill only because of the location and appeal from Public Safety to accommodate movement of fire and safety apparatus through the area. The vote: Winkler - aye, Smith - aye, Butler - aye, Bussinger - no, Ashcroft - aye. (4-1)

Item 16 on the Agenda:      Other Business

Mr. Butler commented the City on doing a good job of putting up speed and parking signs throughout the area. Mr. Butler also had questions regarding political signs. Mr. Reilly stated that political candidates were being informed of the City Ordinance regarding their signs and requesting removal.

Item 17 on the Agenda:      Questions from the News Media

None.

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Whereupon the August 11, 1986 City Council Meeting was adjourned by Mayor Ashcroft at 8:55 p.m.

Respectfully submitted,

Rhonda L. Stevenson  
Rhonda L. Stevenson  
Deputy City Clerk

Approved as submitted: X

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

Jim Robert Ashcroft  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
August 25, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of August 11, 1986 City Council Meeting
5. CONSENT AGENDA:
  - RESOLUTION NO. 86-59, authorizing acceptance of streets for city maintenance in Maple Woods 2nd Plat, Carriage Hills 7th Replat, Meadowlane Subdivision, Carriage Hills 8th Plat.
  - RESOLUTION NO. R-86-60, authorizing acceptance of Bills of Sale for conveyance of water and sewer lines in Maple Woods 2nd Plat; and water lines for Woodlands Office Building - Tract C2-A, Brooktree Lane.
  - RESOLUTION NO. R-86-61, authorizing execution of contract with Area Transportation Authority for purchase of 1986 Ford Econoline senior and handicapped persons bus. Total purchase price: \$45,000; city share \$9,000.
  - BUILDING PLAN APPROVAL: 2770 NE 60th Street, new roof installation Kendallwood Animal Clinic.  
Applicant: Dr. Randall Lary
6. SITE PLAN APPROVAL: 2610 NE 60th Street proposed car wash.  
(Tabled 8/11/86)  
Applicant: Helton Brothers Development Co.  
Owner: Curry Company
7. RESOLUTION NO. 86-62, adopting the HAPPY ROCK PARK MASTER PLAN dated June 1986 as prepared by Landplan Engineering Co.
8. PUBLIC HEARING: Request to rezone from R-1, Single Family District- to CP-1, Local Business District-Planned, property at northeast corner of NE 67th Place and N Oak.  
Owners: Gary & Cynthia Clifton, M.J. Shouse, Maynard & Ella Mae Binkley, and Thomas J. Shouse Trust.  
Applicant: Joe Cannova
9. PUBLIC HEARING: Request for Site Plan Revision in a CP-3 zone, property at 7224 N Oak. Applicant/owner: Lee and Theresa Quisenberry
- 9a. Revised Site Plan Approval: 7224 N Oak.  
Applicant/Owner: Lee and Theresa Quisenberry
- 9b. Approval of Building Plans: 7224 N Oak car wash  
Applicant/Owner: Lee and Theresa Quisenberry
10. PUBLIC HEARING: On setting the annual rate of levy for the 1986 Real and Personal Property Taxes for the City of Gladstone.

11. Communications from the Audience
12. Communications from the City Council
13. Communications from the City Manager
  
14. FIRST READING: BILL 86-52, an ordinance fixing the rate of levy for the 1986 real estate and personal property taxes for the City of Gladstone at .55/\$100 valuation.
  
15. FIRST READING: BILL 86-53, an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-1, Local Business District-Planned, property at northeast corner of NE 67th Place and North Oak. Applicant: Joe Cannova
  
16. FIRST READING; BILL 86-54, an ordinance accepting a Standard Water Line Easement from Woodlands Investment Associates and Storm Water Easement from Curry Investment Company.
  
17. Other Business
18. Questions from the News Media
19. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

AUGUST 25, 1986

Mayor Bob Ashcroft called the August 25, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Ashcroft  
  
City Manager Patrick Reilly  
City Counselor Clyde Curtis  
City Clerk Marilyn Ahnefeld

Mayor Bob Ashcroft led the Pledge of Allegiance to the Flag in which all joined.

Item 4 on the Agenda: Acceptance of the Minutes

Mr. Bussinger moved to approve the August 11, 1986 City Council Meeting Minutes as submitted; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (5-0)

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

There were no requests where upon Mr. Winkler moved to approve the Consent Agenda as read. Mr. Butler seconded. Mayor Ashcroft noted that the \$9,000 appropriation for the bus for the senior citizens and handicapped persons bus is much needed for the City and also serves as a contribution that the City can make to the senior citizens of the community. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Consent Agenda Detail

Mr. Winkler moved to adopt Resolution No. 86-59 authorizing acceptance of streets for City maintenance in Maple Woods 2nd Plat, Carriage Hills 7th Replat, Meadowlane Subdivision, Carriage Hills 8th Plat. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Winkler moved to adopt Resolution No. 86-60 authorizing acceptance of Bills of Sale for conveyance of water and sewer lines in Maple Woods 2nd Plat; and water lines for Woodlands office Building - Tract C2-A, Brooktree

Lane. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft.

Mr. Winkler moved to adopt Resolution No. 86-61, authorizing execution of contract with Area Transportation Authority for purchase of 1986 Ford Econoline senior and handicapped persons bus. Total purchase price: \$45,000; City share: \$9,000.

Mr. Winkler moved to approve Building Plans for 2770 NE 60 Street, new roof installation Kendallwood Animal Clinic. Applicant: Dr. Randall Lary. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft.

Item 6 on the Agenda: Site Plan Approval, 2610 NE 60 Street proposed car wash. (Tabled 8/11/86), Applicant: Helton Brothers Development Co.; Owner: Curry Company.

Mr. Smith moved to remove site plan approval from table for Council discussion. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft.

Mr. Smith moved to approve the site plan at 2610 NE 60th Street for the proposed car wash. Mr. Butler seconded. Discussion:

Mr. Smith addressed Mr. Helton, who was in attendance, regarding signage. Mr. Smith requested that the pole signage as shown in the drawings not be used but rather monumented signage be used. Mr. Helton agreed that monumented signage could be used. Mr. Smith further requested that the lights to be used by the car wash be turned off at 12 midnight instead of 2:00 a.m.

Mr. Smith made motion to amend the site plan to eliminate the pole sign. Mr. Butler seconded. The vote: Winkler - aye, Smith - aye, Butler - aye, Bussinger - no, Ashcroft - aye. (4-1)

Mr. Butler addressed Mr. Helton about the northern and eastern property line perimeter landscaping. Mr. Helton stated at the northwest corner there is to be a windbreak fence south 50 feet and west 50 feet. The northeast corner is to have pine trees and other plantings in the landscaping. The Phase II construction of the office building will not be landscaped due to expense and the fact this area will be excavated when the office building is constructed. Mr. Butler requested landscaping be done because of the indefinite time frame for the construction of the office building. Mr. Helton agreed to landscape both entrances on the phase two lot of their project in those areas on both sides of the driveways.

Whereupon the Clerk called the roll: Winkler - no, Smith - aye, Butler - aye, Bussinger - no, Ashcroft - aye. (3-2 to approve)

Item 7 on the Agenda: Resolution No. 86-62, adopting the Happy Rock Park Master Plan dated June 1986 as prepared by Landplan Engineering Co.

A representative from Landplan Engineering presented drawings of the master plan to the Council. He outlined the changes for most efficient land use, storm drainage, and longer-term park facility and possibility renovating present facilities and establish a revenue base for the City. Additional parking is to be incorporated. Storm drainage is to flow south to Shoal Creek. A four-plex ball park is included. Accommodations are made for football and soccer for all age groups. The plan accounts for more softball activity in future years. Ingress and Egress of traffic flow has been considered as well. An exercise trail and passive areas such as for picnics and social gatherings have been included. Mr. Bussinger asked the time span that is estimated to complete the project which would be four to six years, but is still contingent upon the allocation of funds. Mr. Bussinger asked about the Shoal Creek Parkway proposal and its effect with Kansas City in reference to this master plan for Happy Rock Park. Mr. Schenewerk stated that the master plan would facilitate Kansas City's decision-making process regarding Shoal Creek Parkway. Shoal Creek Parkway is incorporated into the present master plan which may or may not be established in the future and could be fifteen to twenty years before becoming fruition. By the same token, Gladstone could consider compensation rights because of having use of the park for fifteen to twenty years and then having to give right-of-way to Kansas City.

Mr. Smith moved to adopt Resolution No. 86-62, adopting the Happy Rock park Master Plan as prepared by Landplan Engineering Company.

Whereas, by Resolution No. 86-4, January 13, 1986, Landplan Engineering Company, Lawrence, Kansas, was retained to prepare a detailed Master Plan assessing the present and future community needs of the 80 acre Happy Rock Park at 76th and Antioch Road recognizing the increased use of this popular park since its acquisition in 1973.

Now, therefore, be it resolved by the Council of the City of Gladstone, Missouri, as follows:

That, the completed Happy Rock Park Master Plan dated June 1986 from Landplan Engineering Company is hereby accepted by the City of Gladstone and the Gladstone Park and Recreation Board to guide the City in the future enhancement and expansion of Happy Rock Park facilities.

Mr. Butler seconded. Mr. Smith commended the staff, Park Board, and Landplan Engineering on an excellent effort to develop the Happy Rock Master Plan. Mr. Smith also expressed his hopes that the park could become a source of revenue for the City. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)



Item 8 on the Agenda: Public Hearing, request to rezone from R-1, Single Family District to CP-1, Local Business District-Planned, property at northeast corner of NE 67th Place and North Oak. Owners: Gary and Cynthia Clifton, M. J. Shouse, Maynard & Ella Mae Binkley, and Thomas J. Shouse Trust.

Proponents

Ms. Kathy Warman of Lawrence Wickham Architects. Three residential lots are at the site for which rezoning to CP-1 is requested. Ms. Warman stated on behalf of her firm, they are happy to comply with the stipulations as set forth by the Planning Commission and by the area neighbors in terms of the 35 ft. setback and also the approach on North Oak they will want to move as far away from the intersection as possible. As far as the suggestion to close the approach on 67th Place, they do not feel that they can do that and still maintain safe traffic flow on and off the site. They feel that just the single approach on North Oak Street will make it terribly unsafe and a hard place to come in and out; and that the approach onto 67th Place would not in fact increase traffic in the neighborhood but allow people to come out and come to the intersection and make a left turn and go south on North Oak Street. They feel from their studies that would be the primary use of that approach. They intend to do some nice landscaping and they are over the requirements for parking and want to build a high-quality project that will be good for the City of Gladstone.

Mr. Cannova expressed his desire to continue to develop in the City of Gladstone. Mr. Bussinger inquired of Mr. Cannova what type of businesses that he would like to attract. Mr. Cannova responded that no commitment to any businesses had been made at this time. Mr. Cannova would like to attract similar tenants as those who have located at his development at 74th Street. Mr. Cannova would like to attract three to four tenants like those due to the size of this proposed development. Because of the small amount of space for this development, it is important that the development not be "pushed" back. Ms. Warman said because of this sentiment of the City, that is why the set-back was increased to 35 feet. The back of the site is an uphill grade.

Mr. Butler inquired what would be to the rear of the facility. There would be plantings and terracing with no rear entry. A covered dumpster is included. Ms. Warman said, in her opinion, the type of tenants that they would like to attract would not generate a great volume of refuse. There will be no access or drive to the rear of the building. Ms. Warman feels that even though the plans presently show a street cut on 67th Place that the traffic using this path would not effect Bolling Heights with additional traffic but would better facilitate the left-turn traffic onto North Oak so that the light-controlled intersection at 67th Place and Oak could be used.

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Mr. Smith asked about the exterior appearance. Mr. Cannova responded that the roof would have a roof similar to Englewood Plaza, the walls would be either stucco or rock wall. Ms. Warman said that materials would be used so as to blend with Old Towne.

Mr. Bussinger inquired about the parking situation. Mr. Cannova said that he did not foresee patrons of Old Towne would overflow into this development. He further stated that the parking lot would be made with an additional nine to ten parking spaces over the requirement. Prospective tenants who have expressed a desire to locate in the new development would not be the type to draw a large number of patrons.

Opponents

Mr. Lawrence Henderson, 405 NE 67th Place, submitted legal protects petitions on behalf of neighboring residents. He said residents objections to this projects are the same as they were when rezoning was sought in 1983. The city widened the street eight years ago to accommodate traffic needs he cannot see us adding an additional street outlet. The area is already experiencing problems with Old Towne patrons parking in the residential area and rear traffic to the Old Towne facility.

Mr. Bussinger asked what alternative project could Mr. Henderson suggest for which the land could be used. Mr. Henderson said that he did not know because of the depth and that it is not suitable for a home.

Mrs. Elizabeth Scully, 503 NE 67th Street. Owners of this small tract of residential property would not want to be bothered to address the human factor of the effect of CP-1 zoning of nearby homeowners and residents. Ambitious plans to enrich themselves are presented to the City for hopeful approval. Their speculative demand for tiny, trendy shops along busy Oak Street capitalize on a Westport concept, when development plans sour and through resale of the property, the nearby areas suffers. With the new owners of Old Towne, the grass is yellow and the trees shriveled.

I would call your attention to the heavy parking of cars along 65th Terrace and up the hill to handle the Old Towne building. What good does it do to plan for X number of parking spaces when the customers, who do not know the restrictions, park their cars along this street and walk down or across to the building. Shops need customers to survive, but if the parking bears no relation to the needs of the business, then the business ends up in a no-win situation and a closed sign soon appears on the front door.

As a solution to this problem, I would like to suggest that these very same three owners of these three lots, who formerly owned Old Towne, construct landscaped parking area for Old Towne showing some consideration for the tenants they already have.

As a life-long area resident of this area and owner of the same house in Bolling Heights since 1953, in these 33 years I have seen business development greatly alter the character of the community as a whole. When Oak Street was two lanes there were homes on either side of the street. When Oak Street was widened there was an implied promise to the community that the developments would be orderly and a benefit to the residents that attach these. Instead there are many curb cuts, weeds, sapling trees, and brush in between and in back of many business places. Donuts A La Mode, which closed Sunday, maintained a brush pile around their place. The old car wash at 64th is a dismal sight with brush between them and Kentucky Fried Chicken. The Gladstone Plaza just sits, tacky in the sun, holes there in the parking lot, not effort to landscape the entrance, a rough parking area roughed out for the old Guthrie's restaurant, and weeds and blowing trash behind the north side of the building. I would like to see a City ordinance with a daily fine levied for commercial property that is allowed to become an eyesore because it eventually drives out the very people it depends upon.

Mr. George Booth, 406 NE 67th Place. Mr. Booth expressed his concern of having no assurance of what is actually to be built. He feel that the City should buy the property and make a park of the area.

Mr. Frank Scully, 503 NE 67th Street. In response to a suggestion that Bolling Heights residents might want to buy the property for a park, Mr. Scully reminded that the Bolling Heights Homeowners Association donated \$12,900 from the sale of that property to the City for Community Building improvements. Mr. Scully was against the project and especially adamant about putting a drive entering 67th Street. It would have been wonderful if three homes could have been built there to start with but it was illegal at the time because it was too close to the sewer plant. The property has been a real pain for persons living around it for years. There is no question that at one time that would have been a residential street. But not it is not a residential street and is even beeter than a collectors street because it goes through and pick up all of Park Forest Subdivision, some of Northaven, Continental Apartments, Bolling Heights and numerous other areas. This is their only way to get out on North Oak Street except for 72nd Street. He suggested that the City perform a traffic count on the street. Mr. Scully further had safety concerns about traffic and school bus stops close to the proposed curb cut, and requested that the Council make a thorough study and especially further review the Planning Commission's report. He suggested that the applicants cannot make the project a viable one with only access to Oak, let them buy some more property. He concluded by stressing again that residents oppose this project and particularly one more curb cut onto 67th Street.

Mrs. Donna Devore, 500 NE 67 Street. Mrs. Devore is a senior citizen and has lived in Bowling Heights for 33 years. Mrs. Devore is concerned that a new owner who might purchase the proposed sight some time in the future would not honor promises made at this time such as no parking in the rear and no deliveries. She had further concerns concerning safety of children at school bus stops.

Mr. Winkler asked the audience if any one was present who owned property directly abutting the proposed site. Of a full Chamber, a few people raised their hands.

Whereupon Mayor Ashcroft closed the public hearing.

Item 9 on the Agenda: Public Hearing, request for Site Plan Revision in a CP-3 zone, property at 7224 North Oak. Applicant/owner: Lee and Theresa Quisenberry.

Mr. Ray Byers, Byers and Dunn Architects, 7620 State Line Avenue, Kansas City, Kansas presented renderings of the proposed site plan. The plan is only a revision of zoning and not a change. The present structure is to be razed with gas pumps and tanks being removed as well. The new building will be a tunnel car wash and eventually be upgraded, as profits permit, to a car care center where patrons can have their cars washed, buffed, shampooed, and vacuumed. This site plan came about at the comment of the Council.

After performing a water drainage study, findings indicate that removal of thirty percent of the asphalted and concreted area will be removed and sodded landscaping will be made to aid the drainage. Additional parking will be created to park approximately 25 cars.

Opponents

There being none, Mayor Ashcroft closed the public hearing.

Item 9 (a) on the Agenda: Revised Site Plan Approval, 7224 North Oak, Applicant/Owner: Lee and Theresa Quisenberry.

Mr. Smith moved to approve the proposed site plan. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 9 (b) on the Agenda: Approval of Building Plans, 7224 North Oak car wash. Applicant/Owner: Lee and Theresa Quisenberry.

Mr. Bussinger moved to approve the building plans. Mr. Smith seconded. Mr. Bussinger inquired when the demolition of the existing structures

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would begin. Mr. Quisenberry replied immediately if approved. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 10 on the Agenda: Public Hearing Setting the Annual Rate of Levy for the 1986 Real and Personal Property Taxes for the City of Gladstone.

Administrative Services Director Tony Anderson stated that in order to establish the tax rate levy, the City has to comply with two rules of Missouri Law Section 137.073 that says that if our growth exceeds in real property or real and personal property combined a ten percent growth rate we have to roll the tax rate back to that level. The other rule is Article 10, Section 22 of the Missouri Constitution otherwise known as the Hancock Amendment which has the City calculate the tax rate in terms of its comparison to the revenue generated by the current consumer price index. Both calculations have been performed and are to be submitted to the State for approval, the tax rate calculated and recommended is \$0.55 per \$100 valuation.

There were no questions or comments whereupon Mayor Ashcroft closed the Public Hearing.

Item 11 on the Agenda: Communications from the Audience

Ms. Becky Bledsoe, 206 NE 76th Terrace had questions regarding the Harbison Case. Mr. Reilly stated that the City had withheld an occupancy permit to a prospective business to move into the location because of Mr. Harbison's failure to comply with all the stipulations associated with the development. Mr. Harbison and his attorney met with the City Counselor and City Manager Reilly and negotiated a settlement that stated all stipulations which would be resolved except for the issue of the building would be resolved within approximately sixty days. They have complied with all stipulations. Since the record was unclear, both sides have reviewed the matter of the future of the old structure/building. Mr. Harbison contends that this building is an issue. The City Council has directed Mr. Reilly to leave the situation in its present disposition.

Ms. Bledsoe believes the development to have a shortage of parking spaces as required by the Site Development Plan and asked the City to Review the matter.

Ms. Susan Rose, 5601 North Poplar, Kansas City, Missouri, last week purchased property on 76th Street just east of Gladstone City limits and adjacent to the Animal Shelter and Maintenance Facility for residential development. She said she is here tonight to see if she can coordinate her project with the development of 76th Street and asked if it is known when the City plans to improve 76th Street which fronts the City's

maintenance building, Happy Rock Park and Animal Shelter and extend utilities to the City limits. City Manager Reilly said currently there is a 6 inch water line and electrical service at the City's facilities but there is no gas. Mr. Reilly said obviously there are no plans for improvement of the street at this time and there are some questions whether Kansas City would allow us to extend service to someone abutting Kansas City.

Mrs. Rose asked if it was not a requirement that anyone who builds or develops any property to extend streets, curbs, sidewalks and utilities across their property line. She said it has always been required of her and other developers. Her point being that the City has developed on the north and south of 76th street yet 76th street has not been improved. There are no curbs, sidewalks and there are no utilities across the City's property. It is her understanding this is a City ordinance requirement and since she plans to develop just outside our City limits she is asking what the City's plans are. Mr. Bussinger suggested the City's structures may be "grandfathered" as far as the ordinance requirement. Mrs. Rose responded that they put subdivisions in a long time ago and improvements were required. She suggested that the animal shelter is recent enough that the ordinance requirements should have applied.

Mrs. Rose asked if she could expect an answer some time to her questions on when the City would improve 76th Street. Mayor Ashcroft responded that it has not been a subject of discussion for this or previous Council's so he cannot answer her. Mrs. Rose asked if the City has no intention of complying with their own ordinances. Mayor Ashcroft stressed that he did not say that, he is saying we have no plans at this point and is only trying to be as honest as he can and only speaking for himself. He said the balance of the Council may want to address the questions. There were no further comments or questions from the Council. Mrs. Rose thanked the Council.

Ms. Shirley Ballentine, 3101 NE 56th Terrace. Ms. Ballentine's son operates a tow service for Gene and Sons and is required to drive his vehicle to his home because of a 24-hour call service and a contracted twenty minute response time with AAA. Ms. Ballentine requested that the City Ordinance be amended to allow parking tow trucks in a residential area. She further stated that he son had been cited and summoned to court.

Item 12 on the Agenda: Communications from the Council

Mr. Butler commented that he had received two telephone calls regarding political signs not being removed after the election. Mr. Butler requested that these be removed and political candidates made aware of the City Ordinance regarding political signage.

Mr. Bussinger asked about the progress of 72nd Street storm drainage project. City Manager Reilly said that there are some problems with the gas service, but that the project was about half completed and 45 days remain--weather conditions permitting.

Mr. Bussinger asked the City Counselor how to ensure that a subsequent purchasers of property are put on notice that certain agreements had been made with the City regarding the property. City Counselor Curtis stated that the best way would be to record in the deed.

Item 14 on the Agenda: First Reading Bill 86-52, an ordinance fixing the rate of levy for the 1986 real estate and personal property taxes for the City of Gladstone at .44/\$100 valuation.

Mr. Smith moved to place Bill 86-52 on first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the first reading of Bill 86-52 and place on the second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. The Clerk read the bill.

Mr. Smith moved to accept the second reading of Bill 86-52, waive Paragraph 2 of Ordinance 1.83, and place on third reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the third reading of Bill 86-52 and enact as Ordinance 2.654. Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 15 on the Agenda: First Reading of Bill 86-53, an ordinance rezoning from R-1, Single Family Dwelling District - Planned to CP-1, Local Business District-Planned, property at northeast corner of Ne 67th Place and North Oak. Applicant: Joe Cannova.

Mr. Butler moved to place Bill 86-53 on first reading. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 16 on the Agenda: First Reading of Bill 86-54, an ordinance accepting a Standard Water Line Easement from Woodlands Investment Associates and Storm Water Easement from Curry Investment Company.

Mr. Smith moved to place Bill 86-54 on the first reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Smith moved to accept first reading of Bill 86-54 and place on second reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the Bill.

Mr. Smith moved to accept the second reading, waive Paragraph 2 of Ordinance 1.83, and place on third reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the third reading of Bill 86-54 and enact as Ordinance 2.655. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft.

Item 17 on the Agenda: Questions from the News Media

None.

Item 18 on the Agenda: Other Business

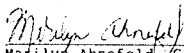
Presiding Judge of the Clay County Commission Edward J. Bauman read a proclamation in honor of City Clerk Marilyn Ahnefeld's 25th Anniversary of service to the City of Gladstone and a list of thirteen mayors and six city managers that Marilyn Ahnefeld has served.

Mayor Ashcroft expressed congratulations and presented to Marilyn Ahnefeld a gift from the City Council.

Marilyn Ahnefeld expressed her gratitude for being with the City and the effect on her career the dedication displayed by members of the staff, Council, board and commission members.


Whereupon Mayor Ashcroft adjourned the City Council meeting to the reception for Marilyn Ahnefeld at 8:50 p.m.

Respectfully submitted,

  
Marilyn Ahnefeld, City Clerk

Approve as submitted: \_\_\_\_\_

Approve as amended/  
corrected: ☒

  
Mayor



CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
September 8, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of August 25, 1986 City Council Meeting
5. CONSENT AGENDA:
  - RESOLUTION NO. 86-63, authorizing execution of Professional Services Agreement with Sharon Gorman Bourne for certain services in connection with the preparation of development guidelines and revision of the 1979 Comprehensive Plan. Contract Amount: Not to exceed \$46,200.
  - RESOLUTION NO. 86-64, authorizing acceptance of Bill of Sale from Mitcon Inc. for sanitary sewer line constructed along N Brooklyn Avenue in Meadowlane Subdivision.
  - RESOLUTION NO. 86-65, authorizing execution of Water Main Extension Contract No. 202 with Gladstone Professional Building Associates for water main at 2109 NE 72nd Street.
  - APPROVAL OF BUILDING PERMIT, for Buildings 2,3,4,5 and 6 (five multi-family dwellings) at Southwest corner 72nd and Antioch Road. Owner/developer: Gary Gabel Construction
  - APPROVAL OF BUILDING PERMIT, for Buildings 7 and 8 (two multi-family dwellings) at Southwest corner 72nd and Antioch Road. Owner/developer: Gary Gabel Construction
  - APPROVAL OF BUILDING PERMIT, 2610 NE 60th Street, construction of 12 bay car wash. Helton Brothers Construction
6. PUBLIC HEARING: Request for Site Plan Revision in RP-3 zone, northwest corner of NE 67th Terrace & N Antioch Rd. Applicant: Bruce Kelly. Owner: Byers Brothers Land Co. File 478
7. PUBLIC HEARING: Request for Site Plan Revision in a CP-2 zone, 7402 & 7406 N Oak. File 480  
Applicant/owners: Tom Sims, Dean Gromer, Dave Ramsey
8. PUBLIC HEARING: Request to rezone from C-2, General Business District to CP-2, Planned General Business District, property at 6416 and 6420 N Oak.  
Applicant/Owner: Angelo Porrello. File 481
9. PUBLIC HEARING: Request to rezone from R-1, Single Family District to CP-1, Planned Local Business District, property at 6600 N Antioch. File 482  
Applicant: Gary Howard. Owner: Emil and Mary Jones

10. Communications from the Audience
11. Communications from the City Council
12. Communications from the City Manager
  
13. SECOND READING: BILL 86-53, an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-1, Local Business District-Planned, property at northeast corner of NE 67th Place and North Oak. Applicant: Joe Cannova (LEGAL PROTEST PETITION)
  
14. FIRST READING: BILL 86-55, amending Model VIII of the Model Traffic Ordinance designating new STOP sign location at NE corner 74th Street and N Brooklyn.
  
15. FIRST READING; BILL 86-56, accepting a Standard Water Line Easement from Gladstone Professional Building Associates
  
16. FIRST READING: BILL 86-57, rezoning property at 6600 North Antioch Road from R-1, Single Family Dwelling District to CP-1, Local Business District, Planned. File 482. Applicant: Gary Howard. Owner: Emil & Mary Jones
  
17. FIRST READING: BILL 86-58, amending certain sections of Chapter 32 of the Gladstone Zoning Ordinance establishing parking regulations.
  
18. FIRST READING: BILL 86-59, amending certain sections of the Alcoholic Beverage Ordinance.
  
19. Other Business
20. Questions from the News Media
21. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

SEPTEMBER 8, 1986

Mayor Pro-tem Les Smith called the September 8, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present:

Councilman Ken Winkler  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Pro-tem Les Smith

City Manager Patrick Reilly  
City Counselor Clyde Curtis  
City Clerk Marilyn Ahnefeld

Absent:

Mayor Bob Ashcroft

Mayor Pro-tem Smith led the Pledge of Allegiance to the flag in which all joined.

Item 4 on the Agenda: Acceptance of Minutes of August 25, 1986

Mr. Bussinger moved to approve the August 25, 1986 City Council Meeting Minutes as revised. Mr. Winkler seconded. Mr. Butler asked that the August 25, 1986 Minutes be revised (page 2, Item 6, Site Plan Approval, 2610 NE 60 Street, proposed car wash) to reflect that in discussion he initiated, Applicant Helton did agree to landscape both entrances. Mr. Helton was in the audience and verified that was their intent to landscape both entrances on the phase two lot of their project in those areas on both sides of the driveways. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Item 4 (a) on the Agenda: Proclamation

Mayor Pro-tem Smith proclaimed that September 22, 1986 be designated as American Business Women's Day by the American Business Women's Association in recognition of the tremendous input women have made, and are making in the business world; and that the members of the American Business Women's Association recognize that education and skilled training are crucial in today's technological society and have built a tradition based on continuing efforts to provide opportunities for educational advancement to women. The proclamation was accepted by Ms. Pat Jones, President of the Gladstone Ruby II Chapter of the American Business Women's Association.

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Pro-tem Smith asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Bussinger requested removal of the building permit approval, 2610 NE 60 Street for the construction of a 12-bay car wash because he and Mr. Winkler would not vote in favor of the building permit which would cause a time delay and defeat the permit. Mr. Bussinger, in fairness to the developer because there are only four Council members present, moved to remove the building permit approval at 2610 NE 60th Street from the Consent Agenda and direct the City Manager to take a telephone poll vote of the full Council. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Mr. Winkler requested removal of building permit approvals for Gary Gabel Construction Company of Buildings 2, 3, 4, 5, and 7 (five multi-family dwellings) and Buildings 7 and 8 (two multi-family dwellings) both at the Southwest corner of 72 Street and Antioch Road.

Mr. Butler moved to approve the Consent Agenda as amended. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Consent Agenda Review

Mr. Butler moved to approve Resolution No. 86-63, authorizing execution of Professional Services Agreement with Sharon Gorman Bourne for certain services in connection with the preparation of development guidelines and revision of the 1979 Comprehensive Plan. Contract Amount: Not to exceed \$46,200. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Mr. Butler moved to approve Resolution No. 86-64, authorizing acceptance of Bill of Sale from Mitcon Inc. for sanitary sewer line constructed along North Brooklyn Avenue in Meadowlane Subdivision. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Mr. Butler moved to approve Resolution No. 86-65, authorizing execution of Water Main Extension Contract No. 202 with Gladstone Professional Building Associates for water main at 2109 NE 72 Street. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0).

Item 5 (a) on the Agenda: Building Permit Approval, Buildings 2, 3, 4, 5 and 6 at southwest corner of 72 Street and Antioch Road.

Mr. Winkler, for the public record, stated that the council has agreed that street plans in the development are acceptable only as a private street and not as a public street and moved to accept plans with a private street and approve building permit for Buildings 2, 3, 4, 5 and 6 at the southwest corner of 72 Street and Antioch Road. Mr. Butler seconded. Mr. Bussinger clarified that the reason for the private street is that the radius is not acceptable by the city from a liability viewpoint. Mr. Winkler also said that to force the developer into an acceptable street radius would terminate the project. Mr. Smith said the Council is not opposed to the project and in fact believes it is a good project and are making it feasibly possible for the developer to complete the project by allowing him to sharpen the radius and make it a private street. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0 to approve)

Item 5 (b) on the Agenda: Building Permit Approval, for Buildings 7 and 8 (two multi-family dwellings) at the southwest corner of 72 Street and Antioch Road. Owner/developer: Gary Gabel Construction.

Mr. Winkler said his reason for removing this item from the Consent Agenda was the same as for Item 5 (a) to allow a sharper radius in the street of the development and that the liability is not acceptable to the City for a public street but that as a private street it would be acceptable. Mr. Winkler moved to approve the building permit for Buildings 7 and 8 at the southwest corner of 72 Street and Antioch. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0 to approve)

Item 6 on the Agenda: Public Hearing, Request for Site Plan Revision, in RP-3 zone, northwest corner of NE 67 Terrace and North Antioch Road. Applicant: Bruce Kelly. Owner: Byers Brothers Land Co.

Mr. Steve Warger of McDonald Warger, 1003 NE 61 Terrace, Gladstone, Missouri represented the applicant and explained in detail with drawings the site plan. The developer is proposing to build 7 four-plex buildings totalling 28 units with 2 located on 67 Terrace and 5 on the 67 Place cul-de-sac. One of the major concerns of the Planning Commission is parking. Parking will be located on the west side and allow approximately 3 1/3 spaces per unit which is in excess of the requirement.

Mayor Pro-tem Smith asked Mr. Warger to address the nine items requiring additional information in the Staff Report from Community Development. Mr. Warger responded that all concerns were either

resolved or being resolved. In reference to the drainage item, Mr. Warger indicated that drainage presently exists on the western side and is a concern of residents but will be resolved.

There being no persons to speak in favor or opposed to the subject of the public hearing, Mayor Pro-tem Smith closed the public hearing.

Item 7 on the Agenda: Request for Site Plan Revision in a CP-2 Zone, 7402 and 7406 North Oak. Applicant/Owner: Tom Sims, Dean Gromer, Dave Ramsey.

Mr. Chris Laub of Stine Scovill Construction explained in detail the architectural style of the proposed building, and placement for compatibility with the adjacent building. Proposed building is 60' X 60' and north of the Color Tyme store, three sides will be Cherokee block, the front will have combination of Cherokee block and a glass store front with wood-shake mansard and similar in design to Color Tyme's front. Its proposed location on the lot is to be aligned with the Color Tyme store for compatability. Their revised plan shows they have provided 21 parking spaces although only 18 are required.

Mr. Winkler asked Mr. Laub to address the staff report items. Mr. Laub said the yard requirements for CP-2 are rear, 15 feet and front of 30 feet. There seems to be some confusion on definition of "yard". Mr. Laub said the Zoning Ordinance defines it as the distance between the property line to any vertical projection of the structure. The staff report and the Planning Commission are interpreting the yard as a greenway or buffer zone. If the Zoning Ordinance definition is correct, they have met the front and year requirements. A decrease of two parking spaces has been made by moving the building two feet in order to provide 90 degree parking so that the people on the north may egress properly. Two parking spaces have been provided for employees. He also pointed out there is a correction on the second draft of the plans on the placement of the retaining walls. They were incorrectly measured on the first draft.

Mr. Winkler further questioned if Mr. Laub had approached the Director of Community Development or the City Manager since there was so much confusion of the definition of "yard". Mr. Laub said they tried to approach the Planning Commission at their last meeting in the hopes of resolving the project; however, the Commission opened the discussion on this project with a motion to table. They spent two hours waiting to discuss the project but were unable to receive any type of attention from the Committee.

Mr. Winkler asked if any further attempts at clarification had been made. Mr. Laub said he asked the gentlemen in charge about it an he believes it can be asphalt but you cannot park on it. Mr. Laub said it

does not say in the definition of yard that you cannot park on it. It does clearly say in the definition of a buffer zone that it is grassy area and that you cannot park on it. He would assume that if the yard requirements mean that you cannot park on it that it would spell that out as it does in the buffer zone definition. Mr. Reilly said that the essence of planned zoning is to give the Council the option to waive or make variances of the requirements. Mr. Laub indicated that the Planning Commission was requesting grass area. If grass is required, this building would not be able to be in line with the adjacent building. Mr. Winkler asked why a square building is not used. Mr. Laub explained that the building is proposed in the present fashion to facilitate a better parking situation which Mr. Winkler feels is not a good traffic plan.

Mr. Smith commented that the present parking pattern appears to either block the entrance when backing out of the spaces or congest traffic on North Oak. Mr. Laub said they had contacted the adjacent owner for driveway access in order to make a single drive and make the parking space parallel with the opposite lot. Mr. Smith asked Mr. Laub for confirmation at Council's next meeting of this arrangement. Mr. Laub agreed to do so.

Mr. Butler acknowledged the existence of one exit door to the west and inquired about the location of the second exit door. Mr. Laub said that there was an exit door on the north and further stated that the door on the south was positioned in such manner so as to comply with the one hour fire resistive construction per UBC Table 5-A.

Further questions regarding potential drainage problems were raised by Mr. Butler and suggested that with the new lot configuration drainage to the north might be better. Mr. Laub said that they would be studying the lot and drainage direction as construction progressed. Mr. Butler also asked about the treatment for the parking lot surface. Mr. Laub indicated that the parking lot was in very good condition and had no present plans to resurface. Present holes and cuts made would be patched. Other questions were asked about the number of parking spaces when the parking angle was change. Mr. Laub said that the decrease was because the retaining wall was out of place and improper dimension given on the first drawings. Mr. Laub was asked about the type of business that would be attracted to the development and did not have any comment other than that they would have to meet the zoning requirement.

There being no persons wishing to speak for or against the development, Mayor Pro-tem Smith closed the public hearing.

Mr. Butler said that he shared a similar opinion as that of Mr. Bussinger in regard to the zoning and could not support CP-1. Mr. Butler also discussed the parking configuration and access to the development. Ms. Warman explained that this development would be similar to that of the development at Antioch and Englewood where there is a courtyard and the back of the development is the the residential area which would make the business concerns less conspicuous to the residential area and the parking would surround the buildings.

Proponents

None.

Opponents

Mr. Bruce Culley, Owner of three duplexes on 67th Street. Mr. Culley said that he did not feel that this development would fit into the general economic plan of the neighborhood. Mr. Bussinger asked Mr. Culley if he would have any objections to CP-0 zoning and replied that CP-0 would be better.

Mayor Pro-tem Smith said that a majority of the Council had expressed opposition to the proposed CP-1 zoning but would perhaps (amendment of 10-13-86 Minutes) look favorably to a CP-0 zoning. Whereupon Mayor Pro-tem Smith closed the public hearing.

Item 10 on the Agenda: Communications from the Audience

There were none.

Item 11 on the Agenda: Communications from the City Council

Mr. Butler said that he had seen political signs still remaining from the summer election. Mr. Butler suggested that the Council entertain thoughts for making the political sign ordinance more stringent so as to make the penalty for non-compliance greater to solve the problem of having these signs removed in a timely manner.

Mr. Butler further commented about the debris trucks are leaving driving in the area of 77 Street and Park. "No Trucks" signs are in the area and further are not cleaning their debris from the streets as stated.

Mr. Butler said that he was very pleased with the tour of the City's facilities and further noted that these help to make a community that offers to the citizenry the best possible services the City can offer.



Item 8 on the Agenda: Public Hearing Request to Rezone from C-2, General Business District to CP-2, Planned General Business District, property at 6416 and 6420 North Oak. Applicant/Owner: Angelo Porrello.

Mayor Pro-tem Smith confirmed with Mr. Reilly that new plans will be submitted for this site and acknowledged residents from the area and explained that they may still speak about the site plan at this City Council Meeting or could wait until the next meeting on October 13 when the actual plans would be submitted for Council action.

There being no persons to speak and the developer declining to make comment about present plans, Mayor Pro-tem Smith continued the public hearing until the October 13, 1986 City Council Meeting.

Item 9 on the Agenda: Public Hearing, Request to Rezone from R-1, Single Family District to CP-1, Planned Local Business District, property at 6600 North Antioch. Applicant: Gary Howard. Owner: Emil and Mary Jones.

Ms. Kathy Warman of Lawrence Wickham Architects represented Applicant Gary Howard and requested rezoning from R-1, Single Family District to CP-1, Planned Local Business District in an effort to develop the property to office space for their real estate company which is currently located a few blocks south in a building shared with Begullia's Liquor and Delicatessen. A two phase development is planned with the first phase being their office space and future space for prospective tenants, who have approached the applicant to locate businesses in the Gladstone area such as a coffee shop, a movie rental store, or a title company that would coordinate with their real estate business. The applicant is aware of area residents' concerns about noise, traffic, and late-hour businesses. The Howards desire to move their business is for the reasons that are concerns of the area residents; their desire is to locate in a quiet and convenient area.

Mr. Bussinger expressed his concern about the CP-1 zoning in the area because there are no businesses located in the immediate area and prefers a CP-0 zoning. Ms. Warman said that the CP-1 was requested to offer flexibility to the type of businesses who have expressed a desire to locate in the development and further cited other businesses in the area with a CP-1 zoning who offer the residents services such as Begullia's and Wayne Croy. Mr. Bussinger expressed that CP-0 zoning would offer the highest and best use of the area. Mr. Bussinger noted that Begullia's is across the street from the cemetery and Wayne Croy's auto care is off more or less by itself so that neither are affecting adjacent residents.

Mr. Smith commented about the authorization for execution of the Professional Services Agreement for the Comprehensive Plan to study all aspects of zoning and development which will be actively used by the Planning Commission, Council and the citizenry and will not be just another document to sit on the shelf.

Item 12 on the Agenda: Communications from the City Manager

Mr. Reilly had no comments.

Item 13 on the Agenda: Second Reading Bill 86-53, an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-1, Local Business District-Planned, property at northeast corner of NE 67 Place and North Oak. Applicant: Joe Cannova (LEGAL PROTEST PETITION)

Mr. Smith stated that because of the Legal Protest Petition filed against the project, that he would entertain motion to accept one reading of the bill until a full Council is present.

Mr. Butler moved to accept the first reading and place said bill on the second reading; Mr. Bussinger seconded. Mr. Bussinger addressed further the need for the traffic count in the area. The results indicated 1,380 vehicles that used the street (67 Street) immediately behind Old Towne; because of a failure of a counter an inaccurate count was taken on 67 Terrace.

Mr. Scully, who was in attendance, indicated that traffic counter was not operating the majority of the time and requested that the traffic counter be operated for a week. Mr. Bussinger requested that the developer submit a revised ingress/egress plan and a buffer zone of only 25 feet. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (5-0) The Clerk read the bill.

Item 14 on the Agenda: First Reading Bill 86-55, amending Model VIII of the Model Traffic Ordinance designating new STOP sign location at NE corner of 74 Street and North Brooklyn.

Mr. Butler moved to place Bill 86-55 on the first reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Smith. (3-0) The Clerk read the bill.

Mr. Butler moved to accept first reading of Bill 86-55 and place on second reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Smith. (3-0) The Clerk read the bill.

Mr. Butler moved to accept the second reading of Bill 86-55, waive Paragraph 2 of Ordinance 1.53, and place on third reading. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Smith. (3-0)

Mr. Butler moved to accept the third reading of Bill 86-55 and enact as Ordinance 2.656. Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Smith. (3-0)

\*Note: Mr. Bussinger was away from the Council Chambers at this time.

Item 15 on the Agenda: First Reading Bill 86-56, accepting a Standard Water Lien Easement from Gladstone Professional Building Associates.

Mr. Winkler moved to place Bill 86-56 on the first reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of Bill 86-56 and place on second reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of Bill 86-56, waive Paragraph 2 of Ordinance 1.83 and place on third reading. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of Bill 86-56 and enact as Ordinance 2.657. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)


Item 16 on the Agenda: First Reading Bill 86-57, rezoning property at 6600 North Antioch Road from R-1, Single Family Dwelling District to CP-1, Local Business District Planned.

Mr. Winkler moved to place Bill 86-57 on the first reading. Mr. Butler seconded. Mayor Pro-tem Smith clarified that the Architect was informed that action would be taken at the next City Council Meeting on October 13, 1986 so their firm would have time to revise and resubmit their plans and that only one reading should be given at this meeting. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Items 17 and 18 on the Agenda: are deleted.

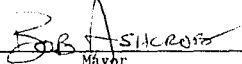
There being no other business or questions from the news media, Mayor Pro-tem Smith adjourned the September 8, 1986 City Council Meeting at 8:35 p.m.

Respectfully submitted,

  
Marilyn Ahnefeld, City Clerk

Approved as submitted: \_\_\_\_\_

Approved as amended: ☒ ✓  
corrected: \_\_\_\_\_

  
Mayor

NOTE TO THE FILE


RE: HELTON BROTHERS CAR WASH  
2610 NE 60TH STREET  
BUILDING PERMIT APPROVAL

Telephone poll was conducted on Tuesday, September 9, 1986 by City Manager Patrick Reilly on approval of the above permit at the direction of the City Council at their September 8, 1986 City Council Meeting with the following results:

"AYE" - Mayor Robert Ashcroft  
Councilman Jim Butler  
Councilman Les Smith

"NO" - Councilman Lee Bussinger  
Councilman Ken Winkler

Building Permit for 2610 NE 60th Street approved (3-2) vote.

  
Marilyn F. Ahnefeld  
City Clerk

copy: Building Permit File  
Attachment to 9/8/86 City Council Minutes ✓

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 13, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
- 3a. RESOLUTION EXPRESSING SUPPORT for passage of Missouri Constitutional Amendment 5 on the November 4, 1986 ballot.
4. Acceptance of Minutes of September 8, 1986 City Council Meeting
5. CONSENT AGENDA:
  - RESOLUTION NO. 86-66, authorizing Change Orders 2, and 3 and authorizing final payment of work under R.A. Pohl Construction Company contract for water main replacement in the area of 58th - 60th, Antioch Road to N Park. Total Adjusted Contract: \$225,654.19. Final Payment Due: \$43,654.26
  - RESOLUTION NO. 86-67, authorizing acceptance of Bills of Sale for water line, sanitary sewer line and streets constructed in Carriage Hills 9th Plat.
  - RESOLUTION NO. 86-68, authorizing execution of Supplemental Agreement to Agreement for Professional Engineering Services Englewood Road Water Main Oak to Antioch with Larkin Associates Consulting Engineering, Inc. Add \$6,340, for revised total contract of \$43,840.
- APPROVAL OF INTERIM FINANCIAL REPORTS: Months of August and September, 1986.
6. APPROVAL OF SITE PLAN REVISION in RP-3 zone, northwest corner of NE 67th Terrace & North Antioch Road.  
Applicant: Bruce Kelly. Owner: Byers Brothers Land Co.  
File 478
7. APPROVAL OF SITE PLAN REVISION in CP-2 zone, 7402 & 7406 N Oak.  
Applicant/Owners: Tom Sims, Dean Gromer, Dave Ramsey.  
File 480
- 7b. APPROVAL OF BUILDING PERMIT: 7402 & 7406 N Oak  
Applicant/Owners: Tom Sims, Dean Gromer, Dave Ramsey.  
File BP86-037
8. CONTINUED PUBLIC HEARING: (from 9/8/86) Request to rezone from C-2, General Business District to CP-2, Planned General Business District, property at 6416 and 6420 N Oak.  
Applicant/Owner: Angelo Porrello. File 481

9. PUBLIC HEARING: Request for Site Plan Revision in CP-3 zone, property at 100 NW Vivion Road. Applicant: Miller-Stauch Construction Co. Owner: Courtesy Chevrolet. File #486
- 9a. REVISED SITE PLAN APPROVAL: 100 NW Vivion Road.  
Applicant: Miller Stauch Construction  
Owner: Courtesy Chevrolet
10. PUBLIC HEARING: Request to rezone from R-1, Single Family District to CP-3, Commercial District-Planned, property just north of 100 NW Vivion Road. Applicant: Miller-Stauch Construction Co.  
Owner: Courtesy Chevrolet. File #488
11. PUBLIC HEARING: Request for Site Plan Revision in a CP-1 zone, property at 7016 North Cherry. Applicant/Owner: Northland Cataract & Eye Care Clinic. File #490
- 11a. REVISED SITE PLAN APPROVAL: 7016 North Cherry  
Applicant/Owner: Northland Cataract & Eye Care Clinic
12. PUBLIC HEARING: Request to rezone from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District-Planned, property at 7305, 7307, 7309, 7311 N Oak. Applicant: Commercial Leasing and Management Corporation  
Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow
13. PUBLIC HEARING: Proposed amendment to Section 32-29 of the Gladstone Zoning Ordinance dealing with Performance Standards for vehicle repair and maintenance establishments.  
Applicant: City of Gladstone File 483
14. PUBLIC HEARING: Proposed amendment to Section 32-59 (a) of the Gladstone Zoning Ordinance dealing with the process for approval of commercial building permits.  
Applicant: City of Gladstone. File #479
15. Communications from the Audience
16. Communications from the City Council
17. Communications from the City Manager
18. THIRD READING: BILL 86-53, an ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-1, Local Business District-Planned, property at northeast corner of NE 67th Place and North Oak. Applicant: Joe Cannova (LEGAL PROTEST PETITION)
19. SECOND READING: BILL 86-57, rezoning property at 6600 North Antioch Road from R-1, Single Family Dwelling District to CP-1, Local Business District, Planned.  
File 482. Applicant: Gary Howard. Owner: Emil & Mary Jones
20. FIRST READING: BILL 86-59, amending certain sections of the Alcoholic Beverage Ordinance.

21. FIRST READING: BILL 86-61, authorizing acceptance of certain standard sewer, water line and storm drainage easements from Robert E. Day and Georgetown/Englewood Plaza Associates and acceptance of permanent Buffer Easement by and between Herman A. and Virginia Scharhag and Georgetown/Englewood Plaza.
22. FIRST READING: BILL 86-62, rezoning property at 6416 and 6420 N Oak from C-2 General Business District to CP-2, Planned General District. Applicant/Owner: Angelo Porrelo  
Pizza Hut/Kentucky Fried Chick File #481  
Note: LEGAL PROTEST PETITION
23. FIRST READING: BILL 86-63, rezoning property just north of 100 NW Vivion Road from R-1, Single Family Dwelling District to CP-3, Commercial District-Planned.  
Applicant: Miller-Stauch Construction Co.  
Owner: Courtesy Chevrolet File 488
24. FIRST READING: BILL 86-64, rezoning property at 7305, 7307, 7309, 7311 N Oak from R-1, Single Family District and CP-1. Local Business District-Planned to CP-3, Commercial District-Planned.  
Applicant: Commercial Leasing and Management Corporation  
Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow
25. FIRST READING: BILL 86-65, an ordinance accepting permanent right-of-way from Michael D. Bausch, 409 NE 75th Terrace.
26. FIRST READING: BILL 86-66, an ordinance authorizing annexation of 1.61 acres of land generally located at Northwest Vivion Road and North Belleview following detachment of such property by the City of Kansas City, Missouri in accordance with Section 71.011, R.S. Mo. (1978) Applicant: Paragon Group  
land
27. Other Business
28. Questions from the News Media
29. Adjournment



MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

OCTOBER 13, 1986

Mayor Bob Ashcroft called the October 13, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present: Councilman Ken Winkler  
Councilman Jim Butler  
Councilman Lee Bussinger  
Councilman Les Smith  
Mayor Bob Ashcroft

City Manager Patrick Reilly  
City Counselor John Dods  
City Clerk Marilyn Ahnefeld

Mayor Ashcroft led the Pledge of Allegiance to the flag in which all joined.

Item 3 (a) on the Agenda: Resolution for Amendment 5

Mayor Ashcroft read a resolution expressing support for Missouri Constitution Amendment 5 which is scheduled for public vote on November 4, 1986, and which would enable public improvements to be financed by general obligation bonds when authorized by petition of two-thirds of the property owners in a specified area; as approved by the Missouri General Assembly in Senate Joint Resolution 30 and urges public support.

Mr. Smith moved to accept the resolution; Mr. Winkler seconded. Mr. Smith further explained the importance of Amendment 5 whereby residents could use the means of petitioning to improve their specific area. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 4 on the Agenda: Acceptance of September 8, 1986 Minutes

Mr. Smith moved to accept the Minutes of September 8, 1986 with one change reference 6600 North Antioch rezoning; amend page 7, paragraph 3, sentence 1 to read: Mayor Pro-tem Smith said that a majority of the Council had expressed opposition to the proposed CP-1 zoning but would perhaps look favorable to a CP-0 zoning. Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger. Mayor Ashcroft passed. (4-0)

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, staff or City Council desired

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removal of any item from the Consent Agenda for placement on the Regular Agenda.

No requests for removal were made whereupon Mr. Winkler moved to accept the Consent Agenda as submitted; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Consent Agenda Review

Mr. Winkler moved to approve Resolution No. 86-66, authorizing Change Orders 2 and 3 and authorizing final payment of work under R. A. Pohl Construction Company contract for water main replacement in the area of 58th - 60th, Antioch Road to North Park. Total adjusted contract: \$225,654.19. Final payment due: \$43,654.26. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Winkler moved to approve Resolution No. 86-67, authorizing acceptance of Bills of Sale for water line, sanitary sewer line and streets constructed in Carriage Hills 9th Plat. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Winkler moved to approve Resolution No. 86-68, authorizing execution of Supplemental Agreement to Agreement for Professional Engineering Services Englewood Road Water Main Oak to Antioch with Larkin Associates Consulting Engineering, Inc. Add \$6,340 for revised total contract of \$43,840. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Winkler moved to approve the City Interim Financial reports for the months of August and September 1986. Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 6 on the Agenda: Approval of Site Plan Revision, in RP-3 zone, northwest corner of NE 67th Terrace & North Antioch Road. Applicant: Bruce Kelly. Owner: Byers Brothers Land Co.

To be continued at the next City Council Meeting.

Item 7 on the Agenda: Approval of Site Plan Revision in CP-2 zone, 7402 and 7406 North Oak. Applicant/Owners: Tom Sims, Dean Gromer, Dave Ramsey.

Mr. Bill Sosland of Stine Scovill Construction was present to review plan changes with Council.

Mr. Butler asked the contractor to explain the major changes they are proposing to the previously submitted plans.

Mr. Sosland explained the building was moved to the south a foot to give adequate parking maneuverability on the north side for proper turnaround; and also proper turn around dimensions on the front parking. Mr. Butler asked if the proposed building is in line with Color Tyme. Mr. Sosland said it was.

Mr. Butler asked if the contractor had a copy of the staff report. Mr. Sosland acknowledged he did. Mr. Butler read from the staff report that egress from the site would be difficult as presently designed and that an exit is shown on the west side that leads to an adjoining parcel. He asked if there was an agreement to use that lot. Mr. Sosland said we would have to ask the owners.

Co-owner Tom Sims asked if we are talking about the driveway that goes out onto North Oak. Mr. Butler said the one that the parking is on the west and the east sides that back up into the space provided to exit point. What the Staff Report is talking about primarily is the west side that leads to the adjoining property.

Mr. Sims said he talked to Paul DeBruce about the back area and he agreed to leave it as it is right now. Mr. DeBruce is using the space right now for parking on his property and has said if he needs to get back through there to get in the back of his building, he can move his cars to do so and if Mr. Sims needs to get in they will move their cars so they (Simms) can get through. Mr. DeBruce did not want a drive-out like McDonalds but prefers to leave it as a driveway to be accessible to both.

In response to question from Mr. Butler, Mr. Sims said he had no problem with Items 5 and 6 on the staff report and item No. 5 on the "Notes of the Plans" addresses the blacktop repairs.

Mayor Ashcroft pointed out that the Council has not seen the revised plans before tonight and asked Mr. Sims if Community Development Director Jerry Kaster had reviewed them. Mr. Sims acknowledged that he had met with Mr. Kaster on Wednesday at 1:30 p.m. and although they reviewed the plan he had not left a copy with the Director because it was his understanding that he was to bring sufficient copies for the Council to the Council Meeting on Monday and had not known they were needed prior to the meeting. Mr. Ashcroft asked Mr. Sims how Director Kaster could review the plans if a copy was not left with him. Mr. Sims said he did not know and expressed that if Mr. Kaster had wanted a copy left he should have asked for it. Mr. Sims said he could have brought the Council copies of the plans in as early as Thursday. In response to questions from the Mayor, Mr. Kaster said he requested

copies of the plans be returned as soon as possible when he met with Mr. Sims on Wednesday.

Mr. Bussinger said it sounds like we have a misunderstanding and suggested that the plans could be approved contingent upon final approval by the Community Development Director. It appears to him that the changes are minor and he personally has no problem with voting on the approval tonight. Mr. Bussinger moved to approve the Revised Site Plan contingent upon meeting the Community Development's approval on the three items discussed (a) the building line, (b) the parking lot and (c) exit shown to the west of the property. Mr. Butler seconded.

It was suggested that a reciprocal agreement for the joint use of the property be obtained.

Mr. Smith asked Mr. Sims if they weren't going to work out an arrangement for these people to use their front lot. Mr. Sims said the parking was going to be at an angle and now they have put the parking places in straight and everybody will have their own. It's kind of like your house, you have your driveway to your house; their business has a driveway and our business has a driveway.

Mr. Winkler said he depends on Director Kaster for assurance that the plans are in order and asked if he was satisfied with the plans. Mr. Kaster said he really can't relate to the specifics of the plan, he was shown the plans, he and the applicants discussed the points of it but he had not had a chance to sit down and analyze it from the access points, if there is proper space for turn-around as indicated in the previous recommendation.

Mr. Winkler said he was not an engineer and if he is forced to vote tonight he will vote "no".

Mr. Butler said if we are leaving the judgement up to the Community Development Manager he would like to think that he will figure this out and if it does not meet the stipulations then he won't agree to it and then we won't have a valid site plan. We have done this in the past and as there are no real major changes to the plans, he would vote positive on this tonight.

Vote: "aye" - Butler, Smith, Bussinger, Ashcroft. "no" - Winkler.  
(4-1 to approve)

Item 7 (b) on the Agenda: Approval of Building Permit, 7402 and 7406 North Oak. Applicant/Owners: Tom Sims, Dean Gromer, Dave Ramsey.

Mr. Smith moved to approve the building plans submitted contingent upon complete approval of staff. Mr. Butler seconded. Mayor Ashcroft asked

Mr. Kaster if he had the building plans; Mr. Kaster replied that the only problems he has with the plans are those listed on the staff report. The vote: "aye" - Smith, Butler, Bussinger, Ashcroft; "no" - Winkler. (4-1 to approve)

Item 8 on the Agenda: Continued Public Hearing (from 9-8-86). Request to rezone from C-2, General Business District to CP-2, Planned General Business District, property at 6416 and 6420 North Oak. Applicant/Owner: Angelo Porrello.

To be continued to the next City Council meeting.

Mayor Ashcroft announced that Items 9 and 10 on the Agenda would be conducted simultaneously.

Items 9 and 10 on the Agenda: Public Hearings for Site Plan Revision in CP-3 zone and Request to Rezone from R-1, Single Family District to CP-3, Commercial District-Planned, property at and just north of 100 NW Vivion Road.

Mr. John Jameson, Project Architect, 13215 West 66, Shawnee, Kansas stated that the project is for a new car sales building and has tried to meet all requirements of the City, City Staff, Planning Commission and wishes of the neighbors. Screening and landscaping to the back is included as well as water detention flow of the development from neighbor to the north.

Although the property at the back of the development has never been rezoned from R-1, Mr. Jameson would like to place a body shop in the rear of the existing building where the zoning goes through the proposed building; therefore, rezoning is requested.

There being no persons to speak favorably or opposed, Mayor Ashcroft closed the Public Hearings.

Item 9 (a) on the Agenda: Revised Site Plan Approval, 100 NW Vivion Road. Applicant: Miller Stauch Construction; Owner: Courtesy Chevrolet.

Mr. Smith moved to approve the site plan; Mr. Winkler seconded. Mayor Ashcroft asked Mr. Jameson if he was in agreement with the findings of the staff report and replied that he agreed. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 11 on the Agenda: Public Hearing, Request for Site Plan Revision in a CP-1 zone, property at 7016 North Cherry. Applicant/Owner: Northland Cataract & Eye Care Clinic.

Mr. Alex Toye spoke on behalf of the owners who are Dr. Deligeorges and Dr. John Deligeorges. Mr. Toye did not know the names of all the owners. Mr. Smith asked Mr. Reilly if he had any knowledge of the owners and if the persons (s) might have any problems currently with the City. Mr. Reilly replied that he was unaware of the other partners in the property. The purpose for the site plan revision is that the owners intends not to lease the building but to use the building for their own purposes.

There being no persons to speak in favor or opposed to the request, Mayor Ashcroft closed the public hearing.

Item 11 (a) on the Agenda: Revised Site Plan Approval, 7016 North Cherry. Applicant/Owner: Northland Cataract & Eye Care Clinic.

Mr. Bussinger moved to approve the revised site plan; Mr. Butler seconded. Mr. Smith asked Mr. Toye if the intent of the construction was to remove existing structures before the new construction begins. Mr. Bussinger amended the motion to approve the revised site plan approval with the stipulation that the existing structures be removed before beginning new construction; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 12 on the Agenda: Public Hearing Request to rezone from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District-Planned, property at 7305, 7307, 7309, and 7311 North Oak.

The public hearing will be continued to the next City Council meeting.

Item 13 on the Agenda: Proposed Amendment to Section 32-29, of the Gladstone Zoning Ordinance dealing with Performance Standards for vehicle repair and maintenance establishments. Applicant: City of Gladstone.

Mr. Reilly made comments about the amendment saying the proposal was based on discussions in the past about the need to improve the performance standards especially the appearance and aesthetics of service stations and other facilities in the community that provide maintenance on vehicles. The proposals concern providing parking spaces over the general parking requirements and reduces the time allowed for storage, permitting only licensed vehicles to be outside the building, confining repair activities to inside the structure, and providing protection to adjoining residential uses by providing brick wall screening.

Opponents

Mr. Gil Yunger from Gil's Body Shop on North Cherry, said that he is opposed to the criteria of the amendment. One of the items that he is particularly concerned with is the 24 hour limitation vehicles can be stored. Many times vehicles are abandoned or go unlicensed because the owner needs to renew the license plates during the repair period, non-availability of parts or waiting to receive parts, time for insurance adjusters to make a disposition of vehicles and other factors involved to complete a job. Mr. Yunger said that he was not opposed to a screening wall but a brick wall is nearly cost prohibitive, but a privacy fence of some sort (chain link with slats or board privacy fence) for screening would be acceptable. Mr. Yunger read a list of names of persons/businesses who had signed a petition against the amendment.

Mr. Butler asked if a 30-day period would be better, Mr. Yunger agreed. Additional parking of one parking space of each bay. Mr. Butler asked about the proposed requirement of additional parking of one (1) storage parking space for each bay and requirement that they shall be designated for that purpose on the site. Mr. Yunger said that in his opinion you should be allowed to park as many vehicles as you have approved parking spaces. There was discussion about the difference between long-term and short-term customers.

Mr. Butler asked about the proposed requirement that only licensed vehicles shall be permitted to be stored on the outside of the building. Mr. Butler explained that we are trying to avoid derelict cars being left forever. He asked Mr. Yunger if storage behind a fenced-in area would work. Mr. Yungers said he has no problem with that. Mr. Butler said we don't want a transmission dropped in the middle of a driveway and left there for long periods. Mr. Yunger stressed that they run into the same kinds of problems with parts availability. Mr. Butler noted that the Planning Commission had recommended a language change in one of the requirements that MAJOR repairs shall be made inside the building. All agreed MAJOR needed to be more specifically defined.

Mr. Larry Whitton, 6400 North Highland/72 Street and Broadway station stated his concerns about this amendment.

Mr. Whitton pointed out that C-3 zoning allows the storage of vehicles and expressed his concern that the proposed amendment would be taking away property right and down-zones the property. Mr. Whitton said these businesses have spent lots of money for their commercial properties, pay taxes, and try to comply with the City; he questions why the City is opposed to vehicle repairs and storage in C-3 zoning when the City allows operation of a car lot on 72nd Street in a residential zone.

Mr. Bussinger stated that the City is merely trying to clean-up the area. Mr. Bussinger said the Council had made a mistake in not requiring Mr. Whitton to install fencing when Mr. Whitton requested rezoning from C-2 to C-3 so that he could come into compliance. Mr. Whitton asked why the City doesn't work on the violations in residential zones first. Mr. Bussinger responded that we are. He noted Mr. Reilly has cited a number of derelict cars and he believes we are in one lawsuit over a situation where an individual is trying to sell cars out of their driveway, so we are making an effort. Mr. Bussinger told Mr. Whitton we are not going after one person although frankly they would like to see him clean up his place. Mr. Whitton said he had turned down offers to sell his property because he is in compliance. Mr. Whitton feels that he is being singled-out because he has been cited and in court for approximately six months.

Mr. Bussinger said he is still mad at himself that the Council did not require Mr. Whitton to fence his property at the time it was rezoned. Mr. Bussinger stressed that the City is not taking anything away from Mr. Whitton and had allowed him to come into compliance by rezoning his property. Mr. Whitton feels the City is trying to take something away now. Mr. Whitton asked how the City is going to police this and who they are going to use to police this during the times vehicles are there. He asked if the City can afford the manpower. Mr. Bussinger said the names that were read by Gil Yunger from the petition are probably the only ones they will have to police. The ones that objected to it must be the violators or would be the violators. He suggested that Mr. Whitton provide Mr. Reilly with addresses of the violations he sees. Mr. Whitton said he would not do that. Mr. Whitton said if it were not for him there would be a lot more such cars around because he tows them away and has to keep them for 90 days. He stressed that he is required to keep towed vehicles for 90 days.

Mr. Smith asked Mr. Whitton about the persons who have a right to maintain their property values like the Dental Clinic next to him. He asked if he did not feel that a business kept in the condition of his car lot depreciates the adjoining properties. Mr. Whitton responded that his business existed prior to the Dental Clinic purchasing their property so they knew exactly they what they moving next door to.

Mr. Smith asked Mr. Whitton for his opinion of a business that progressively deteriorates. Mr. Whitton asked Mr. Smith about the difference between the appearance of his business and Mr. Smith's lot of weeds across the street. Mr. Whitton feels that he is being singled out when he receives citations for not being in compliance. Mr. Smith said that there is a difference between weeds and junk.



Mr. Whitton said that he feels that this proposal is taking away rights that have been assumed when purchased. Mr. Smith explained that the City is trying to have some control over the aesthetics of the community. Mr. Whitton agreed that aesthetics are important. Mr. Whitton feels that if the City pursues this that law suits might occur.

Mr. Charles R. Doolittle, 3415 NE 100 Street, Kansas City, Missouri. Mr. Doolittle feels that the 5 foot brick fence is ridiculous. He feels that Gladstone needs businessmen because they generate tax revenue, and this amendment would be more government that is not needed. Mr. Doolittle said that this amendment should be carefully studied so as not to discourage businesses from being here because of unreasonable requirements.

Mr. Butler explained to Mr. Doolittle that this amendment is an effort for business people and residential people to be able to live together in an aesthetically pleasing community.

Mayor Ashcroft closed the public hearing and called for a committee to be formed to study the matter of the amendment. Mr. Butler asked to be the Council representative; Mr. Reilly said that he would coordinate with Mr. Yunger for persons from his petition to be committee members; Mayor Ashcroft asked that someone from the Planning Commission and City staff be on the committee.

Mr. Butler, who is a member of the Gladstone Chamber of Commerce Board of Directors, explained about the travelling trophy for beautification efforts within the City, announced Gil's Body Shop will be receiving the trophy for the month of October.

Item 14 on the Agenda: Proposed amendment to Section 32-59 (a) of the Gladstone Zoning Ordinance dealing with the process for approval of commercial building permits.

Mr. Reilly explained that at present all commercial building permits must come before the Council for approval. The amendment would allow staff to issue commercial building permits when the value is under \$5,000. This would help to expedite smaller remodeling type projects.

There were no persons to speak in favor or opposed to the proposal; whereupon Mayor Ashcroft closed the public hearing.

Item 15 on the Agenda: Communications from the Audience.

Ms. Judy Ives with Curry Association Management explained they are the managing agent for the Woodlands Homes Association and that cable service had been extended to the townhomes portion of the development in 1982 but not the single family portion of the development. The first home in the single family portion of the development was occupied in October 1985 and was told at that time cable service would be hooked up to the homes as they were occupied. Correspondence and conversations were had between Curry Management and American Cablevision. American Cablevision stated that when the homes in the cul-de-sac were filled in service would be extended. The homes in the cul-de-sac are filled in but as of this date, no service has been extended to any of the single-family homes. Mayor Ashcroft said the Council has had frustrating experiences with the American Cablevision Company, but the City was working with the company. Mayor Ashcroft further suggested that she contact the Chief Executive Officer of American Cablevision in New York, and City Staff would provide her with the address.

Mr. George DeLisle, 603 North 73rd Terrace, said he was presented a petition to sign with only one address and that the other addresses were added subsequent to his signing the petition. (Reference Item 12 on the Agenda, 7305 - 11 North Oak Rezoning). Mayor Ashcroft stated the item was scheduled for Public Hearing tonight but has been deferred two weeks at applicant's request. He suggested Mr. DeLisle discuss this at the Public Hearing.

Item 16 on the Agenda: Communications from the City Council

Mr. Bussinger said that a Mr. Drew had contacted the City with regard to speeders on Pleasant Valley Road and asked that Mr. Reilly follow-up with Mr. Drew about the problem.

Mr. Bussinger addressed Mr. Reilly about the completion of 72nd Street. Mr. Reilly said that weather had been a hinderance. Sunshine and warmer temperatures would help so that asphaltting could be completed. Completion will take approximately two days.

Mr. Bussinger also spoke about the proposed 73rd and North Oak development (Item 12 on the Agenda). He suggested that ingress and egress problem should be studied as well as cuts onto North Oak and the addition of traffic lights to slow traffic for safety.

Mr. Bussinger said that he has a problem with the Gas Service Company. He is concerned that they took a month to complete a project on 72nd Street that should not have required such an amount of time. Mr. Bussinger suggested performance bonds as a tool to strengthen the

City's position with utility companies and their compliance to City Codes and agreements. Streets should be repaired to the condition before the utility company makes cuts for work. Mr. Bussinger was also concerned with the responsibility of either Public Safety or Public Works with signs laying in the area; Mr. Bussinger personally removed signs laying in the street.

Mr. Bussinger also had concerns with American Cablevision Company and their request to move the office out of Gladstone. Mr. Bussinger said that this move would take a business out of the City which citizens use and they should not have to go to Metro North and was not agreed to at the time of the franchise. Mr. Bussinger said he would go on record at this time that he is opposed to the franchise moving their office out of the City.

Mr. Bussinger addressed City Counselor Dods about flooding on 68th Street last year. The City spent \$13,000 to correct work done by Pursell Company and feels that the City should make an attempt to recover tax payers money from work that should have been properly by Pursell Company.

Mr. Butler feels that the City is best served by the American Cablevision office being in Gladstone and is opposed to their moving to Metro North.

Mr. Winkler poled the audience of those having cable service and of those who had been visited by American Cablevision during the month of September. CATV said they have visited over 8,000 homes and feels that they have visited very few homes west of Oak.

Item 17 on the Agenda: Communications from the City Manager

Mr. Reilly had no comments.

Item 18 on the Agenda: Third Reading Bill 86-53, on ordinance rezoning from R-1, Single Family Dwelling District-Planned to CP-1, Local Business District-Planned, property at northeast corner of NE 67th Place and North Oak. Applicant: Joe Cannova (Legal Protest Petition)

Mr. Smith moved to accept the second reading of said bill and place on third and final reading. Mr. Butler seconded. Mr. Bussinger asked Mr. Reilly to report the results of the traffic count.

Mr. Reilly replied that the average daily count where the three streets converge into one amounted to 3,400 vehicles a day. Peak times were the weekend (Friday, Saturday, Sunday: 5:00 PM - 5:00 PM ). Saturday: 4,398, Friday: 4,121, Tuesday: 2,916, Wednesday: 3,100. The counter was moved to 67th Place and amounted to 1,549 for an average daily

count; 1,826 (Friday - Saturday) the high and 1,322 the low per day. Mr. Butler cited a letter from Mr. Kaster. Council direction to Mr. Kaster is to ensure that screening be provided and no access on east and south ends and should be/are stipulated on the plans. The Clerk read the bill. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to accept the third reading and enact as Ordinance 2.659. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 19 on the Agenda: Second Reading Bill 86-57, rezoning property at 6600 North Antioch Road from R-1, Single Family Dwelling District to CP-1, Local Business District, Planned. Applicant: Gary Howard.

Architect Kathy Warman advised Council that the applicant does desire to modify their rezoning request from CP-1 to CP-0 and asked that the second reading of the item be tabled. She apologized for bringing this up at such a late date. Council asked City Counselor Dods if tabling was appropriate. He agreed it was and suggested that the plans need to fit the C-0 use before the Council amended the Bill to C-0 on its second reading.

Mr. Bussinger moved to table the Bill; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 20 on the Agenda: - Continued

Item 21 on the Agenda: First Reading Bill 86-61, authorizing acceptance of certain standard sewer, water line and storm drainage easements from Robert E. Day and Georgetown/Englewood Plaza Associates and acceptance of permanent Buffer Easement by and between Herman A. and Virginia Scharhag and Georgetown/Englewood Plaza.

Mr. Winkler moved to place Bill 86-61 on the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on third reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

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Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.660; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)  
Item 22 on the Agenda: Stricken

Item 23 on the Agenda: First Reading Bill 86-63, rezoning property just north of 100 NW Vivion Road from R-1, Single Family Dwelling District to CP-3, Commercial District-Planned. Applicant: Miller-Stauch Construction Co. Owner: Courtesy Chevrolet.

Mr. Winkler moved to place said bill on the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.658; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 24 on the Agenda: Stricken

Item 25 on the Agenda: First Reading Bill 86-65, an ordinance accepting permanent right-of-way from Michael D. Bausch, 409 NE 75th Terrace.

Mr. Butler moved to place said bill on the first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Butler moved to accept the first reading of said bill and place on second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Butler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on third reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

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Mr. Butler moved to accept the third reading of said bill and enact as Ordinance 2.661; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 26 on the Agenda: Removed

There being no other business or questions from the news media, Mayor Ashcroft adjourned the meeting at 9:06 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Marilyn F. Ahnefeld, City Clerk

Approved as submitted: X

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

  
\_\_\_\_\_  
Mayor

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

October 27, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of October 13, 1986 City Council Meeting
5. CONSENT AGENDA:
  - APPROVAL OF BUILDING PERMIT, 3505 NE 56th Terrace.  
1,350 sq. ft. storage shed in M-1 zone.  
Malvern H. Rebeneck
  - APPROVAL OF BUILDING PERMIT, 100 NW Vivion Road,  
construction of used car and truck sales offices.  
Applicant: Courtesy Chevrolet
  - RESOLUTION 86-69, establishing November 17-November 21, 1986  
as filing period for Declarations of Candidacy for office of  
Councilperson for the City of Gladstone, Missouri.
6. CONTINUED PUBLIC HEARING: (from 9/8/86) Request to rezone from  
C-2, General Business District to CP-2, Planned General  
Business District, property at 6416 and 6420 N Oak.  
Applicant/Owner: Angelo Porrello. File #481  
Pizza Hut/Kentucky Fried Chicken
7. CONTINUED PUBLIC HEARING: Request to rezone from R-1, Single  
Family District and CP-1, Local Business District-Planned to CP-3,  
Commercial District-Planned, property at 7305, 7307, 7309, 7311 N  
Oak. Applicant: Commercial Leasing and Management Corporation  
Owners: Homestead Builders, Ray & Billie Minor, William Cunningham  
and Betty Barlow
8. PUBLIC HEARING: Request to rezone from RCH-1, Cluster Housing  
District to RP-3, General Apartment District, property in 5700  
block of N. Broadway (east side).  
Applicant/owner: Herman Scharhag File #487
9. Communications from the Audience
10. Communications from the City Council
11. Communications from the City Manager

- 10/27/86
12. SECOND READING: BILL 86-57, rezoning property at 6600 North Antioch Road from R-1, Single Family Dwelling District to CP-1, Local Business District, Planned.  
File #482. Applicant: Gary Howard. Owner: Emil & Mary Jones
  13. FIRST READING: BILL 86-58, amending certain sections of the Gladstone Zoning Ordinance dealing with required yards and parking provisions in R-1, R-2, R-3 and R-4 Districts.  
Applicant: City of Gladstone
  14. FIRST READING: BILL 86-59, amending certain sections of the Alcoholic Beverage Code regulating the sale to and purchase of or possession of alcoholic beverages by minors; and prohibiting the furnishing of such beverages to minors and providing for penalties for violation.
  15. FIRST READING: BILL 86-62, rezoning property at 6416 and 6420 N Oak from C-2 General Business District to CP-2, Planned General District. Applicant/Owner: Angelo Porrelo  
Pizza Hut/Kentucky Fried Chicken File #481  
Note: LEGAL PROTEST PETITION
  16. FIRST READING: BILL 86-64, rezoning property at 7305, 7307, 7309, 7311 N Oak from R-1, Single Family District and CP-1. Local Business District-Planned to CP-3, Commercial District-Planned.  
Applicant: Commercial Leasing and Management Corporation  
Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow
  17. FIRST READING: BILL 86-66, an ordinance authorizing annexation of 1.61 acres of land generally located at Northwest Vivion Road and North Belleview following detachment of such property by the City of Kansas City, Missouri in accordance with Section 71.011, R.S. Mo. (1978) Applicant: Paragon Group
  18. FIRST READING: BILL 86-67, proposed amendment to Section 32-59 (a) of the Gladstone Zoning Ordinance dealing with the process for approval of commercial building permits.  
Applicant: City of Gladstone. File #479
  19. FIRST READING: BILL 86-68, accepting Sanitary and Storm Sewer Easements from Helton Brothers, 2610 NE 60th Street.
  20. FIRST READING: BILL 86-69, accepting permanent and temporary water line easement from Ben Rose/Susan Rose/Northaven East Inc. for construction of water transmission line to Antioch Tower.
  21. FIRST READING: BILL 86-70, approving the Final Plat of DODSON'S MAPLE GLEN, 7206/7212 North Harrison. (lot split)  
Applicant/owner: Dale & Pearl Dodson
  22. FIRST READING: BILL 86-71, amending Ordinance No. 2.623 regulating the placement of Political Signs.
  23. FIRST READING: BILL 86-72, amending Schedule VIII of the Model Traffic Code to establish additional STOP sign locations at Brooktree Lane and North Norton to provide for 4-way stop.
  24. Other Business
  25. Questions from the News Media
  26. Adjournment



MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

OCTOBER 27, 1986

Mayor Pro-tem Les Smith called the October 27, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present: Councilman Ken Winkler  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Pro-tem Les Smith  
  
City Manager Patrick Reilly  
City Counselor John Dods  
City Clerk Marilyn Ahnefeld

Absent: Mayor Bob Ashcroft

Mayor Pro-tem Les Smith led the Pledge of Allegiance to the flag in which all joined.

Mayor Pro-tem Les Smith expressed condolences to Mayor Ashcroft for his mother's death on behalf of the City Staff and of the Council.

Item 4 on the Agenda: Acceptance of October 13, 1986 Minutes

Mr. Winkler moved to accept the minutes as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Pro-tem Smith asked if any member of the audience, staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

No requests for removal were made whereupon Mr. Winkler moved to accept the Consent Agenda as submitted; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mayor Pro-tem Smith explained that Resolution 86-09 establishes November 17 - 21 as the filing period for Declarations of Candidacy for office of Councilperson for the City of Gladstone. Mr. Bussinger also indicated that the Council election is April 7 and that five full days are allowed for candidacy filing by beginning 8:00 a.m. November 17 through 5:00 p.m. November 21.

CONSENT AGENDA DETAIL

Mr. Winkler moved to approve the building permit for 3505 NE 56th Terrace, 1,350 square feet storage shed in M-1 zone, applicant Malvern H. Rebenack. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to approve the building permit, 100 NW Vivion Road, construction of used car and truck sales offices, applicant: Courtesy Chevrolet. Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to accept Resolution 86-69, establishing November 17 - November 21, 1986 as the filing period for Declarations of Candidacy for office of Councilperson for the City of Gladstone, Missouri. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Item 6 on the Agenda: Continued Public Hearing, Request to rezone from C-2, General Business District to CP-2, Planned General Business District, property at 6416 and 6420 North Oak. Applicant/Owner: Angelo Porrello. Pizza Hut/Kentucky Fried Chicken.

Proponents

James M. Russell, Kentucky Fried Chicken, 3750 South Sea Street, Suite 100, Santa Anna, California 92714; Bill Trussell, Pizza Hut Corporation, 11800 College Boulevard, Overland Park, Kansas; Ron Smith, Varnum Armstrong and Deeter (representing the owner).

Ron Smith said that they had been working for several months on an acceptable plan to all parties in order to expand parking for retail businesses and customers who patronize those businesses. They have two plans; one is their (applicant's) plan which the Planning Commission rejected and the other plan (suggested by the Planning Commission) has been approved by the Planning Commission. Mr. Smith went on to explain the differences between the two plans.

Mr. Smith said that he feels that their plan is the best plan and provides an extra entrance on the north side of Pizza Hut as well as the plan that has been approved by the Planning Commission. In contrast, their plan preserves the entrance and exit between the building to and from the site to North Oak. The Planning Commission and members have proposed to close the dual entrance between the two buildings. Both plans have approximately the same amount of parking between the two sites with the difference being the curb cut that is allowed in the back lane of their plan to allow customers to reach the west end of the property for parking. The Planning Commission's plan has only one aisle and no cut to reach the rear parking to the west. He said their plan has relocated, somewhat differently than the Planning Commission plan, trash and waste material to a receptacle directly west of Pizza Hut in contrast to the Planning Commission's plan which shows the receptacle adjacent to the parking slightly west of Pizza Hut. The reason their plan has a receptacle closer to Pizza Hut is for the secondary storage building that is lined out on the plan which has been delayed for approximately six months during the proposal processes with the City. Their plan has proposed two lanes for parking in the rear as opposed to the Planning Commission's proposal for single line access. The primary reason for this difference is for the control of the traffic that enters the site. If the entrance between the building is preserved, this would allow customers to enter to the rear and only go one direction. Traffic would be forced to either go north for parking at Pizza Hut, or (left) south to enter Kentucky Fried Chicken. Mr. Smith feels this would help eliminate congestion of customers who patronize each business.

Another question concerning the site is the need for a 35 foot set-back requirement as a buffer zone contiguous to adjacent property owners. Their plan calls for only a 25 foot set-back against the west boundary that fronts two very deep residential lots. Their plan calls for a 21 foot set-back; the Planning Commission plan calls for a 23 foot set-back. Their difference is based upon placing a fence in the present location which the residents have insisted upon retaining which is on the 21 foot set-back and directly above the retaining wall that would have to be placed along that side as opposed to leaving a 2 foot margin between the retaining wall and fence for maintenance purposes. Their plan does not address the pine trees that the Planning Commission has requested to be planted along the west perimeter to buffer the zone; that is merely an omission on their plan and they would be willing to comply with the request.

Mr. James M. Russell with Kentucky Fried Chicken of Santa Anna, California explained that they approached the City of Gladstone about a site change due to the traffic problems at this location especially on Friday and Saturday nights. Both companies contacted the City to get the facts of the situation, hired a consultant to assess the problems, and contacted adjoining property owners to secure their cooperation. They would like to be a good neighbor and continue to do so. The original intention of this proposal was to create a better on-site traffic situation. The Planning Commission plan closed the one primary driveway then designed a layout which directs all traffic that enters the site to exit by the Kentucky Fried Chicken drive through and is unacceptable by both businesses. The question of the exact number of feet for the setback and the matter of a precedent should be the decision of the City Council not the Director of Community Development in this instance.

Mr. Russell explained the ownership of both businesses whereby both are owned by PepsiCo. Both Pizza Hut and Chicken Fried Chicken maintain separate leases with their landlords. Another question that rose from the Planning Commission that this was being done to make additional profits. When they see potential customers enter the property and leave or a customer who cannot enter the property, he admits this proposal is an attempt to preserve and increase business. Further, they are trying to serve the people who are trying to get in and which are probably Gladstone citizens.

Mr. Bill Trussell of Pizza Hut located at 11850 College Boulevard, Overland Park, Kansas, stated that the Planning Commission's plan is unacceptable to him as well. Mr. Trussell reiterated the point that although Pizza Hut and Kentucky Fried Chicken belong to one organization they are in competition with each other. They are here together

because they have one landlord and are trying to work together to improve the traffic flow.

Mr. Bussinger said he agreed that the Planning Commission's plan is not acceptable. Further, they are two high-traffic businesses that should not have been built together. Mr. Bussinger expressed his thought that they might want to leave the situation as is. Mr. Russell asked if the choice then is between the Planning Commission plan and none at all. Mr. Bussinger replied that was not the intent of his comment but made the comment for consideration. Mr. Russell said they have tried to be a good neighbor to the City and neighbors by putting in a fence and trees. Mr. Bussinger said that he had to be considerate of his constituents and further stated that when their businesses do well the City does well. Mr. Bussinger also stated that his business is near McDonald's which is a high-traffic business that produces a great deal of noise and large amount of trash. Mr. Russell said he felt that the addition of another driveway would go along way alleviate to some of the present noise, trash, and traffic conditions.

Mayor Pro-tem Smith suggested that a safety aspect should be considered; with the extra drive stacking of traffic on North Oak could be reduced. On the other hand, the effects of three curb cuts in a short distance should be considered.

Mr. Butler addressed Mr. Russell about quantity of front signage and asked if the removal of the bucket sign would be agreeable if the site plan were to pass. Mr. Russell asked if the plan passed if the remaining sign could be raised. Mr. Butler replied he would like for that sign to be lowered. Mr. Butler asked about the location of signage with the new drive plan. Mr. Russell said that in the end there would be an "exit only" sign, "Kentucky Fried Chicken" sign, and "entrance only" sign at the new driveway--if approved.

Mr. Bussinger addressed fence composition. Mr. Smith said the design was primarily conceived by the neighbors and has had it put to scale in the drawings. The fence would be pillars set on 20 foot centers that are made of brick or cement (something decorative) with arched wood slats inbetween with cut tops for a design. The present north side is a 4 foot chainlink fence that has had problems with trees and weeds growing. On the 20 foot setback that is a screen fence which is an old wood slat fence that would come down and be replaced by new design. The same two fences would be maintained with the new design.

Mayor Pro-tem Smith asked about landscaping. Mr. Smith said that had not been an issue at any time but would be willing to make a plan based upon recommendations received.

Mr. Winkler asked with the opening of the new Pizza Hut near Metro North if this store would still maintain as high a traffic density.

Mr. Winkler asked with the opening of the new Pizza Hut near Metro North if this store would still maintain as high a traffic density. Mr. Trussell replied that business would remain at the same level.

#### Opponents

Joe Nemecek, 303 NE 65 Street, Gladstone, Missouri, which is the property immediately north of the Pizza Hut location. Mr. Nemecek reiterated the fact that the Planning Commission had unanimously turned down the proposal of Pizza Hut and Kentucky Fried Chicken and read from Page 4 of the Planning Commission minutes from October 20, 1986. The Planning Commission has denied all plans because they feel that the 35 foot set-back is essential. Mr. Nemecek sympathized with the fact that two such high-volume businesses were built in such a neighborhood as Hamilton Heights but nevertheless the residents of Hamilton Heights are opposed to the reduction of the 35 foot set-back for the buffer zone. Noise, lights and traffic are also major concerns of the residents; these problems do not allow for the residents to have their windows open at night. Further, the residents are opposed to a potential increase in volume of noise and traffic and realize that this is a difficult situation between the businesses and residents. Mr. Nemecek requested that the Council consider this matter because of the noise, lights, traffic, and violation of the 35 foot set-back. Mr. Nemecek said that Mr. Smith had approached the residents about the idea of improving the old, rundown wooden fence. Later the residents found out that if they were to approve new fencing, they would also be asked to approve eliminating the 35 foot set-back. Mr. Nemecek feel that the only protection from deterioration Hamilton Heights residents have to keep their distance from these businesses and output of noise, trash, and light. The 35 foot set-back was the foresight of previous Planning Commissions and Councils. Mr. Nemecek would like to see the 35 foot set-back not violated. Pizza Hut and Kentucky Fried Chicken said that the proposed driveway on the north is to improve traffic flow, why not use the vacant property on the south. The proposed plans are for the benefit of Pizza Hut and Kentucky Fried Chicken and to the detriment of the residential community. Mr. Nemecek feels that these businesses are not interested in the neighbors but only in expanding their businesses. On behalf of the eight adjacent property owners, Mr. Nemecek asked the Council to not eliminate the 35 foot set-back.

Mayor Pro-tem Smith asked Mr. Ron Smith about the future of the property to the south. Ron Smith replied that he represented two elderly ladies who own the property, Jerri Smith and Margaret Sanders, and will be coming to the Planning Commission and Council for a Goodyear Tire and Rubber store.

Mr. Winkler asked if Mr. Nemecek lived there or just owned the property. Currently his mother-in-law lives in his house, and he plans to move into the house in the future. Mr. Winkler asked for clarification

about the original discussion of the fence regarding any contingencies. Mr. Nemecek replied that at the original offering of a fence there were no contingencies regarding the proposed driveway or buffer zone.

Mayor Pro-tem Smith asked for those who were being represented by Mr. Nemecek to raise their hands, and a goodly number of those attending did so; whereupon Mayor Pro-tem Smith closed the Public Hearing.

Item 7 on the Agenda: Request to rezone from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District-Planned, property at 7305, 7307, 7309, 7311 North Oak.  
Applicant: Commercial Leasing and Management Corporation; Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow.

To be continued to the November 10, 1986 City Council Meeting at the request of the applicant.

Item 8 on the Agenda: Request to rezone from RCH-1, Cluster Housing District to RP-3, General Apartment District, property in 5700 block of North Broadway (east side). Applicant/Owner: Herman Scharhag.

Mr. Phil Snowden introduced himself as Mr. Scharhag's representative and resident/attorney in Gladstone. Mr. Snowden stated that this project calls for some 243 multi-family units on approximately 20 acres with swimming pool, club house, and play areas. Some 15 buildings with gabled roofs with asphalt line shingles, height no greater than 2 1/2 stories with most buildings being only 2 stories. Exteriors will be built in brick, some stucco, wood; size of units would be 1 and 2 bedroom ranging in size from 800 sq. ft. to 1,200 sq. ft. and rental price between \$400 - \$600. The total project cost will be between \$8 to \$9 million. Some units will have fire places and all will have appliances to include, washer and dryer, microwave, stove, refrigerator, garbage disposal, etc. Mr. Snowden pointed out that over the past few years this area at Englewood and Broadway has improved at a remarkable rate for the better with a heavy amount of east/west traffic along Englewood Road. Office parks have been built and others are in the planning process to the south and west.

Mr. Snowden pointed out that there are three separate access points with two on Englewood Road and one on Broadway and acknowledged concern of the City as well as single family residents. The Broadway street cut is already made. Some years ago Larkin and Associates made a study of cuts and Mr. Scharhag paid \$25,000 for the cut at the recommended site. Sidewalks have been indicated and would be on both sides of the project.

Mr. Snowden said efforts have been made to buffer the single family area residents. This site is a higher elevation than Hickory Hills; numerous trees are along that side of the property which would be an additional buffer. Buildings have been placed to the south because of topography and should be set in this way; the advantage of the terrain has been utilized. Mr. Snowden feels from a tax base would be of benefit to the City and would be carried at a rate of 32 percent of the fair market value versus some other kind of residential use which would only carry a 19 percent tax rate.

Mr. Snowden addressed the Staff Report.

1. Right-of-Way on the east. Presently carries 40 ft. width where a 50 ft. width is required. Mr. Scharhag only owns 40 feet at this time and that there are no utilities planned from this access.
2. Interior Streets. Some of the interior streets do not meet the exact 35 foot buffer. Private street versus a public street could be considered. Because this is a planned zone, some variances may be requested.
3. Parking Ratio: By present City Code, the plan does not meet the 2 1/2 space requirement. Mr. Snowden said that he understands that the requirement may be lowered to 1.75, but the plan allows for 1.97.

Mr. Snowden acknowledged the concerns of the Council and Staff about water drainage and turned this discussion to Mr. Steve Warger to address the concerns for this project.

Mr. Warger said that there are presently two ponds in the northwest corner; one would be eliminated and make the remaining one to be used for a large retention pond and could be used for storage. Another retention pond is proposed for the northeast to control runoff. These would improve the situation of the flow downstream. Improvements have just been completed on 59th Place and information could be used from the Master Plan.

Mr. Butler asked questions in regard to No. 4 on the Staff Report. Building M turn-around space will be a cul-de-sac so that ample space will be available for emergency equipment. Mr. Butler asked Mr. Snowden to also address No. 6 on the Staff Report regarding the North Broadway approach location. Mr. Snowden said that this entrance was on the downhill side the turn-off is already there and would like to retain. Mr. Snowden said that they were open to suggestions in regard to the safety of this location, although this entrance is in the recommended site.

Mr. Butler asked what the distance would be from the closest points between residential and development lines. Mr. Scharhag said that he



would maintain the 35 foot buffer zone with 50 feet of backyard in addition. Mr. Scharhag said that the water will be maintained and controlled on the project site.

Mr. Art Pfaff, 205 NW 59 Terrace, Gladstone where he has lived for 21 years and property adjoins Mr. Scharhags. Mr. Pfaff read excerpts from a City Council Meeting, September 27, 1971 when the zoning was changed at the site from R-1 to RCH-1 stating that RCH-1 was the highest and best use of the land. This zoning was developed for this project and was the result of an a long 18-month compromise with Mr. Scharhag. Nothing has been done to change that and nothing has been done with the project, and Mr. Pfaff said that he does not want an apartment project in the area. Mr. Pfaff further read a list of apartment projects in the Gladstone area particularly mentioning those in this vicinity. Pointing out the enticements that apartment owners are offering to renters, Mr. Pfaff said that he had spoke with the manager of Sycamore Hills and found that the manager was surprised to hear that another apartment project was proposed for the area due to vacancy rates. Mr. Pfaff wants help from the Council to maintain the high standards of residential living.

Mrs. Cornelia Fuson, 201 NW 59 has lived there for 21 years and is directly north of the proposed project. She feels this is the "same old song, but verse 2" from Mr. Scharhag. Mrs. Fuson said she is in favor of RCH zoning but not multi-family zoning, and went on to state other concerns about the volume of traffic on Broadway, a main north/south corridor which she considers to be nothing more than a country road with steep hills and narrow width which receives little to no maintenance. With another exit on Englewood Road Broadway would still have to absorb 235 cars. The opposite of Broadway has ingress/egress for 28 offices and 2 for the shopping center and bank. Mr. Fuson requested a car counter at entrances and exits and does not feel there is a need for apartment housing.

Mrs. Marge Leimkuhler, 206 NW 59 Street and has lived there for 23 years. Her concern for the City is that the area should be developed but not with apartments. Clustered housing, private homes, or one story, compact condominiums would be an asset and feels there is a need. She knows of persons in the area who would like to have smaller housing, but would not want apartments. Mrs. Leimkuhler feels that Broadway simply does not needs more apartments. The best entrance for the City is Englewood and Broadway and feels the proposed fountain should be located here. Mrs. Leimkuhler feels that this would be an ideal location for housing for the professional because of easy access to downtown and to the airport, prefers first-class housing. Mrs. Leimkuhler is concerned about drainage and owns the pond behind her

home which cannot take any more water from streets, parking lots, and rooftops. In the past 17 years it has gone over the auxilliary spillway and nearly over the dam once and comes close in normal hard rains. At least 40 acres of undeveloped land drain into the pond and part of this is Mr. Scharhag's land. The water retention basin he's planning in the northeast corner should be a lake to take care of the water and silt that could potentially drain into her pond. Mrs. Leimkuhler further stated that water and flood control should be carefully studied and engineered by the City of Gladstone before any projects in the area are approved.

Mrs. Nancy Bell, 5801 North Broadway, has lived here for 23 years and owns the first house down the hill coming from Mr. Scharhag's property. Mrs. Bell stated that they experience many serious traffic problems of all types, and many people come to use their telephone to call for help at the onset of the first icy or rainy day in bad weather. The drainage ditch is just below N. Broadway as it comes down the hill. The sidewalk comes. The situation has not improved in the area in the past 25 years. The sidewalk comes to the ditch and stops and all of Mr. Scharhag's water flow comes to the ditch and flows into the ditch, under her driveway into a small pipe. She and her husband have kept this pipe cleaned and on occasion call City Hall for assistance to keep this open to prevent flooding on North Broadway. She explained the flow path of this pipe. Mrs. Bell said it was her understanding that Broadway was to be lowered by 6 ft. at the crest of the hill, and asked a gentian working at the site who told her it was not cut down. Her understanding was that this was a stipulation.

Mr. Kenny Bell 5801 North Broadway and has lived at this location for 23 years. Mr. Bell stated that the area has gone from a quiet, residential neighborhood, to an area of Kansas City apartments. A nearby bar and grill has changed to a bar. Noise, trash, and increased traffic are concerns.

Mr. Larry Bates, 410 NW 58th, Kansas City; he is a recipient as well of the drainage and requested further study and consideration of this matter.

Mr. Keith Roney, 202 NW 59 Street, who has been a resident of the area for 11 years. All subjects mentioned so far are very valid; however, Mr. Roney's concerns are the potential of increased crime. Crime in Gladstone from September 1985 - 1986 has risen 27 1/2 per cent, 66 - 91 incidents, larceny is up by 13 1/2 per cent. This type of project draw all types of people of questionable character. The crime is not solely caused by apartment residents, but by visitors invited or uninvited. Plants and lawn furniture are among items pilfered. He personally has installed security measures on his property for protection and would like to see this area left as residential family dwellings.

Mayor Pro-tem Smith asked Mr. Scharhag the approximate square footage of the units. Mr. Scharhag replied 650 to possibly as much as 1,200 square feet; the average unit would be 1,000 sq. ft. in size.

Ms. Joe Sutton, 211 Hickory Circle, feel that if the apartments were needed there would be no problem. She knows of two persons recently seeking an apartment and had no difficulty. Approximately one year ago there was a waiting list at Bircaim Apartment. Some people are concerned about the valuation of the property if the apartments were built.

Mr. Robert Blocker, 221 Hickory Circle who is a new resident to the area, but has lived in Gladstone for over 14 years. He is concerned about the value of their property. After living here for only a month, they have found this area to be much more noisy because of traffic and businesses and being main paths to businesses along Oak and schools. He is also concerned about young drivers on the road in heavy traffic.

Mr. James Strbjak, 409 NW 58th Street, he is interested in the water projections and absorption. He encumbers a \$400 a year flood insurance premium. On his appraisal a remark was made that the property was depreciated because of drainage damage. Any additional water would most likely destroy his house. There is a sycamore tree in the area that is shifting and moving toward his house. Mr. Butler commented that the development cannot add additional water over what presently exists, and the developer will have to comply with City Codes.

Ms. Bonnie Roney, 202 NW 59th Street. She asked for clarification of the agenda in regard to this Public Hearing and bill readings. She inquired about the Planning Commission's report. Final recommendations have not been made. At her request, those opposed to the project stood.

Mayor Pro-tem Smith recessed the Council Meeting.

Item 9 on the Agenda: Communications from the Audience

There were none.

Item 10 on the Agenda: Communications from the City Council

Mayor Pro-tem Smith further explained Amendment 5 on the ballot for the upcoming election and his support for the Amendment.

Mayor Pro-tem Smith asked the City Manager about the ordinance relating to parking which is on the Agenda tonight for vote.

Mayor Pro-tem Smith said that he had read a letter to the editor in the Kansas City paper about flooding and problems in the area. He felt that Gladstone had been very progressive in the spending of funds for storm drainage and had no trouble during recent weeks with flooding.

Item 11 on the Agenda: Communications from the City Manager

City Manager Reilly had no comments. Mr. Butler asked about the sycamore tree Mr. Strbjak spoke of. Mr. Reilly said the tree was on Mr. Scharhag's property and would be his responsibility.

Item 12 on the Agenda: Second Reading, Bill 86-57, rezoning property at 6000 North Antioch Road from R-1, Single Family Dwelling District to CP-1, Local Business District, Planned. Applicant: Gary Howard, Owner: Emil & Mary Jones.

Mr. Bussinger moved to place said bill on the second reading; Mr. Butler seconded. The vote: Winkler, Bussinger, Smith - NO; Butler - aye. (3-1 to deny) Item defeated.

Item 13 on the Agenda: First Reading Bill 86-58, amending certain sections of the Gladstone Zoning Ordinance dealing with required yards and parking provisions in R-1, R-2, R-3, and R-4 Districts. Applicant: City of Gladstone.

Mr. Bussinger moved to place said bill on the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the first reading and place on the second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the third reading and enact as Ordinance 2.662; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0).

Item 14 on the Agenda: First Reading Bill 86-59, amending certain sections of the Alcoholic Beverage Code regulating the sale to and purchase of or possession of alcoholic beverages by minors; and

prohibiting the furnishing of such beverages to minors and providing for penalties for violation.

Mr. Butler moved to place said bill on the first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Item 15 on the Agenda: (See page 16 these minutes.)

Item 16 on the Agenda: First Reading Bill 86-64, rezoning property at 7305, 7307, 7309, 7311 North Oak from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District-Planned. Applicant: Commercial Leasing and Management Corporation. Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow.

Continued to the next City Council Meeting on November 10, 1986

Item 17 on the Agenda: First Reading Bill 86-66, an ordinance authorizing annexation of 1.61 acres of land generally located at Northwest Vivion Road and North Belleview following detachment of such property by the City of Kansas City, Missouri in accordance with Section 71.011, R.S. MO. (1978) Applicant: Paragon Group.

Mr. Winkler moved to place said bill on the first reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.663; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Bussinger, Butler, Smith. (4-0)

Item 18 on the Agenda: First Reading Bill 86-67, proposed amendment to Section 32-59 (a) of the Gladstone Zoning Ordinance dealing with the process for approval of commercial building permits. Applicant: City of Gladstone.

Mr. Bussinger moved to place said bill on the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith

(4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the first reading of said bill and place on the second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the second reading, waive Paragraph 2 of Ordinance 1.83, and place on the third reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the third reading and enact as Ordinance 2.664; Mr. Butler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Item 19 on the Agenda: First Reading Bill 86-68, accepting Sanitary and Storm Sewer Easements from Helton Brothers, 2610 NE 60th Street.

Mr. Butler moved to place said bill on the first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Butler moved to accept the first and place on the second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Butler moved to accept the second reading, waive Paragraph 2 or Ordinance 1.83 and place on the third reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Butler moved to accept the third reading and enact as Ordinance 2.665; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Item 20 on the Agenda: First Reading Bill 86-69, accepting permanent and temporary water line easement from Ben Rose/Susan Rose/Northaven East Inc. for construction of water transmission line to Antioch Tower.

Mr. Winkler moved to place said bill on the first reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to accept the first reading of said bill and place on second reading. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading. The vote: Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.666; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Item 21 on the Agenda: First Reading Bill 86-70, approving the Final Plat of Dodson's Maple Glen, 7206/7212 North Harrison. (lot split)  
Applicant/owner: Dale and Pearl Dodson.

Mr. Bussinger moved to place said ordinance on the first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Mr. Bussinger moved to accept the first reading of said bill and place on second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Mr. Bussinger moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on third reading. The vote: All "aye" - Winkler, Butler, Bussinger, Smith. (4-0)

Mr. Bussinger moved to accept the third reading of said bill and enact as Ordinance 2.667; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Item 22 on the Agenda: First Reading Bill 86-71, amending Ordinance No. 2.623 regulating the placement of Political Signs.

Mr. Winkler moved to place said bill on the first reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.668; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0)

Item 23 on the Agenda: First Reading Bill 86-72, amending Schedule VII of the Model Traffic Code to establish additional STOP sign locations at Brooktree Lane and North Norton to provide for 4-way stop.

Mr. Winkler moved to place said bill on the first reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.669; Mr. Bussinger seconded. Mr. Butler asked the City Manager how a recommendation comes to attention that a stop sign is needed at a particular location. City Manager Reilly said at citizen request, Public Safety does an analysis of the localton and determined the number of accidents, traffic volume and site volume. The vote: All "aye" - Winkler, Butler, Bussinger, Smith (4-0) The Clerk read the bill.

Item 24 on the Agenda: Other Business

Discussion between Counselor Dods, City Manager Reilly and the council was held regarding denial of Bill 86-57 (6600 North Antioch Road rezoning application from R-1 to CP-1). (Applicant had delivered a letter prior to the meeting requesting a change in his rezoning application from CP-1 to CP-0). Council discussed appropriateness of rescinding their denial of the Bill and Mr. Bussinger so moved to rescind Bill 86-57. Mr. Butler expressed his concern about the proposed changes. Mr. Winkler said that he feels it is unfair to area residents for Council to vote on a revised zoning without taking the new application through the total process of the Planning Commission and City Council hearings again.

Mr. Bussinger moved to rescind Bill 86-57. There being no second, the Bill stood defeated.

There being no questions from the news media, Mayor Pro-tem Smith adjourned the meeting at 9:50 p.m.



\*Item 15 on the Agenda: Bill 86-62, rezoning property at 6416 and 6420 North Oak from C-2 General Business District to CP-2, Planned General District. Applicant/Owner: Angelo Porrelo; Pizza Hut; and Kentucky Fried Chicken. NOTE: LEGAL PROTEST PETITION.

Mr. Smith moved to place said bill on the first reading; Mr. Butler seconded. The vote: Winkler - "no", Smith, Butler, Bussinger, Ashcroft - "aye" (4-1 to place on the first reading). The Clerk read the bill.

There being no further business to come before the Council, Mayor Ashcroft adjourned the 10-27-86 City Council meeting.

Respectfully submitted,

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

J. Robert Ashcroft

Mayor

Approved as Submitted: ✓

Approved as Amended/  
Corrected: \_\_\_\_\_

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 10, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of October 27, 1986 City Council Meeting
5. CONSENT AGENDA:
  - RESOLUTION NO. R-86-70, authorizing the City Manager to execute a Lease/Purchase Agreement with First Bank of Gladstone for procurement of One (1) Grumman F-10 Fire Truck.  
Grand total payment over 3 year period: \$86,364.51
  - RESOLUTION NO. R-86-71, authorizing acceptance of Bills of Sale conveying sanitary sewer and water lines constructed in Northaven Gardens Subdivision for City maintenance.
  - RESOLUTION NO. R-86-72, authorizing purchase of one 1987 2-ton Chevrolet Cab and Chassis from Dagley Chevrolet. \$16,364.05
  - RESOLUTION NO. R-86-73, authorizing execution of contract with SMI-CO Construction Company for Section I Neighborhood Water Line Replacement. Not to exceed \$277,255.45
  - RESOLUTION NO. R-86-74, authorizing execution of contract with Wilson Plumbing Company for Section II Neighborhood Water Line Replacement. Not to exceed \$384,208.00
  - APPROVAL OF BUILDING PLANS: 6910-32 Antioch Road, construction of three 4-plexes. Applicant: Bruce Kelly
  - APPROVAL OF INTERIM FINANCIAL REPORTS for October, 1986.
6. CONTINUED PUBLIC HEARING: Request to rezone from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District-Planned, property at 7305, 7307, 7309, 7311 N Oak. Applicant: Commercial Leasing and Management Corporation Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow
7. PUBLIC HEARING: Request to rezone from R-4, Apartment House District to CP-0, Non-Retail Business-Planned, property at 2001 NE 72nd Street. Owner: First Assembly of God Church. Applicant: Ronald Tietz File #491
8. PUBLIC HEARING: Request to rezone from C-1, Local Business District, to CP-2, General Business District-Planned, property at 6726 North Oak. Applicant/owner: Frank Ancona File #492

9. Communications from the Audience
10. Communications from the City Council
11. Communications from the City Manager
12. SECOND READING: BILL 86-62, rezoning property at 6416 and 6420 N Oak from C-2 General Business District to CP-2, Planned General District. Applicant/Owner: Angelo Porrelo  
Pizza Hut/Kentucky Fried Chicken File #481  
Note: LEGAL PROTEST PETITION
13. SECOND READING BILL 86-59, amending certain sections of the Alcoholic Beverage Code regulating the sale to and purchase of or possession of alcoholic beverages by minors; and prohibiting the furnishing of such beverages to minors and providing for penalties for violation.
14. FIRST READING: BILL 86-64, rezoning property at 7305, 7307, 7309, 7311 N Oak from R-1, Single Family District and CP-1. Local Business District-Planned to CP-3, Commercial District-Planned. Applicant: Commercial Leasing and Management Corporation  
Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow
15. FIRST READING: BILL 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3, General Apartment District.  
Applicant/owner: Herman Scharhag
16. FIRST READING: BILL 86-74, rezoning property from R-4, Apartment House District to CP-O, Non-Retail Business-Planned, property at 2001 NE 72nd Street. Owner: First Assembly of God Church  
Applicant: Ronald Tietz File #491
17. FIRST READING: BILL 86-75, rezoning property from C-1, Local Business District to CP-2, General Business District-Planned, property at 6726 N Oak. Applicant/owner: Frank Ancona  
File #492
18. Other Business
19. Questions from the News Media
20. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

NOVEMBER 10, 1986

Mayor Bob Ashcroft called the November 10, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present: Councilman Ken Winkler  
Councilman Jim Butler  
Councilman Les Smith  
Mayor Bob Ashcroft  
  
City Manager Reilly  
City Counselor John Dods  
Deputy City Clerk Rhonda Stevenson

Absent: Councilman Lee Bussinger

Mayor Ashcroft led the Pledge of Allegiance to the flag in which all joined.

Item 4 on the Agenda: Acceptance of October 27, 1986 Minutes

Mr. Smith moved to accept the minutes as submitted; Mr. Butler seconded.  
The vote: All "aye" - Winkler, Smith, Butler, (3-0) Ashcroft passed due to absence.

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

No requests for removal were made whereupon Mr. Butler moved to accept the Consent Agenda as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Consent Agenda Review

Resolution 86-70, authorizing the City Manager to execute a Lease/Purchase Agreement with First Bank of Gladstone for procurement of one Grumman F-10 Fire Truck. Grand total payment over 3 year period will be \$86,364.51. Mr. Butler moved to accept Resolution 86-70; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Resolution 86-71, authorizing acceptance of Bills of Sale conveying sanitary sewer and water lines constructed in North Haven Gardens Subdivision for City maintenance. Mr. Butler moved to accept Resolution 86-71; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Resolution 86-72, authorizing purchase of one 1987 2-ton Chevrolet Cab and Chassis from Dagley Chevrolet. \$16,364.05. Mr. Butler moved to accept Resolution 86-72; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Resolution 86-73, authorizing execution of contract with SMI-CO Construction Company for Section I Neighborhood Water Line replacement, not to exceed \$277,255.45. Mr. Butler moved to accept Resolution 86-73; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Resolution 86-74, authorizing execution of contract with Wilson Plumbing Company for Section II Neighborhood Water Line replacement, not to exceed \$384,208.00. Mr. Butler moved to accept Resolution 86-74; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Butler moved to approve building plans for 6910-32 Antioch Road, construction of three four-plexes, the applicant being Bruce Kelly; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Mr. Butler moved to approve the Interim Financial Report for October 1986; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Before proceeding, Mayor Ashcroft explained to the audience the procedures and processes for items on the agenda scheduled for public hearing.

Item 6 on the Agenda: Continued Public Hearing, Request to rezone from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District-Planned, property at 7305, 7307, 7309, 7311 North Oak. Applicant: Commercial Leasing and Management Corporation. Owners: Homestead Builders, Ray and Billie Minor, William Cunningham and Betty Barlow.

Mr. Lee Munsell of Commercial Leasing and Management Corporation introduced himself as the developer for the project and asked for Council's approval for rezoning to CP-3 and site plan approval. Mr. Munsell explained they had endeavored to meet the requirements of the Planning Commission and that the Council had before them the most recent plan revision dated September 26, 1986. He also explained the site location with 73 Terrace on the south end and 74, 74 Terrace on the north, Oak to the west, and the closest north/south street to the east being North Holmes. The project would consist of four structures which will be owner-occupied and not built for speculative rental property. The type of businesses that are planned to be located in the project would be an auto beauty shop, auto parts store, car wash, and a convenience store with a six-pump gas station. They are presently dealing with four tenants and are anticipating a store for gas and three-bay car wash upon final purchase which could possibly be a tunnel car wash

at the center site. In addition, they are dealing with local firms who wish to expand their business. 5,000 square feet will be available for the fourth store.

The site contains a little less than two acres and adapts well to the terrain. There will be two curb cuts which will serve the auto beauty center. All the buildings will be single-level structures and will be of similar architectural design. Most of the traffic will enter from 73 Terrace and exit on to North Oak. The auto parts store will have a glass facade for display of merchandise and a dock in the rear. Convenience store plans show the a 30' curb cut with six gas islands. A study has been made for the number of gas pumps that would best serve the area, and six pumps was determined to serve the needs of the neighborhood.

Mr. Munsell asked the Council to consider variances to the site and reviewed those with the Council. The project will be bordered on the east by a residential area. Commercial developments are required to have a 35 foot buffer zone. Mr. Munsell requested a 2'8" front yard which is required to be a 30'. He further requested variances of half the property from 30' to 15' and the remaining half would have no front yard. They are not ignoring the desires of the Planning Commission on front yard; however, the requirements to meet the buffer zone and front yard would require the use of one-third of the land for green area to be utilized. The present plan utilizes 20 percent for green area. There is no other choice for building location.

Referring to the October 6, 1986 Planning Commission minutes, a motion was made by the Rezoning Subcommittee that they had several stipulations attached to zoning the 30' front yard. They understand the fact that Oak Street is heavily travelled and the need for green area. The second item is the issue of the car wash. There is public knowledge that the car wash could be converted to convenience store type of operation. He cannot say if the car wash would be the final utilization. Mr. Munsell said he understood that there was some concern about the hours of operation. The ordinance that governs the operation of car washes would be adhered. The request to reduce the pumps from six to four is not supported by the study that Mr. Munsell said was conducted which concluded that six pumps would be necessary to support the area. He understands the concerns of the neighbors to the north and east. They will provide a 6' screening fence and would be willing to make the fence 8' to 10', if need be as there would be more activity. Trees that would not defoliate during the winter months would be added. Dumpsters would be utilized according to recommendation. During the planning process and zoning process, they have submitted five plans. They have eliminated curb cuts, increased green area, and provided half the area on the front for green area.

Mr. Butler asked Mr. Munsell about the status of ownership; there are three owners and four buildings. The car wash and convenience store would be owned by one owner, the auto parts by one owners. Mr. Butler also asked

Mr. Munsell if he was aware of the car wash being built across the street and acknowledged that he was.

Mr. Munsell also pointed that the Council had given variances for green space at Kenton which is a new development at 72 Terrace and North Oak.

Mr. Ray Minor of 6510 NW Ames Drive, who is the owner of the property at 7307 and 7309 North Oak being the two center lots comprising one-half the property, gave his reasons why the project should be considered. There are four owners and five lots. Mr. Minor does not consider this to be a pocket development and noted that the Master Plan designates this area as commercial. All of the adjacent property is zoned commercial. With being owner-occupied buildings, the buildings are sold upon completion. This plan allows for the best possible plan for ingress and egress curb cuts, grading, drainage, lights, and traffic flow. Mr. Minor also pointed out that the alternative for the properties would be for separate zoning. Mr. Minor further reiterated Mr. Munsell's point that if no variances are given for green area that one-third of the property would be given to greenway before any parking would be allowed. The neighbors have been contacted several times and are concerned about traffic and lighting problems. Oak has always been a commercial thoroughfare. This property is not like rezoning in a primarily residential area. The convenience store has been moved to the rear and a six to ten feet high fence with evergreen trees has been included. This type of joint development has always been believed to be Council supported. Under the present circumstances, if this does not pass there may be difficulty in getting the four owners together again.

Mr. Butler asked Mr. Minor if he lives at the property he owns. Mr. Minor does not live there but bought the property ten years ago for investment purposes and has waited until this type of development came along to use the whole block for the highest and best use of the land and is not just another request. Mr. Minor will not be involved in the operations after the development is constructed.

Mr. Butler addressed City Manager Reilly about the zoning code requirements for the proposed businesses to zoning all business. Mr. Reilly replied that all the business would belong in a CP-2 except for the car wash which must be in a CP-3 zone.

Mr. Minor also reflected that 73 and 74 streets must go to North Holmes before coming to a major north/south street since there is no straight access through to the east other than going by Oak to 72 Street. The original two curb cuts were planned on 74 but reduced to one. No doubt there will be some additional traffic, and an attempt has been made to keep the traffic to a minimum.

Mr. Rod Jones, 2012 NE 68 Street, said he was the owner of the property across the street. He feels the plans have been done in a professional way. There will be a little more traffic on side streets. Since Oak is commercial and always will be, he realizes greenway is necessary; however, it would not be economical to give up the amount required by Code and would be difficult to develop.

Mr. Munsell said that he would be happy to work with the staff if a CP-3 is not necessary and would also be happy to fit into the proper category and not over zone. With the auto beauty shop, all work would be done inside and would have a volume of twenty cars.

Mr. Butler asked if the convenience store was a national firm. Two prospects are national firms and two are local operations.

#### Opponents

Sandra Foreman, 404 NE 68 Street. Her brother and sister-in-law were in a traffic accident recently and is speaking for them as they are residents of this area. They are concerned about the traffic up and down 73 Terrace and 74 Street.

Ethyl Kidwell, 402 NE 74, said that she is opposed to CP-3 next to R-1. She lives next to Kenton Glass which is okay with her because of the type of business they do and the hours that are kept.

There being no other persons to speak in regard to the proposed site, Mayor Ashcroft closed the public hearing.

Item 7 on the Agenda: Public Hearing, Request to rezone from R-4, Apartment House District to CP-0, Non-Retail Business-Planned, property at 2001 NE 72 Street. Owner: First Assembly of God Church. Applicant: Ronald Tietz.

Mr. Ron Tietz explained that the development would be four office buildings of 7,250 square feet each and one and one-half stories. The atmosphere would be a spacious campus-style type with a large amount of landscaping and trees; each building is to be designed with four suites and individual signage. The appearance is very compatible with R-1 zoning and would make a good transition and would be a condo-type arrangement. Lawyers, doctors, brokers, etc. would be the most likely tenants. The offices can also be made for a single user. The walls can be put at any location to meet occupant's needs. Plans call for the buildings to be sold as constructed. The buildings will align with the North Euclid intersection. The residents have been found to be more in favor of this type project as opposed to apartments.



Opponents

Mr. Terry O'Hara, 1628 Rosewood Drive. He is here because of demands to up-zone along 72 Street, and feels this is a good project. What bothers Mr. O'Hara is that the zoning would be an up-grade. He feels that just because other commercial development is present along 72 Street, that is not sufficient criteria to upgrade. He requested that the Council and Staff give careful consideration to trends along 72 Street because of the residential area involved.

Item 8 on the Agenda: Public Hearing, Request to rezone from C-1, Local Business district, to CP-2, General Business District-Planned, property at 6726 North Oak. Applicant/Owner: Frank Ancona.

Mr. John Jameson, 13215 West 65 Street, Shawnee, Kansas, said they will comply with all zoning requirements and are aware of recommendations of the Planning Commission and willing to comply with all.

Mr. Butler asked about information to be provided concerning storm water drainage. Plans for water drainage had already been requested. They would create a detention basin on rear parking lot which will not worsen and possibly improve the drainage. Final calculations are not made until building permit approval time. A comprehensive study of the property has already been done.

Item 9 on the Agenda: Communications from the Audience

There were none.

Item 10 on the Agenda: Communications from the City Council

Mr. Butler said that he had received two complaints about cable television service and is appalled by promises from American Cablevision. He would like to see if the Council and staff could resolve any of the frustrating problems the public is having. A public meeting was suggested to be held with the Cable Television Advisory Board, Council, and American Cablevision representatives. Mr. Winkler mentioned that American Cablevision said they had surveyed approximately 8,000 people in Gladstone and had not met anyone who had been visited. The survey also turned out to be more of a sales pitch than a survey of satisfaction. Comments were made about the poor customer service and also that people in customer service did not even know Gladstone's location. Mr. Winkler thanked Mr. Butler for his support. Mr. Smith asked for a show of hands from the audience to see if anyone attending had been visited by American Cablevision. A few hands were raised.

Item 11 on the Agenda: Communications from the City Manager

City Manager Reilly noted that the water projects authorized in the Consent Agenda will be financed by water bond issue funds. This is to help solve problems in high maintenance areas.

Item 12 on the Agenda: Second Reading, Bill 86-62, rezoning property at 6416 and 6420 North Oak from C-2 General Business District to CP-2, Planned General District. Applicant/Owner: Angelo Porrelo, Pizza Hut/ Kentucky Fried Chicken. Note: Legal Protest Petition

Mr. Smith moved to accept the first reading of said bill and place on the second reading; Mr. Butler seconded. The vote: Winkler - no, Butler - aye, Smith - aye, Ashcroft - aye (3-1) The Clerk read the bill.

Item 13 on the Agenda: Second Reading, Bill 86-59, amending certain sections of the Alcoholic Beverage Code regulating the sale to and purchase of or possession of alcoholic beverages by minors; and prohibiting the furnishing of such beverages to minors and providing for penalties for violation.

Mr. Butler moved to accept the first reading of said bill and place on the second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft (4-0) The Clerk read the bill.

Mr. Butler moved to accept the second reading of said bill and place on the third reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Ashcroft (3-0) The Clerk read the bill.

Mr. Butler moved to accept the third reading of said bill and enact as Ordinance 2.670; Mr. Winkler seconded. The vote: All "aye" - Winkler, Butler, Ashcroft (3-0) (note: Mr. Smith left the Council Chambers.)

Item 14 on the Agenda: First Reading, Bill 86-64, rezoning property at 7305, 7307, 7309, 7311 North Oak from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District- Planned. Applicant: Commercial Leasing and Management Corporation. Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow.

Mr. Smith moved to place said bill on the the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Item 15 on the Agenda: First Reading Bill 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3, General Apartment District. Applicant/Owner: Herman Scharhag. (Legal Protest Petition)

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Mr. Butler moved to place said bill on the first reading; Mr. Smith seconded. The vote: Winkler - no, Smith - aye, Butler - aye, Ashcroft - aye. (3-1) The Clerk read the bill.

Mr. Butler explained to the audience the procedures that a bill must go through. The Council is merely moving the bill for reading so that action may be taken. City Manager Reilly also noted that a legal protest petition has been filed. Mr. Butler further explained the voting procedure with a legal protest petition which must be passed with a 4-1 vote.

Item 16 on the Agenda: First Reading Bill 86-74, rezoning property from R-4, Apartment House District to CP-0, Non-Retail Business-Planned, property at 2001 NE 72 Street. Owner: First Assembly of God Church, Applicant: Ronald Tietz.

Mr. Smith moved to place said bill on the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the first reading of said bill and place on the second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill. Mr. Winkler responded to the comments of Terry O'Hara that this was the best project for the area over apartments.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.671; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 17 on the Agenda: First Reading Bill 86-75, rezoning property from C-1, Local Business District to CP-2, General Business District-Planned, property at 6726 North Oak. Applicant/Owner: Frank Ancona.

Mr. Smith moved to place said bill on the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the first reading of said bill and place on second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place on the third reading; Mr. Butler seconded. The

vote: All "aye" - Winkler, Smith, Butler, Ashcroft (4-0)

Mr. Butler said that he would like to make sure that project meets with the approval of the Planning Commission and Staff.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.672; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft. (4-0)

Item 18 on the Agenda: Other Business

Mayor Ashcroft expressed sympathy to City Clerk Marilyn Ahnefeld for her mother's death on behalf of the Staff and Council.

Mr. Smith commented on Item 16 that the development has the support of the residents regarding Mr. O'Hara's comments.

Mr. Butler said that he has seen 15 - 20 political signs remaining from the election and would like the Staff to take appropriate action.

There being no further business and no questions from the news media, Mayor Ashcroft adjourned the meeting at 8:50 p.m.

Respectfully Submitted,

Rhonda L. Stevenson  
Rhonda L. Stevenson, Deputy City Clerk

1-511-1234  
Mayor

Approved as submitted: ☒

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

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

November 24, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of November 10, 1986 City Council Meeting.

5. CONSENT AGENDA:

RESOLUTION NO. R-86-74, authorizing Change Order No. 1 (contract reduction-\$1,680) to the R. A. Pohl 76th Street Water Line Construction Contract and authorizing acceptance and final payment of the contract. Grand total contract: \$53,150. Final payment due: \$13,613

RESOLUTION NO. R-86-75, authorizing acceptance of work under the Barber Sewer & Ditching 58th Street Water Line replacement contract and authorizing final payment. Grand total contract: \$35,596.96. Final payment due: \$1,135.00.  
Amount.

RESOLUTION NO. R-86-76, authorizing acceptance of 47th Street cul-de-sac as built in Claymont Estates for city maintenance.

RESOLUTION NO. R-86-77, authorizing Change Order No. 1 and acceptance and final payment of contract with Bowen Construction for community services maintenance building parking lot repairs. Change Order: +\$464; Total Revised Contract: \$24,336

ACCEPTANCE OF BUILDING PLANS: Northland Eye & Cataract Care Clinic, 7016 North Cherry. Applicant: Dr. Jerry Cook

6. PUBLIC HEARING: Request for Site Plan Revision on property at 6020 North Oak. Applicant: Lakey-Donaldson Development.
- 6a. APPROVAL OF SITE PLAN REVISION. 6020 N Oak. Construct Phase III of two story office building within the Oakwood Manor development.
7. APPROVAL OF SITE PLAN REVISION. 67th Terrace & Antioch, nine 4-plexes, Meadowbrook Manor 2nd Plat.  
Applicant: Bruce Kelly Owner: Byers Brothers
8. APPROVAL OF BUILDING PERMIT: 68th & N Olive, completion of Phase II, Tract A, PROSPECT I APARTMENTS.  
Applicant: G. Dirk Ellis, AIA  
Owner: North Haven East, Inc.
9. Communications from the Audience
10. Communications from the City Council
11. Communications from the City Manager
12. THIRD READING: BILL 86-62, rezoning property at 6416 and 6420 N Oak from C-2 General Business District to CP-2, Planned General District. Applicant/Owner: Angelo Porrelo File #481  
Pizza Hut/Kentucky Fried Chicken LEGAL PROTEST PETITION

13. SECOND READING: BILL 86-64, rezoning property at 7305, 7307, 7309, 7311 N Oak from R-1, Single Family District and CP-1. Local Business District-Planned to CP-3, Commercial District-Planned. Applicant: Commercial Leasing and Management Corporation  
Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow
14. SECOND READING: BILL 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3, General Apartment District.  
Applicant/owner: Herman Scharhag  
NOTE: Legal protest petition
15. FIRST READING: BILL 86-76, accepting a standard easement from Guaranty Development Company necessary for water transmission main construction, 68th Street Broadway to Forest.
16. FIRST READING: BILL 86-77, authorizing maintenance of the existing business license tax rate of 7% on gross receipts of any gas utility corporation doing business within the city of Gladstone.
17. Other Business
18. Questions from the News Media
19. Adjournment

MINUTES  
GLADSTONE CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

NOVEMBER 24, 1986

Mayor Bob Ashcroft called the November 24, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present:

Councilman Ken Winkler  
Councilman Jim Butler  
Councilman Les Smith  
Councilman Lee Bussinger  
Mayor Bob Ashcroft

City Manager Pat Reilly  
City Counselor John Dods  
City Clerk Marilyn Ahnefeld

Mayor Ashcroft led the Pledge of Allegiance to the flag in which all joined.

Item 4 on the Agenda: Acceptance of November 10, 1986 Minutes

Mr. Smith moved to accept the minutes as submitted; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Ashcroft (4-0); Bussinger - passed due to absence.

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested removal of the acceptance of building plans of Northland Eye and Cataract Care Clinic, 7016 North Cherry.

Mr. Smith moved to approve the Consent Agenda as amended; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft (5-0)

Consent Agenda Review

Mr. Smith moved to approve Resolution 86-74, authorizing Change Order No. 1 (contract reduction - \$1,680) to the R. A. Pohl 76th Street Water Line Construction Contract and authorizing acceptance and final payment of the contract. Grand total contract: \$53,150, final payment due: \$13,613; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft (5-0)

Mr. Smith moved to approve Resolution 86-75, authorizing acceptance of work under the Barber Sewer and Ditching 58th Street Water Line replacement contract and authorizing final payment. Grand total contract: \$35,596.96, final payment due: \$1,135.00; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft (5-0)

Mr. Smith moved to approve Resolution 86-76, authorizing acceptance of 47th Street cul-de-sac as built in Claymont Estates for City maintenance; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft (5-0)

Mr. Smith moved to approve Resolution 86-77, authorizing Change Order No. 1 increase of \$464.00 and acceptance and final payment of contract with Bowen Construction for Community Services maintenance building parking lot repairs for a total of \$24,336; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft (5-0)

Item 5 (a) on the Agenda: Acceptance of Building Plans, Northland Eye & Cataract Care Clinic, 7016 North Cherry. Applicant: Dr. Jerry Cook.

It was noted that the staff report indicates the land for which this building permit is sought (7016 North Cherry) appears on a previously submitted plan for Linden Oaks office building parking lot. The staff report continues that some questions still exist concerning the ownership of this property. Verification of the correct ownership of this parcel needs to be determined prior to issuance of a building permit.

Because of these questions, Counselor Dods addressed the matter and gave a chronological outline of events in the matter of the Linden Oaks Racquet Club rehabilitation into office space. On or about October 27, 1986, City Manager Reilly, Counselor Dods and others met with Mrs. Rose and her attorney in connection with problems at Linden Oaks at which time Counselor Dods was presented with a letter signed by Dr. L. McRoberts who stated that the property in question (Linden Oaks parking lot) was then owned by Gladstone Professional Building. Dr. Deligeorges and Dr. Cook, who are in attendance tonight, have presented Counselor Dods with a copy of a deed showing that in fact on October 20, 1986 there had been a conveyance from the Gladstone Professional Group to the applicants of the building permit on this agenda. Their attorney could not be reached to confirm if conveyance was recorded. Counselor Dods recommends to the Council to approve the building permit with the stipulations that the applicant satisfy all other requirements of the City and conditioned upon his confirmation that the deed was recorded on about the time that is one the face of the deed copy.

Mr. Winkler said this still leaves him a bit confused on the status of the Linden Oaks parking area. Counselor Dods said that problems still exists, and he does not know what ultimate resolution will be; when they met with Mrs. Rose they understood that they have acquired property to the south of



Linden Oaks and that perhaps some arrangement can be made to either rezone or obtain a variance on that property so that the required number of parking spaces needed for Linden Oaks could be placed on that tract which would solve the Linden Oaks parking shortage.

Counselor Dods said this building plan approval for Northland Eye & Cataract Care creates more problems for Linden Oaks because it appears they no longer have the right to use parking area to the north but it does not create a problem for the eye clinic representatives here tonight.

Mr. Winkler asked Mr. Dods if he could clarify who had ownership of the north property at the time of approval of the rehabilitation of Linden Oaks. Mr. Dods said he was not sure he could, but from his review of the matter at the time of the original application by Linden Oaks there was representation that the ownership was by Linden Oaks applicants; and he believes Mr. Charles Ferrara signed the application.

Mr. Dods wanted to make clear that he could not verify whether there was any change of ownership from the time Linden Oaks made their application and the recent one discussed tonight. All he does know is that it has been represented by Drs. Cooke and Deligeorges and is supported by the deed submitted tonight that they have ownership of the property in question.

Mr. Bussinger moved to approve the building plans for the Northland Eye & Cataract Care Clinic subject to City Manager's determination of deed being filed; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 6 on the Agenda: Public Hearing, Request for Site Plan Revision on property at 6020 North Oak. Applicant: Lakey-Donaldson Development.

There being no persons to speak for or against the aforementioned subject, Mayor Ashcroft closed the public hearing.

Item 6 (a) on the Agenda: Approval of Site Plan Revision, 6020 North Oak, Construct Phase II of two story office building within the Oakwood Manor development.

Mr. Winkler moved to approve the site plan revision; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 7 on the Agenda: Approval of Site Plan Revision, 67th Terrace and Antioch, nine 4-plexes, Meadowbrook Manor, 2nd Plat.

Mr. Smith moved to approve the site plan revision as submitted with

stipulations submitted by the Planning Commission; Mr. Winkler seconded. Mr. Steve Warger, McDonald/Warger, said there was no problem to use Monroe as the street name (see Staff Report stipulations); play areas also designated. Mr. Warger was in agreement with all stipulations as Mr. Winkler recited the particular points. The vote: All "aye" - Winkler, Smith, Butler, Bus- singer, Ashcroft. (5-0)

Item 8 on the Agenda: Approval of Building Permit, 68th and North Olive

The item was withdrawn from agenda at the request of the applicant.

Item 9 on the Agenda: Communications from the Audience

None.

Item 10 on the Agenda: Communications from the City Council

Mr. Winkler acknowledged the death of a former Council member, Mr. L. Wayne Timbrook, who served from April 1957 through April 1960 before Gladstone became a Council/City Manager form of government. Councilman Timbrook was one of the early founders of Gladstone. Mr. Winkler expressed sympathy to the family of behalf of the City of Gladstone.

Mr. Butler noted that the cable television public hearing will be December 16, 1986 at 7:00 p.m. in the Council Chambers.

Mr. Smith also noted Mr. Butler's recent 37th birthday.

Item 11 on the Agenda: Communications from the City Manager

Mr. Reilly had no comments.

Item 12 on the Agenda: Third Reading Bill 86-62, rezoning property at 6416 and 6420 North Oak from C-2 General Business District to CP-2, Planned General Business District. Applicant/Owner: Angelo Porrelo, Pizza Hut/Kentucky Fried Chicken. (Legal Protest Petition)

Mr. Smith moved to accept the second reading of said bill and place on third reading, most recent plans submitted October 14, 1986; Mr. Butler seconded.

Mr. Smith said that he needed clarification about the fence line locations and if the fence would be even with the neighbors on the north side and would come to the end of the eastern edge and if extensive landscaping would be done on the west side of the property. Mr. Smith also asked Mr. Porrelo if he would provide maintenance in the 20 feet buffer zone between fence the property line. Mr. Porrelo agreed that maintenance would be provided and other requests would be agreeable.

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Mr. Butler inquired about the decision to remove the "chicken bucket" sign. The Kentucky Fried Chicken representative was not present to answer the question. Mr. Butler amended the motion to read the bucket sign be removed. Mayor Ashcroft read the amended motion: to accept the second reading of said bill and place on third reading with the stipulation that the "bucket sign" be removed, most recent plans submitted October 14, 1986; Mr. Smith seconded.

There being no further discussion, the Clerk called the roll: Winkler - no, Smith - aye, Butler - aye, Bussinger - aye, Ashcroft - aye. (4-1)

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.673; Mr. Butler seconded. The vote: Winkler - no, Smith - aye, Butler - aye, Bussinger - aye, Ashcroft - aye. (4-1)

Item 13 on the Agenda: Second Reading Bill 86-64, rezoning property at 7305, 7307, 7309, 7311 North Oak from R-1, Single Family District and CP-1. Local Business District-Planned to CP-3, Commercial District-Planned. Applicant: Commercial Leasing and Management Corporation. Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow.

Mr. Smith moved to approve the first reading of said bill and place on second reading; Mr. Butler seconded. Mr. Bussinger asked Mr. Munsell if it was certain a Shop-N-Go and gas pumps are included in the project and whether that is a wise decision to do so because of the property depth. Mr. Bussinger commented that additional problems could be created with the additional traffic; however, a stop light between 72 Street and 76 Street might help alleviate some of the problem. Mr. Bussinger said that statistics indicated that the average speed on Friday night or Saturday night on North Oak is around 45 m.p.h. Mr. Bussinger is concerned about safety. Mr. Munsell said he would be in favor of a traffic light and would welcome the opportunity to participate in funding with other local businesses along North Oak.

Mr. Butler noted to Mr. Munsell that the Staff Report noted there is a deficiency in parking at the Shop-N-Go area. The City requires 21 spaces plus 1 employee space and only 12 spaces have been provided. The auto parts store require 18 parking spaces plus 1 employee and only 18 spaces have been provided. The Ming auto site requires 19 parking spaces plus 1 employee. These combined make a sizable deficiency in parking spaces allowed. Mr. Munsell said the latest plans dated September 26, 1986 are revised to show adequate parking and that the requirements have been met.

Mr. Butler asked for Mr. Munsell's comments about the fencing requirements cited in the October 6, 1986 Planning Commission minutes. Mr. Munsell said the screening would be comprised of a wooden fence at least 10 feet in height with pine and hardwood trees planted in a staggered row.

Mr. Winkler said that he will vote in favor of the project in order to continue the process, but he has reservations about this project because there are so many variances and encroachments. Mr. Winkler said he is in favor of such project whereby larger parcels of property may be zoned at one time instead of by small individual lots.

There being no further discussion, the Clerk called the roll. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Item 14 on the Agenda: Second Reading Bill 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3, General Apartment District. Applicant/owner: Herman Scharhag. (Legal Protest Petition)

Mr. Bussinger moved to accept the first reading of said bill and place on the second reading; Mr. Smith seconded.

Mr. Winkler said that he will vote yes to continue the bill. Mr. Winkler further stated that they applicant has willingly revised the site plan. Representatives have visited with area residents and none of the opposing residents attended the meeting. Mr. Winkler said that this has left him with questions how he should vote and feels that all parties concerned should be satisfied. Mr. Winkler said that he would like to visit with opposing residents after this meeting or at a later date. RCH buffering has been met, but Mr. Winkler would like to have some input about the revised plan.

Mr. Butler had questions about the utility lines on proposed North Main Street that intersects with Englewood Road. North Main is proposed for a 40' street where 50' is required. As the staff report indicates if the proposed water main is to run along the dedicated street, the portion of the street with 40' right-of-way will not provide satisfactory right-of-way to service the main. The development of parcels on the east and west sides of the 40' right-of-way would provide the additional 10 feet (5 feet per side). Mr. Snowden said that effort has been made to contact the owner and has been unsuccessful. Mr. Snowden recommended to the Council that when the owners join and come with any other zoning a stipulation would be made that they give the 5 feet easement.

Mr. Butler noted that the total number of units has been reduced from 246 to 198 for a total reduction of 48 units.

Mr. Bussinger said that the developer has made good effort to make a good development and meet all the requirements.

Mr. Butler asked Mr. Snowden about a designated play area. Mr. Snowden said there is enough open ground to allow for a play area which had not been illustrated on the plans.

City Council Meeting Minutes  
11-24-86, Page 7

There being no further discussion, the Clerk called the roll. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Item 15 on the Agenda: First Reading Bill 86-76, accepting a standard easement from Guaranty Development Company necessary for water transmission main construction, 68th Street Broadway to Forest.

Mr. Smith moved to place said bill on the first reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the first reading of said bill and place on the second reading; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Butler seconded. Mr. Smith noted that this is part of the water bond issue and that good progress has been made. Mr. Smith further commended the City Staff and City Manager Reilly for their efforts to continue the project towards completion in an expeditious manner. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.674; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 16 on the Agenda: First Reading Bill 86-77, authorizing maintenance of the existing business license tax rate of 7% on gross receipts of any gas utility corporation doing business within the City of Gladstone.

Mr. Winkler moved to place said bill on the first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.675; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

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11-24-86, Page 8

There being no other business or questions from the news media, Mayor Ashcroft adjourned the November 24, 1986 City Council Meeting at 8:17 p.m.

Respectfully submitted,

Marilyn F. Ahnefeld  
Marilyn F. Ahnefeld, City Clerk

Bob Ashcroft  
Mayor

Approved as submitted: ☒

Approved as amended or  
corrected: ☐

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI

December 8, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of November 24, 1986 City Council Meeting.
- 4a. PROCLAMATION: Designating week of December 8th - December 14th as "WINTER PREPAREDNESS WEEK" in the City of Gladstone.  
Sponsor: Federal Emergency Management Agency
5. CONSENT AGENDA:
  - RESOLUTION NO. R-86-78, authorizing execution of contract by and between City of Gladstone, Missouri and the Kansas City Area Transportation Authority for the retention of public transportation. Proposed Total Service Cost: \$43,290  
Gladstone subsidy: \$18,000
  - RESOLUTION NO. R-86-79, authorizing acceptance of Bill of Sale conveying sanitary sewer line constructed in Claymont Estates for city maintenance.
  - APPROVAL OF CLASS C PACKAGE LIQUOR LICENSE, 5718 North Antioch Rd. Maria's Liquors. Named Managing Officer: Donald Popejoy  
Property Owner: Mike Siragusa
  - APPROVAL OF CLASS D BEER LICENSE, 6311 North Antioch Road. Louie's Bar-b-Que. Named Managing Officer: Louis A. Dobson (former Minsky's Pizza location)
  - APPROVAL OF CLASS D BEER LICENSE, 6012 NE Antioch Rd. Momma & Me Restaurant. Mgr. Officer Barbara J. Lantz
  - APPROVAL OF BUILDING PLANS: Office Building at NE corner 67th & N Oak Applicant: Joe Cannova
  - APPROVAL OF BUILDING PLANS: 5716 North Antioch Road. Stutz's Steaks & Sips. Applicant: Vincent Ferrante  
Owner: Mike Siragusa
  - APPROVAL OF BUILDING PLANS: 5800 North Oak, enclose existing open patio at Vickers Station. Applicant: J.G. Shull  
Owner: Total Petroleum, Inc.
  - APPROVAL OF INTERIM FINANCIAL REPORT for November, 1986.
6. PUBLIC HEARING: Request for Site Plan Revision in CP-2 zone on property at 200-300 Englewood Road.  
Applicant/Owner: John Chezik Buick. File #496

7. PUBLIC HEARING: Request for Site Plan Revision in CP-3 zone, property at 6069 North Antioch Road, Kendallwood Commercial Center. Applicant/owner: Curry Investment Co. File #497
- 7a. APPROVAL OF SITE PLAN REVISION: 6069 North Antioch Road. Kendallwood Commercial Center. Applicant/owner: Curry Investment (Applebee's)
- 7b. APPROVAL OF BUILDING PLANS: 6069 North Antioch Road, for construction of restaurant and retail shops. Curry Investment Co.
8. PUBLIC HEARING: request to vacate 20' drainage and utility easements across Lot 7 Kendallwood Commercial Center, (2610 NE 60th Street). Applicant: Helton Brothers
9. Communications from the Audience
10. Communications from the City Council
11. Communications from the City Manager
12. THIRD READING: BILL 86-64, rezoning property at 7305, 7307, 7309, 7311 N Oak from R-1, Single Family District and CP-1. Local Business District-Planned to CP-3, Commercial District-Planned. Applicant: Commercial Leasing and Management Corporation Owners: Homestead Builders, Ray & Billie Minor, William Cunningham and Betty Barlow
13. THIRD READING: BILL 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3, General Apartment District. Legal Protest Petition Applicant/owner: Herman Scharhag Note: Legal Protest Petition
14. FIRST READING: BILL 86-78, vacating drainage & utility easements and 10' sewer easement on property at 2610 NE 60th Street. property at 2610 NE 60th Street. Applicant: Helton Brothers
15. FIRST READING: BILL 86-79, approving the Final Plat of Replat of part of Carriage Hills 7th, 8th, and 9th plats. Applicant/owner: J.A. Peterson Co., Tom Randolph, Roger Poteet, Byron Flowers, Chris O'Connor, Joseph Palermo and Charles Revenaugh. File #499
16. FIRST READING: BILL 86-80, approving the final plat of Replat of Lots 1, 2 & 5, Block 7, Bolling Heights Subdivision (67th & N Oak). Applicant: Joe Cannova File #504
17. FIRST READING: BILL 86-81, approving the final plat of Replat of Lot 63, Hamilton Heights Subdivision, (6726 North Oak). Frank Ancona. File #505
18. FIRST READING: BILL 86-82, approving the final Plat of GLADSTONE VILLAGE CENTER, 72nd & North Oak. File #506
19. FIRST READING: BILL 86-83, accepting conveyance of temporary and permanent easements from Glenn S. and Betty Bartlett, 1 NW 69th Street required for water transmission line project and authorizing payment of consideration in the amount of \$1,500.00.
20. FIRST READING: BILL 86-84, Amending Schedule V of the Model Traffic Ordinance to prohibit parking at all times on north side of NE 67th Terrace, from North Askew to Antioch Road.



21. FIRST READING: BILL 86-85, an ordinance for the consolidation of the City of Gladstone, Missouri, and the Village of Oakwood Manor, Missouri, providing for the submission of such ordinance to the Clay County Commission as required by statute, setting forth the effective date of proposed consolidation; providing for the submission of such consolidation to the respective voters of the two municipalities; and setting forth the form of the ballot.

22. Other Business

23. Questions from the News Media

24. Adjournment

CITY COUNCIL MEETING MINUTES  
GLADSTONE, MISSOURI

DECEMBER 8, 1986

Mayor Bob Ashcroft called the December 8, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Lee Bussinger  
Mayor Bob Ashcroft

City Manager Pat Reilly  
City Counselor John Dods  
City Clerk Marilyn Ahnefeld

Absent: Councilman Jim Butler

Mayor Ashcroft led the Pledge of Allegiance to the flag in which all joined.

Item 4 on the Agenda: Acceptance of November 24, 1986 Minutes

Mr. Winkler moved to accept the minutes as submitted; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 4 (a) on the Agenda: Proclamation

Mayor Ashcroft read a proclamation designating the week of December 8 - 14 as "Winter Preparedness Week" in the City of Gladstone which was sponsored by the Federal Emergency Management Society.

Item 5 on the Agenda: Consent Agenda

Following the Clerk's reading of the Consent Agenda, Mayor Ashcroft asked if any member of the audience, Staff or City Council desired removal of any item from the Consent Agenda for placement on the Regular Agenda.

Mr. Winkler requested removal of Resolution 86-78 authorizing the execution of contract by and between the City of Gladstone, Missouri and the Kansas City Area Transportation Authority for the retention of public transportation.

Mr. Bussinger moved to approve the Consent Agenda as amended; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Consent Agenda Review

Mr. Bussinger moved to approve Resolution 86-79, authorizing acceptance of Bill of Sale conveying sanitary sewer line constructed in Claymont Estates for City maintenance; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to approve Class C Package Liquor License, 5718 North Antioch Road, Maria's Liquors, named managing officer: Donald Popejoy and property owner: Mike Siragusa; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to approve Class D Beer License, 6012 North Antioch Road, Louie's Bar-b-Que, named managing officer: Louis A. Dobson; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to approve Class D Beer License, 6012 North Antioch Road, Momma & Mc Restaurant, managing officer: Barbara J. Lantz; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to approve building plans for an office building at the northeast corner of 67th and North Oak, applicant: Joe Cannova; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to approve building plans at 5716 North Antioch Road, Sutz's Steaks & Sips, applicant: Vincent Ferrante, owner: Mike Siragusa; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to approve building plans at 5800 North Oak to enclose an existing open patio at Vickers Station, applicant, J. G. Shull, owner: Total Petroleum, Inc.; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to approve the Interim Financial Report for the month of November 1986 for the City of Gladstone, Missouri; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 6 on the Agenda: Public Hearing, request for Site Plan Revision in a CP-2 zone on property at 200-300 Englewood Road. Applicant/Owner: John Chezik Buick.

There being no persons to speak in favor or opposed to the project, Mayor Ashcroft closed the public hearing.

Item 7 on the Agenda: Public Hearing, Request for Site Plan Revision at 6069 North Antioch Road, Kendallwood Commercial Center. Applicant/owner: Curry Investment (Applebee's)

Mr. Jim Youngers of the Curry Investment Company, home address 7324 North Bellefontaine, Gladstone, spoke on behalf of the project. Curry Investment proposes to build an approximately 15,000 square feet commercial project just south of Annie's Santa Fe. The building will have approximately 4,000 square feet utilized for a restaurant and the remainder to be used for individual shops. The Planning Commission was unanimous in its recommendation, but Mr. Youngers has one change for the rear drive width. The drive width submitted was 20 feet and would be increased to 30 feet to better accommodate emergency and delivery vehicles to access the area. The required setback will still be met.

The Applebee's Restaurant is a local franchise which is owned by the people who introduced Wendy's to the area and have demonstrated an ability to operate a quality dining establishment. The small shop space will be a typical 20 by 70 feet bay and provide the usual ingress and egress with a rear exit. Mr. Youngers further explained in detail the architectural character of the building and how the building will blend with the existing structures in the area.

Mr. Youngers requested the use of a project signs which would be monumented signage. The two signs would be used to advertise the restaurant and the individual shops and placed at the north and south entrances.

Mr. Bussinger asked what the distance would be between the entrances; Mr. Youngers replied that the distance from center to center is 247 feet.

Mr. Winkler asked Mr. Youngers if the Applebee's maintain the same style of building. Mr. Youngers explained that only the outside lights, canopy, and interior would be similar to other Applebee's restaurants.

There being no other persons to speak in favor or opposed to the project, Mayor Ashcroft closed the public hearing.

Item 7 (a) on the Agenda: Approval of Site Plan Revision, 6069 North Antioch Road, Kendallwood Commercial Center, Applicant/owner: Curry Investment (Applebee's)

Mr. Winkler moved to approve the site plan revision for 6069 North Antioch Road for the Kendallwood Commercial Center; Mr. Smith seconded.

Mr. Smith Smith asked City Manager Reilly if the 30 feet drive requested is included; City Manager Reilly said that the change has

been submitted. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 7 (b) on the Agenda: Approval of Building Plans 6069 North Antioch Road, for construction of restaurant and retail shops. Curry Investment Company.

Mr. Winkler moved to approve the building plans at 6069 North Antioch Road for construction of restaurant and retail shops; Mr. Smith seconded. Mayor Ashcroft asked if the building plans are complete at this time. Mr. Youngers said they are only asking for foundation plan approval. They have submitted a full set of architectural plans for approval and thus far have had no opposition from the staff. Complete building plans will be sought later. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 8 on the Agenda: Request to Vacate 20' drainage and utility easements across Lot 7 Kendallwood Commercial Center, (2610 NE 60 Street).

There were no persons to speak in favor or opposed to the vacation of the easements. City Manager Reilly explained that the Council approved the construction of a combined car wash and office building development. Prior to the approval an easement ran diagonally across the property; to develop the property and not change the easement, the building would have been built directly over the easement precluding access to the sewer or storm water line. The applicant, as part of their application, has relocated easement lines creating new easements around the perimeter of the property; vacation is at the request of the City. Following the City Manager's explanation of the request, Mayor Ashcroft closed the public hearing.

Item 9 on the Agenda: Communications from the Audience

Mr. Joe O'Brian of 6228 NE Normandy said that he wanted to bring to the Council's attention that the "Welcome to Gladstone" signs are too large for residential areas. Although he was notified that the sign was going to be placed in his yard, the actual size was not given. The notification indicated it was to be monumented signage, and he had anticipated a smaller sign to be placed in his yard.

Item 10 on the Agenda: Communications from the City Council

Mr. Smith requested that City Manager Reilly prepare information about the required parking on the Harbison site plan so that the Council can substantiate the requirements regarding the development for site plan approval.

Secondly, Mr. Smith said that a letter had been received from an individual about blasting around the Pizza Hut/Kentucky Fried Chicken area. Mr. Smith requested that the staff investigate this matter.

Mr. Smith also requested that the City Manager and City Counselor research legal recourse in requiring American Cablevision to provide better service to Gladstone in preparation for the December 16, 1986 public hearing.

Item 11 on the Agenda: Communications from the City Manager

City Manager Reilly updated the Council and general public on the M-1 project. Last week the State conducted a preconstruction conference with all concerned parties (contractors, city, state, utilities, etc. represented). Some activity may begin within the next 30 - 45 days, weather permitting. Clarkson Construction will begin some grading work so that the electrical work may begin with an anticipated completion of electrical work by July.

Construction will begin on the north end of the project (72 Street) and move southward (64 Street). This would allow 64 Street to remain open to late spring. Prospect may be closed by July at which time 72 Street traffic will also be disrupted. The project is anticipated to be completed during calendar year 1987.

City Manager Reilly said that the area residents will be contacted and neighborhood meetings held to inform the residents of street closing, detours, and other necessary information.

Item 12 on the Agenda: Third Reading of Bill 86-64, rezoning property at 7305, 7307, 7309, 7311 North from R-1, Single Family District and CP-1, Local Business District-Planned to CP-3, Commercial District-Planned. Applicant: Commercial Leasing and Management Corporation; Owners: Homestead Builders, Ray & Billie Minor, William Cunningham, and Betty Barlow.

Mr. Smith moved to accept the second reading of Bill 86-64, and place said bill on third and final reading with the following amendments to the plans:

- Plan be amended to remove the three-bay car wash from the site;
- Decrease number of gas pump islands from six to four;
- 6' wooden fence buffering the property versus a 10' wooden fence;
- Project be moved back 10' so as to allow an extra 10' of greenway for good site purposes on North Oak Street.

- \* Express understanding that No Building Permit will be issued without acceptance of landscaping plans for the entire site;
- \* Off-site storm drainage improvements be made on the south side of 73rd Terrace to City staff's specifications and at developers expense;
- \* \$5,000 contribution be placed in escrow with the City for traffic signal on North Oak Street; such funds to be escrowed at the time of building permit issuance.

Mr. Bussinger asked Mr. Munsell if they agreed to all the stipulations recited by Mr. Smith. Mr. Munsell said he did.

Mr. Winkler asked Mr. Munsell if he was also agreeing to the landscaping. Mr. Munsell said they do agree to the landscaping. Mr. Winkler commented he is still having a problem with that area.

Mr. Bussinger seconded Mr. Smith's motion. The Clerk read the Bill. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Smith moved to accept the third and final reading of Bill 86-64 and enact said Bill as Ordinance No. 2676; Mr. Bussinger seconded.

Mr. Winkler said he would be forced to vote "no" on this Bill and mentions it is because there is only a four member Council this evening.

It was noted no legal protest petition has been filed on this rezoning therefore three affirmative votes will pass the rezoning bill.

The vote: "Aye" - Smith, Bussinger Ashcroft. "No" - Winkler. (3-1)

Item 13 on the Agenda: Third Reading of Bill 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3, General Apartment District. Legal Protest Petition. Applicant/owner: Herman Scharhag

Mr. Bussinger moved to table Bill 86-73; Mr. Smith seconded. Mr. Bussinger stated that based on the fact that the developer has significantly changed the plans, that Council give the Planning Commission the opportunity to review the plans.

Because the developer has made two changes and for the concern of area residents, Mr. Smith said he supported Mr. Bussinger's recommendation that the project be reviewed by the Planning Commission. Mr. Smith stipulated that the Planning Commission have a recommendation for the Council by the December 22, 1986 City Council meeting.

The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mayor Ashcroft explained to the audience that the third reading of Bill 86-73 has been tabled until the December 22, 1986 City Council meeting.

Item 14 on the Agenda: First Reading of Bill 86-78, vacating drainage and utility easements and 10 feet sewer easement on property at 2610 NE 60th Street, property at 2610 NE 60 Street. Applicant: Helton Brothers.

Mr. Bussinger moved to place said bill on the first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the first reading of said bill and place on the second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83 and place on the third reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the third reading of said bill and enact as Ordinance 2.677; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 15 on the Agenda: First Reading Bill 86-80, approving the Final Plat of Replat of part of Carriage Hills 7th, 8th, and 9th plats. Applicant/owner: J. A. Peterson Co., Tom Randolph, Roger Poteet, Byron Flowers, Chris O'Connor, Joseph Palermo and Charles Revenaugh.

Mr. Winkler moved to place said bill on the first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place bill on the second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place on the third reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.678; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.



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Item 16 on the Agenda: First Reading Bill 86-80, approving the final plat of Replat of Lots 1, 2, and 5, Block 7, Bolling Heights Subdivision (67th and North Oak). Applicant: Joe Cannova.

Mr. Smith moved to place said bill on the first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved accept the first reading of said and place on the second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place said bill on the third reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.679; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 17 on the Agenda: First Reading of Bill 86-81, approving the final plat of Replat of Lot 63, Hamilton Heights Subdivision, 6727 North Oak, Applicant: Frank Ancona.

Mr. Bussinger moved to place said bill on the first reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the first reading of said bill and place on the second reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place on the third reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Bussinger moved to accept the third reading of said bill and enact as Ordinance 2.680; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 18 on the Agenda: First Reading Bill 86-62, approving the final Plat of Gladstone Village Center, 72 and North Oak.

Mr. Smith moved to place said bill on the first reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

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Mr. Smith moved to accept the first reading of said bill and place on the second reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place on the third reading; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.681; Mr. Winkler seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 19 on the Agenda: First Reading of Bill 86-83, accepting conveyance of temporary and permanent easements from Glenn S. and Betty Bartlett, 1 NW 69 Street required for water transmission line project and authorizing payment of consideration in the amount of \$1,500.00

Mr. Winkler moved to place said bill on the first reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place on the third reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the third reading of said bill and enact as Ordinance 2.682; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 20 on the Agenda: First Reading of Bill 86-84, amending Schedule V of the Model Traffic Ordinance to prohibit parking at all times on north side of NE 67th Terrace, from North Askew to Antioch Road.

Mr. Smith moved to place said bill on the first reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill

Mr. Smith moved to accept the first reading of said bill and place on the second reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the second reading of said bill, waive

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Paragraph 2 of Ordinance 1.83, and place on the third reading; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Smith moved to accept the third reading of said bill and enact as Ordinance 2.683; Mr. Bussinger seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Item 21 on the Agenda: First Reading of Bill 86-85, an ordinance for the consolidation of the City of Gladstone, Missouri, and the Village of Oakwood Manor, Missouri, providing for the submission of such ordinance to the Clay County Commission as required by statute, setting forth the effective date of proposed consolidation; providing for the submission of such consolidation to the respective voters of the two municipalities; and setting for the form of the ballot.

Mr. Winkler moved to place said bill on the first reading; Mr. Smith seconded. Mr. Bussinger asked for clarification of the bill, City Manager Reilly explained that this bill is just the first step in the consolidation effort. City Manager Reilly further explained that the infrastructure is financed by Oakwood Manor. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the first reading of said bill and place on the second reading; Mr. Smith seconded. Mr. Winkler asked Counselor Dods for an explanation of Section 3 regarding the number of votes cast in the last election. Counselor Dods was unaware of the reason but the section must be included in the bill by statute regulation. Mr. Bussinger asked the City Manager the amount of indebtedness of Oakwood Manor; Mr. Reilly responded that they had no indebtedness. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept the second reading of said bill, waive Paragraph 2 of Ordinance 1.83, and place bill on the third reading; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0) The Clerk read the bill.

Mr. Winkler moved to accept third reading of said bill and enact as Ordinance 2.684; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

Mr. Bussinger moved to adjourn for Council Executive Session in the City Manager's office for discussion of present litigation and other legal matters; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft. (4-0)

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Following the Executive Session, Mayor Ashcroft reconvened the formal City Council Meeting. Mr. Bussinger moved to adjourn; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (4-0)

The December 8, 1986 City Council Meeting was adjourned at 9:04 p.m.  
Respectfully submitted,

Marilyn F. Ashcroft  
Marilyn F. Ashcroft City Clerk

Jim Robert Ashcroft

Mayor

Approved as submitted: \_\_\_\_\_

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

✓  
\_\_\_\_\_

CITY COUNCIL MEETING  
GLADSTONE, MISSOURI  
December 22, 1986

AGENDA

1. Meeting Called to Order
2. Roll Call
3. Pledge of Allegiance
4. Acceptance of Minutes of December 8, 1986 City Council Meeting.
5. CONSENT AGENDA:  
APPROVAL OF CLASS C PACKAGE LIQUOR LICENSE, HAPPY ROCK, INC.  
6100 North Oak. (new ownership Happy Rock Liquors).  
Named Managing Officer: Lisabeth Ann Wescott  
  
RESOLUTION NO. R-86-80, authorizing acceptance of contract with  
R.A. Pohl Construction Company for Rock Creek at NE 69th Terrace  
Channel Improvements and authorizing final payment in the amount  
of \$41,021.00.
6. RESOLUTION NO. R-86-78, authorizing execution of contract by and  
between City of Gladstone, Missouri and the Kansas City Area  
Transportation Authority for the retention of public  
transportation. Proposed Total Service Cost: \$43,290  
Gladstone subsidy: \$18,000
7. PUBLIC HEARING: Request to rezone from C-1, Local Business District  
to CP-4, Small Warehouse/Storage District-Planned, property at 5700  
North Oak. Applicant: Landshire Development  
Owner: Kathryn Hershey File #502
8. PUBLIC HEARING: Request to rezone from C-2, General Business  
District, to CP-2, General Business District-Planned, property at  
6900 North Oak. Applicant/owner: Taco Bell File 495
9. PUBLIC HEARING: Site Plan Revision in CP-2 zone, property at  
northeast corner of NE 72nd street and N Oak .  
Applicant/owner: Gladstone Village Center #501
10. APPROVAL OF SITE PLAN REVISION: CP-2 zone, property at 200-300  
Englewood Road. Applicant/Owner: John Chezik Buick File 496
11. Communications from the Audience
12. Communications from the City Council
13. Communications from the City Manager

14. TABLED THIRD READING: BILL 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3 General Apartment District. Legal Protest Petition  
Applicant/owner: Herman Scharhag  
Note: Legal Protest Petition File 487
15. FIRST READING: BILL 86-86, rezoning property from C-1, Local Business District, to CP-4, Small Warehouse/Storage District-Planned, property at 5700 N Oak.  
Applicant: Landshire Development  
Owner: Kathryn Hershey File 502
16. Other Business
17. Questions from the News Media
18. Adjournment

CITY COUNCIL MEETING MINUTES  
GLADSTONE, MISSOURI

DECEMBER 22, 1986

Mayor Bob Ashcroft called the December 22, 1986 City Council Meeting to order in the Council Chambers of the Gladstone City Hall at 7:30 p.m.

Present: Councilman Ken Winkler  
Councilman Les Smith  
Councilman Jim Butler  
Councilman Lee Bussinger  
Mayor Bob Ashcroft  
  
City Manager Patrick Reilly  
City Counselor John Dods  
City Clerk Marilyn Ahnefeld

Mayor Ashcroft led the Pledge of Allegiance to the flag in which all joined.

Item 4 on the Agenda: Acceptance of December 8, 1986 Minutes

Mr. Bussinger moved to accept the minutes; Mr. Winkler seconded. Mr. Smith amended the minutes on pages 5 and 6 regarding Item 12 (7305-11 North Oak rezoning) on the December 8, 1986 agenda. The vote: All "aye" - Winkler, Smith, Bussinger, Ashcroft (4-0) to approve; Butler passed due to absence from the December 8, 1987 City Council meeting.

Item 5 on the Agenda: Consent Agenda

Mr. Winkler moved to approve the Consent Agenda; Mr. Smith seconded. Mr. Smith commented that Resolution 86-80 authorizes an increased expenditure for Rock Creek at 69th Street channel improvements because of the failure of the developer (Gladstone Meadows) to abide by the submitted plans. Mr. Smith said he would wholeheartedly support our attempt to recover the additional costs incurred. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Consent Agenda Review

Mr. Winkler moved to approve the Class C package liquor license for Happy Rock, Inc. 6100 North Oak, new ownership of Happy Rock Liquors; Mr. Smith seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Winkler moved to approve Resolution 86-80, authorizing acceptance of contract with R. A. Pohl Construction Company for Rock Creek at NE 69th Terrace Channel Improvements and authorizing final payment in the amount of \$41,021.00. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Item 6 on the Agenda: Resolution 86-80, authorizing execution of contract by and between City of Gladstone, Missouri and the Kansas City Area Transportation Authority for the retention of public transportation. Proposed Total Service Cost: \$43,290, Gladstone subsidy: \$18,000.

Mr. Bussinger moved to accept Resolution 86-80; Mr. Smith seconded. Mr. Bussinger expressed his concern that many times items are approved for Gladstone to subsidize. With many new apartment complexes coming in the area, Mr. Bussinger feels that it is important to keep a public transportation service in our City and feels that it is a benefit to the City to keep public transportation to sell our City as well as provide the service. The vote: Winkler, Smith, Butler, Bussinger - "aye"; Ashcroft "no". (4-1) to approve.

Item 7 on the Agenda: Public Hearing, request to rezone from C-1, Local Business District to CP-4, Small Warehouse/Storage District-Planned, property at 5700 North Oak. Applicant: Landshire Development. Owner: Kathryn Hershey.

#### Proponents

Dwight Teeter, Teeter and Mantell Architects, 4016 Washington, Kansas City, Missouri, represent the Landshire Development Company of Salt Lake City, Utah. Landshire Development Company has projects in several states and one locally in the Shawnee area. Landshire is the IBM/Cadillac of the self-storage development. What makes them different from other projects is the amenities they put in the project. One of the main items is the perimeter fence. A 10' concrete wall perimeter fence would provide a visual and sound barrier and is easily painted in either a gray of buff and harmonizes with the managers office in the front. The managers office is constructed with either a stucco or brick finish with a mansard roof sometimes with dormers. This site works well for CP-4 mini storage zoning because of the narrow front and large appendage to the back. A 10' landscaped buffer and parking for the office are included on the front. Drawings and pictures of other developments of Landshire Development were presented. At the office is an electronically operated ornamental wrought iron gate. The amount of traffic generally is limited. Payments are made by mail, and the office is generally used only for initial or final leasing arrangements or for loading or unloading.

Construction of this project is all non-combustible. All pavement is concrete. Landshire projects around the country are very well run. A live-in couple will manage the site. Landscaping is included around the perimeter. On the east there would be landscaping along North Oak, the north (58th Street) 25' set back in addition to the 5' for future widening of 58 Street, west on North Grand a 25 set back is included from property line to the wall with bushes, and on the south a 25'



landscaped set back. Mr. Teeters presented a picture of the proposed development.

Landshire Development makes thorough studies of their proposed projects based on needs and marketability, and a study was made for this project and Gladstone was determined to be a good site. This is a growing industry across the country and more people are using self storage.

Mr. Smith asked about the statistics the Landshire Development used to determine the feasibility of this project in Gladstone. The Planning Commission meeting minutes of December 15 reflect the findings of Landshire Development's study. Mr. Teeters also said that it takes about six months to a year to fill a development such as this. Mr. Smith expressed his opinion that a development such as this is not easily converted to anything else and requested a copy of the report by Landshire Development referenced earlier.

Mr. Butler pointed out to Mr. Teeters that Gladstone already had a self storage closeby. Mr. Butler also recognized that if the project failed for some reason, Landshire Development would lose as well; however, the City would be left with a project that would have great difficulty being converted into something else and could cause blight in the area. Mr. Teeters said he was certain that the development could be filled and maintained at a high lease level. Further Mr. Butler noted that the pictures illustrated mirrored windows along the wall and if the Gladstone project would be constructed with or without the mirrored wall. Mr. Teeters said that he believed Gladstone would not have mirrored walls; also, mirrored windows could pose security risks but could be considered if Council desired. The only windows will be in the manager's office. Mr. Butler noted that adjacent residential and commercial properties will all have concrete walls to look at with some landscaping. The roof would be a standard metal seam roof; with a slope forward to the drive. Mr. Teeters said the drainage would be kept to the drives of the project with a slope of 1/2 inch per foot. The water would be collected in catch basins and sent along a route to the main storm sewer on North Oak.

Mr. Bussinger pointed out the aesthetics of this project are very important. He also feels that Landshire Development is short changing the amount of parking in the front. Mr. Bussinger also commented on the high rental rates of storages units and that the highest and best use of the land must be considered.

Mr. Teeters feels that the concrete perimeter wall is not that displeasing and feels it is much more appealing than chain link fencing. Currently Landshire Development has a similar project underway in Shawnee.

From the brochures and other materials presented to the Council, Mayor Ashcroft noted that the projects have different names and asked what

would be the Gladstone project's name. Mr. Teeters said that he did not know.

Mr. Teeter's asked if the three required readings of the rezoning ordinance could be given at the January Council Meeting. Mayor Ashcroft said the Council has set a precedent, especially in a rezoning, that very seldom do they give more than one reading; unless you want to force the issue tonight--although it may no be in your best interst. Mr. Teeter's said he wouldn't want to do that.

Brad Binding, 413 Paola Drive, Blue Springs, explained the intent of the developer would be to excavate from the site to take drainage to North Oak. He feels the residents have a legitimate concern about the silt washing during excavation, but the problems associated with excavation could be controlled during construction.

#### Opponents

John Shanks, Security Self Storage, 6800 North Oak. Mr. Shanks presented copies of a study to the Council showing that no additional units are needed in Gladstone. Statistics were given using the Daniels formula which deals with population and the Ard formula using the number of households, both according to the 1980 census. Population by people and households is used to determine square footage demand averages. Both formulas total 136,972 square foot demand. Mr. Shanks noted that the area vacancy rate is approximately 50 percent; Mr. Shanks's units are also at a 50 percent vacancy rate.

Mr. Winkler said that he appreciated Mr. Shanks's concern about the community, but felt that had Mr. Shanks completed his project in a timely manner as proposed to the City he might not be suffering from a 50 percent vacancy rate. Mr. Shanks assured Mr. Winkler that all parts of the projects were completed in a timely manner as possible.

Mayor Ashcroft asked Mr. Shanks why he was opposed to the project--was he opposed to the project because of economics or because of competition. Mr. Shanks said he was opposed to the project because of the lack of demand for more storage units.

Mr. John Graham of Terrydale, owners of storage facilities in Olathe and Overland Park and I-29/I-35, he does not think there is a market for all the storage facilities that presently exist. He said the Councilman made a good point in questioning how you deal with a vacant storage facility. In his situation he has an insurance company for a partner, and if his project fails the insurance company will have to take it.

Mr. Phil Snowden, 6218 North Bales, Gladstone, said that he owns two of these type developments and is development oriented. In July 1985 a

study was done concerning western Platte County and eastern Clay County and determined that there was a high degree of competition with this type project requiring above average risks. Mr. Snowden feels that 55,000 square feet is hardly feasible and that the existing supply of storage facilities available to Gladstone is adequate. He further suggested that it is not the best use of this land, and the Council might consider rejecting the application.

Mr. Jim Peedish of 5705 North Grand said he represented himself and a few neighbors. Mr. Peedish feels that there will be problems with the concrete walls and water shed with concreting of the hill behind them. Sewer easements runs through the property for the development, and they cannot put the wall over the easement. This project would be on top of the hill and water would drain downward to the residents on the west. These problems with drainage exist now.

Mr. Peedish personally contacted some of the other self storage developments in the area and found two with over a 75 percent vacancy rate and two others with little to no space leased.

Looking out his back window to a concrete wall with lighting inside the development would be like looking into Royals Stadium at night.

Mr. Art Pfaff, 209 West 55 Street, feels with the increased amount of apartments, Gladstone needs storage space. However, the traffic in the area is a great problem to the area. Mr. Pfaff said that North Oak is almost impassible on Saturday's now and is opposed for these reasons.

Mrs. Marge Leimkuhler, 206 NW 59 Street, said she heard the man say that all the water will drain to North Oak. She feels that the developer will not be able to keep all the water to North Oak and that some drainage would come to her area. With the eventual building of a proposed apartment project in the area, both projects would cause drainage problems in the residential area where she lives.

There being no other persons to speak for or against the proposed project, Mayor Ashcroft closed the public hearing.

Item 8 on the Agenda: Public Hearing, request to rezone from C-2, General Business District to CP-2, General Business District-Planned, p[roperty at 6900 North Oak. Applicant/owner: Taco Bell

Mayor Ashcroft opened the public hearing and announced that Taco Bell had requested continuance of this hearing to the January 12th Council Meeting. He asked if anyone in the audience was here to speak for or against this project. Hearing no response, it was announced that this hearing is continued to January 12, 1987.

Item 9 on the Agenda: Public Hearing, Site Plan Revision in CP-2 zone, property at northeast corner of NE 72nd Street and North Oak.  
Applicant/owner: Gladstone Village Center.

Mr. Harvey Haynes, said that this project was still in the Planning Commission process, but because of public notices the public hearing is necessary in order to proceed. Mr. Haynes said the site plan revisions are for Phase II and III of the commercial center at 72nd and North Oak. At one time a financial institution was to be built there. Mr. Haynes wants a project that the City can be proud of as well as the principals of the project. The 22,000 square foot initial project is nearly complete with decorative columns installed today and a clock tower coming the week of December 29. Soon after the first of the year, the old drug store will be razed; however, there is no set date for the month of January depending on the weather. There are items in the building Mr. Haynes has yet to remove. They would like to maximize the total footage of the project.

Mr. Shelton Bower, 136 The Woodlands, feels that they are doing something to help the image of Gladstone. Mr. Bower has lived here since 1956 and has always thought this corner to be an eyesore. As one of the principals, he wants to have a quality project in the heart of Gladstone.

Mayor Ashcroft asked what the changes in Phase III of the project would be and if this phase would be connected to the existing building. The parking would be not any different than what presently exists. Greenery has been provided to the rear to buffer the residential area; Mr. Bower feels that greenery should be kept to a minimum because they do not want to loose a lot of space to parking and reduce the total number of square feet in the building.

There being no other persons to speak for or against the proposed rezoning, Mayor Ashcroft closed the public hearing.

Item 10 on the Agenda: Approval of Site Plan Revision, Cp-2 zone, property at 200-300 Englewood Road. Applicant/Owner: John Chezik Buick.

Mr. Raymond Crater, 4900 Chateau Drive. Mr. Crater represented John Chezik Buick as the architect. Mayor Ashcroft asked Mr. Crater for clarification of what was being requested, what is acceptable, previously submitted and currently submitted for a setback. Mr. Reilly explained that the plan proposal shows a 20' setback and according to Mr. Kaster the building plan that was approved also showed a 20' setback from the curb. The Planning Commission is recommending to the Council that there be a 30' setback from the property line. The net effect of a 20' setback from curb is approximately a 5' setback from the property line.

Mayor Ashcroft asked how this compares to other projects west of this project. Mr. Kaster said for example at the Broadway and Englewood project, there is a full 30' setback with two small invasions for parking because of angles of buildings.

Mr. Reilly clarified that on the proposed Chezik plan there is a 5' setback from the property line. The Planning Commission is requesting there be a 30' setback from the property line. The distance between the property line and curb line is approximately 15', so in effect the Commission is asking for a 45' setback from the curb. Mr. Kaster clarified that 15' of that is already City right of way.

Mr. Bussinger asked Mr. Kaster if the setback on Englewood and Broadway project he referenced earlier included 15' City right of way. Mr. Kaster said it did and pointed out that all front yaerd setbacks start from the property line rather than the curb lines. Curb lines are not necessarily the total right of way and obviously curb lines can change.

Mr. Bussinger moved to continue the approval of this site plan revision to the January 12, 1987 City Council Meeting to enable Council to make a site visit.

Item 11 on the Agenda: Communications from the Audience

None.

Item 12 on the Agenda: Communications from the City Council

Mr. Bussinger inquired if the latest traffic study on North Oak called for additional traffic lights to be installed. Mr. Reilly replied that no recommendation was made. The City engineering firm that made the study two years ago concluded that a stop light north of 72 Street was not needed. Another traffic light was studied in the area of 6100 North Oak and was additionally concluded to not be necessary. A reduction in the number of curb cuts is needed according to the study.

Mr. Smith asked City Manager Reilly for a full scale presentation on the Harbison development at the next meeting.

Item 13 on the Agenda: Communications from the City Manager

None.

Item 14 on the Agenda: Tabled Third Reading Bill 86-73, rezoning property in 5700 block of North Broadway (east side) from RCH-1, Cluster Housing District to RP-3 General Apartment District. Legal Protest Petition. Applicant/owner: Herman Scharhag. Legal Protest Petition.

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Mr. Smith moved to put said bill on the table for discussion; Mr. Butler seconded. The vote: All "aye" - Winkler, Smith, Butler, Bussinger, Ashcroft. (5-0)

Mr. Smith moved to accept the second reading of said bill and place on the third reading from plans dated December 1, 1986; Mr. Butler seconded.

Mr. Smith asked Mr. Scharhag if the intersection of 57 Terrace and Main could be drawn to a straight "T" intersection. Mr. Scharhag said he was agreeable to this request.

Mr. Smith asked why the street coming off Englewood Road is a private street and if there was any way to make it a public street to preserve the right of way. Mr. Scharhag said that if this street were made into a public street there would be problems with the setback. Mr. Snowden said that this could also cause them to lose required parking space which then would cause them to be in violation of the code. The street could be made public and waive the required setback. The City staff requested this street as an additional access.

Mr. Butler asked Mr. Scharhag if this would be a primary road for people to get onto Englewood Road. Mr. Butler sees this primarily as an exit for the project.

Mr. Bussinger said he views this more as an access and not a street, and asked if Mr. Scharhag if this access is to be named. Mr. Scharhag said there was no intention to name the street.

Mr. Smith asked Mr. Scharhag if the access was being built to City specifications. Mr. Scharhag said that this was the case but that right-of-way was not being given.

Mr. Bussinger asked if staff has any problem with the access. Mr. Reilly said they did not.

Mr. Butler asked about the deed restriction to be established as mentioned in the Planning Commission meeting minutes. A letter has been submitted to Mayor Ashcroft and the Council accepting that restriction that the northerly ten acres will retain RCH-1, Cluster Housing Zoning.

Mr. Butler further asked Mr. Scharhag what the new density of the development would be. Mr. Snowden said the density now would be 154 apartments and 35 cluster homes totaling 192 living units which is down from the original 246 proposed units.

Mr. Smith addressed the processes that Mr. Snowden and Mr. Scharhag went through to make this project acceptable. They worked with the residents and got cluster housing to be included on the deed

restriction on the north property. We can all now live with this project. Mr. Smith's two main concerns are traffic and drainage. Mr. Smith hopes that the neighbors can be happy. Mr. Smith said that he will hold the City Manager, Mr. Kaster, and staff responsible for storm drainage so that residents have no increase in storm water drainage. In talking with Marge Leimkuhler and Jill Biegel, who requested the plans be sent back to the Planning Commission, Mr. Smith publicly committed his efforts to them to improve Broadway in the near future. Mr. Smith endorses the project and challenges the developer to make the development as good as he has represented.

Mr. Winkler said that he admires the efforts of the developer, Mr. Scharhag, and Mr. Snowden; however, he will vote no because of his adverse feelings about more multi-family housing in Gladstone.

There being no further discussion. The Clerk read the bill. The vote: Smith, Butler, Bussinger, Ashcroft - "aye"; Winkler - "no" (4-1 to approve)

Mr. Smith moved to accept the third reading of said bill based on revised plans dated December 1, 1986 with the deed restriction to norther portion of the property and enact as Ordinance 2.685; Mr. Butler seconded. The vote: Smith, Butler, Bussinger, Ashcroft - "aye"; Winkler - "no". (4-1 to approve)

Item 15 on the Agenda: First Reading Bill 86-86, rezoning property from C-1, Local Business District, to CP-4, Small Warehouse/Storage District-Planned, property at 5700 North Oak. Applicant: Landshire Development, Owner: Kathryn Hershey.

Mr. Butler moved to place Bill 86-86 on the first reading; Mr. Smith seconded. Mr. Bussinger commented that sometimes the Council should consider not giving a bill a first reading the same night as the public hearing particularly in instances where there is a lot of controversy and maybe the developer wants to come back to the Planning Commission and the Council. Delaying the first reading would give the developer opportunity to work on the proposal. He just mentions this for Council consideration.

The vote: Smith - "aye"; Winkler, Butler, Bussinger, Ashcroft - "no". (1-4 failed to get a first reading).

Mr. Smith commented that his "aye" vote was only to get the bill on the table for action.

Item 16 on the Agenda: Other Business


None.

Item 17 on the Agenda: Questions from the News Media

George McQuiston of the Sun Chronicle asked for clarification on the development at 5700 North Broadway. Approximately 25 percent of the development will be cluster housing.

Mayor Ashcroft adjourned the meeting at 8:49 p.m.

Respectfully Submitted,

  
Marilyn F. Ahnefeld, City Clerk



\_\_\_\_\_  
Mayor

Approve as submitted: \_\_\_\_\_

Approve as amended/  
corrected: ☒ \_\_\_\_\_



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